

Rio Grande Citizens Forum
Dec. 15, 2009
Las Cruces, NM
Tentative Meeting Notes*

USIBWC Staff in Attendance:

Cesar Boisselier
Daniel Borunda
Gabriel Duran
John Merino
Sally Spener

Board Members in Attendance:

Louis Irwin, Professor emeritus, UTEP
Doug Echlin, Coronado Neighborhood Association
John Balliew, El Paso Water Utilities
John Hernandez, consulting engineer/EBID
Sal Masoud, Del Rio Engineering, El Paso Association of Builders
Mary Frances Keisling, Save the Valley

Members of the Public in Attendance:

Dolores Halls, member of the public
Marvin Tessner, Las Cruces Bulletin
Robert Kimpel, Hudspeth Co. Farmers and Landowners
Richard Gatewood, U.S. Army Corps of Engineers
John Diehl, Doña Ana resident
Tom Dealey, resident at the levee at Shalem Colony Bridge
Brad Forsyth, Doña Ana property owner
Rosie Lack, farmer in Rincon area
Nick Carson, farmer at Rincon
Kevin Bixby, Southwest Environmental Center
Dave Anderson, landowner near Radium Springs
Hilary Brinegar, New Mexico Department of Agriculture
Jake Rollow, Sen. Bingaman's office
Dwayne Solana, City of Sunland Park
Fernando Cadena, EBID consultant
Chris Canavan, New Mexico Environment Department
Brett Beasley, U.S. Fish and Wildlife Service
Junelle Echlin, citizen
Mariana Muñoz, Village of Vinton, TX

Welcome and Introductions

John Merino opened the meeting. He explained that Al Riera had left the Commission for a position with the Department of Defense so John Merino will be chairing the meeting. Heidi McIntyre, a board member, has moved out of state. The board members and attendees introduced themselves.

Rio Grande Flood Control Levee Construction and FEMA Certification

Gabriel Duran, Engineer Planner for USIBWC, gave a presentation on this topic. He gave some background information about the Rio Grande Canalization Project. When the stimulus plan was being developed, we informed State Department that we had “shovel-ready” projects. USIBWC was appropriated \$220 million in Recovery Act funds for levee improvements – about half in South Texas and half in the greater El Paso-Las Cruces area. We expect to complete the work in about 2 years. FEMA criteria requires protection for a 100-year flood event with 3 feet of freeboard. Most of the levees in this area only had 2 feet of freeboard when originally designed in the 1930s. We had already completed hydraulic modeling and environmental documentation, and much geotechnical information had been obtained so we were ready to proceed with the levee rehabilitation projects.

He presented a slide showing the ways in which a levee can fail such as overtopping, slope failure, etc. The design provides for reinforcement of the side slope and increasing levee height.

In Hatch, we plan to improve the west levee from Hatch Siphon to Bignell Arroyo. We are getting ready to award a construction contract. Construction is expected to be completed in January 2011. It will cover about 13 miles of levee. He showed maps of the area where work will be done.

Mesilla East and West levees from Shalem Bridge to Vado Bridge. We expect to award the contract by January 2010. Most of the projects have a 1-year construction period.

Mesilla East levee, Radium Springs to Mesilla Dam, was begun by our in-house crews and will now be finished by a contractor. This reach is expected to be completed around April 2011.

Anthony/El Paso levees from Vado Bridge to Borderland Bridge, except Canutillo east levee. Plans and specs are ready, with construction contract award expected by January 2010. Construction would be from January 2010 to January 2011.

Borderland Bridge to Rio Grande Power Plant, Upper Valley/Sunland Park. Work initiated in-house by USIBWC; it is scheduled to be completed by June 2011.

Canutillo Phase 2. When built in the 1930s, we used an old railroad trestle for the levee but this is not in accordance with FEMA standards so we will build a levee-floodwall combination in this reach.

We will also do improvements in the Courchesne Bridge area in an area where we do not have a levee. A levee-floodwall combination will also be required in this reach.

All this work is designed to contain the 100-year flood. There is information on our web page about the planned work.

He showed additional maps of the affected segments.

We are going to try to improve all the levees with the stimulus funding.

In Canutillo east, Vinton Bridge to Borderland Bridge, we have 5.6 miles of levee-floodwall planned. Construction is estimated for 2011-2012 timeframe. There are many arroyos that come down from the mountain and through Canutillo that will need to be addressed, making it more complex.

Rio Grande Rectification Project extends from about Executive Center Blvd. for about 90 miles to Ft. Quitman. We completed that work from International Dam to downstream of the Zaragoza Bridge with in-house forces in 2007-2008.

For the Fabens/Tornillo and Ft. Hancock area, 20 miles of levee improvement is planned, roughly half in Fabens and half in Ft. Hancock. We anticipate to award a contract in February 2010, with about a one-year period to construct it, finishing it in March 2011. He showed a map of the Rectification segments where work is planned.

We are expecting to certify the segment from International Dam to Riverside Dam to FEMA shortly.

The design criteria for levee systems call for 3 feet of freeboard. All openings through the levee, such as irrigation headgates, must have a closure device. There must be embankment protection to prevent erosion, evaluation of levee embankment seepage. Regarding interior drainage, IBWC is only responsible for conveying the flood flow from the river within our flood control system. The communities are responsible for controlling flood flows trying to make their way into the river system.

FEMA says we have to have an operation plan and a flood warning system. Much of this has already been in place for years for our existing flood control system. Also, we have to exercise those closure devices annually, have a maintenance program, etc.

If a local community is flooded, that community is responsible for the interior drainage, getting that water into the flood conveyance system. Your flood insurance is not based on just what the Boundary Commission does but there may be local flooding risks where FEMA may require you to have flood insurance.

He showed photos of what construction will look like on the levees.

He had a slide with various links for Recovery Act work. A map and schedule is available at: www.ibwc.state.gov/Files/URG_Schedule.pdf

Other work that is planned in the Rectification Project is desilting of 3 km of the Rio Grande at the Guayuco Arroyo confluence. Work to begin in January 2010 about 2 km upstream and 1 km downstream of the Arroyo, and also clearing out the confluence. This is near the downstream end of the Rectification Project near Fort Quitman.

For more information, Gabriel Duran can be reached at 915-832-4746.

There followed a series of questions and answers:

Doug Echlin – Is it in-house forces who will do the construction?

Gabriel Duran – Most will be contracted out. We have finished the work we were doing with in-house forces.

John Hernandez – Why did you quit using your own forces?

Duran – We needed to speed up the pace to complete these improvements.

Hernandez – Who is the contractor for Hatch?

John Merino – We have not yet opened the bids.

Sal Masoud – What about the Socorro/San Elizario area?

Duran – We had to assess the areas where we could afford to make the improvements to afford the greatest protection for the communities. (*Comment added later: Previous studies showed no height deficiencies in this area.*)

Masoud – Socorro has residential communities. How would they be affected?

Duran – The greatest flood we experienced was 11,000 cfs in 1958. In that flood, it barely left the low-flow channel.

Masoud – So Socorro and San Elizario will still have to buy flood insurance?

Duran - That is a question best addressed by FEMA. We provide information to FEMA, which then comes up with the final maps.

Question from the public – Once you've completed the levee improvements, are you going to submit the certification documents to FEMA? Do you wait until you complete it all or, as you complete segments, will you submit certification materials?

Duran – As soon as we have the improvements made, we will submit the documents to FEMA.

Question – How long from the time you submit documents until FEMA updates the maps?

Merino – It takes about a year. So after the work is completed, it may take about two years for FEMA to put the maps out.

Sally Spener – FEMA has advised that if homeowners are concerned about being placed in a high-risk flood zone and being required to purchase flood insurance at the high-risk rate, that they should purchase flood insurance now so that they are grandfathered in the lower-risk zone. You can purchase flood insurance based on the lower risk until the date the new maps go into effect.

Kevin Bixby – Do you have plans to do any mitigation for the Guayuco sediment removal?

Daniel Borunda – There is no mitigation planned for that specific project. We went out with an EA about a year ago for sediment removal for a much larger reach that includes the Guayuco. The EA is on our web page, which should indicate any mitigation commitments.

Rosie Lack – We have capillary action out of the river bottoms in the Rincon area. There is an island there. You should also address dredging needs in this area.

Duran – We have not found a reduction in capacity in that reach. A sediment island does not necessarily mean a reduction in conveyance capacity.

Lack – Water cannot get into the river from the irrigation ditches because the island there backs it up. There is no channel there.

Merino – Suggests that Acting Area Operations Manager Cesar Boisselier meet with them in the field to see what should be done.

Lack - We are the low point. Where the levees end, the water was able to back up to our property. We have photos of flooding we would like to show you. Why aren't you fixing the levees on both sides of the river?

Duran – We want to offer the greatest protection for the community, such as the community of Hatch. We would like to go out there and see what is going on by your property.

Lack – We are working with the Elephant Butte Irrigation District and IBWC for a 50-acre area for holding flows and creating habitat. We are trying to be good stewards and partners.

Member of the Public – My property is against the levee just south of Shalem Colony. The construction crews working in our area were considerate of the residents. I would like to know if you are done? On the east side near the state park, the levee

surface is a powder that blows, especially when there is traffic on the river levee. Are you going to cap it so that it doesn't blow?

Cesar Boisselier - There is a portion of the levee that was not completed and the flex base was not put on. So the contractor will put that on. This should address the dust problem.

John Hernandez made a suggestion that USIBWC coordinate with the Elephant Butte Irrigation District (EBID) as part of the flood warning system.

Duran and Boisselier – USIBWC already is in communication with EBID in accordance with the existing flood operations manual. Perhaps USIBWC could report on those operations and communications at a subsequent meeting.

Masoud – How long is it taking to certify the Rectification levee when work was completed?

Duran – We hope to speed this up once we have a contractor on board performing the work.

Rio Grande Canalization Project Environmental Enhancements

Daniel Borunda, Environmental Protection Specialist, USIBWC, gave a presentation on this topic.

We issued a Record of Decision on the Rio Grande Canalization Project Environmental Impact Statement (EIS) in June 2009. We worked with the Corps to identify potential restoration sites between Percha Dam and American Dam. The Record of Decision for the EIS calls for a 10-year implementation period. As part of Phase I implementation, we need to do some additional studies and work with EBID for a water rights framework. Then full implementation will occur in years 6-10. We are also phasing out grazing leases, not renewing them. We have identified three reaches within the Rio Grande Canalization Project and 7 sub-reaches.

He presented several tables listing environmental restoration projects by sub-reach with project name, location/river mile, acres, target habitat, and cost. He also showed aerial photos and drawings of some of the identified restoration sites.

Salt cedar removal and cessation of mowing are some of the means of improving habitat.

The Nemexas Drain site downstream from Country Club Bridge needs more study due to a possible sighting there of the endangered Southwestern Willow Flycatcher.

We had meetings with stakeholders in October to prioritize the sites for Phase 1 implementation. We have committed \$1.5 million to this as mitigation for Recovery Act levee construction. We hope to implement projects by September 2010, which is an important deadline for use of Recovery Act funds.

The Work Group has identified different projects by sub-reach but there was not consensus on specific sites. What we did agree on was clustering the projects so we could get the most ecological benefit within the different sub-reaches.

We are looking at three different options for implementation. 1) Public-private partnership with National Fish and Wildlife Foundation (NFWF) and U.S. Fish and Wildlife Service (USFWS) where NFWF or its partners/grantees would do the work. Legal issues related to this option are still being analyzed. 2) We are also looking at potential interagency agreements such as with state parks, Soil and Water Conservation Districts, USFWS, etc. 3) The third option is to use our current environmental services

consultants to work on this. We are going to potentially use all three options during this 10-year implementation phase.

Conceptual Restoration plan is online with more info about the sites at:
www.ibwc.gov/Organization/environmental/canalization_eis.html

John Balliew – When you stop mowing, how do you prevent saltcedar from coming in?

Borunda – There will be regular monitoring. They will be managed sites.

Question – How will you restrict the traffic, such as ATVs?

Borunda – We put up barricades but entities sometimes get around them.

Unfortunately, we have no law enforcement authority. We would depend on local law enforcement to restrict that.

Member of the public – Between Shalem Colony Bridge and Picacho on the south side, it's gated at both ends. However, there are 7 accesses, some where people have extended the roads and go up over the bank. He has been working with USIBWC's Brad Sargent on this.

Borunda – Please continue to work with us on this so we can prevent those access points.

Public Comment

Member of the public – I live at the Shalem Colony Bridge about 500 feet down the levee on the south side. I saw the other side being built, 40-50 trucks today. When they do the other side, are we going to see the same thing? The trucks could hardly make the curve to get in and out. With telephone poles and other obstructions, there is concern about whether they will be able to get in/out. Another concern is that when they build the levee up, do I have to fix my driveway? He would like an answer on the truck question in the future if it cannot be given at this evening's meeting.

Boisselier – If you have legal access to the levee, we would fix the driveway. If you don't have legal right, we would not.

Louis Irwin – What determines the right of way?

Duran – It was obtained during the 1930s. Part of the levee work is to identify our right of way throughout the whole project.

Nick Carson – The area where you are not going to do levee improvements is where our farms are and it's the low point. It floods when the arroyos run. I want to have adequate levee protection for my property. Can you assure me that you will protect me?

Merino – The priority was to protect the communities; agricultural lands were a lesser priority.

Mariana Muñoz – Any progress made on the Vinton/Canutillo problem with the wall you are planning on building along the railroad tracks?

Duran – We have a scope of work that is being produced for that, it's about 80% done. Once we get a 30% design package, we are going to have another meeting with the citizens to present what our consultants came up with so you can review and comment.

Muñoz - Will it be a public meeting for the Village of Vinton to participate?

Duran – It will be for the people in the immediate area of Canutillo and Vinton. We will invite the Mayor of Vinton as we did before.

Merino - It will be an open public meeting in the near future.

Board Discussion

Irwin – Describe an agricultural levee vs. non-agricultural levee. How many are agricultural in the project area?

Duran – We have urban levees where there is development and an agricultural levee would be in an open area where there are fields. For FEMA, it's basically a freeboard issue in terms of the freeboard that would be required for an urban levee or an agricultural levee. But for USIBWC, it's the same levee.

Hernandez - Regarding the rules on the closure of openings in the levee, have you done an inventory of the various types of pipes that discharge into the river and whether those closures are adequate?

Borunda – Yes. They were inventoried and the design firm made recommendations on the structures.

Hernandez – Have landowners been told whether or not they need to do something?

Merino – We sent out letters for the licensed structures. We are also addressing those that were put in without our license.

Hernandez – Have people been told specifically about those structures?

Spener - We sent letters and invited the entities with structures, such as the county or irrigation district, to meetings where we discussed this. So they were already put the on notice.

Boisselier – We have a good interagency agreement with EBID for their structures; this agreement provides for an annual inspection of the culverts and gates.

Next Meeting/Suggested Future Agenda Items

Merino – Next meeting will be March 23, 6:30 – 8:30 p.m., at USIBWC Headquarters in El Paso.

Echlin – Frontera Land Alliance President Mike Gaglio would like to speak 15-20 minutes at the El Paso meeting regarding water rights at Rio Bosque.

Spener – The settlement of the Asarco bankruptcy case has just been finalized with the USIBWC to receive \$19 million for clean-up of Asarco-related contamination at American Dam and American Canal. We will be prepared to discuss this at our next meeting.

Masoud – It would be good to have a progress report/update on the contract awards and design for the levee project.

Duran – Also, there are weekly updates on the levee projects on the USIBWC web site.

Merino – USIBWC can also show some more photos of the work we are doing along the river.

Hernandez – Get Doña Ana County Flood Commission to discuss FEMA mapping at the next Las Cruces meeting.

*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.