

**MINUTES**  
**MEETING OF THE NEW MEXICO\TEXAS WATER COMMISSION**  
**MANAGEMENT ADVISORY COMMITTEE (MAC) AND**  
**THE REGIONAL SUSTAINABLE WATER PROJECT**  
**STEERING COMMITTEE (SC)**  
**EBID OFFICES - LAS CRUCES, NM**  
**FEBRUARY 15, 2001**  
**10:00 A.M.**

**Welcome**

Tom Bahr chaired the meeting and welcomed all the attendees. A copy of the sign-in sheet is attached as **Exhibit "A"**. Those members attending from the Commission Steering Committee were as follows:

John Burkstaller, for Ed Archuleta – EPWU  
John Sproul – Audubon Society  
Jerry Leyendecker – Dona Ana County  
Karl Wood – NMSU  
Doug Echlin – IBWC

Tom Bahr – NMSU  
Gary Esslinger - EBID  
Ari Michelsen – Texas A&M  
Tony Tarquin – UTEP  
Jorge Garcia – City of Las Cruces

**I. Review and Approval of Minutes from MAC\SC Meeting on January 12, 2001 (MAC\SC)**

Tom Bahr asked if anyone had any comments or corrections to the MAC\SC Meeting minutes dated January 12, 2001. No one had any comments or corrections. A motion was made to approve the January 12 minutes as written. The motion was seconded and passed by a unanimous vote.

**II. Report on Revised Bylaws and Organizational Structure of the Watershed Council (John Sproul)**

John Sproul stated that the Council continues to progress in its planning efforts leading to the Council's first official meeting scheduled for March 29<sup>th</sup> at 7:00 pm at the El Paso Community College Northwest campus. John added that the current version of the Council's bylaws are in the handouts (copy attached as **Exhibit "B"**), but they were just a starting point and subject to revision. The next planning meeting is scheduled for 1:30 pm February 15<sup>th</sup> at the IBWC offices in El Paso. The purpose of this meeting is to continue preparations and develop an agenda for the March 29<sup>th</sup> meeting. John also mentioned the Bi-national Rio Grande/Rio Bravo Ecosystem Workgroup meeting today at the IBWC offices from 10:00 am to 1:30 pm. Greg Thomas will make a presentation entitled "A Physical Assessment of the Opportunities for Improved Management of the Water Resources of the Bi-national Rio Grande Basin" towards the end of the meeting. John invited interested parties to attend this presentation and the subsequent Council planning meeting.

### **III. Status Report on the Environmental Impact Statement (EIS) for the Canalization Project (IBWC)**

Doug Echlin gave a slide presentation on the Environmental Impact Statement for the Canalization Project ( an outline version of the slide presentation is attached as **Exhibit “C”**).

During the presentation, Mr. Echlin provided these comments:

- 1) One hundred fifteen comments were received on the Draft EIS at the two public meetings that were held. Comment topics included biological restoration, land use, erosion control, and recreation.
- 2) IBWC is using WHAP surveys to evaluate impacts to wildlife habitat for its Biological Resources Report.
- 3) IBWC met with representatives from SWEC, USBR, EBID, EPCWID #1, EPWU, U.S. COE, USF&W, and various consultants during the Alternatives Development Meetings and subsequent Technical Workshops to formulate and evaluate alternatives for the EIS. About 30 people attended the Public Workshop that was held, with about 1/3 representing agencies and consultants.
- 4) Two important comments were received during the Stakeholder Coordination Meetings. The first was that the IBWC should look at other alternatives that included a broader scope of proposed actions and that gave IBWC additional responsibilities in managing the river. The second was that IBWC should take the lead role in habitat restoration.
- 5) The “No Action” alternative does not correct existing hydrologic deficiencies within the flood control channel bounded by the levees.
- 6) Under the second Alternative, entitled “Modification of O&M”, the “Construct flood control levees” item refers to the construction of an impervious core in some sections of levee that were initially built without such a core. This occurs mainly where the levees were built across the old river bed that existed before channel rectification.
- 7) The third alternative, entitled “Integrated Land Management and Selective Stream Restoration”, appears to be the preferred alternative. This alternative includes the construction of “channel splits” that create off-channel habitat areas. John Burkstaller asked if this proposed habitat improvement had been developed sufficiently to allow determination of its consumptive water use requirements. Doug answered that yes, the consumptive water use requirement had been determined for some sites. He added that another proposed action involving the control of Salt Cedar and exotic plants such as Russian Olive would save water and tend to offset consumptive use from other habitat restoration actions. Current estimates are that such vegetation control may save up to 1 ½ acre-feet per acre per year.
- 8) Under the alternative entitled “Targeted Stream Restoration”, the bullet “Native planting sites outside USIBWC right of way” should read “Planting sites for native vegetation outside USIBWC right of way.”

During discussion of this alternative, John Burkstaller asked if the SWP funding commitment for environmental enhancements had been integrated into the process for implementing the preferred alternative of the Canalization EIS. Mr. Echlin answered that yes, their River Management Plant indicated that such commitments had been made

under the SWP. Mr. Echlin added that the implementation of the selected alternative would be done in three phases. The “short term” phase covered actions to be implemented within 0 to 5 years, the “medium term” phase covered actions to be implemented within 5 to 15 years, and the “long term” phase covered actions to be implemented beyond a 15 year time horizon. The enhancements committed to by the SWP would likely fit within the “medium” phase of implementation.

Tom Bahr asked how the input and comments from all agencies and projects were integrated into the River Management Plan. Mr. Echlin answered that this integration of comments was accomplished through a citizen’s forum that was organized for this purpose, and implementation may be accomplished by having the Watershed Council act as the “overseer” of the River Management Plan. However, this concept has not been fully developed yet.

9) Under the alternative entitled “Multipurpose Watershed Management”, the bullet “Backwater habitat at dams” refers to existing diversion dams only.

10) Near the end of this presentation, Mr. Echlin emphasized that the Canalization EIS covered the section of river only as far south as the American Diversion Dam, and that Congress would have to authorize additional funding to enable the IBWC to extend the study area of the EIS further south.

#### **IV. Review of Recent Improvement Projects for Irrigation Efficiency (Ari Michelsen, Texas A&M)**

Dr. Ari Michelsen gave a brief summary on the status of the Border Irrigation Efficiency Federal Initiative. He stated that Congress had approved a \$3.1 million program annually for three years, for research and education activities to improve irrigation efficiency in the border region. The program is administered by the USDA-CSREES and the funds will be shared by NMSU and Texas A&M. University. Dr. Michelsen mentioned that the two universities have grouped their research and extension program proposals into eight major categories: 1) Irrigation District Studies; 2) Irrigation Education and Training; 3) Institutional Incentives for Efficient Water Use; 4) On-farm Irrigation System Management; 5) Urban Landscape Water Conservation; 6) Environment, Ecology and Water Quality Protection; 7) Saline and Wastewater Management and Water Reuse; and 8) Basin-wide Hydrology, Salinity Modeling and Technology. Dr. Michelsen commented that it typically it takes about 8 weeks before the USDA sends back comments and/or approval to begin these projects. It is anticipated that most of the funds will be used for research and extension activities within the Agricultural Colleges of the Universities.

In response to a question on the allocation of funds between the two states, Dr. Michelsen responded that NMSU will receive over \$800,000 and Texas A&M will receive approximately \$1,800,000 for research and extension activities, with emphasis on collaborative programs. A portion of funds were allocated for special projects in the lower Rio Grande Valley. Someone asked if these amounts were total amounts or annual amounts. Dr. Michelsen responded that these were annual amounts for each year of the three year authorization of this program, although a request would be submitted to increase the grant’s dollar amount and duration.

Dr. Tom Bahr commented that several years ago, a group had been assembled in New Mexico to study irrigation efficiency, and reported that the major impediment to implementing efficient irrigation systems and management were the existing institutions. Dr. Bahr offered to share the materials of this study to help researchers in the current program to identify and develop effective institutional incentives to encourage irrigation efficiency.

## **V. Progress Report on the Adjudication of Water Rights for the Rio Grande Project Area of New Mexico (NMSEO)**

No one from the NMSEO was present to give an update on the adjudication of water rights for the Rio Grande Project area of New Mexico. However, Gary Esslinger volunteered to provide a brief update based on what he knows about the process. Mr. Esslinger stated that ten to fifteen thousand offers, comprising surface water rights acreages only, will go out soon for the Mesilla Valley area. Also, 300 to 400 offers involving groundwater rights to owners of domestic wells were sent out to “test the waters”. He added that the a small basin near Deming has been fully adjudicated and the water rights perfected, but that that area only had 17 water users. Mr. Esslinger emphasized that the offers to the Mesilla Valley landowners were for water rights acreages only, and does not yet apportion any water allotments. Someone asked Mr. Esslinger if he could give an estimate of the total number or percentage of properties or acres that had been sent offers. Mr. Esslinger said he really had no idea of idea and could not answer this question.

## **VI. Development of the Proposed Mesilla, New Mexico, River Park Project (Southwest Environmental Center)**

Steve Hatch gave a slide presentation on the proposed Mesilla, New Mexico, River Park Project (handouts of the slides were not provided). Mr. Hatch gave some background and historical information about the site, and then showed various schematic layouts, pictures/aerial photos of the area where the park is planned, and artistic representations of the proposed park improvements. Following are some highlights of his presentation:

- The proposed park is about 300 acres in size, with the Picacho Drain running through most of the Park. Extensive areas of Salt Cedar will need to be removed. There are a few remaining remnants of a natural bosque on the site. A beaver population has already been identified in the proposed park area.
- Most of the proposed park land belongs to the BLM in the southern section of the park. Harris Farms owns a good portion of the land at the north end. Mr. Harris has indicated he supports the development of the park. The remainder of the proposed park land belongs to private owners. No major problems related to acquiring the proposed park land are foreseen.
- Funding for a feasibility study of the park has been requested from the NM Legislature.
- One of the main features planned for the park is a constructed oxbow lake (or meander), starting at the northern end. The meander would have a flow regulating structure at it inlet which could shut off flow from the river when

required. The water from the river would be diverted during specific high flow periods in the summer irrigation season and would be designed to provide overland flooding during those periods. At all other times, the lake would be fed from the Picacho Drain and provide extensive slow-water and backwater habitat. Water rights would have to be acquired to account for the consumptive use of the oxbow lake feature.

- A flow-through wetland along Picacho Drain would also be designed.

During the presentation, Gary Esslinger advised that the concept of using water exclusively from Picacho Drain should be explored, given the high average flows in the Picacho Drain. Mr. Hatch answered that this option had been considered, and explained that the high river flows were needed periodically to replicate the flooding that historically occurred prior to construction of Elephant Butte Dam. These type of surge flows could not be provided by the Picacho Drain alone. Mr. Hatch added that he believed there is solid public support for the park and that obtaining public funds to purchase the requisite water rights is something he believes the State's citizens are ready to support in order to make the park happen.

Tom Bahr asked who would manage the park. Mr. Hatch answered that at this point the best bet would be a government agency, such as the State Parks Department, although right now state government money is pretty tight, especially with State Parks.

## **VII. Other Business: Continuing Functions of the Steering Committee**

Mike Fahy addressed the MAC members and asked them to consider the need for continuing the monthly MAC meetings and also the future focus and direction that the Steering Committee in particular should take. Mike asked if a less frequent meeting schedule would be appropriate at this point in time. John Burkstaller responded that he felt the Commission and Steering Committee meetings should continue because they provide a valuable forum for discussion among the members. However, John agreed that a less frequent meeting schedule may be advisable. Tom Bahr stated that he agreed with John, and pointed out the continuing efforts with the preparation of the Jonathan Rogers Environmental Assessment as an example of why the MAC\SC should continue meeting on a regular basis.

Steve Hatch then asked about the status of the Sustainable Water Project (SWP). John Burkstaller answered that the only work now proceeding was the preliminary design for the El Paso Treated Water Transmission System (TWTS). He added that there had been an interruption in the original SWP schedule caused by problems in obtaining the necessary water rights, and that EPWU was also pursuing other sources of water. John mentioned that the decision to construct the TWTS will most likely be delayed for about 1 ½ years. One of the attendees asked Mr. Burkstaller what EPWU's current plans were concerning the importation of water from New Mexico. John answered that EPWU would remain open to any proposals from New Mexico property owners and government entities for allowing acquisition of water by the Utility, but that currently the Utility was not actively seeking New Mexico water from a legal standpoint.

Dr. Karl Wood stated that the NMWRRRI has a \$600,000, 3-year funding proposal before the New Mexico legislature to fund a study of endangered fish species in New Mexico. The proposal is now in the Finance Committee. If approved, the NMWRRRI would pass the money to the State Universities. Dr. Wood added that they are also seeking \$600,000 in matching funds from Congress. One of the planned areas of study concerns the water requirements of the Silvery Minnow. Dr. Wood stated that very little is known about how much water is required to maintain a viable Silvery Minnow habitat, and that in his opinion the current recovery plan for the minnow is based on questionable science.

#### **VIII. Schedule Next Meeting/Location.**

In consideration of previous comments concerning the frequency of meetings, the MAC decided not to hold a meeting in March. The next meeting was scheduled for 9:30 am April 19<sup>th</sup> at the Texas A&M Agricultural Extension Center in El Paso.