

**Rio Grande Citizens' Forum  
USIBWC Headquarters  
El Paso, TX  
March 3, 2009  
Tentative Meeting Notes\***

USIBWC staff in attendance:

Hayley Goodstein  
Sally Spener  
Gabriel Duran  
Al Riera  
Carlos Peña  
Tony Solo  
Robert McCarthy  
Cesar Boisselier  
James Leiman  
Bernie Kruse  
David Madrid

Board Members in attendance:

Doug Echlin  
Conrad Keyes, Jr.  
John Hernandez  
Alisa Jorgensen  
Ed Fierro  
Joe Groff

Members of the Public:

Robert Kimpel farmer/rancher  
Michael Cortez, El Paso Water Utilities/Public Service Board  
Gonzalo Cedillos, El Paso Water Utilities/Public Service Board  
Raul Villa, Express Building Materials  
Justo Rivera, Lower Valley resident, Pearson Group  
Bruce Sullivan, Structural Hardware Services (SHS)  
Sam Irrinki, CH2MHill  
Bill Hagan, El Paso Tamas, LTD.  
Jeannette Lockard, resident  
Inga Groff, League of Women Voters  
Fernando Cadena, Elephant Butte Irrigation District  
Bob Crowley, Las Cruces resident  
Rick Gatewood, U.S. Army Corps of Engineers  
Greg Bloom, Office of Sen. Bingaman  
Girisha Ganjunte, TX A & M Agrilife Research Center  
Alicia Fogg, Malcolm Pirnie  
Sanaan Lair, CH2MHill  
Ann Lilly, City of El Paso (City Rep, District 1)

Sal Masoud, Del Rio Engineering, Inc.  
Denis Roark, El Paso resident  
Steve Ainsa, Camp Dresser McKee (CDM)  
Ed Hamlyn, Center for Environmental Resource Management (CERM)/UTEP  
Gerardo Leds, Texas Department of Transportation  
Horacio Fernandez, Texas Department of Transportation  
Efrain Esparza, Texas Department of Transportation  
Hector Esparza, City of El Paso  
Robert Strickland  
Dora Strickland  
Mike Fahy, El Paso Water Utilities  
Anna Fahy, El Paso Community College  
Woody Irving, U.S. Bureau of Reclamation  
Alan Shubert, City of El Paso  
Larry Nance, Upper Valley Neighborhood Improvement Assn.  
Stephanie Pennel, El Paso resident

### **El Paso Stormwater System**

Two presenters from El Paso Water Utilities/Public Service Board, Michael Cortez, Water and Wastewater Economic Analyst, and Gonzalo Cedillos, Stormwater Manager, gave a presentation on this topic.

Mr. Cortez stated that the stormwater utility became effective March 1, 2008, transferring the function from a city-funded structure to a user fee structure. There is now a dedicated source of funding for stormwater management. The system has almost 100 miles of drains and conduits, 39 dams, 275 detention/retention ponds, etc. He showed a photo of conduits blocked with debris due to inadequate maintenance over time. The Stormwater Utility wants to identify capital projects to bring the most immediate benefit to the City then do long-term improvements through development of a Stormwater Master Plan. The utility now does proactive maintenance and is undertaking such projects as pump station improvements.

In a couple of weeks the Stormwater Utility will present the Stormwater Master Plan to City Council. The Stormwater Master Plan Community Advisory Committee provided input and helped to identify priorities.

Gonzalo Cedillos then discussed the capital projects. The goal was to do projects that would respond to problems where there was the most damage or disruption of traffic/transportation. For their projects, they measure the benefits in terms of number of properties improved and the values of the properties. He then gave descriptions of the capital projects:

Central - Government Hill channel work (Copia/Highway 54) to increase protection to a 100-year storm event.

Central - area where there is flooding on I-10, known as the Cebada system. There is not enough capacity to get the water to the river.

Van Buren Dam - is being upgraded to reduce downstream flooding.

Lee Trevino – Also affects James Watt, Rojas, etc. with water on the roads. Designed to reduce flooding on the roads.

Mission Valley/Americas – Agricultural drains are used to convey stormwater close to the river and then pump it to the river. We will increase protection to 100-year through a phased project.

Mission Valley/Lomaland – Will increase the size of the channel.

Northeast – Electric Street from Fairbanks to Transmountain (Alcan Street Flooding Mitigation). North of Woodrow Bean, there are not detention basins along Castner Range/Franklin Mts. We are working in cooperation with TXDOT to address the drainage issues in this area.

West - Doniphan Drive from Mesa to Sunland. There is a ditch with inadequate capacity and crossings at streets that restrict flows. This project will bring 100-year capacity to this area.

Northeast - Sun Valley to Ft. Bliss Golf Course. There is a problem north of Fairbanks; channel improvements are underway. Will also build a sediment detention basin in the future.

West - Doniphan Drive from Sunland to Paisano. Improving the size, increasing capacity of the crossings, putting in a silting basin.

In years 1-3, they will have project costs of \$67.5 million with total value of property affected/benefited of \$1.1 billion.

Michael Cortez then continued. For the first three years, the Stormwater Utility has committed \$70.5 million, which would mitigate 55-58% of the risk to public safety. By year 5, 72% of risk would be mitigated. By year 10, 84% of all those public safety issues would be mitigated.

10% of revenues collected are allocated to open space. By preserving those lands in their natural state, they would provide a stormwater function so it makes sense to preserve those areas because they provide a benefit to the system. Over 1200 acres have been identified for this program.

There are no rate increases for the next five years. There is debt funding in the initial stages of the utility in order to take care of these projects. As they evolve over time, there will be less revenue needed. Monthly rates for residential customers range from \$1.49 to \$5.94. Rates are based on the total impervious area of the property.

Public education is an important issue. He showed a slide of illegal dumping in a drainage channel. If you see illegal dumping, report it to 1-877-433-5697, 1-877 – ID-FLOWS.

A member of the public expressed concern that one of the Stormwater Utility contractors may have been sued for a bridge collapse in another state. He also stated that stormwater pumps used to work fine before they were operated by the City.

Comment - Concern that while the Doniphan ditch is being phased in over a couple of years, it would cause flooding in the southern part of the project.

Cedillos – Along Doniphan, we want to do stormwater detention. As we increase the size of the ditch, we will detain more water. We are aware we need to finish it up as soon as possible.

Jorgensen – Who's the contact for the PSB for the open space?

Response - Land contract administrator is Jim Shelton or Gonzalo Cedillos. Several properties the PSB owns already. There is also a provision that allows us to make improvements to existing park ponds because there is a stormwater function with the park ponds.

## **Rio Grande Flood Control Levee Improvements**

Gabriel Duran, Operations Support Specialist, USIBWC, gave a presentation on this topic.

He discussed levee terminology and described some of the problems that levees can experience, including overtopping, through seepage, and under seepage (sand boils).

There are some places where levee height is not sufficient for a 100-year flood. Plating is also required; we are going to armor the side slope of the levee to make it more waterproof. We plan to improve levees and construct a floodwall in Canutillo. We plan to raise and add plating to the west levee from Hatch Siphon to Bignell Arroyo, Picacho Flume to Mesilla Valley Bosque State Park, and from Mesilla Dam to the Nemexas drain. For the east levee, we plan to work from Selden Canyon to Vinton Bridge, from Borderland Bridge to the electric plant. For the east levee in Canutillo between Vinton Bridge and Borderland Bridge we depend on the railroad embankment so we will need to construct a floodwall.

For the planned levee enhancement in a typical section, we are going to raise it up and, on the river side, we are going to reinforce it with clay material, make it more impervious. He showed aerial photos of the segments where improvements will be made on the east and west levees.

We are doing the improvements so we can meet FEMA certification criteria, which require that we pass water for a 100-year event with 3 feet of freeboard. During 2006, the levees did not overtop. He provided the FEMA contact information: James Orwat, 800 North Loop 288, Denton, Texas 76209, 940-898-5302, james.orwat@dhs.gov

For levee work planned for 2009-2011, we are currently using IBWC crews to enhance levees. We started one mile upstream of Country Club Bridge and are working down to the electric plant on the east side. On the west side, we will continue from one mile upstream of Country Club Bridge down to the Nemexas Drain. During construction, there will be heavy equipment on the levee. Dust will be managed.

Question - When are you going to clean the river from the smelter down to the Lower Valley?

Duran – We cleared out the Chamizal area already. The Mexican Section of the Commission is doing the area from the Alamo Grade Control Structure and farther downstream.

Bloom – The work you described includes money in the stimulus project act.

Duran – Yes. Most of this work will be undertaken with stimulus funds. We want to have most of our contracts out as soon as possible. We have a very aggressive plan.

Riera – We are currently working on the execution plan for the stimulus money and should have it laid out and posted on the web site. The plan is to address all these areas with the stimulus package and continue with the work we started.

Bloom – So there will be more work with the Recovery Act funds. We want to talk to FEMA about whether to hold up on the flood maps until the levee work is completed.

Riera – I think that would be beneficial to the community.

Bloom – When will it be done?

Riera – We are coming up with the execution timelines to comply with the Recovery Act.

Question – On the west side from Country Club, will you be going up to Artcraft Bridge?

Duran – Yes and beyond.

Question – When will you finish it? Will you certify it?

Duran – We are putting our plans together. We do have definite plans to improve all the levees in a short time. All the way up to Mesilla Dam.

Question – You are working on the east side now. And are planning to do it on the west side?

Duran – Yes, we will work on the west levee with our USIBWC crews or issue a contract for use of the stimulus funds.

Question – The levee is covered in plants, weeds, etc. Will a new levee surface prevent all the plants from growing?

Duran - We do have a maintenance program to mow and keep the weeds down.

Riera – Our levees are meant to have vegetation. But when you have trees or bushes growing on it, those are what we are concerned about.

Man – Will you be able to certify the levees to FEMA?

Duran – The plan is to be able to provide certification.

Riera – Everywhere FEMA allows, we will do a partial certification. As soon as we complete a segment, we will try to pursue certification for that particular area.

Keyes – Is there an estimate of the amount of savings there will be for people's flood insurance after the project is completed?

Riera – We are looking at the savings of flood prevention but not the savings on flood insurance. FEMA would be the one to ask.

Masoud – You have \$2.7 million to use your own crews for the levees. How far will that go and will it cover the east and west side?

Duran- The \$2.7 million previously appropriated will cover the west side from Mamie Road to the Nemexas Drain and the east side segment from Artcraft to the Electric Plant. But we will have Recovery Act funds to do other areas, as discussed.

Masoud – Will the public have the opportunity to express where we would like the money to be spent?

Riera – We have quarterly meetings in El Paso and Las Cruces. You can also call us at any time and we will provide you with information about our work.

Mrs. Strickland – How will you address the silt build-up problem?

Duran – We do have a silt removal program and go through environmental documentation to get permits to do that work.

Solo – In the Rio Grande Canalization Project, we have the 5-year plan. If we observe areas that are bad, we request to add them to the area covered by our permit.

### **Rectification and Canalization Project Environmental Documents**

Carlos Peña, Environmental Management Division Chief, USIBWC, reported that Commissioner Ruth signed the Environmental Assessment Finding of No Significant Impact (FONSI) for work in the Rio Grande Rectification Project from American Dam to Little Box Canyon; work will include levee raising and dredging.

Question – Could Mexico do the work more cheaply?

Riera – We have to comply with environmental requirements in the U.S. even if Mexico does the work through the international Commission. We plan to do 3 miles of desilting in the river and remove a plug in the river affecting farmers in El Paso County. We will take care of it this year.

Mr. Peña continued, noting that the Environmental Assessment/FONSI for the Rectification project was signed and a copy will be on the USIBWC web site soon. For the Rio Grande Canalization Project, we prepared an environmental assessment document for the levee raising. We did an Environmental Impact Statement for the operation and maintenance several years ago, however, due to stakeholder concerns, we started a collaborative process to look at environmental mitigation projects. We hope to have a Record of Decision in a couple of months for the Canalization Project. This might be a good topic for a future Citizens' Forum meeting.

### **USIBWC Policy and Legal Issues Regarding Public Access to the Flood Control Project**

Robert McCarthy, Legal Advisor/General Counsel for the U.S. Section, gave a presentation on this topic. The Commission has a mission to protect the integrity of the levees and to exclude motor vehicles and ATVs. There is concern for the safety of people in the area. There are also restrictions on hunting and dumping. We have a responsibility to landowners to restrict hours of access although some landowners have access to levees and keys to the gates if needed to access their property. We do rely on local, federal, and state law enforcement to prevent unauthorized use such as vandalism or dumping. Although our property is not managed for recreation, we have historically permitted walking, jogging, fishing, horseback riding, and similar activities that are not harmful or unsafe. We encourage those activities. We plan to replace some of the “No Trespassing” signs with signs that are more informative about what is allowed and what is not.

The USIBWC has also entered into partnerships for creation of parks and recreational facilities. In New Mexico, there is funding for a Rio Grande trail system from Colorado to Texas. In our immediate area, there are several parks including the Upper Valley river trail from Country Club Bridge north to near Anthony along the Rio Grande Canalization Project. This was created by agreement with the City and County of El Paso, USIBWC, the National Park Service, State of Texas, and Office of Congressman Reyes. In the City of Sunland Park west of the Anapra Bridge there is a park with a basketball court, jungle gym, and exercise circuit. There is also the Rio Bosque Park near the water treatment plant near the Zaragoza Bridge, which is owned by the City of El Paso on land donated by USIBWC; this park is a unique wetland habitat that is managed by CERM at the University of Texas at El Paso.

Comment/Question – Right now where you park at Country Club to enter the river trail, there are numerous wrecks there involving people going to/from the park. Are there plans to do anything about that?

Riera- We are willing to partner with agencies and we can inform the partner agencies about the parking concerns.

Comment – There is free parking at Valley Creek Park. You should partner with the City when you put up the new signs to inform people of the parking there.

Question – Is there a formal determination about what is and is not permitted on the levees?

Riera – If it's our property, any motor vehicles or activities that would damage our infrastructure would be prohibited.

Question – Who's in charge of enforcing that?

Riera – If it's federal property, unless we have agreements with local law enforcement, we have to do it.

Comment – You don't have an agreement with Doña Ana County Sheriff's Office. They don't know about it.

Riera - We have an agreement with the Doña Ana County Sheriff's Office. If you have specific problems, talk to USIBWC Area Operations Manager Tony Solo and he'll be happy to discuss the areas or concern.

Comment – You need to have somebody talk to the Sheriff's Department.

McCarthy – We are making arrangements to get together with the Sheriff's Office. Two years ago, there was an agreement and a meeting of the minds between USIBWC and the Sheriff's Office. We need to revisit it.

Mr. Partridge – Did you have public input on the study? Did you talk to the public about the public access issue?

Riera – We spoke to you and homeowners who are concerned. We've had calls from people who want restricted access.

Partridge – I would like the opportunity to show a video about access issues, a 10-minute presentation with my perspective, which differs from what USIBWC presented.

The board was amenable to having such a presentation at a future meeting.

### **Public Comment**

Mr. Ganjegunte, Texas A & M – What happens to the stormwater? Can you store it for future use?

Cortez (EPWU-PSB) – In the northeast, we do have recharge back into the Hueco Bolson aquifer.

Ganjegunte - Could you use the river floodplain, which has sand and gravel, as a shallow aquifer to slow the water?

Riera – If this were done, it would negatively impact our flood capacity.

Bill Hagan – The Canutillo floodwall on the east and the west side, is it part of the stimulus plan funding and do you have a timeline for it?

Riera – On the east side of the river, the plan is to initiate design for the floodwall. It is a complicated issue because we don't have the right of way and we will have to get creative there because of the railroad tracks near the river. The intent is to fund the design with the stimulus funds; construction would occur later. On the west side, we will enhance the levee with the stimulus funds.

Question - Would that impede certification on the west side?

Riera – Not if FEMA lets us do partial certification. With the stimulus funds, we will contract out design and construction. We do have a contract in place with an A & E firm and we normally issue task orders for the design.

Lower Valley resident – Border Patrol kicks up dirt when they drive on the levees. Can you put something on the levee to address this?

Riera – Border Patrol is required to fund installation of a layer of gravel on the levee so they don't damage the levees. Every year we get money from Border Patrol to install gravel on it.

Comment - Suggests using RAP, recycled asphalt paving, on top to keep down dust.

Riera – We will ask our Engineering office to look into it to see if it's feasible.

Kimpel – Whose dams are they in the city?

Cedillos – There are U.S. Army Corps of Engineers dams for which we (EPWU/PSB) took over the maintenance.

Stephanie Pennel – Expressed appreciation for the existing parks along the river. Agrees with the concern expressed about the parking issue to access the river park. In the presentation, it was discussed that 10% of the Stormwater Utility revenue is dedicated to open space land. What does that mean?

Cortez – Those funds are set aside for the purchase of open space lands, lands in their natural state that would help our stormwater system.

Cedillos – We improved the Mesa Drain and the City put a trail on top of that. We want to make our structures as green structures, a sponge, rather than gray concrete in order to bring back a green valley.

Pennel – Where will the clay come from that is used to reinforce the levees?

Duran – It will come from private sources; it's purchased. Not from the river.

Question – What will the cost benefit be if people are not required to purchase flood insurance?

Cortez – Our criteria for flood control projects was not based on cost savings of FEMA insurance. We have \$50+ million in stormwater projects submitted to the Texas Water Development Board for funding and more for water and wastewater projects, projects that are shovel ready.

Doris Strickland – Do you address salt cedar infestation?

Peña – We are working with the USDA and others doing eradication with biological controls, namely beetles. April 1-2, there is a meeting in El Paso to discuss progress on those projects that are in the Big Bend area. If they are successful, they will move into other areas.

Jorgensen – Who takes all the information for all the flood control agencies to FEMA?

Cedillos – The City Engineer.

Riera – Congressional offices have also been involved.

### **Board Membership**

Mr. Riera announced that the two-year term of board members is about to expire. We have application forms here for those interested in serving on the board. We try to seek applicants that represent the wide spectrum of interests in the region. If you're interested, please pick up an application. He then presented certificates of recognition to the outgoing board members.

### **Suggested Future Agenda Items**

Mr. Partridge's presentation about levee/river access.

Dr. Hernandez suggests more information about the new signage that USIBWC plans to erect along levees, including examples of signs. He noted that one concern is that it is dangerous to drive near dams. He would like to know what the plans are for the Anapra area; perhaps someone from the City could present something on this.

Keyes – Record of Decision on the Canalization Project, update on the collaborative process.

Jorgensen – List of projects for the stimulus package. Would like Senator Bingaman’s office to discuss its involvement in the FEMA flood map issue. (Greg Bloom of Sen. Bingaman’s office said they can do this).

Riera – Within 2-3 weeks we should have a better idea of the stimulus projects.

Keyes - Paso del Norte Watershed Council meeting is April 6, 9:30 a.m. at USIBWC Headquarters.

Next Rio Grande Citizens’ Forum meeting is June 22 at the Branigan Library in Las Cruces.

\*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.