

Rio Grande Citizens Forum  
Doña Ana County Building  
Las Cruces, NM  
December 13, 2010  
\*Tentative Meeting Notes

Board Members in attendance:

John Balliew, El Paso Water Utilities  
Phil Partridge, RIGO, Individual Owners of the Rio Grande  
Doug Echlin, Coronado Neighborhood Association  
Conrad Keyes, Jr., Paso del Norte Watershed Council  
Sal Masoud, Del Rio Engineering, El Paso Association of Builders  
Mary Frances Keisling, Save the Valley

USIBWC staff in attendance:

Sheryl Franklin  
John Merino  
Sally Spener  
Isela Canava  
Cliff Regensberg  
Hector Hernandez  
Benito Garcia  
Tony Solo  
Mario Gomez  
Aurelio Garza, Jr.  
Pablo Garza  
Frank Martinez  
Jose Nuñez  
Rodolfo Montero

MxIBWC staff in attendance:

Ramiro Lujan, MxIBWC

Members of the Public in attendance:

Robert Kimpel, Hudspeth County Farmers and Landowners Association  
Mr. O'Connor?, El Paso resident  
Dolores Halls, interested citizen  
Jack Diehl, resident near river  
Tom Deuley, resident along the levee  
Valerie Beversdorf, Elephant Butte Irrigation District  
Benjamin Segovia, New Mexico Farm and Livestock Bureau  
Chris Canavan, New Mexico Environment Department  
George Abernathy, retired engineer  
Mike Landis, Reclamation  
Woody Irving, Reclamation  
David Morris, lives next to the levee

Brad Forsyth, property owner  
Paul Dugie, Doña Ana Flood Commission  
Harry Lara, BNSF Railway  
William Shoemaker, BNSF Railway  
Hilary Brinegar, New Mexico Department of Agriculture  
Brian Hanson, Paso del Norte Watershed Council  
Joan Woodward, CSP, lives by levee  
Dave Thompson, Agricultural Experiment Station, New Mexico State University  
Corey Durr, Bureau of Land Management  
Junelle Echlin, El Paso resident  
Jan Kirwan, Mesilla Valley Bosque State Park  
Jake Rollow, Office of Senator Bingaman  
Xochitl Torres, Office of Senator Udall  
Cyndie Abeyta, U.S. Fish and Wildlife Service  
Kevin Hansen, Las Cruces resident

#### South-Central New Mexico Stormwater Management Coalition Update

Valerie Beversdorf of the Elephant Butte Irrigation District (EBID) gave this presentation. There are 67 existing flood control structures in Doña Ana County. To rehabilitate them to today's standards would cost 1 to 3 million dollars per dam. There are new technologies that should be implemented; this work should be done on a regional basis.

They established a group in January, known as the Lower Rio Grande Stormwater Watershed Infrastructure Management (SWIM) Task Force, comprised of various entities that have stormwater responsibilities, but later changed the name to the South-Central New Mexico Stormwater Management Coalition (Stormwater Coalition).

The goal is to collaborate among the various entities involved in stormwater to identify and implement programs and projects using best practices for regional watershed management. She showed photos of flooding that occurred in 2006. Flooding has affected various Las Cruces area subdivisions and other communities such as Vado, Santa Teresa, Chaparral, etc.

Stormwater control is a regional issue that crosses multiple jurisdictions. There are jurisdictional boundaries that don't coincide with watershed boundaries. There is also insufficient funding to handle all the stormwater infrastructure needs.

Some of the needs that have been identified include: develop regional master plans, update and maintain flood control structures, design flood control infrastructure from a watershed perspective, construct branch aquifer recharge systems, construct canals and culverts, pumping systems, etc.

They have 13 organizations involved, most of whom have signed a Memorandum of Understanding (MOU), the purpose of which is to share agency resources, staff time, and data; develop recommendations for a formal assessment of flood control structures and flood-sensitive areas; draft legislation authorizing formation of a regional authority; and develop a Regional Watershed Plan. They were working on drafting legislation to create a regional watershed management entity but there was some unfavorable response to the draft, mainly due to the proposal to establish a taxing authority, but the central

ideas are supported in that stormwater management should be done regionally and that funding needs to be acquired.

They have a meeting scheduled for January 6 of all the agencies to discuss how to proceed to implement watershed management ideas so they can collaborate. They may strengthen the MOU, create a board, do projects together, etc.

We are not going to do any legislation but we have not ended our work. EBID thinks if we could capture the stormwater, we could use it to recharge aquifers, release it slowly so it doesn't cause flooding, or clean it up to put it to beneficial use.

#### Upper Rio Grande Flood Control Project, Update on Levee Construction Projects

Isela Canava, Acting Construction Branch Chief, USIBWC, gave this update.

The USIBWC was appropriated \$220 million in 2009 through the American Recovery and Reinvestment Act. This funding will allow for 130.5 miles of levee construction in the Upper Rio Grande, worth \$115.4 million, including \$75.3 million in New Mexico. Other Upper Rio Grande construction is taking place in El Paso, Hudspeth, and Presidio Counties, Texas. The remainder of Recovery Act funding is being used in the Lower Rio Grande of South Texas.

Why perform levee improvements? The Federal Emergency Management Agency (FEMA) is updating flood insurance rate maps. Levees need to be certified and accredited to be shown as providing protection from the 1% chance storm (100-year flood) with 3 feet of freeboard and adequate structural integrity.

The **Hatch** levee improvement project affects 13.6 miles of levee between Salem Bridge and Bignell Arroyo. Expected completion date is March 2011. 13 miles of embankment are complete; we are still doing topsoil, gravel, and structural work. Overall it's 74% complete.

**Mesilla Phase 1** levee improvement project covers east and west levees from Shalem Bridge to Vado Bridge, a total of 33.4 miles of levee. Anticipated completion date is April 2011.

**Mesilla Phase 2** construction just started. This covers 19.6 miles of the east levee between Radium Springs and Mesilla Dam. They are still mobilizing. Anticipated completion date is December 2011.

**Canutillo Phase 1** affects 28.6 miles of east and west levees between Vado Bridge and Borderland Bridge (except the east levee between Vinton Bridge and Borderland Bridge). Anticipated completion date is May 2011.

The **Sunland Park** segment includes parts of **El Paso's Upper Valley**, covering 12.8 miles of levee on the east and west between Borderland Bridge and the Power Plant. Anticipated completion date is February 2012. Work is just beginning there.

**Canutillo Phase 2** covers 5.6 miles of east levee from Vinton Bridge to Borderland Bridge. This is a design contract only. Design is scheduled to be completed in May 2011. Construction is subject to future appropriations. This is a difficult segment to design and construct due to limited USIBWC right-of-way and the proximity of the railroad to the river.

The **Vado** segment is a design contract for 1 mile of east levee downstream from the Vado Bridge. Anticipated completion of design is April 2011. Construction is subject to future appropriations.

The **Fabens-Ft. Hancock** segment involves 15.4 miles of U.S. levee, including 8.5 miles in Fort Hancock and 6.9 miles in Fabens. Anticipated completion date is February 2011.

How do we reach certification? We will assemble a package for FEMA that includes Operations and Maintenance manuals and agreements with other agencies on structures that pass through the levees. We have to wait until construction is completed in order to submit as-built drawings. After construction is completed, it takes about three months to submit the package to FEMA. Once we submit, FEMA may have questions or ask for additional information. FEMA will look at all of the reaches, which may pose a problem for the east levee due to outstanding Vado and Canutillo Phase 2 projects.

We have been meeting with the City of El Paso and Doña Ana Flood Commission about this process. USIBWC cannot apply for FEMA's A99 designation in which the levee is shown on the flood insurance rate map as under construction, with the idea that once construction is completed, FEMA would then change the designation. Local entities can apply for this designation.

We provide updates to Citizens Forum meetings and in local public outreach meetings. In 2010, we had four Citizens Forum meetings and several outreach meetings.

Harry Lara of BNSF – Is Canutillo Phase 2 the only one involving BNSF Railway? Are you going to use our embankment as a levee?

Canava – We will not use the railroad embankment as a levee. We will build a floodwall or shift the river. We are looking at staying out of the railroad right-of-way.

Jose Nuñez (USIBWC) – For the Vado segment, we have requested of BNSF to allow our consultant to do geotech borings.

Lara – For any of your consultants who want to get in the right-of-way, it can take six weeks to three months to get permits. If you are within 50 feet of a live track, your liability insurance is not applicable. You need special safety protection.

Canava – We are trying to beat the clock due to the FEMA process for issuing the flood insurance rate maps. We have asked BNSF to expedite the permitting process.

Lara – We contract out the permitting process. We can ask them to expedite it but they are busy.

Sal Masoud – How did the certification process with FEMA go in the downstream part?

Canava – It took about two years. We were awaiting construction to be completed on a certain area. After it was done, they asked us to resubmit the entire package. Because of that experience, we now have a better idea of what FEMA wants, how they want the package.

Masoud – If you get the A99 designation, how do you get the A99 lifted?

Canava – The local community would have to request the A99 designation. You have to submit your paperwork annually if you cannot certify, saying what progress you are making. Once a project is completed and ready to certify, then USIBWC would take care of that and submit all of the paperwork. Very few communities apply for A99.

Partridge – Certain areas have been designated as “no trespassing” but there was not adequate public notice of these restrictions.

Canava – During construction, the contractors may restrict access for safety reasons.

Resident - I live near Shalem Bridge. I thought construction would be finished in September of this year but it is still underway. What happened?

Canava – We've had some delays in our projects. There have been right-of-way encroachment issues delaying it. I don't recall the project being delayed to that extent; however, we are still targeting April 2011 for completion.

There was additional discussion from local residents who are concerned about traffic on the levee because the gates that used to restrict access were taken down for construction. Members of the public are now using the levee as a road and often travel at high rates of speed, which is a safety concern. The Sheriff has allegedly been hesitant to take enforcement action on USIBWC lands. USIBWC stated that it would work with the residents to address the levee traffic problem in the area. One solution would be to erect temporary barriers during construction. Once construction is complete, the gates will be refurbished and replaced by the USIBWC contractor.

Residents with questions about construction in their area may contact the USIBWC for information. The work that is being done consists of raising the levee. USIBWC may widen the levee footprint and residents may also see a toe drain going in on the land side. That's typically what construction entails in the Upper Rio Grande.

Another concern arose about access for residents who need to drive on the levee to access their property. Residents who have a license to use the levee will be provided access during construction through an arrangement with the contractor. If there is another means to access the property then residents are asked to use the other access point until construction is completed.

Board Member Philip Partridge questioned how private residents get special access to the public levee. USIBWC explained that access is needed so residents can reach their property. The levees may also be used by emergency vehicles. Mr. Partridge would like to see the agency provide licenses for recreational access. He also suggested that USIBWC develop a map of sites with public access along the river.

#### Salt Cedar Biocontrol Program in the Big Bend

John Merino, USIBWC Principal Engineer, gave a presentation about efforts to use exotic beetles to control invasive salt cedar in the Big Bend area of Texas.

Salt cedar is an exotic plant that grows extensively along the Rio Grande. The U.S. Department of Agriculture (USDA) has a salt cedar control program. Several years ago, USDA introduced a salt cedar beetle to eradicate salt cedar as much as possible.

The salt cedar leaf beetle eats salt cedar. In the Presidio area, the beetle has gone into Mexico and is eating athel trees, which is a shade tree. We are working with USDA and Mexico to discuss the issues going on in that area.

The U.S. and Mexico agree that salt cedar should be controlled.

Since 2001, there have been releases of thousands of the salt cedar beetle in the United States.

We are specifically focusing with Mexico on the Alamito Creek area near Presidio. The beetle was released on the U.S. side and it was fairly dormant for the first couple of years but then it recently took off.

Salt cedar is implicated in high water usage, increased soil salinity, low biodiversity, poor habitat, increased fire hazards, and reduced recreational usage. There are also impacts on threatened and endangered species, such as the Southwest willow

flycatcher. This bird likes salt cedar. USDA has a moratorium on further introduction of the salt cedar beetle because it is affecting the willow flycatcher.

Salt cedar eradication methods can include cutting it, mechanical methods, and herbicides.

The biological control effort is to breed and introduce a natural predator, the salt cedar leaf beetle, which was promoted by USDA. The beetle prefers salt cedar but if there's no salt cedar to eat, it will then go to the athel tree.

He showed some photos of impacted athel trees in Mexico and salt cedar impacts. If there's a waterway, the beetle will work its way up a waterway. It has expanded up the Rio Grande tributaries, especially in Mexico.

There are many challenges in that the beetles are defoliating non-target Tamarix species. Salt cedar provides limited habitat for the endangered Southwest willow flycatcher. Mexico has other issues regarding the beetle release: contingency plan to pull the plug on the project and monitoring protocol and program approved by the two governments. The U.S. and Mexico have not come to an agreement on biological control due to these issues.

We will have a meeting with Mexico in January to come up with a monitoring plan.

Masoud – Does the beetle actually kill the tree?

Merino – It attacks and defoliates it. The salt cedar comes back and the beetle attacks it again until it eventually kills the tree.

Dave Thompson, NMSU Ag Experiment Station – I've been working with the beetle for many years. The only thing it's moving on to is athel, which is another related species. They can survive on athel in the winter but they don't do as well. We think the athels are going to be fine but we really don't know. We have been meeting annually with Mexican scientists on this.

Keyes – Is athel a native plant to New Mexico?

Thompson – No.

Echlin – They used the athel as an indicator of where early Spanish colonization occurred on the Rio Grande.

Cynthia Abeyta, U.S. Fish and Wildlife Service (USFWS) – The Southwest willow flycatcher is not present in Texas nor is there critical habitat in Texas but it is present in New Mexico and Arizona. The largest population right now is near Elephant Butte. Our greatest concern is that the leaf beetle was introduced in Colorado and we didn't think it would go past the 38<sup>th</sup> parallel but it has and is now in northern New Mexico and along the Rio Puerco near Cuba, NM. USFWS is really encouraging restoration. The flycatcher is nesting in both willow and salt cedar.

Brinegar – How far can they move north and how fast?

Thompson - The beetle population in the north is moving south a whole lot faster than anyone thought it would, 20-30 miles /year. The population down south doesn't seem to move as fast.

Merino – In Presidio, they've traveled several miles in a year.

### Public Comment

Robert Kimpel stated that a sediment plug in the Rio Grande on the Guayuco Arroyo is not cleaned in a timely manner, which is negatively impacting farms due to resulting drainage problems. He requested that the USIBWC clear the plug.

Tony Solo, Area Operations Manager, Upper Rio Grande Projects, USIBWC – The USIBWC is negotiating with Mexico for an agreement to remove the plug. We hope to have it done in February; that's the plan. We wanted to do it last year but we ran into environmental issues during the bird nesting season. This year we are trying to get it done prior to bird nesting season.

Kimpel – It has gone from a small plug to a big plug. Certain parts of the Rio Grande are Mexico's responsibility and certain are ours. If Mexico can do the work, that would be good.

Dolores Halls – I understood that the aquifer under us here was not recharging but now I've recently heard that it is being recharged.

Merino – There is a Transboundary Aquifer Program. We are working with the U.S. and Mexico along with New Mexico State University to study the aquifers, including the Mesilla Bolson. Once the study is completed, we will release it to the public.

Mike Landis (Reclamation) – We are not seeing a lot of drawdown in the aquifer in the Mesilla Valley.

#### Board Discussion/Suggested Future Agenda Items

Conrad Keyes - Suggests a presentation about the Transboundary Aquifer Assessment Program for a subsequent Citizens Forum meeting.

Merino – Maybe Mexico could present on what they are doing on their side.

John Balliew wants to talk about the public education effort in El Paso about FEMA maps and levee construction.

Mary Frances Keisling – I hope the problems with unauthorized levee access at Shalem can be resolved very quickly. I see that as a serious safety issue. Please do something immediately to get the gate back up. I would also like to know the date to deal with Mr. Kimpel's project.

Sheryl Franklin, USIBWC – Our Commissioner has put the Guayuco Arroyo sediment plug as an action item to address as quickly as possible.

Sal Masoud and Mary Frances Keisling suggested a presentation about levees and recreational use. The presentation could discuss successful examples of levees being used for recreational use.

The next meeting is tentatively planned for March 29 at USIBWC's El Paso Headquarters.

\*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.