

RESOLUTION

A RESOLUTION BY THE NEW MEXICO – TEXAS WATER COMMISSION REGARDING THE WATER QUANTITY AND QUALITY EFFECTS ON MEXICO BY THE EL PASO - LAS CRUCES REGIONAL SUSTAINABLE WATER PROJECT

WHEREAS, the US Section of the International Boundary and Water Commission (IBWC), through discussions with the Mexican Section of the International Boundary and Water Commission, seeks to assure that the El Paso Las Cruces Regional Sustainable Water Project (Project) will not impact water quantity and quality relevant to the treaty obligations to Mexico.

WHEREAS, the IBWC has requested that the New Mexico Texas Water Commission provide assurances that such water quantity and quality impacts will not occur.

WHEREAS, the information necessary to support these assurances is available in the Project's Draft Environmental Impact Statement and supporting technical reports.

NOW, THEREFORE, BE IT RESOLVED by the Co-Chairpersons of the New Mexico – Texas Water Commission:

1. The project purpose and need statement clearly states that the obligations of the Treaty of 1906 with Mexico will be honored. The Commission approved that purpose and need statement at the beginning of the NEPA process. It continues to honor that obligation .
2. The Bureau of Reclamation, working with the Elephant Butte Irrigation District and the El Paso County Water Improvement District No.1, manages the Rio Grande Project. They are required by compact and treaty to meet Mexico's right to 60,000 acre feet. The sponsoring utilities of the Sustainable Project would acquire rights to use water from the irrigation districts who in turn call on water from the Bureau. The Commission developed the Project with the understanding that treaty obligations must be met. The Commission does not intend to affect those requirements.
3. There is a concern about the potential for manmade droughts resulting from the Project because of increased seepage during the non-irrigation season. As stated above, the

Project would acquire the same rights to use water that are currently being held for agricultural uses and will have the same allocations as other agricultural users each year. The Project sponsoring utilities could not call for water beyond their rights to use water and therefore cannot draw down Caballo Reservoir beyond what the Rio Grande Project allocates. The BESTSM analysis accounted for the additional seepage and differing consumptive uses and adjusted annual total demand so that releases from Caballo would remain within historical ranges. No manmade droughts are predicted by the model. The Commission believes there is no potential for manmade droughts resulting from the Project.

4. A concern was expressed about the impact the Project will have on the quality of water delivered to Mexico. The predicted changes in Total Dissolved Solids (TDS) at International Dam are described in the attached tables taken from the Project Draft EIS. These tables compare the Preferred Alternative with the No-Action Alternative in Phases 1, 2 and 3. In general, the Preferred Alternative will result in increases of 35 to 63 mg/l in the primary irrigation season and a decrease from 17 to 58 mg/l in the non-irrigation season. The data used to predict these TDS values were generated from daily data taken over the 71 year period of record.

Subsequent to this analysis, a drain blending strategy has been developed to essentially eliminate the primary irrigation season increases so that virtually no changes in TDS will be seen at either American or International Dams. A description of that strategy is presented in the Final EIS. The Commission supports the validity of these results.

PASSED and APPROVED at a regular meeting of the New Mexico – Texas Water Commission, this day of _____, 2000, at which a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Section 551.001 et. Seq.

**NEW MEXICO – TEXAS
WATER COMMISSION**

Co-Chairperson