The Boundary Marker

The newsletter of the U.S. Section of the International Boundary and Water Commission

Spring 2004

DURAN SWORN IN AS UNITED STATES COMMISSIONER

Arturo Q. Duran was sworn in as United States Commissioner of the International Boundary and Water Commission, United States and Mexico, in January. President George W. Bush appointed Duran to succeed Carlos M. Ramirez who resigned late last year for health reasons.

In the post of Commissioner, Duran serves as agency head of the U.S. Section of the International Boundary and Water Commission (USIBWC), directing activities in twelve offices. The Commission is responsible for applying the boundary and water treaties between the United States and Mexico and settling differences that arise in the application of the treaties.

Commissioner Arturo Q. Duran

More than 200 people attended a ceremonial swearing-in held in El Paso, Texas in February, including elected officials, agency representatives from throughout the border region, members of the Duran family, and Commission staff.

At the ceremony, Commissioner Duran remarked that he intends to promote partnerships with government agencies, community groups, and the private sector. "We want to be a partner so that together we can leverage resources to improve quality of life in the border region," he said.

Prior to his appointment to the Commission, Duran served as General Manager of the Lower Valley Water District in Clint, Texas from 2000 until 2003. In that capacity, he oversaw all district operations related to water, wastewater, solid waste, parks and recreation, and flood control services.

He also worked as a Manager and Environmental Coordinator with the United States Environmental Protection Agency (EPA). While at EPA, he coordinated the development and implementation of U.S. and Mexico border infrastructure and environmental programs.

Commissioner Duran was previously appointed by President George W. Bush to the Joint Public Advisory Committee of the Commission for Environmental Cooperation, an international organization created by Canada, Mexico and the United States to address regional environmental concerns.

Born in the State of Chihuahua, Mexico and raised in Ciudad Juarez, just across the border from El Paso, Commissioner Duran immigrated to the United States after graduating from high school. He is fully bicultural and understands the unique challenges that border communities face on a daily basis.

"I look forward to building bridges of cooperation with Mexico," he said.

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COMMISSIONERS SIGN MINUTE 311 ON SAN DIEGO-TIJUANA SANITATION

The International Boundary and Water Commission, United States and Mexico, has concluded an agreement related to development of secondary wastewater treatment facilities designed to meet the objectives of U.S. Public Law 106-457. The agreement,

Commissioner Duran (*l*) and Commissioner Herrera (*r*) sign Minute 311 in El Paso, Texas

Minute No. 311, "Recommendations for Secondary Treatment in Mexico of the Sewage Emanating from the Tijuana River Area in Baja California, Mexico," was signed by IBWC U.S. Commissioner Arturo Q. Duran and Mexican Commissioner Arturo Herrera Solis in El Paso, Texas on February 20 and was subsequently approved by both countries' governments.

The United States Section of the IBWC currently provides treatment of up to 25 million gallons per day of sewage emanating from Tijuana at its South Bay International Wastewater Treatment Plant (SBIWTP) in San Diego. The plant treats sewage to the advanced primary level with discharge of treated effluent 3.5 miles off the California coast through the South Bay Ocean Outfall. Applicable laws in the United States require secondary treatment of wastewater. Under the terms of Minute No. 311, secondary treatment of the advanced primary effluent from the SBIWTP and treatment of additional Tijuana sewage would be provided as follows, if secondary treatment is not provided in the United States:

- Plant capacity of up to 59 million gallons per day consistent with the Tijuana Master Plan undertaken by EPA and the Tijuana utility (CESPT) to determine the future infrastructure needs through the year 2023
- Effluent discharged through the South Bay Ocean Outfall would comply with applicable water quality laws in the United States
- Project implemented through a private-public partnership
- Commission oversight of selection of contractors and monitoring and evaluation of the performance of the treatment plant as in previous Commission projects

SBIWTP (*near bottom*) with Tijuana at left and Pacific Ocean in background

"I am pleased that we have reached agreement with Mexico for a framework to implement the public law," said U.S. Commissioner Arturo Q. Duran. "This project is a high priority and we intend to begin implementation of this agreement immediately." Commissioner Duran also noted that the project offers a comprehensive solution to the border sanitation problem at San Diego-Tijuana.

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FLOOD PREPAREDNESS MEETINGS HELD

The International Boundary and Water Commission (IBWC) and the United States National Weather Service (NWS) joined with officials from Del Rio, Eagle Pass, and Laredo, Texas to conduct flood preparedness meetings during the week of March 22. Dozens of emergency management officials and others attended each meeting.

The U.S. Section of the IBWC (USIBWC) and NWS are responsible for providing flood release data from Amistad and Falcon International Dams and flood forecasts for the Rio Grande. In the event of a flood, the USIBWC will provide projected flood releases from the dam to the NWS, which will use this information in preparing flood forecasts for the Rio Grande. At the meeting, they discussed with local emergency response officials how data can be shared and used appropriately during storms so that timely decisions can be made about evacuations, road closures, and other measures to protect life and property.

Additionally, the USIBWC presented its latest Rio Grande hydraulic models, indicating how water levels in low lying areas near the river would be affected by floods of various magnitudes. These models will aid emergency planning for property in the floodplain.

Emergency coordination officials from both sides of the border presented their flood coordination plans and staff contact information to improve communications during a flood emergency.

An additional flood preparedness meeting is planned for Presidio, Texas.

DECISION ANNOUNCED FOR FLOOD CONTROL PROJECT MAINTENANCE

U.S. Commissioner Arturo Q. Duran in February signed a Record of Decision (ROD) selecting a vegetation management program for the Lower Rio Grande Flood Control Project in Texas. The decision follows preparation of an Environmental Impact Statement (EIS) analyzing various alternatives. The purpose of the vegetation maintenance program is to maintain the river's capacity to convey flood flows in accordance with long-standing agreements between the United States and Mexico.

The ROD confirms the selection of the Continued Maintenance Alternative whereby the United States Section of the International Boundary and Water Commission (USIBWC) will continue vegetation maintenance activities in place since 1993, consisting of mowing a 75-foot strip along the Rio Grande for a 34-mile reach just upstream of Brownsville, Texas.

Mowing is a standard vegetation control measure

"This alternative reflects the appropriate balance between fulfilling the Commission's flood control responsibilities and maintaining habitat," said Commissioner Duran.

The USIBWC implemented its current program following a 1993 Biological Opinion of the U.S. Fish and Wildlife Service (renewed in 2003), which required the Commission to modify its mowing practices to reduce potential impacts to threatened and endangered species.

The ROD also notes stakeholder concerns for project flood control capabilities. To address those concerns, the USIBWC intends to enter into consultation with the U.S. Fish and Wildlife Service to determine if there are other areas within the Lower Rio Grande Flood Control Project that could be mowed without harming threatened or endangered species. The USIBWC is also initiating a program to rehabilitate and raise levees to improve flood protection.

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