

Rio Grande Citizens Forum  
March 29, 2011  
El Paso, TX  
Tentative Meeting Notes\*

Board Members in Attendance:

Philip Partridge, Individual Owners of the Rio Grande  
Louis Irwin, Citizens Forum Co-Chair  
Sal Masoud, Del Rio Engineering  
Douglas Echlin, Coronado Neighborhood Association  
Conrad Keyes, Jr., Paso del Norte Watershed Council  
John Balliew, El Paso Water Utilities  
Marie Eichelmann for Mary Frances Keisling, Save the Valley

Members of the Public in Attendance:

Edward Provencio, Doña Ana Soil and Water  
Larry Nance, Upper Valley Improvement Association  
Robert Kimpel, Hudspeth County Farmers and Landowners  
Jim Covey  
Jim Duty, Arcadis Malcolm Pirnie  
Zach Libbin, Elephant Butte Irrigation District (EBID)  
Fernando Cadena, EBID  
Bob and Isela H., Upper Valley residents  
Susan Gant, U.S. Army Corps of Engineers (USACE)  
Will Trujillo, USACE  
Heather McMurray, Sunland Park Grassroots Environmental Group, Sierra Club  
Julie Baldwin Muñoz, City of El Paso  
Jose Reyes, Parkhill Smith Cooper  
Mary Barnes, Upper Valley resident  
Mark and Dana Deemer  
Matt McMillan, SWCA Environmental Consultants  
Allison Pasternak, HNTB  
Yolanda Giner, Cambridge Systematics  
Kelsey Ahern, Cambridge Systematics  
Jim Brogan, Cambridge Systematics  
Sam Irrinki, URS  
Gina Posada, Texas Commission on Environmental Quality  
Carmen Cooke  
Jack Pence  
Joe Noel  
Doug Schwartz, Sunland Dev  
Bill Hoover, Master Naturalists  
Gloria Villaverde, Friends of the Rio Bosque  
Ben Stewart, MWH  
Russell Booth, Office of State Representative Dee Margo  
Louis, Office of State Representative Dee Margo

Woody Irving, Bureau of Reclamation  
Josh, Riston  
Alan Shubert, City of El Paso  
Ann Lilly, El Paso City Representative  
Ron Lilly  
John Cordova, Raba-Kistner  
Rosy Natividad, Office of Rep. Naomi Gonzalez

USIBWC Staff in Attendance:

Sally Spener  
Andrea Glover  
Isela Canava  
Carlos Peña  
Tony Solo  
Rosie Montes

City of El Paso Floodplain Administration Update

Alan Shubert, City of El Paso, started the presentation, discussing draft FEMA flood maps. About 9000 properties are coming out of the floodplain due to work by USIBWC, City of El Paso, and other infrastructure in the area from American Dam downstream. There are about 5300 properties being mapped into the floodplain in the Upper Valley due to the levee there not being certified. All areas of the city are positively affected except for the Upper Valley. Most areas have fewer properties in the floodplain. The 90-day appeal and protest period for the FEMA maps started March 4 and ends June 2. After considering the appeals and protests, FEMA will issue a Letter of Final Determination, after which there is a 180-day grace period before properties are actually mapped into the floodplain. It can take months for FEMA to review the comments received. FEMA received a letter from members of Congress asking them to review the rationale for mapping levees in floodplain. It's not likely to affect the appeal and comment period but it would affect when the finals are issued.

If you think your property is in the floodplain improperly, visit the FEMA or City of El Paso's web site. An appeal has to be based on technical data. Current and proposed maps are on the City's web site. You can enter your address and see your property on the current and proposed maps. Send questions to [floodzones@elpasotexas.gov](mailto:floodzones@elpasotexas.gov) or call 541-4200.

There is continuing work with partners to pursue a Zone A99 designation, which is applicable for communities that have achieved adequate progress for levee construction or restoration programs. Properties located within the Zone A99 would receive the same insurance rates that would be applicable once work is complete. In spring 2012, USIBWC will meet the 50% completion criteria on the west side of the river for this A99 designation. On the east side of the river, because it connects to the Canutillo floodwall because of difficult issues with the railroad and property issues there, it would not qualify. Projects on the west side of the river are very well in progress.

Larry Nance – Explain the difference between a protest and appeal. Does it go to FEMA or the City? Has the base flood elevation been determined? Is the City going to appeal?

Shubert – A protest isn't based on scientific data. They may not entertain protests. Appeals are based on scientific data such as there are mistakes on the maps. The City has sent those comments. FEMA has sent us some base flood elevations determined by the flood insurance study they did. They are not extensive. The base flood elevations are available on our web site. Send all appeals to our office. We don't filter them; we send all of them to FEMA with the City's additional comments.

Sal Masoud – The base flood elevation data on the City web site is very limited. Is there any plan for the City to appeal because the information is inadequate?

Shubert – The question would then become whether the City of El Paso can file an appeal since FEMA has not provided enough data. FEMA says we cannot but we can do additional studies to get that data for the basis of the appeal. The USIBWC is doing a lot of work upstream from American Dam. The City is also doing a part of it with flap gates, etc.

Woman – How far north do we have to go to be certified?

Shubert – Unless you have a barrier that provides protection, like a bluff in the Anthony area, it's from here to Mesilla Dam; that's the work that needs to be done for certification.

Carlos Peña, USIBWC – What is the date that the homeowner can purchase flood insurance at the lower rate before the new maps and higher flood insurance rates take effect?

Shubert – If your home exists in a zone that is not currently a flood zone today and you buy flood insurance any time before the new zone is in effect, then the old zone is grandfathered in, as long as you keep insurance on the property. The worst case scenario is if you wait until after your property is mapped into the flood zone, then you will pay the high-risk rate.

Man – If I see my property is higher than the flood zone, who's going to pay for the documentation to do the engineering work to prove it? Is that the individual landowner's responsibility?

Shubert – Yes. We posed this issue to the City Council to see if they wanted to make a citywide effort but they were not interested in making it a citywide effort.

Nance – If the City won't spend the money to validate it, then everyone needs to buy the insurance now or later. If you don't buy it now, then a future buyer would have to buy the insurance at the higher rate and that may make them not buy the property.

Shubert – Eventually the levees will be certified and that won't be a requirement.

Nance – If you are on the west side of the river in the Upper Valley, you are in the flood zone.

Woman – Are there plans to dredge the river bed?

Peña – As part of our regular O & M, we do perform hydraulic analysis to determine if there is a need to dredge. If there's a technical basis, we would do it. If you have a specific area of concern, we can look at it.

Woman – There are trees growing in the riverbed at Country Club Bridge. The water is so slow that it's evaporating.

Peña – I would be happy to take your information and look into that area.

Nance – I encourage everyone to write the City Council to ask them to provide funds to do the studies.

Masoud – It would be more professional for the City to do the study so that we would have accurate base flood elevation data for the Upper Valley. Maybe we could lobby the City Council to do that study for that area.

Shubert – The Council has indicated it's the responsibility of those who want to build and develop. If you read newspapers in other river valleys across the country, people are dealing with this exact same issue.

Robert Kimpel – What about people who are not in the City of El Paso?

Shubert – Go to the County Roads and Bridges.

Julie Baldwin-Muñoz then continued the presentation, discussing the Community Rating System, a voluntary program for communities participating in the National Flood Insurance Program. The purpose of the program is to reduce the flood damage to insurable property. Some of the strategies for this are to create incentives to communities that increase flood awareness. By participating in this particular program, communities can obtain discounts to insurance rate premiums in 5% increments. Communities are rated as Class 1 through 10. A Class 1 community gets a 45% discount. Class 9 gets a 5% discount. We currently have a rating of 9 and are working to lower that to a 7, which is viable. We have 5,259 active policies in 2010. If we get a 7 rating, we would have savings of over \$400,000.

Among the activities a City can undertake to improve its rating are to adopt the latest building codes, which went into effect this year. We are working on a comprehensive outreach strategy, working with community groups and IBWC to share flood protection information with the community. We are providing timely information on our web site, such as flood insurance information and elevation certificates. We are also working to integrate an emergency management element into the program. We are taking active steps to improve our rating.

If we have an elevation certificate for your specific address, it is posted and available on our web site. Go to the City's general web site, there is a tab that gets you straight to our home page. Not every house has an elevation certificate, only those that have an elevation certificate are available.

Man – Whom do we mail the protest appeals to?

Baldwin-Muñoz – Floodplain Administration Section, City Hall 4<sup>th</sup> Floor, 2 Civic Center Plaza, El Paso, TX 79901 or e-mail to [floodzones@elpasotexas.gov](mailto:floodzones@elpasotexas.gov). You can call us at 541-4200.

#### Update on Levee and River Park Access During Rio Grande Levee Construction

Andrea Glover, USIBWC, gave a presentation on this topic.

Levee construction is affecting the Sunland Park River Trail, Rio Grande River Regional Park, the Mesilla Valley Bosque Park, and La Llorona Park in Las Cruces. Vehicular gates have been removed during construction. Contractors have to take the gates down, rehabilitate them, and install them after construction.

Regarding the Sunland Park River Trail, access to the trail is available at Racetrack Bridge contingent upon construction activities. Currently you can get in there and park in the parking area. You would have to step over the silt fence to get to the

hiking trail. However, all other access points to the Sunland Park River Trail are closed and gated. This is the only access point.

For the Rio Grande River Regional Park, Country Club Road is closed, locked, and gated. North of Country Club Road to Vinton Bridge it is mostly open. The first major point where you can access it is at Borderland Bridge going north. The southern portion between Borderland and Country Club is closed. At Canutillo Bridge, you can access the river park trail to both the north and south at this time. Both will have flood gates installed and during installation of floodgates, access will be closed for short periods of time. At Vinton Bridge, the park is completely accessible at this time. From Borderland to Vinton, the trails have been covered with dirt to protect them from damage during construction and segments of the sidewalk have been removed. It is an inconvenience but prior to the end of construction, the soil will be removed and sidewalks replaced.

The Mesilla Valley Bosque State Park will be completely open during construction. The main thing to watch out for is construction equipment and haul trucks. We are trying to allow access safely. There may be some detours during haul truck activity.

At La Llorona Park, which is a major park at the Picacho Bridge across the Rio Grande in Las Cruces, starting at the end of this week, there will be closures. The park has a section to the north of the bridge and another to the south of the bridge. The contractor will close it in two separate parts. The north side will be closed from the end of this week through mid-May. The south side will be closed from mid-May until the end of June, approximately.

We have received various calls about the “rock trail” along the levee. It’s actually a toe drain or rock trench. They dig a trench, fill it with rock over geo-textile. It is to relieve subsurface pressure as a safety and structural feature of the levee.

She offered some guidance to residents near the construction zones. Please don’t park in construction areas or in front of construction gates. Don’t park on access points at bridges where construction is going on. Don’t enter construction zones. They are unsafe. Don’t go around the gates, stay on open trails, do not use the levee that’s under construction. She showed photos of heavy equipment that could pose a safety risk.

At the end of construction, signs will be posted indicating what people can and cannot do on the levees. The levee will be built to FEMA standards. After construction is finished, trails and parks return to preconstruction condition, gates will be replaced, and disturbed areas will be reseeded.

Peña – When is the end of construction?

Glover – Sunland Park construction will end Feb. 2012. Mesilla I, which affects the Bosque, is August 2011. The Rio Grande trail is the biggest unknown. It is currently scheduled to end in May but we are starting to work on a contract modification and it will be extended but we’re not yet sure for how long. La Llorona Park impact will be over at the end of June or beginning of July. That whole stretch will be completed by December of this year.

Nance – After construction is completed, when will you attempt to certify the levees?

Glover – When we get the documents showing “as built,” we send them to FEMA. It will be 3-9 months after February.

Canava – We are working on compiling all of the documentation and manuals. The only thing we'd need is the record drawings. As we are done and turn in those record drawings, they should be close to having the packets ready. The target is three months from completion of construction.

Man – What are levees going to be reseeded with?

Glover – Native grass mix.

Man – Is that the only soil stabilization?

Glover – Yes.

Nance – After you submit the documentation, how long will it take FEMA to recertify the levees?

Canava – Unsure. There's also an interior drainage issue that needs to be taken care of by those entities responsible for drainage on the land side of the levee.

Philip Partridge – I would like to see the gates moved back so there's room for parking. There is parking at La Llorona and Sunland Park. Is the City of El Paso or state doing anything to ensure public access? Is there anything being done by IBWC to ensure parking access? At Sunland Park, there's one entrance in and one entrance out, which can make users more vulnerable to crime. The San Antonio Riverwalk was funded with federal money. Is there any effort to see about federal money to develop the recreational areas?

Carlos Peña, USIBWC – We have been working on a project for the City to install some parking at the Country Club area on USIBWC property. We are working on a conceptual design and trying to identify funding with the City of El Paso. We met with Mayor Cook last year to discuss potential paddling trails upstream from American Dam. The City is looking at that and the parking issue. The major issue is funding.

A couple of people mentioned that there is parking at Valley Creek Park in the Upper Valley, which provides access to the Rio Grande River Trail Park. The City put up a sign with a little map showing how to get to parking at Valley Creek Park from the Country Club Bridge.

### El Paso Regional Ports of Entry Operations Plan

Jim Brogan, Cambridge Systematics, gave a presentation on this topic.

We were brought on by the Texas Department of Transportation and the City of El Paso to review all existing ports of entry in the region from Santa Teresa to the new Tornillo-Guadalupe crossing. We want to look at how they could function in the future to handle traffic and, if you make improvements to one, how would it affect the entire system. We make forecasts into 2035. We want to make operational recommendations to make the crossings work better.

We hope to complete our plan in a couple of months, identifying realistic implementable strategies to improve crossings. This means strategies that have funding available. A detailed plan of action will have realistic funding, phased implementation approach, and will identify roles and responsibilities of regional stakeholders.

The study and planning process is divided into several phases. Phase I is Management and Outreach. Phase II looks at the existing and forecast conditions. Phase III is Scenarios and Testing. Phase IV is financial evaluation (funding and financing strategies). Phase V is recommendations and implementation, including a final report

and implementation plan. There has been intensive public involvement, data collection and analysis.

Through stakeholder outreach, we worked to understand regional issues and priorities, inform stakeholders, and identify and screen recommendations. There was a public opinion survey and targeted interviews/focus groups. Six public meetings were held in the region, and we continue to have meetings and briefings with government entities and stakeholders. Our outreach included Mexican stakeholders.

We took all of the ideas received, about 150 projects, strategies, initiatives. We evaluated them and grouped and organized them into about 22 individual scenarios into 4 broad areas: Crossing staffing and management (increase inspectors), technology improvements, pricing (toll rates), traffic engineering/infrastructure (signal timings, changes to approach networks).

We are developing an operational model to assess impacts and benefits of the different strategies. Once we come up with recommendations, we will couple that with detailed finance plans, identify roles and responsibilities for implementation, and describe barriers and obstacles that must be addressed prior to and during implementation. In about one week, we will have some initial results to share with our advisory committee. We will do some targeted briefings and meetings in late April/early May to share initial recommendations then spend the month of May finalizing them and wrapping up the implementation plan to deliver.

Additional information is available at:

[www.elpasoborderplan.org](http://www.elpasoborderplan.org)

[www.twitter.com/TxDOTELP](https://www.twitter.com/TxDOTELP)

[www.txdot.gov/facebook](https://www.txdot.gov/facebook)

[elpasoborderplan@camsys.com](mailto:elpasoborderplan@camsys.com)

Heather McMurray – Does your computer model include environmental or agricultural data?

Brogan – It does not. The output from the model can be used to do air quality emissions. We are not looking at environmental impacts as part of this study criteria. But the capability exists to do that. It isn't part of what we were tasked with doing.

McMurray – Were you tasked by TXDOT?

Brogan – TXDOT although the City is involved.

Louis Irwin – You have collected information on the Mexican side as well as this side. To what extent will the strategies have to involve Mexican counterparts?

Brogan – Almost all of them will. A big part of the targeted outreach was to Mexican counterparts, such as SCT, IMIP, Aduanas, and the Consulates.

Irwin – How are issues different and the same on both sides of the border?

Brogan - The issues are the same, primarily concern about wait times and the importance of economic vitality. Where it's different is regarding security vs. mobility. On the U.S. side, there is a greater interest on security. On the Mexican side, our Customs agents are perceived to value security over mobility.

Irwin – If we can address delay, will it be environmentally beneficial?

Brogan - Any time you can improve flow, you benefit air quality. While we are not explicitly looking at environmental benefit, we are sensitive to the fact that if something was perceived as having a negative environmental impact, it wouldn't have

made the list. Likewise, strategies that would have degraded security would not have been considered.

### Public Comment

Woody Irving, Reclamation – We only have about 500,000 acre-feet of stored water, about 100,000 acre-feet less than what we had last year at Elephant Butte and Caballo Dams. It's not going to be a good year.

Kimpel – The dredging of the river and floodplain is of interest to us in Hudspeth County. If the floodplain and river were dredged more aggressively through the years, it would mean you wouldn't have to build up the levee.

Masoud – It's a function of hydraulic grade line.

Peña - Dredging is very expensive. We have done it over the years. We do a hydraulic analysis to determine if it's needed. If it is and funding is available, we would do that. At the lower end, there's not a lot of flow and it would fill back up within months.

Nance - Wouldn't the material be marketable?

Peña – We can't give it all away. We usually have to landfill some of it.

Eichelmann – Why did they used to dredge the river every couple of years at Country Club?

Peña – Before we had the scientific technical information, it was done because it looked like it needed it. But when we did the technical analysis, there were some areas that didn't need it. There are areas in the Upper Valley where the level of the river has degraded/decreased and it's not needed. It's based on carrying capacity, not how it looks.

Man – Who do you have for enforcement when there are unauthorized motor vehicles on the levee? Who responds? This is in the Upper Valley in New Mexico.

Spener – We have a letter authorizing the Doña Ana County Sheriff to enforce on USIBWC property. There may be a similar arrangement with El Paso County.

Man – I would like to know. I think the El Paso Police Department may be interested.

Heather McMurray – I am interested in the Asarco issue and the impact on the IBWC workers. A group I work with has asked the trustee of Asarco to put air monitors at the USIBWC American Dam site. We would like to get an update. Another suggestion for an agenda item for the next meeting in El Paso is that there is an El Paso Water Utilities Texas Municipal Drainage Utility System Project ongoing to put in a bi-directional 40+ inch water pipe, a large portion of which is through IBWC property next to Asarco. Our concern is that they test for additional materials than they have tested for. They are only looking at arsenic, lead, and cadmium. We recently got a 1994 Asarco whistleblower report regarding materials that came up here for about 10 years and we don't know what came up here for disposal and incineration, we don't know what is in the environment until we test for it. We have been asking for testing for 6 years. The International Joint Advisory Committee of the U.S. and Mexico has also asked that contamination ground studies be done and it hasn't happened. El Paso Water Utilities told City Council that they realize it's contaminated but they don't know where else to run it through because they have to run it east-west. I hope they'll consider looking at additional things, such as radioactive isotopes. The unit that handled the waste went up in flames recently, creating exposure. I give USIBWC credit, they say that workers need to

wear protective gear and if you dig it up, it needs to go to a Class D landfill. Our drinking water via the American Canal goes by a toxic incinerator. That's a concern. I would like a presentation about that pipeline project. The public comment period closes April 12 for the Asarco multi-sector general permit for stormwater coming into the American Canal and Rio Grande.

Peña – Regarding American Dam workers, we met with Asarco officials on implementing measures there to monitor air while activity is underway. We are aware and are working on it.

John Balliew, El Paso Water Utilities - Regarding the pipeline, there is an existing pipeline through the same route. We are planning a replacement. There is a section between Executive Center and the Asarco site where there is contamination. We did a study to help plot the path of the pipeline so we can minimize hazardous waste areas that might be encountered. Once we know the exact site, we will do additional testing. I would like to see the whistleblower report.

Sally Spener - Citizens Forum board terms are expiring in June and we will put out a notice seeking applicants.

#### Board Discussion/Suggested Future Agenda Items.

The next meeting will be June 23 in Las Cruces, NM.

Balliew - For the next meeting, I could discuss the pipeline routing we have and the current round of testing.

Nance – Progress on levee system and construction.

Masoud – Progress on levee certification packages for FEMA.

Irwin – Get Mr. Brogan to come back to talk about the Port of Entry Operations Plan after they are ready to make specific recommendations.

Conrad Keyes, Jr. – Preliminary information on our *E. coli* study in the New Mexico portion of the Rio Grande.

\*Meeting notes are tentative and summarize in draft the contents and discussion of Citizens Forum Meetings. While these notes are intended to provide a general overview of Citizens Forum Meetings, they may not necessarily be accurate or complete, and may not be representative of USIBWC policy or positions.