

Rio Grande Citizens Forum
June 23, 2011
Las Cruces, NM
Tentative Meeting Notes*

Board Members in attendance:

Mary Frances Keisling
Philip Partridge
Louis Irwin
Conrad Keyes, Jr.
Sal Masoud
Doug Echln
John Balliew

Staff in attendance:

Carlos Peña
Com. Edward Drusina
Isela Canava
Andrea Glover
Sally Spener
Guillermo Martinez

Members of the public in attendance:

Oscar Jaloma , City of El Paso
Kareem Dallo, City of El Paso Engineering
Barnett Sugarman, Las Cruces resident
Eric Kroh, Scuder Miller & Assoc.
Jack Diehl, river neighbor
Earl Burkholder, Global C...
Matt Dyer, PSC
Joseph Fluder, SWCA environmental consultants
Junelle Echlin, El Paso resident
Kendra Carraway, Del Rio Engineering
Joan Woodward
James Orwat, Federal Emergency Management Agency (FEMA)
Woody Irving, Reclamation
Tom Phillips, Bureau of Land Management (BLM)
Samantha Barncastle, Elephant Butte Irrigation District (EBID)
Erica Sichler, Office of Congressman Steve Pearce
Rigel Rucker, URS
Karen Burt, URS
Nicole Friedt, URS
Paul Dugie, Doña Ana County Flood Commission
Kim Keisling El Paso resident
Zack Libbin, Elephant Butte Irrigation District
Ronald and Mrs. Peterson, Las Cruces residents

Ben Patterson, HDR
Dana Spontak, HDR
Tara Kent, HDR
Derrick Salvesson, Don Kelly Construction
Jake Rollow, Office of Senator Bingaman
Joe Nowell, landowner along the river
Sherry Nowell, landowner
S.D. Schemnitz, Southwest Consolidated Sportsmen
Chris Brown, New Mexico State University
Daniel Cole, Maxxwireless
Eric Hirsch
Todd Dickson, Las Cruces Bulletin
Dolores Halls, American Association of University Women (AAUW)

Brad Forsyth, citizen

Status Report on Rio Grande Flood Control Levee Construction

Andrea Glover, USIBWC Civil Engineer, gave an update on the status of Rio Grande levee construction along various reaches.

Hatch levee improvements - all embankment work is done, just working on culverts right now, to be completed in October of this year.

Mesilla Phase I, Shalem Colony Bridge to Mesilla Dam (west levee) and Mesilla Dam to Vado Bridge (east and west levee), expect to be completed in September of this year. They are currently working between Shalem Colony and Picacho in Las Cruces.

Mesilla Phase 2, Leasburg to Mesilla Dam (east levee) is 48% done. Anticipated completion in December 2011. They will be moving south of Picacho next month; the south side of Picacho Park will close when construction is undertaken there.

Canutillo Phase 1, Vado Bridge to Vinton Bridge (east and west levees), Vinton Bridge to Borderland Bridge (west levee), covers 28.6 miles. Anticipated completion in November 2011. Embankment work is done, just waiting on completion of floodgates.

Sunland Park segment runs from Borderland Bridge to the El Paso Electric Company Power Plant, covering 12.8 miles of levee. They are about 12% complete and we expect them to be done by February of next year.

There are also a number of projects in the design phase.

Vado levee design, for the east levee by the railroad tracks. The design should be completed next month; however, construction will probably not occur until 2013.

Canutillo Phase 2 is under design, for the east levee between Vinton Bridge and Borderland Bridge. It will probably be broken into three construction projects.

Contingent on funding, construction could occur in 2014-2016.

Courchesne and NEMEXAS designs for 3.8 miles of levee on the east side of the river near the Courchesne Bridge from the Rio Grande Power Plant to American Dam. Design is 30% complete. Construction is estimated in 2017.

She showed construction photos of trucks, motor graders, compacters, etc. We are extending and upgrading some of the structures, adding gates to structures that are currently without gates. We put topsoil on the slopes and gravel on top after we are done.

Most contractors buy the water then store it in ponds and use it to fill water trucks. They are using GPS on the heavy equipment to ensure clay is at the proper grade.

Sal Masoud – When are we going to start the certification process?

Isela Canava, USIBWC – We cannot start certification until construction is complete, when they've completed everything but the seeding. Then the contractor turns in the record drawings as the first step. Once we get the drawings, we can start to move forward with certification.

Masoud – Will you wait until all levee work is finished in 2017?

Glover – We will submit each section as it is completed.

Man – The levees are some height above the water level. How much does it vary?

Glover – They run hydraulic models and we add three feet to the levee above the level of the water under flood conditions.

Man – What's a floodgate?

Glover – Where we have a road that crosses the levee, we are leaving the road at the same elevation but we put in a wall that floats up so it's the same height as the levee.

Man – We live on the portion that's 12% complete. Why is it so far behind?

Glover – That was the last project that started. The contractor did all of his secondary work, such as structures, before the embankment work.

Man - Is he subject to Texas air quality requirements? They have not done any work in about 60 days. I am concerned that the slopes are not stabilized or compacted and about the dust.

Canava – We are enforcing dust control with all contractors. They are working a 12-mile segment so they may not be in your area right now. They are subject to state regulations just like any other contract.

Commissioner Drusina, USIBWC – We try to comply with local, state, and federal laws. Through the testing of those levees, we will make sure they comply with contract specifications. We need to get those levees to pass. If anybody sees violations that we need to be taking care of, please call us.

Samantha Barncastle, Attorney for EBID – We hear they are taking the water out of the river with sump pumps. We've seen it at the Shalem Colony area and farther south. What is the process for checking up on it to make sure there are no unauthorized water withdrawals?

Glover – We have full-time inspection and we have never seen our contractors doing this. *(Note: It was later determined that the water withdrawals that were observed were being undertaken by a different party not associated in any way with USIBWC).*

Mary Frances Keisling – Valley Creek Park, where we have just built a horse trail, is affected by the silt fence in place during construction. Can you open it in sections so we can have access along the river without waiting until the entire construction project is completed?

Glover – We can ask the contractor. For safety reasons, they have opted to close the entire segment during construction. The contractor has full liability over the site.

Joan Woodward – We live by a large staging area by the levee. What measure and tools will be used to ensure staging areas are returned to their original grades?

Glover – It will be reseeded and returned to original grade. They cannot exceed the height of the original floodplain.

Jack Diehl – I’ve seen off-road vehicles tearing up the side of the levee. Will that affect certification?

Canava – We won’t accept any damage from the contractor so they have to fix it before we accept it. Once it’s turned over to us, we will have to do the maintenance on it.

Man – Police and sheriff don’t want to respond because they say IBWC doesn’t want to prosecute.

Com. Drusina – If the contract is closed out, we would prosecute.

Man – What’s going to happen to the gates on the levee road after construction?

Glover – They are going to be put back into their original condition with locks. The gates are being rehabilitated or new gates made. Some have already been installed. Mesilla Phase I segment is getting close to putting their gates in. Most will be done toward the end of construction.

Update on FEMA Flood Insurance Rate Maps for Doña Ana and El Paso Counties

Jim Orwat, Project Monitor for the Flood Map Modernization Project for El Paso and Doña Ana Counties, FEMA Region 6, provided the update.

Levee certification is based on 1% chance of a flood occurring, also known as the 100-year flood. FEMA Flood Insurance Rate Maps are based on current conditions and reflect the existing risk. Certification is the responsibility of the levee owner or the community. We accept the certification performed by USIBWC in accordance with federal law.

FEMA is looking at how areas behind levees are analyzed and we are considering new criteria. Currently, if a levee is not certified, we currently model as if the levee is not there. But there is pushback that you should consider and analyze the level of protection that exists since partial protection is provided.

Levees reduce risk but the risk is not removed. FEMA encourages people to purchase flood insurance even if you live by a certified levee.

Accreditation allows properties on the land side of an accredited levee to be indicated on the map as in an area of moderate risk, known as Zone X. Once FEMA receives a levee certification package from a levee owner, FEMA reviews it, considers the checklist, and accredits the levees based on the certification submittals.

USIBWC responsibilities are structural and operation and maintenance of the system (other than interior drainage). Additional responsibilities are interior drainage and closures. Interior drainage is part of that certification. When it rains on the land side of the levees, how does it get to the river? That has to be mapped and it is a responsibility. The responsibility needs to be worked out among the landowners, city and county governments, and USIBWC. USIBWC is working closely with local governments to figure that all out. That needs to be worked out while construction is being undertaken so that it can be certified. The interior drainage is very important.

In response to Congressional interest, FEMA is investigating levee modeling practices to more precisely analyze flood risk for levees that cannot be accredited. This may require additional insight and information from levee owners and community officials. If the levee is not certified, we are looking to change how that area will be analyzed and mapped.

FEMA is establishing a project team to review the current analysis approach. The project team includes U.S. Army Corps of Engineers, academic, and engineering experts

to evaluate general approach scenarios. They are going to decide what will be the best way to do this analysis. It is something that is going to take some time to come up with. Multiple modeling methodologies will be reviewed for applicability to real-world situations, such as: What will happen if it overtops or if there is seepage? The new approaches may have different floodplain results than those previously prepared. The floodplains may be more conservative in some locations or less conservative in other locations.

For Doña Ana County, the Revised Preliminary Flood Insurance Rate Map appeal period ended November 19, 2010 and was then extended to January 31, 2011. The levees along the Rio Grande are currently de-certified on the preliminary maps. FEMA's new levee policy requires a new analysis for those areas no longer protected by a certified levee. Guidance to implement the new policy is pending. Other remaining appeal/protest cases are pending the outcome of the revised levee mapping.

For El Paso County, the appeal period ended June 2, 2011. A portion of the levees along the Rio Grande are currently de-certified on the preliminary maps. FEMA's new levee policy requires a new analysis for those areas no longer protected by a certified levee. If the levee certification is completed (which could occur prior to the new policy coming out) then that could be reflected on the maps.

Essentially, the mapping process is on hold until new levee analysis guidance from FEMA is received.

In the Talavera area in Doña Ana County, it has been determined that it is not eligible for Scientific Review Panel resolution. In other areas, resolution of some protests is on hold pending resolution of the revised levee mapping analysis.

Carlos Peña, USIBWC– If there is a problem with interior flooding, do you have to wait until that gets resolved?

Orwat – We just need to map it. It's incumbent upon the owner to tell us about the interior drainage.

Man – Is there consideration in FEMA mapping for the elevation of the actual homes rather than the elevation of lands?

Orwat – The elevation of the home is considered for some. But on the map, it would not be considered because that's based on the topography.

Sal Masoud – Will the new approach better account for base flood elevation?

Orwat – That hasn't been determined.

Man – You said earlier that in some cases if you live near a levee, FEMA recommends flood insurance but it may not be required if the levee is certified. Will that recommendation be reflected in the Flood Insurance Rate Maps?

Orwat – There is a zone shaded X, considered a moderate risk flood zone, that would indicate this. This is the zone where flood insurance is not required.

Sally Spener, USIBWC – In El Paso, USIBWC has already completed levee work for the east-central part of the City of El Paso. Because of this, the preliminary map benefited residents in that area because they were no longer in a high-risk flood zone. These people would benefit if the maps were adopted right now whereas in the Upper Valley, where levee construction is still underway, they would benefit if the mapping process can be delayed until the levees there are certified. Will you be able to finalize the maps for the areas where we have already completed the levee work so those people can benefit or will the whole process be delayed?

Orwat – We are working to respond to a letter from Alan Shubert of the City of El Paso on that issue. We are going to prepare a response and the issue of partial certification will be decided by FEMA Headquarters on a case by case basis.

Public Comment

Woody Irving, Bureau of Reclamation - Reclamation recently released a grant related to global warming and climate change. Grant applications are available on the table and can be picked up.

Spener – Terms for the current Rio Grande Citizens Forum Board are expiring so the USIBWC will be soliciting applications from the public for the next 2-year term. The application form is available on the USIBWC web page. There are also copies available at the sign-in table.

Recognition of Board Members

Com. Drusina expressed his thanks to members of the board for their service. He encouraged those in attendance at the meeting to apply for the Citizens Forum. He presented framed certificates to the outgoing board members.

Suggested future agenda items

The next meeting is scheduled for October 6 in El Paso.

Sal Masoud suggested an update on levee construction be provided at the meeting.

Guillermo Martinez would like to give a presentation about issues related to interior drainage.

*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.