

For immediate release
October 25, 2005

REGIONAL WATER PROJECTS, BORDER WATER MANAGEMENT, DIPLOMATIC ISSUES ON AGENDA FOR NOVEMBER 2 PUBLIC MEETING

U.S.-Mexico border water issues will be discussed at an upcoming public meeting in Las Cruces, New Mexico. The meeting of the Rio Grande Citizens' Forum of the United States Section of the International Boundary and Water Commission (USIBWC) will take place November 2, 6:00 - 8:30 p.m., at the Thomas Branigan Memorial Library, 200 East Picacho in Las Cruces.

Information will be presented about water projects by El Paso Water Utilities (EPWU), Elephant Butte Irrigation District (EBID), and the City of Las Cruces which were recently awarded grant funds by the United States Bureau of Reclamation. EPWU is using the funding to install river and drain instrumentation stations to monitor flow and water quality. The project will allow real-time and historic water data to be shared through a website sponsored by the Paso del Norte Watershed Council. EBID is implementing a flow metering and data collection project, with the goal of metering all relevant storage, flows in the Rio Grande, diversions from the river, and return flows. The City of Las Cruces received funds for a project at Burn Lake to use the lake as a regulating reservoir for capturing storm flows and to improve water quality for aquatic life and aesthetic value.

In other business, Sally Spener of the USIBWC will present the Good Neighbor Environmental Board Eighth Report, "Water Resources Management on the U.S.-Mexico Border." The USIBWC Commissioner serves on the board, which advises the President and Congress of the United States on border environment and infrastructure practices along the U.S. border with Mexico. The report makes a number of

recommendations regarding border water management including strengthening cross-border institutional collaboration, enhancing collection, analysis, and sharing of border water data, and implementing water resources planning using a stakeholder-driven watershed approach.

Mary Brandt, Special Assistant to the U.S. Commissioner who serves as the USIBWC's liaison at the U.S. Department of State, will discuss the diplomatic function of the International Boundary and Water Commission and the relationship between the U.S. Section and the Department of State. The USIBWC is an independent federal commission which receives foreign policy guidance from the Department of State.

The Rio Grande Citizens' Forum was established by the USIBWC in 1999 to facilitate the exchange of information regarding USIBWC activities on the Rio Grande between Percha Dam, New Mexico and Fort Quitman, Texas. It is designed to bring together community members, enabling the early and continued two-way flow of information, concerns, values, and needs between USIBWC and the general public, environmentalists, irrigation districts, municipalities, and others interested in the river. Members of the Rio Grande Citizens' Forum Board, who serve as unpaid volunteers, represent a variety of interests along the Rio Grande in west Texas and southern New Mexico.

The meeting agenda appears below. Members of the public can obtain more information from Public Affairs Assistant Selma Rivera at 915-832-4706, selmarivera@ibwc.state.gov.

News media may contact:
Sally Spener
915-832-4175
sallyspener@ibwc.state.gov

RIO GRANDE CITIZENS' FORUM

Wednesday, November 2, 2005

6:00 - 8:30 P.M.

Thomas Branigan Memorial Library

200 East Picacho

Las Cruces, NM 88001

Agenda

- Welcome & Introductions - Michael P. Fahy, Citizens' Forum Co-Chair
- Diplomatic Function of the International Boundary and Water Commission and the Relationship between the U.S. Section and the Department of State - Mary Brandt, Special Assistant to the U.S. Commissioner
- United States Bureau of Reclamation Water 2025 Challenge Grant - Michael P. Fahy, Planning and Development Manager, El Paso Water Utilities; Henry Magallanez, District Engineer, Elephant Butte Irrigation District; Eric Martin, Project Management Administrator, City of Las Cruces
- Good Neighbor Environmental Board Eighth Report, Water Resources Management on the U.S.-Mexico Border - Sally Spener, Acting Secretary, USIBWC
- Public Comment
- Board Discussion, Suggested Future Agenda Items
- Next Meeting for the Rio Grande Citizens' Forum will be February 15 in El Paso

If you have a disability that you wish to self-identify confidentially that requires accommodation, please advise us ahead of time. For more information, call 915-832-4706 or e-mail selmarivera@ibwc.state.gov

**Rio Grande Citizens' Forum
Las Cruces, NM
November 2, 2005**

Tentative Meeting Notes*

Board Members in Attendance:

Kevin Bixby
Chris Brown
Ed Dominguez (alternate)
Michael Fahy
Joe Groff
Alisa Jorgensen
Henry Magallanez
Denise McWilliams
Sal Quintanilla
Irene Tejada

Board Members Absent:

Lupe Garcia
Alexandro Lozano
Ed Provencio (alternate for Lupe Garcia)
Jesus "Chuy" Reyes

USIBWC Staff in Attendance:

Mary Brandt
Steve Smullen
Tony Solo
Sally Spener

MxIBWC Staff in Attendance:

Jorge Ortega

Members of the Public in Attendance:

Anna Fahy, El Paso Community College
Inga Groff, Chihuahuan Desert Wildlife Rescue
Eric Martin, City of Las Cruces
Joshua Rosenblatt, City of Las Cruces
Woody Irving, USBR
Ed Makarewicz, EPA
Norma Duran, EPA
Greg Bloom, Sen. Bingaman's Office
Conrad Keyes, Jr., consultant to Corps

Cliff Sanchez, USDA-NRCS
Lorenzo Arriaga, USBR
Dolores Halls, AAUW, AARP
Marylin Taylor
Jeff Langman, USGS
Janet Darrow, Citizens Task Force for Open Space
Erin Ward, NMSU/Border 2012
Carlos Rincon, Environmental Defense
Jean Apgar
Leon Silverstrom
Bobby Creel, WRRRI

Welcome and Introductions

Co-Chair Michael Fahy called the meeting to order. Board members and members of the public introduced themselves.

Diplomatic Function of the International Boundary and Water Commission and the Relationship between the U.S. Section and the Department of State

Mary Brandt of USIBWC gave this presentation. She noted that foreign policy is a power of the president under the constitution. By statute, foreign affairs responsibilities are exercised by the Department of State and some of those powers are conveyed to the U.S. Commissioner. The role of the State Department is to protect U.S. interests abroad, U.S. business interests abroad, and the welfare of U.S. citizens abroad. Entities such as IBWC effect foreign policy by the art of diplomacy.

She noted that it is not the role of USIBWC or diplomacy to force Mexico to comply with treaty obligations. We advance foreign policy through the art of negotiation and compromise, trying to get two sides to reach common ground and then codifying that with an international agreement or treaty enforceable under international law.

She discussed the history of the IBWC, the treaties, and some of the projects involving IBWC. The IBWC Commissioner's job description includes serving as a technical advisor to the Department of State on boundary and water issues. With the Mexican Commissioner, he develops recommendations to the two governments. Under the 1944 Treaty, IBWC records its decisions in the form of minutes. When approved, they become binding on the two governments under international law. No other border institution can actually enter into international agreements and bind their two governments under international law.

USIBWC is funded by the State Department and operates under its foreign policy guidance. We have two foreign affairs positions in USIBWC. One is the U.S. Section Secretary who is the person responsible for correspondence with Mexico. In Washington, the Foreign Affairs Officer advances USIBWC recommendations to the State Department to seek Washington's support and conveys to USIBWC the overarching foreign policy goals.

USIBWC takes pride in its role as engineers and as diplomats, promoting science-based approaches to negotiate joint solutions to common problems.

Carlos Rincon - Is the USIBWC a mirror image of the Mexican side.

Brandt - The Mexican Section is part of the Ministry of Foreign Affairs whereas the USIBWC has more independence in its administration and personnel actions. Both Sections are headed by an Engineer-Commissioner, have a Secretary and two Principal Engineers, positions under the 1944 Treaty that they may employ. The Mexican Section is a little smaller than we are. We are a U.S. federal government agency but when we join as a Commission, we are an international organization under the International Organization Immunities Act.

Alisa Jorgensen - What are the key challenges from a diplomatic standpoint?

Brandt - Continued application of the 1944 Water Treaty, deliveries to the US from the Mexican tributaries to the Rio Grande, Colorado River issues will emerge as we enter a dry period on the Colorado, All American Canal lining, Colorado River Delta restoration, border pollution/sanitation, challenges with our levee system, especially after the failures in New Orleans. We have critical infrastructure issues for our shared infrastructure.

Joshua Rosenblatt - How do you see the funding level that you've had in the past versus what's anticipated in the future?

Brandt - The demands and the issues are growing but our budget isn't growing; there are going to be a lot of competing demands on the budget with the war in Iraq and Hurricane Katrina reconstruction. All government agencies are likely to experience a 5% reduction across the board. We need to work with our stakeholders and Congressional representation to make them aware.

Joe Groff - If the Commission has business with other agencies in Washington, DC, are you involved? Do you deal with the Mexicans regularly? Do you have a diplomatic passport?

Brandt - I coordinate with other agencies in Washington. I'm the liaison in Washington. I am in contact with the Mexicans but not as regularly as others. The U.S. Secretary does have a diplomatic passport and deals with the Mexicans regularly. My dealings are with the State Department.

Lorenzo Arriaga - Do minutes have the same impact as treaties?

Brandt - Under international law they do but under domestic law the minutes do not require advice and consent.

United States Bureau of Reclamation Water 2025 Challenge Grant

Michael Fahy of El Paso Water Utilities (EPWU) was the first presenter on this topic. He described the Water 2025 U.S. Bureau of Reclamation Challenge Grant program. Eligible applicants are irrigation districts and water providers in the western US where the Bureau has water projects. Objectives are to make efficient use of existing supplies through water conservation, efficiency, and water markets. The program encourages multiple agency cooperation.

EPWU met with the City of Las Cruces and Elephant Butte Irrigation District (EBID) to discuss common concerns and we found that Las Cruces wanted to improve water quality of Burn Lake and needed additional water quality data for water treatment plant design. EBID wanted additional TDS sensors with telemetry at diversion dams and flow measuring stations. EPWU wanted daily TDS data at major drains to identify the salt balance coming into the river from different agricultural drains. Additional TDS real-time monitoring would help EPWU to improve water treatment plant operation. All parties had the need to share the data.

He mentioned the data sharing through the Paso del Norte Watershed Council

Coordinated Database, a GIS project. Phase I and II were completed under EPWU and U.S. Army Corps of Engineers contracts. This includes a map, database start up, web page access. Those phases were funded and completed.

Funding for Phase III would work well under Water 2025 funding. Phase III work is a needs assessment of database users, improved data access and user friendliness, and download capability for watershed and other modeling data.

The proposals are summarized as follows:

EBID - Flow metering and data collection project. Focus is to install flow measurement equipment at canals and turnouts.

City of Las Cruces - Burn Lake Regulating Reservoir, reclaiming water for conservation and recreation, to utilize Burn Lake as a regulating reservoir for the irrigation district and for capturing storm flows. Water was becoming stagnant but by having water flow through, it would improve water quality and aesthetics.

EPWU - Installation of river and drain instrumentation stations to monitor flow and water quality and internet data sharing.

Funding - non-federal subtotal is \$191,226 (includes funding from EPWU and in-kind support from various entities). Bureau of Reclamation funding is \$165,000 for a total of \$356,226.

He mentioned the monitoring stations for TDS measurement sites on the river. Further downstream, agricultural drains will be monitored. It is a 2-year program covering July 2005 - July 2007. Tasks identified for EPWU were to work with EBID to install and calibrate the equipment. Then the readings would be integrated through the telemetry. Other steps involve handling the data, making it available on the web, and identification of users of the data.

Contracts were signed with all three entities in August 2005. They are currently awaiting a NEPA categorical exclusion from the Bureau.

Henry Magallanez of EBID continued with the presentation. He noted that EBID is trying to use the monies to enhance the community and the environment. We are fortunate to have received the monies we did get. We want to showcase that it was put to good use with Burn Lake restoration and conservation of water. He introduced Lorenzo Arriaga and Woody Irving of the Bureau of Reclamation and thanked them for their help in coordinating the work and serving as liaisons for the project.

Lorenzo Arriaga - The intent of this program was to alleviate water stress. The intent is not to publish a report but to understand the resource, put it to future use.

Woody Irving - We want to avoid situations of conflict here that have existed elsewhere. To see people cooperate with each other is a goal of the program.

Magallanez - In terms of water quality, we have a different agenda than the water utility. We are interested in irrigation; the water utility is interested in surface water treatment. We are willing to cooperate and we are exploring funding mechanisms.

Chris Brown - The Paso del Norte Watershed Council is interested in adding a biological component to the GIS database. We are pursuing funding opportunities. New Mexico State University Water Resources Research Institute support through Bobby Creel is the technical infrastructure that provides stability to the project.

Magallanez - EBID is working with the other two projects on some of the data gathering

and instrumentation of the drains for water quality. Our project is for the measurement of water within our system. We have 350 miles of canals. We have done other conservation projects such as piping and concrete lining of canals. To conserve water, you have to account for the water, you have to know how much you have in order to quantify how much you are conserving. We have about 3500 delivery turnouts. Groundwater is used here as a reservoir during time of drought. Last year, we allotted 8 inches of water but the normal is 36 inches. Farmers had to pump to sustain their crop. There is a strong correlation between surface water use and pumping. State of New Mexico is implementing a requirement to meter all wells. Our focus was to meter sites. We received the maximum grant amount of \$300,000. We will match with \$315,000 of our own funds/in-kind services. We also have \$15,000 from World Wildlife Fund for on-farm efficiencies. That is a total of \$615,000 for this two-year project. We have about 30 sites, some in the Hatch Valley, Mesilla Valley, and Southern Mesilla Valley. We are measuring canals in three nested sites - ie, a check structure, well, and turnouts all clustered at one site. Through the project we are installing metering devices, sensors, data loggers, radio telemetry units (RTUs), and mini RTUs for 20 nested clusters, 100 individual measurement points with data sent to the office via telemetry. This information will be available on our web site.

Eric Martin, City of Las Cruces, continued with the presentation, discussing what's happened over the last few months related to Burn Lake and the Water 2025 Project. The City has worked with EBID to help provide freshwater flow into Burn Lake. Previously, it was largely dependent on storm flows. That influx of water is beneficial to the ecosystem as a whole and results in a higher water level in the lake. Burn Lake has been a popular recreational area but due to low water quality, it has not been used as much. The City received \$86,000 and the City bond issue provided \$250,000 to enhance the Burn Lake complex. They received other funds as well of about \$150,000. This will be used to turn Burn Lake into a regulating reservoir and a nice recreational area. They took three water deliveries from EBID and they now need to work on getting water out of the lake. They are setting up meetings to let the contracts to install the pumps and equipment so that once they get the water in, they can get it out so EBID can continue to use the water. We are starting the design stage. We would be happy to provide an update at a future meeting.

Good Neighbor Environmental Board Eighth Report, Water Resources Management on the U.S.-Mexico Border

Sally Spener of USIBWC gave this presentation. She is the Commissioner's Alternate for the Good Neighbor Environmental Board (GNEB) and worked on the Eighth Report. The GNEB is an advisory board to the President and Congress on environmental conditions along the U.S. border with Mexico. It is based at EPA and has diverse membership. Meetings are held in border communities; there is collaboration with the Mexican councils. It operates by consensus and prepares annual reports.

The Eighth Report focused on management of water resources of the U.S.-Mexican border and addressed water supply and quality concerns. The report focused on three key areas: 1. How water resources institutions operate. 2. How water resources data are handled. 3. Enhanced role for strategic planning in sustainable water resources management.

For the section on institutions, the report identified problems such as population growth

and water scarcity. Recommendations included clarifying responsibilities and jurisdiction of border water institutions, updating missions and structures to reflect present border realities, and strengthening cross-institutional collaboration.

The lead person on the data section was John Klein who is about to retire after decades of work with USGS. In the area of data, problems identified include differing systems for gathering and disseminating data, gaps in surface water and groundwater data. Recommendations included developing and signing formal U.S.-Mexican water resources data agreement; IBWC agreements are cited as examples.

In the area of strategic planning, problems identified include the lack of longer-term planning, limited authority within agencies. Recommendations included implementing a five-year integrated water resources planning process using a stakeholder-driven watershed approach.

The report discusses Project and Partnerships. Several projects from the El Paso-Las Cruces region were cited including the Mesilla Valley Bosque Park, Rio Grande Toxic Substances Study, Transboundary Aquifers and Groundwater Database Study for El Paso-Ciudad Juarez, Paso del Norte Watershed Council Coordinated Water Resources Database and GIS, Paso del Norte Water Task Force, Mimbres Basin pilot project for groundwater management.

The report also includes a comment letter that was sent on invasive aquatic and riparian species, including a species of concern for this region, salt cedar.

The report is available online at www.epa.gov/ocem or can be ordered at 1-800-490-9198, Report # EPA-130-R-05-001.

Public Comment

Magallanez - Dr. Gunaji and Conrad Keyes got some funds for the Picacho Flume and siphons, structures that cross the river. We are actually starting work on the last of the projects to rehabilitate the structures. It's taken a while but things are getting done. We appreciate the efforts of the International Boundary and Water Commission on these projects.

Rincon - For the first time ever, the U.S. Clean Air Act Advisory Committee will conduct a meeting outside of Washington and they will have it here in El Paso on Nov. 17 and 18. It is open to the public. They have an agenda available at the EPA web page.

Chris Brown - Extends his congratulations to Carlos Marin, Sally Spener, and Steve Smullen for their recent promotions. We are looking forward to better times at the USIBWC. He offered the support of the Rio Grande Citizens' Forum Board for the new leadership.

Dolores Halls - A few meetings ago, you gave a report on a sewage treatment plant, the first one that Juarez ever had. Is that online and complete?

Fahy - Yes, they have two wastewater treatment plants in operation in Cd. Juarez.

Rincon - There is close to a quarter of the daily sewage which is not treated yet. But they have two running and a third being constructed.

Kevin Bixby - He requested a quick update on the Programmatic EIS.

Spener - We are going to be meeting internally on this soon. No update is available right now.

Member of the Public - Would like to know where to get information about how much water is available and how future demands will be met. There was a study done about the Mesilla Valley. What studies are out there and how can the general public get it?

Fahy - A 50-year plan is available through the Council of Governments web page for the Far West Texas region.

Bobby Creel - There is the Lower Rio Grande Regional Water Plan from the Lower Rio Grande Water User web page hosted by WRRRI at NMSU.

Brown - The Paso del Norte Water Task Force and the Juarez water utility (JMAS) also have documents.

Tejeda and Fahy - EPWU, the Paso del Norte Water Task Force, and the JMAS are working on a grant for reclaimed water and a proposal for a public awareness campaign in English and Spanish. They will bring Las Cruces into it.

Suggested Future Agenda Items

It was announced that the next meeting will be Feb. 15 in El Paso.

Rincon - Would like a summary of outcomes and next steps from the Binational Rio Grande Water Summit.

Bixby - He repeated requests that are in the queue, those that deal directly with IBWC – update on the 404 permit, update on the IBWC’s conservation easement acquisition in the Lower Rio Grande Valley and feasibility for implementing it here on the Canalization and Rectification Projects, presentation on the agricultural/grazing lease program within the Canalization Project.

Jorgensen - Would like to hear about the Canalization easement program, Rio Grande Toxic Substances Study, picking John Klein’s brain of USGS before he retires.

Conrad Keyes - Do we have any new TMDL designations or proposed ones? I heard that there are going to be designations soon.

Joe Groff - Likes to cover three subjects in depth rather than too many.

Keyes - Upper Rio Grande Water Operations Review and EIS public meetings will be in El Paso-Las Cruces in January and February.

*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.