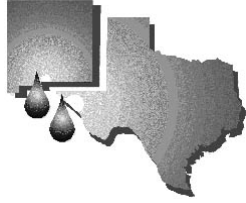


New Mexico – Texas Water Commission



Public Entities in Partnership for Sustainable Water Resources

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MEETING OF THE NEW MEXICO –TEXAS WATER COMMISSION

**Dona Ana County Court House
251 W. Amador
Las, Cruces, NM
February 17, 2005**

Welcome

Sue Padilla of Dona Ana County welcomed everyone and chaired the meeting. A copy of the sign-in-sheet is attached as “**Exhibit “A.”** Those members attending the meeting were as follows:

Karl Wood – NMSU WRI
Tony Tarquin – UTEP
Henry Magallanez – EBID
Mike Fahy – EPWU
Sue Padilla – DAC
Ari Michelsen-TAMU
Dan Santantonio-Las Cruces

I. Review and Approval of Minutes from January 6, 2005, Commission Meeting (Commission Members)

Sue Padilla asked if anyone had comments on the January 6, 2005 Commission meeting minutes. The motion to approve the minutes was passed and the minutes were accepted unanimously by the Commission.

II. Progress Update of the Paso del Norte Watershed Council (Nancy Hanks, PdNWC Coordinator)

Nancy Hanks announced that she met along with Conrad Keyes, Bobby Creel and Zhuping in Albuquerque on February 10 for the steering committee meeting for URGWOM. The Phase I scenarios for URGWOM should be available to the public by mid June. Congress has provided \$1 million for the operational model (URGWOPS) for 2006 for URGWOPS review and the EIS, and \$55,000 for URGWOM updates and improvements in the Middle Rio Grande Conservancy District (MRGCD). It is noteworthy that 2006 is the first year during which URGWOM funding has been budgeted by Congress as a direct line item. Public meetings will be held in June 2005 in both El Paso and Las Cruces for the DEIS and URGWOPS review

The Council will be ready to present the workshop to summarize Phase II of the Coordinated Database GIS program on March 11 at the NMSU campus. Conrad and Zhuping will conduct the same presentation before the URGWOM steering committee in Albuquerque on March 10.

Nancy informed the audience that the Watershed Council received a small grant of \$4,300 from IBWC, TCEQ and the Friends of the Rio Grande to upgrade their website. This money would not be given directly to the Council, but rather goes directly to the contractor from Friends of the Rio Grande. The upgrades will include adding more information to the site, plus translating the web page into Spanish.

- El Paso Public Service Board • Elephant Butte Irrigation District • Texas A&M Agricultural Center •
- City of Las Cruces • New Mexico State University • Dona Ana County • University of Texas at El Paso
- El Paso County Water Improvement District #1

The Council will prepare a proposal in response to the Regional Geographic Initiative RFP. Applications are due on February 25. If awarded, this grant will be used for scanning and inserting historic 1934 IBWC aerial photos of the NM-TX border and 1938 vintage photos, which will together depict the straightening of the river compared to its original course. Essentially, these funds would be used to create an historical, visual record.

The EPA Border 2012 proposal is due on February 28. Nancy will submit a proposal for Program Coordinator support and technical assistance for the Watershed Council. These objectives are consistent with the goals of the Border 2012 program.

The next Watershed Council meeting will be on February 28th at 1:30 pm at NMSU.

III. Discussion of the PdNWC level of Participation in PdNMapa Program (Nancy Hanks, PdNWC Coordinator)

Nancy informed the Commission that the Watershed Council has chosen to join PdNMapa as an affiliate member rather than as an executive committee member. Ari Michelson elaborated that PdNMapa is an organization which has been operating for almost five years. It was started with Paso del Norte Border Health Organization funding. The original agencies included EPWU, TX-DOT, the city of El Paso and Dona Ana County. The goal of the organization has always been to develop a regional, coordinated GIS system. Bobby Creel has been heavily involved with this organization.

Henry Magallanez asked if there were fees involved in joining the PdNMapa organization as members. Ari informed him there were no fees. Ari will distribute an e-mail with further information to Commission members. Ari added that he has been on the Executive Committee of PdNMapa since its inception and that the present goal is to formalize a Charter and Membership Roster.

Ari related to the Commission Members that the Watershed Council requested a no-cost extension to the Phase II, EPWU organizational support grant through September 30. Currently the Council is awaiting EPWU's approval letter from Mike Fahy.

IV. Forecast of Snowpack/Runoff and Projected Allocation for the 2005 Irrigation Season Wayne Treers, BuRec)

Wayne provided the projected allocation to the Commission (**attached as Exhibit "B"**). He explained that the outlook is much better than last year, due to the tremendous increase in snow pack which will lead to improved runoff. However, Wayne expressed caution saying that the drought may not be over yet. He informed the audience that this is a classic El Nino meteorological pattern, where the southwestern US is receiving the bulk of the moisture and snow, and the northwest is receiving 50% of normal, or less. All the sub-basins within the Upper Rio Grande area are 100% of average or better in terms of snow pack since October 1st. However, with the extra precipitation, the farmers are having a difficult time preparing for planting due to the excessive soil moisture. Elephant Butte Reservoir has gained 170,000 AF since mid-November and inflow has remained consistent. Total projected flows past San Marcial for March through July of 2005 equal 675,000 AF, or 118% of normal compared to only 470,000 AF for the same period in 2004.

Wayne stated that BuRec. will be meeting with the both districts and Mexico at IBWC on February 22nd and will discuss when the season will start, how much acreage will likely be irrigated, and projected seasonal releases. BuRec. is projecting a total release of only 650,000 AFY for 2005 based on a range of 87% through 105% of average inflows into Elephant Butte Reservoir, and the same irrigated acreage as 2004. He also informed the group that the Engineering Advisors for the Rio Grande Compact will meet February 28 through March 4th. Wayne summarized that this is probably the most favorable forecast in the past nine years.

Wayne announced to the Commission members that this year is BuRec's 100 year anniversary, and they will be invited to the celebration in El Paso on February 25th.

V. Brief Update on Major Components of USIBWC'S Programmatic EIS (Daniel Borunda/USIBWC)

Daniel Borunda updated the Commission on IBWC's Programmatic Environmental Impact Statement (PEIS) by providing a power point presentation (**included as Exhibit "C"**). He explained the reasons why the IBWC selected the programmatic EIS route. The PEIS will establish a single "umbrella" NEPA document for the organizations' multiple flood control projects, with the intent of crafting more focused EIS's, or Environmental Assessments, at a later date for individual construction projects. The intent for this programmatic document is to incorporate existing information from recent studies, such as cultural resources, engineering, hydraulic, and biological surveys. Daniel mentioned that the Canalization EIS is a "monkey wrench" in the programmatic EIS, because IBWC had intended to complete a signed ROD in August of 2004, but this has not occurred. Additional input and requests for delays from stakeholders, including Governor Richardson's and Senator Bingaman's requests that the agency delay the ROD for a one year period, has resulted in the delay for finalizing the ROD. The project stakeholders have yet to resolve several differences of opinion regarding the IBWC authority and construction features to include in the project.

A question from the audience was "What happens if the stakeholders do not resolve this issue within a one year period?" Daniel replied that IBWC personnel are discussing this internally, because it has an impact on the consultant's PEIS schedule. IBWC has a contact with Camp-Dresser and McKee (CDM) to develop this PEIS within a two year period, and without an ROD, the overall consultant project schedule will be impacted. He reported that IBWC intends to prepare a PEIS for management activities and for flood control projects in the Tijuana Rivers and the Unites States portion of the Rio Grande, regardless of the progress of the Canalization

Project. These activities may include structural (construction) and non-structural (maintenance) and projects requiring collaboration with other agencies and landowners.

Daniel briefly described each respective flood control project and explained that it is the purpose of the PEIS to identify and evaluate alternatives for the management of those existing projects. Each project will be treated separately. This will allow each affected agency to comply with its particular mandate for flood protection, water deliveries, and/or boundary stabilization. IBWC plans to identify opportunities to enhance environmental resources considering stakeholder input, and would like to coordinate with other entities in the development of recreational opportunities a well.

The next steps in the PEIS:

- Complete the Scoping Process – Early 2005
- Distribute the draft Scoping Report – Late March 2005
- Preparation of Draft PEIS (DPEIS)
- Public/Agency Review of DPEIS
- Public hearings for DPEIS- end of 2005
- Finalize the ROD - Early 2006

Conrad asked whether the PEIS will incorporate some of the pertinent information included in the URGWOM EIS. Ari questioned whether attention was being paid to the condition of the levees in Mexico, which in some areas are in worse condition than those on the US side of the river. Daniel emphasized that there will be coordination with Mexico through CILA throughout the process.

VI. Report on the Submittals in Response to BuRec. Challenge Grant RFP (Mike Fahy, EPWU, EPWU/Commission Members)

All three of the proposals submitted by EPWU, EBID, and the City of Las Cruces have passed the initial screening by BuRec., and all three of these members of the Commission received requests for additional information. Mike Fahy reported on the questions asked by the BuRec. for the EPWU/PdNWC/EBID

Challenge Grant proposal. BuRec. asked for clarification regarding the available mechanisms for the physical transfer of the water saved through the proposed program, and an explanation of the existing contracts for the change in water use from agricultural to municipal use. Henry related that the questions asked of EBID were primarily related to their cost estimates for instrumentation and construction. Henry added that the questions for Las Cruces were also budget related. Mike distributed a draft of the Grant Funding Proposal brochure prepared by EPWU describing the three linked projects. (This is attached as **Exhibit “D”** entitled, “*Installation of River and Drain Instrumentation Stations to Monitor Flow and Water Quality and Internet Data Sharing*”.)

Several editorial comments were provided by the Commission members for inclusion in the final brochure.

Ari had received information from a contact at BuRec. that a total of 117 proposals had been submitted in responses to the Year 2005 Water 2025 program RFP. Approximately 40 proposals could be funded from the 12 million dollars available, assuming that all 40 had applied for the maximum available funding of \$300,000 per project.

VII. Other Business:

Lou Gomez introduced himself as Project Manager for the Southwest Regional Space Port Project which has been awarded funding for the site near T or C in New Mexico. Now that construction will proceed, the project will develop the 2,000 AFY of Rio Grande Project surface water as outlined in the Sustainable Water Project EIS.

Callie M. Gnatkowski, a field representative from Senator Domenici’s office introduced herself and informed the Commission that her work for the Senator involves land and water issues. Mike distributed to the Commission members a draft letter for their review requesting that selected Congressmen continue funding support for the URGWOM program. The members present approved the draft letter for their joint signatures with only slight revisions.

VIII. Next Meeting/Location/Topics.

The next meeting will be April 21, 2005, at 9 A.M. at EPWU.

Topics will include:

- Presentation on the planned construction of the Southwest Regional Space Port
- TAMU’s Study of four IBWC Flood Control Projects
- Update on the Progress of the BuRec. Challenge Grant Selection Process
- EBID’s Operational Plan for 2005 and Application to Stack Water Rights
- BuRec. Allocation forecast for 2005 Season