

Rio Grande Citizens Forum
Las Cruces City Hall
April 24, 2014
Tentative Meeting Notes*

Board Members Present:

John Cornell, Dona Ana County Associated Sportsmen
Danny Chavez, Hudspeth County Conservation and Reclamation District
Dale Reinhardt, Town of Clint Texas
Austin Marshall, University of Texas at El Paso
Zack Libbin, Elephant Butte Irrigation District
Carlos Leon, County of El Paso, Texas
Gill Sorg, City of Las Cruces
Conrad Keyes, Jr., Paso del Norte Watershed Council
Miguel Teran, CPME LLC
Travis Johnson, Travis Johnson Law Firm
Olga Pedroza, City of Las Cruces, Board Alternate

USIBWC Staff in Attendance:

Commissioner Edward Drusina
Carlos Peña, Principal Engineer - Operations
Sally Spener, Foreign Affairs Secretary
Elizabeth Verdecchia, Natural Resources Specialist
Tony Solo, Area Operations Manager
Albert Moehlig, Strategic Planning Program Manager

Members of the Public in Attendance:

Alberto Ureta, Zia Engineering
Annabelle Johnson, Citizen
Anthony Levine, American Society of Civil Engineers, New Mexico State University
Barnett Sugarman, Mesilla Hills Homeowners
Bill Halsell, Farmer
Brian Bader, SWCA ENV Consultants
Chris Canavan, New Mexico Environment Department
Dwayne Solana, City of Sunland Park
Earl Burkholder, Global COGO, Inc.
Ed Garcia
Enrique Muñoz, Citizen
Fernando Cadena, Citizen
Gary Esslinger, Elephant Butte Irrigation District
Greg Daviet, Dixie Ranch
Jamey Rickman, City of Las Cruces
Janet Kirwin, New Mexico State Parks
Jim Covey Raqer Engineer
Jim Edd Miller, Ft. Hancock resident
Joan Woodward, resident

John Douglas, citizen
John Eisenbraun, Homeowner
Lacey Levine, New Mexico Department of Agriculture
Linda Vasquez, City of Sunland Park
Louis Grijalva, City of Las Cruces
Mike Landis, US Bureau of Reclamation
Paul Dugie, Doña Ana County Flood Commission
Ray Aaltonen, New Mexico Game and Fish
Ronald Peterson, Homeowner
Ruth Ann Peterson, Homeowner
Ryan Ward, New Mexico Department of Agriculture
Samantha Barncastle, Elephant Butte Irrigation District (EBID)
Sanford Schemnitz, Chairman Southwest Consolidated Sportsmen
Steve Ainsa, URS Corp.
Tom Moore, Western Lands Surveying
Tony Travino, City of Las Cruces
Woody Irving, US Bureau of Reclamation

Commissioner Drusina Opening Remarks

Commissioner Edward Drusina of the U.S. Section of the International Boundary and Water Commission (USIBWC) made opening remarks and noted the importance of sediment removal in the Rio Grande channel. He said USIBWC is going to meet with the community over the summer to try to find a permanent solution to the sediment problem. The problem could be corrected by intercepting some of the flows into the river. USIBWC is also focused on a water budget study and looks forward to involving community members in the study. He provided copies of the letters he sent to the Rio Grande Compact Commission federal chair asking for the Compact Commission's support for these efforts.

It was requested that the letter to the Compact Commission be sent electronically to the board, which USIBWC agreed to do.

Update on FEMA Flood Insurance Rate Maps and Flood Insurance

Paul Dugie, Director, Doña Ana County Flood Commission, gave a presentation on this subject. The Biggert-Waters Flood Insurance Reform Act of 2012 was designed to address loopholes in how flood insurance rates and flood risk were calculated, leading to high flood insurance rates in some areas. So then Congress responded with the Homeowners Flood Insurance Affordability Act of 2014, which was signed by the President last month.

There is a website for FEMA Region 6 (which includes TX and NM), www.riskmap6.com. Click on the State of New Mexico, then select Dona Ana County, then you can view information about Dona Ana County Flood Risk Review Meetings.

The Seclusion Process is being worked on locally. We asked for each incorporated community for support for a seclusion process. We are a beta test community. It will seclude all of the sections in the Flood Insurance Rate Map panels in Doña Ana County, some of which are affected by levee certification. They will be secluded or removed from the process so that the other maps can be brought up to date. The secluded areas on the maps will remain as they are today.

He discussed levee certification and accreditation. He discussed some of the requirements such as freeboard, extra protection near structures such as bridges, closures on gates that are part of the levee system, embankment protection (IBWC has a clay layer on the river side of the levee), embankment and foundation stability (seepage and other issues), settlement, and interior drainage (the water courses that have historically drained into the river, that can no longer enter the river or have a

gate that opens or closes). These need to be studied. USIBWC has on its web page what the certified segments are. Interior drainage is left to the local communities. For the bridges, a letter has been sent to the Department of Transportation and county transportation department. We are reviewing the structures and looking at the water surface elevation USIBWC submitted to FEMA to see if the bridges can be certified. We are also looking at tie backs, where does the levee tie into high ground or to another structure like an EBID lateral. The Flood Commission does not want to do interior drainage studies on areas of levee that are not certified. These are not cheap studies so we will have to look at the population base.

Once FEMA reviews and approves the information from the levee owner, FEMA will accredit the levee. If we have sections of the levee that cannot be certified, then levees would go through a disaccreditation process. Right now on the effective Flood Insurance Rate Maps (FIRMS) the levees are being shown as accredited. If not accredited on the new maps, there will be 9000 lots that would have to start purchasing flood insurance. We will get partial credit for rehabilitation work already done on the levees. There are various processes for non-accredited levees. For example, if the levee reach is sound and meets all criteria, we get full credit for it. If there is overtopping we would get credit for some of the freeboard we have. A natural valley is where they would run the model as if the levee does not exist; this is not really useful here because the levees do exist.

Mike Landis, Reclamation – What is the official rain gage to measure for the Doña Ana County map?

Dugie – Through NOAA at the airports. We are getting a stream gage-rain gage network to help us get a better handle on our precipitation.

Landis – Do they use the measurements at the El Paso Airport?

Dugie – They use El Paso, Doña Ana, and Las Cruces Airports. FEMA relies on local jurisdictions to provide their own information.

Landis – In 2006 flood in El Paso, FEMA based its intensity curves on the El Paso Airport when the rain all fell on the west side of the Franklin Mountains and was not recorded at the airport. Hope the methodology used for Doña Ana County does not have this problem, is not based on El Paso Airport.

Woman – I have had flood insurance for some time now. When will we know if the levees are accredited?

Dugie – The certification and accreditation process is unknown as this time. We have a meeting with FEMA Region 6 next week to set a timetable. We hope to have maps to go to the local jurisdictions for approval in late 2014/early 2015.

Woman – I'm not in a flood zone but it was recommended that we buy flood insurance. It is possible I'll be in a flood zone three years from now?

Dugie – You can locate your properties on the county web site, see the maps there or stop by the City of Las Cruces, talk to J.D. Padilla or come to Doña Ana County Government Center. City of Las Cruces residents must go through the City of Las Cruces. The county has jurisdiction outside of incorporated areas.

Rio Grande Flood Control Levee Improvement Status Maps

Albert Moehlig, Strategic Planning Program Manager, USIBWC, gave a presentation on this subject.

USIBWC has 223 miles of levees in the Upper Rio Grande (which is southern New Mexico and West Texas) and 270 miles in the Lower Rio Grande Valley of South Texas. USIBWC wanted to provide information with maps and tables to let people know the status of the various levee rehabilitation and certification projects.

To access this information, to to www.ibwc.gov, then enter the U.S. Section web site to get to the home page. Maps are located in our GIS section so you would select "GIS/Maps." Then select "GIS Program." Then you can select the maps. You can also find it under Latest News or Useful Links. We have three tables, Rincon & Mesilla Valleys, El Paso/Juarez Valleys, and Lower Rio Grande Valley. We also have a definition of the different statuses assigned to the levee segments – conceptual design, in design, design complete, in construction, construction complete, and certification submitted.

Levee segments are color-coded on the maps. There is a table showing the distance of the segment, the status, and date submitted to FEMA (if applicable).

For the Hatch, New Mexico levee segment, certification has been submitted to FEMA. The certification package includes record drawings, operation manuals, and related information.

For the Upper Mesilla Valley maps, which is upstream of Vado Bridge to Selden Canyon, there are 4 segments, three of which have had certification submitted to FEMA. For the other, construction is complete but certification has not yet been submitted to FEMA.

In the Lower Mesilla Valley (Vado Bridge to American Dam), there are 8 segments, two with certification submitted, 2 design complete, 2 in construction, and 2 in design.

Olga Pedroza, City of Las Cruces – We had an election recently and it was sponsored by the Soil & Water Conservation District. What is the relationship between EBID, the Soil & Water Conservation District, and IBWC. Who does the study? What if studies are inconsistent? What happens?

Zack Libbin, EBID – All 3 agencies have some flood control responsibilities, all three have dams.

Paul Dugie, Doña Ana County – We also have the Stormwater Management Coalition in this region. So we meet about once per month to discuss what is going on. We are trying to work together to figure out what we can do with stormwater in the Rio Grande Valley. But we each work independently and have our own responsibilities.

Carlos Peña, USIBWC – There are a lot of agencies who are aware of each other and working together to coordinate efforts.

Olga Pedroza – As an outsider looking in, it seems a bit unorganized.

Dugie – Responsibilities were determined years ago. IBWC is limited to work in its right-of-way.

Libbin – There are over 100 dams in the area. The South Central Stormwater Coalition is the entity trying to coordinate on all those issues.

Conrad Keyes, Jr. – it's also involved in the Arroyo Management Plan the City of Las Cruces is working on right now.

River Management Plan for the Rio Grande Canalization Project

Elizabeth Verdecchia, Natural Resources Specialist, USIBWC, gave a presentation on this topic.

The Rio Grande Canalization Project consists of 105 river miles of rectified river channel with levees on both sides. Mission is water delivery to Mexico and flood control. Historical maintenance included levee maintenance, floodway mowing, bank mowing, sediment removal and island removal.

We undertook an Environmental Impact Statement involving 10 years of discussions with stakeholders. This resulted in a Record of Decision (ROD) in 2009. It commits the agency to a 10-year implementation period to assure the mission of the project as well as environmental restoration measures. It also required the agency to update the River Management Plan and to do so in conjunction with key stakeholders.

The ROD identified environmental measures to be undertaken by the USIBWC including discontinued grazing leases, habitat restoration, floodway vegetation management (including about 2000 acres of no-mow zones), and environmental water rights.

For the River Management Plan, we consulted with U.S. Fish and Wildlife Service (USFWS) to make sure we were protecting endangered species, specifically the Southwestern Willow Flycatcher. In August 2012, the USFWS Biological Opinion required establishment of minimum acreage of flycatcher

habitat and established a requirement to have a Flycatcher Management Plan. This led to the updating of the River Management Plan. The updates related to floodplain management, flycatcher management and channel maintenance, and maps of no-mow zones.

The Floodplain Management Plan defines levee maintenance, areas that will be mowed and the no-mow zones. It includes protocols for surveying bird nests to comply with the Migratory Bird Treaty Act, if areas must be mowed during bird nesting season. We have made a decision to mow 300 feet upstream and downstream of bridges to make sure it doesn't impede flood conveyance capacity at the bridges. No-mow zones are still in draft pending and analysis to ensure they don't impact flood capacity. The Floodplain Management Plan also deals with invasive species and procedures for implementation of habitat restoration sites.

Our endangered species plan is under review by USFWS. It defines protocol and procedures for conservation of flycatcher habitat.

The Channel Maintenance Plan is still a working draft under review. It defines dam maintenance work, priority areas for sediment removal/bank work, procedures for implementing channel work (like permits), data collection/documentation, and possible alternatives that will be evaluated so that instead of mechanical channel maintenance, we want to look at other things. So we will be doing studies on that. The agency had halted channel maintenance in preparation for this plan. But we now have a draft plan.

When it's finalized, it will be on the IBWC web page at:
www.ibwc.gov/EMD/canalization_eis.html.

During the question period, it was discussed that the ROD is through 2019.

Paul Dugie, Doña Ana County Flood Commission – Is this plan going to address some of the known sediment contributors such as some of the arroyos, like the Rincon Arroyo?

Verdecchia – Yes, they are high priority areas.

Dugie – Why are you waiting for it to get to the river? Wouldn't it make sense to capture sediment before it gets to the river?

Carlos Peña, USIBWC – We recognize that is a viable option. It was mentioned to the Rio Grande Compact Commission, as Commissioner Drusina noted earlier. There are already a number of sediment control dams that USIBWC maintains.

Olga Pedroza, City of Las Cruces – Who are the stakeholder groups?

Verdecchia – We have a work group with Congressional office representatives, New Mexico Audubon, irrigation districts, Paso del Norte Watershed Council, and Southwest Environmental Center.

Dugie - The Doña Ana County Flood Commission is not on the stakeholder group but suggest that the County, City or Flood Commission be added as key stakeholders.

Rio Grande Sediment Removal Activities

Antonio Solo, Area Operations Manager, USIBWC, gave a presentation on this topic.

The Channel Maintenance Plan is a dynamic and changing document depending on what actual needs are. Our channel maintenance activities are bank stabilization with rock riprap and woody vegetation, arroyo sediment removal, arroyo realignment, and river channel sediment removal.

The goals and objectives are to maintain efficient water deliveries and improve operations at diversion dams.

If we did nothing, we would have reduction in channel carrying capability, which reduces water delivery efficiency and creates backwater conditions and drainage problems. There could also be river bank instability or bank failure, which could impact maintenance roads and flood control levees. Not removing silt could affect diversion dams and the silt could end up in irrigation canals.

USIBWC has established priority levels for sediment removal. High priority are areas which USIBWC would look into every year. Medium priority areas would be monitored annually and may

require maintenance every two years or so. Low priority are small arroyos, would probably need work every 3-4 years.

High priority sites are American Dam to Anapra Bridge, Rincon Arroyo, Placitas Arroyo, Hatch Siphon, Rincon Siphon and Country Club Bridge.

Medium priority sites are Mesilla Dam to Mesilla Bridge, Tipton Arroyo, Trujillo Arroyo, and Rincon/Tonuco Drain Outlet.

Work is undertaken during the non-irrigation season. During 2014, work has been performed or is currently underway as follows:

Hatch and Rincon Siphons – work completed. Work at Rincon Arroyo is almost done. Placitas Arroyo will be done in late April/early May. If there is time before irrigation season, Montoya Arroyo area will be cleared. Work is underway at Montoya Drain, with expected completion by May 23.

Austin Marshall, University of Texas at El Paso – What are the factors considered to determine if an area is high priority?

Solo – Priorities consider possible danger to structures, such as the siphons or near the levee.

Marshall – Is sediment an increasing issue?

Solo – It is an increasing issue. USIBWC studies indicate it is impacting the 100-year flood conveyance capacity of the river channel. But at the arroyos, the impact could be from one day to the other.

Zack Libbin, EBID – Before this work, how long has it been since you did maintenance?

Solo – Back in the 1990s there was a big crew and lots of work. In recent years, we have done critical spots. Now that we have the draft plan, we feel comfortable going forward with the work. After the irrigation season ends, work will resume.

There was discussion that sediment removed from the Rincon Arroyo is being stockpiled temporarily and then disposed offsite. Effort is made to identify disposal sites nearby to contain hauling costs.

There was discussion with various audience members about the Placitas Arroyo near Hatch. This is a large arroyo that contributes significant amounts of sediment. It has been studied by various entities over the years but a cost-effective solution has not been identified. There are also land ownership and right-of-way issues that complicate work in this area.

Dwaine Solana, City of Sunland Park – You are cleaning the area by Anapra toward American Dam. Is it finished?

Solo – We started 2 weeks ago and will finish by end of May. Work at the American Dam will be finished before irrigation season.

Public Comment

There was no further public comment.

Suggested Future Agenda Items

Next meeting is July 24, 6:30 p.m. at USIBWC Headquarters, 4171 N. Mesa Street, Building C, El Paso, TX.

Zack Libbin and John Balliew suggested an update on sediment management, including work in the Rio Grande Rectification Project.

John Cornell proposed a presentation about the USIBWC's policy on hunting on USIBWC lands. He noted that the USIBWC has released a proposed hunting policy for its New Mexico lands some time ago and had received considerable public comment, which had delayed a decision. He noted that hunting season starts September 1 and he hopes a decision will be made before then.

Elizabeth Verdecchia, USIBWC – We had a lot of comments from the public about the proposed hunting areas. The schedule now is we are going to slightly revise the designated hunting areas then

have the final draft Environmental Assessment by the end of May so it can be published in June for 30 days so that we could open up the area to avian hunting by the September 1 hunting season. The area below Leasburg to Shalem Colony is likely to be removed altogether from the designated hunting areas.

There was discussion that New Mexico Game and Fish Department has been working with sportsmen and USIBWC on this matter. State hunting laws are applicable on USIBWC lands.

Miguel Teran suggested an updated on design and construction of levees around the El Paso area or any big projects that are in design or nearing construction.

Conrad Keyes, Jr., Paso del Norte Watershed Council, and John Balliew, El Paso Water Utilities, suggested a presentation about interior drainage issues in the El Paso area.

*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.