

Rio Grande Citizens Forum
April 19, 2012
El Paso, TX
Meeting Notes*

Board Members in attendance:

Dale Reinhardt, Mayor of Clint
Danny Chavez, Hudspeth County Reclamation District
Carl Clark, City of Las Cruces
John Cordova, Raba Kistner
Valerie Beversdorf, Elephant Butte Irrigation District
John Balliew, El Paso Water Utilities
Conrad Keyes, Jr., Paso del Norte Watershed Council
Sal Masoud, Del Rio Engineering
Mary Frances Keisling, Save the Valley
Travis Johnson, Travis Johnson Law Firm

USIBWC staff in attendance:

Sally Spener
Hayley Goodstein
Carlos Peña
Andrea Glover
Steve Lyell

Members of the public in attendance:

Tim Keithley, Office of Congressman Pearce
Larry Nance, Upper Valley Improvement
Gilbert Trejo, ARCADIS Malcolm Pirnie
Robert Kimpel, Hudspeth County Farmers and Landowners Association
Jim Jamison, Willow Creek
Juana Jamison, Willow Creek
Sandra Hernandez, Parkhill Smith Cooper
Russell Booth, Office of Dee Margo
Ruben Chacon, Sun Metro
Ruben Medina, Sun Metro
Jose Ojeda, TCEQ
Matt Barnard, Western Summit Constructors
Mr. and Mrs. Ismael Payan, Valley residents
Alicia Fogg, ARCADIS Malcolm Pirnie
John Sparks, ARCADIS Malcolm Pirnie
Mary Barnes, Upper Valley resident
Brenda Barnes, AMEC, Upper Valley resident
Yvonne Curry, El Paso County Engineering
Joe Fernandez, Willow Creek resident
Alan Shubert, City of El Paso
Mike Landis, Bureau of Reclamation
Woody Irving, Bureau of Reclamation
Xochitl Torres, Office of Sen. Udall

Mr. Brian Hanson, 319 Grand
Mr. Robert Boatright, Division Chief, Border Patrol
Mr. Fernando Sanchez, Lower Valley Water District
Mr. Saul Trejo, Lower Valley Water District
Mr. Marcelino Trujillo, PSC
Ms. Sandra Hernandez, Parkhill, Smith & Cooper
Mr. Tim Keithley, Office of Congressman Pearce
Mr. Dave Chicka, Upper Valley resident
Mrs. Judy Chicka, Upper Valley resident

Paisano Valley 48-Inch Transmission Line Project

Gilbert Trejo, Project Manager, Malcolm Pirnie, the Water Division of ARCADIS-US, Inc., gave a presentation on this topic. He is the consultant working on this project for the El Paso Water Utilities (EPWU).

The primary purpose of the transmission line project is to move water from the Canutillo wellfield to downtown storage tanks. At times water does need to be pumped and pressure can be low. The existing line was installed in 1955; the line is experiencing leaks and isolated failures.

The new pipeline will be a bi-directional pipeline that moves water from West El Paso to Central El Paso. During irrigation season, the Canal Street Plant in downtown is the main supply of water. During non-irrigation season, EPWU relies on the Canutillo wellfields and the line is used. During summer and spring when there is surface water in the Rio Grande and American Canal, water is transferred from Central El Paso to West El Paso. In the event of drought conditions, the line could be used to provide water to Central El Paso during all months of the year if there is not surface water available due to drought. It is an important line for the city's water supplies.

The existing line is over 50 years old and is experiencing isolated failures and leaks. It is past its design life. The new pipeline will improve system reliability. The current pipe is a 36-inch pipeline and it will be upgraded to a 48-inch pipeline.

The final segment that needs to be replaced is from Racetrack Drive to Schuster Avenue. The other segments have been installed. The existing pipeline goes underneath Paisano Drive, underneath the border fence, underneath the levee in parts, generally following Paisano Drive. It is difficult to access the pipeline.

Several different potential alignments were considered taking into consideration environmental impact, reliability, accessibility, cost, etc. The selected alignment parallels the existing alignment along Paisano Drive.

EPWU approached the Asarco trustee about the alignment and a possible route that crosses some of the lands of the former Asarco smelter. This alignment has a groundwater table at 20-30 feet so less dewatering would be required. It is also up gradient from the main smelter process areas. It borders the east property line of the former Asarco site. This alignment is not final but we are exploring it with the trustee. We are pinpointing where the pipeline would go and need to get his approval for this pipeline alignment. Once we cross the Asarco site there is a challenging part. Once you get south of the trustee site near the Yandell Bridge it is a very tight corridor. There are other utilities there, roads, canals, levees, the international boundary, and railroad. To get across this site, we have been working with the railroad and IBWC with a proposal where we would group the water resources in the corridor, keep them safe together away from any other encroaching utilities. That's a dialogue we've opened up with the other utilities. In conjunction with the USIBWC's concrete lining of the American Canal, we are exploring whether it makes sense to install both at the same time to save taxpayer money. We are trying to pinpoint the best alignment for this portion.

We are designing all alternatives right now. The goal is to have it constructed and in place by summer 2013. If one design falls through, we will have another one to implement.

Carl Clark – What is the existing pipeline material?

Trejo – Concrete. For the new pipe, it's a new generation of concrete pipe that is more durable. We are using trenchless technology, using a tunnel/boring machine. The pipe itself will be 48 inches but it will be installed inside a larger casing pipe, approx. 72 inches in diameter.

Sal Masoud – Will there be disruption of service?

Trejo - It will not disrupt service. There will just be an isolated shutdown where the connection will be.

Conrad Keyes, Jr. – What is the maximum size?

Trejo – We are installing a 48-inch pipe in a 72-inch casing. You could put in larger than 48-inch if you needed to in the future.

Robert Kimpel – Your groundwater depth around Asarco is 20 feet. Isn't there a year-round live spring that feeds the Portland cement pond?

Trejo – There is one section that crosses an ephemeral pond area where the topography goes down. The groundwater table stays the same even with changing topography. The trustee will be doing dewatering for their work. We want to install the pipeline when they are dewatering.

Member of the public – What is the length?

Trejo – This missing middle segment is about 14,000 feet.

Floodplain Activities Update

Alan Shubert, City Engineer, City of El Paso, gave a presentation on this topic.

Mr. Shubert stated he will address the question of what is going on with the map modernization issues and draft flood insurance rate maps. He stated that nothing is currently going on. He proceeded to explain why.

In June 2010, the preliminary flood insurance rate maps were released for El Paso County. Those maps removed approximately 9000 properties from the floodplain and added about 5000, mostly in the Upper Valley. Except for the Upper Valley, every part of El Paso has a big decrease in properties in the floodplain.

Our map process is part of a larger process of the Nationwide Map Modernization Initiative undertaken by the Federal Emergency Management Agency (FEMA) in 2005/2006. They want to use updated mapping methods to try to do more accurate depictions of the floodplain. They used the standard "without levee" modeling method. This means that if you have a levee that cannot be certified by a professional engineer and cannot be certified to FEMA then for their purposes they map it as if the levee did not exist. That is part of what's being challenged right now.

A 2005 procedural memorandum for FEMA defined FEMA rationale for floodplain mapping purposes. So if the levee isn't accredited as meeting the 100-year flood requirement, it is shown as if the levee didn't exist.

In May 2011, FEMA placed the preliminary maps for El Paso County on hold. This was after a number of Members of Congress expressed concern about the FEMA process. FEMA agreed with Congress to look at the "without levee" analysis and to come up with new tools that are more precise to determine the level of protection a levee can provide if it cannot be fully accredited. They put together a project team of experts and independent scientific review body. There is a suite of tools that can be used but they still need some work. Some of these considerations include how you map risk when you have some levee reaches that are sound but others that are not, how you map areas where the freeboard is deficient, whether the levee will still stand if it overtops and provides partial protection, structural-based inundation, and natural valley.

FEMA has made its proposed approach available to the public for review and comment. The comment period just ended and they are just beginning the hearing process but we don't have a schedule yet for that. They are looking to evaluate partial acceptance of levees that cannot be certified. Until they go through the studies, it's difficult to assess whether these studies will help you or hurt you. There is no clear schedule for getting the remodeling done. This is not just an El Paso issue; it affects communities throughout the United States.

The preliminary maps can be viewed at: www.elpasotexas.gov/engineering/floodzones.

The City of El Paso has asked if the proposed new maps can take effect in those parts of the community that are not affected by levee certification. Most parts of El Paso are not affected by the levee certification. FEMA will consider this. It appears IBWC is going to finish the levee work before FEMA decides how to map it.

Mr. Kim Keisling – In 2006, a big concern was a dam in Juarez south of Mt. Cristo Rey. It would seem incongruous that they would be able to certify downtown with that risk still there.

Shubert – That dam was silted in and didn't have as much capacity as people thought.

Carlos Peña (USIBWC) – When we were notified of the concern about the dam in Ciudad Juarez, our engineers went there and helped dewater it. Mexico subsequently filled it in.

Sally Spener (USIBWC) – It was essentially taken out of service so it no longer poses a risk.

Robert Kimpel – If you have a breach in a segment, it will cause flooding over a wider area.

Shubert – Most of the Upper Valley is pretty flat so if you had a breach, it would flood a significant area. One challenge is how you define a reach.

Larry Nance – Will floodplain elevations be determined before the maps go into effect?

Shubert – There have been some base flood elevations determined. But we do not believe the information provided is adequate for us to protect the floodplain. Additional study would be needed.

Sal Masoud – The base flood elevations are few and located north near Canutillo so it's hard to extrapolate that information for other parts of the Upper Valley.

Conrad Keyes, Jr. – City of Las Cruces has the proposed flood hazard designations and has a 90-day comment period for the appeals process. It was announced in the paper today.

Mr. Shubert was interested to know how the City of Las Cruces mapping effort has proceeded to this point given the inaction by FEMA for the El Paso mapping process. El Paso would like to move forward because most of El Paso benefits but the Upper Valley does not.

Update on Rio Grande Levee Construction

Andrea Glover, Civil Engineer, USIBWC, gave a presentation about the ongoing levee rehabilitation projects in the Upper Rio Grande region.

Hatch Levee Improvements – The Hatch project is done. The three gates we were waiting on were shipped in March and have been installed. We are awaiting record drawings so we can pass them on to FEMA.

Mesilla Phase I, 33.4 miles of levees from Shalem Colony Road south to Mesilla Dam on the west side and then from Mesilla Dam to Vado Bridge on both sides. All levee work is done but they still have one gate and one structure to work on.

Mesilla Phase 2 goes from south of Leasburg Dam on the east side down to Mesilla Dam. For that project, we have stopped the contractor work. We are doing soils testing due to concern about the embankment. We are going through a process to determine if it was bad specifications on our part or bad construction on theirs. Once construction resumes, it will take 2 months or so to finish.

Canutillo Phase 1 is nearly 100% complete. They just have a little embankment material to put in at Borderland and Canutillo Bridges.

Sunland Park project covers Borderland Bridge to the El Paso Electric Power Plant. It's about 60% complete. This contractor is moving slower and we are working with him on that.

There are design projects planned for construction in the future. Next year, we plan to construct the Vado levee just south of Vado Bridge where it comes up to the railroad easement. We have about 1.5 miles of work to do there.

Canutillo Phase II design is north of Vinton Bridge to Borderland Bridge on the east side. Depending on funding, it could be constructed during the period from 2014 to 2017.

Design for the Courchesne Bridge and Nemexas reach is wrapping up. Depending on funding, construction is planned for the 2018-2020 timeframe.

For the Ysleta to Fabens segment, which runs from Riverside Dam to Fabens, we will go out for bid later this year.

At the bridges we have been putting in floodgates. There are certain areas on roads/bridges where we need a few more feet to meet FEMA criteria. If we didn't install floodgates, we would have to raise the road and the bridges but floodgates are more cost-effective. These are completely passive, no one needs to go out there to close the gate. As the water comes up, it causes the flood gate to open, protecting the area behind it from floodwaters.

One FEMA requirement is that every gap in the levee must be able to be sealed so drainage and irrigation structures that go through the levee are also being worked on to ensure they have gates and otherwise meet FEMA criteria.

Robert Kimpel – What about Hudspeth County gates?

Carlos Peña (USIBWC) – When we had a hurricane in the Lower Rio Grande Valley, we had our crews go out there and plug structures under our responsibility. Others are the responsibility of local entities or irrigation districts.

Larry Nance – When you finish the Sunland Park project then that will complete the levee work north past Vinton?

Glover – It will complete it on the west side from just south of Country Club to Mesilla Dam.

Nance – So how will you be applying certifications?

Glover – As soon as construction is finished, we will get record drawings from the contractor and then we will submit that to FEMA. We are looking at 3-4 months after construction to get all those electronic record drawings. The contractors don't get a final payment until they do it.

Nance – So if he completes in July, then you will have drawings and submit it by November?

Steve Lyell (USIBWC) – We have a team assigned to that and we keep it tracked very closely.

Nance – Why is there a hump on Country Club Bridge where they put in the floodgate? Will they do anything to get rid of the hump?

Glover – It was constructed to specifications. At this time there is not going to be a change but we are looking into it.

Conrad Keyes, Jr. – In the Hatch area, do you own most of the gates?

Glover – In Hatch and Las Cruces, most are owned by the Elephant Butte Irrigation District (EBID).

Residents of Willow Creek neighborhood near Country Club Bridge raised concerns about the noise caused by the floodgate recently constructed. They indicated that it makes a lot of noise whenever a car crosses.

USIBWC staff explained that the floodgate is designed so that it moves and raises during flood conditions. The USIBWC is working on options to address the neighbors' concerns but has not yet identified a solution. Once a solution is identified, this information will be provided to the neighborhood residents and Upper Valley neighborhood associations.

Another concern was that if the floodgate is deployed then residents will not be able to get across the affected bridges. It was discussed that Artcraft Bridge, which is much higher than the levee and does not have a floodgate, as well as other bridges that don't require floodgates, could continue to be used to provide access to the Upper Valley.

There was a question about whether dredging of the river could be undertaken to improve flood capacity rather than raising levees and floodgates.

Carlos Peña (USIBWC) responded that it would not be cost effective to do annual dredging. We have done an analysis of areas that may have reduced capacity. There are areas down south of El Paso that have hydraulic capacity issues, which we've dredged. In this area, we have taken care of spots that have had problems.

Conrad Keyes, Jr. - You would probably have to deepen the river by 5 feet and widen the channel by 20-30 feet to make up the difference.

It was also noted that silt disposal would be an issue.

Tim Keithley, Office of Congressman Pearce – For Mesilla Phase II, a pit was created to take clay and the landowners were promised it would be replaced. Is it not filled in yet because of the stop work order?

Glover – We want to get the contractor working again as soon as possible to finish work in that area.

Keisling – What about Borderland southeast of the river?

Glover – It is part of the Sunland Park Project and it is ongoing. That whole thing will hopefully be done by July.

Valerie Beversdorf – Is access supposed to be restricted on the levees? No vehicles on them?

Glover – The signs we put up indicate no motorized vehicles are allowed although government vehicles and irrigation district vehicles are allowed.

There was discussion that the sheriff's office can carry out law enforcement activities. The USIBWC was asked to send an e-mail to the affected neighborhood associations with the contact information for whom to report problems to.

USIBWC staff explained that Canutillo Bridge, which is currently closed for floodgate construction, will open sometime between next Monday and Friday. No more bridge closures are expected after that.

Announcements

Carlos Peña made several announcements. He announced that Sally Spener, USIBWC Public Affairs Officer, will be moving to the Foreign Affairs Office but the Citizens Forum Program will continue with Ms. Spener's support. He also announced that USIBWC is reopening the Laredo Office.

There have been a number of articles about Convention of 1906 water deliveries to Mexico from Elephant Butte Dam. The 1906 Convention is the agreement we have with Mexico on distribution of Rio Grande water. That agreement allows Mexico to receive up to 60,000 acre-feet/year. That treaty has a schedule for delivery of water to Mexico from February to November. When there is not enough water, there is a reduction in allocations to both Mexico and the U.S. users. In February, we had a meeting with the irrigation districts and the Mexican Section of the International Boundary and Water Commission. The meeting looked at the deliveries for the coming year. At that meeting, El Paso County Water Improvement District #1 and the Elephant Butte Irrigation District (EBID) indicated they would wait until May 15 or June 1 to release water, one of the latest dates on record. Since Mexico only gets about 10% of the water that is released, they usually piggyback on the water deliveries to the U.S. irrigation districts. They normally receive water in February or March; April 17 was the latest date ever for deliveries to begin to Mexico. Mexico requested water beginning March 26. The U.S. irrigators were concerned so we changed it to April 5. Mexico and El Paso have both been receiving water since April 7. That caused a lot of concern because of the difference in schedule. The lessons learned from this is better coordination is needed. For next year, we will do the coordination a little bit earlier. Mexico told us that if they had been told in November or December, it could have been coordinated better. So we will work to have releases in sync.

Larry Nance – Are you going to stop the flow during the month of May?

Peña – That depends on what the Public Service Board wants to do.

Robert Kimpel – We were told that Mexico deliveries have to be at the same time as U.S. deliveries.

Peña – The Convention of 1906 has a schedule.

Conrad Keyes, Jr. – Isn't there language in the operating agreement for the Rio Grande Project that says Reclamation must adhere to the schedule in the treaty?

Mike Landis (Reclamation) – We adhere to the treaty but I don't know specifically what the agreement says about the schedule. The Rio Grande Project was built for Mexico. In certain years before Elephant Dam was built, Mexico got zero water.

John Balliew (EPWU) – The PSB does not have a seat at the table. We are a customer of El Paso County Water Improvement District #1. There was even discussion of whether we would take the water in the river because we had agreed with the May 15 date. We do not want an interruption in the release. If there is no water in the river during certain times of the year then we have to cut back because we rely on the river for a small portion of our water. We have a drought contingency plan with different voluntary and mandatory curtailments at different drought stages.

Carl Clark – So you give 60,000 acre-feet to Mexico?

Peña – No, they only got 12,275 a/f this year because it is a proportional reduction to what the U.S. got.

Public Comment

Conrad Keyes, Jr. – When will Reclamation have the operating agreement hearings that you just announced?

Mike Landis (Reclamation) – The operating agreement is between Reclamation and the two irrigation districts, which gives them some flexibility in how they manage their water. There is an environmental policy requirement for Reclamation to determine if there are certain impacts related to the operating agreement. Wednesday, April 25 at our Reclamation office and Thursday, April 26, 6:00 pm. at Elephant Butte Irrigation District Headquarters are the public information meetings on what's involved with the operating manual. Last year was one of the worst on record for inflows during the irrigation season. Because the El Paso irrigation district was able to store water, we were able to have a fairly decent water release last year. Our release this year is the latest since the 1940s or 1950s. We usually start releasing in February.

John Balliew (EPWU) – Why proceed with hearings now instead of waiting on resolution of the lawsuit?

Landis – We had a five-year time limit on the original environmental work that was done. We found no significant impact and we need to determine if we now need to prepare a full-blown Environmental Impact Statement (EIS).

Board Discussion/Suggested Future Agenda Items

Mary Frances Keisling expressed her thanks to Sally Spener for her work with the Citizens Forum and in being responsive to inquiries from Upper Valley residents she has received.

Valerie Beversdorf – The South Central New Mexico Stormwater Management Coalition was recently formed with 9 members, including the Elephant Butte Irrigation District, county flood commissions, municipalities, and irrigation districts. The purpose is to be part of a regional plan to manage stormwater. At the group's last meeting, there was discussion of three proposals to preserve parts of Doña Ana County for the public either a wilderness designation or a national monument designation. There is concern about how some of these designations would restrict the ability to

construct stormwater infrastructure while other proposals, such as that by Congressman Pearce, would be less restrictive.

Tim Keithley (Office of Congressman Pearce) – On May 4 at 3:00 p.m. at the New Mexico Farm and Ranch Heritage Museum located east on University Avenue in Las Cruces, all 3 proposals will be discussed by representatives from the groups. There is a web site called The Westerner that discusses those issues. You can also go to Congressman Pearce's web site to see his bill.

The wilderness/monument bills are a potential future agenda item.

Conrad Keyes, Jr. – The Chair of the Stormwater Coalition could give a presentation on what the coalition is doing.

Larry Nance – Update on levees and update on floodplain.

Willow Creek residents – Update on the noise issue with the floodgate at Country Club Bridge.

Conrad Keyes, Jr. – Gilbert Anaya and Beth Bardwell may give a presentation on the environmental restoration sites.

Next meeting is July 19 in Las Cruces.

Conrad Keyes, Jr. suggested meeting at the Ft. Selden Community Center preceded by a 5:30 p.m. tour of some of the restoration sites.

*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 USBWC policy or positions.