

**MINUTES**  
**MEETING OF THE NEW MEXICO/TEXAS WATER COMMISSION**  
**MANAGEMENT ADVISORY COMMITTEE (MAC) AND**  
**THE REGIONAL SUSTAINABLE WATER PROJECT**  
**STEERING COMMITTEE (SC)**  
**EL PASO WATER UTILITIES MAIN OFFICE**  
**1154 HAWKINS BLVD.**  
**EL PASO, TEXAS 79925**  
**January 24, 2002**  
**9:00 am.**

**Welcome**

Mr. Karl Wood welcomed all attendees. A copy of the sign-in sheet is attached as **Exhibit "A"**. Those members attending from the Commission's MAC/SC were as follows:

Ed Archuleta – EPWU  
Doug Echlin – IBWC  
Anthony Tarquin – UTEP  
Jorge Garcia – City of Las Cruces  
Tom Bahr – Retired from NMSU

Karl Wood – NMSU  
Dr. Ari Michelsen – Texas A&M  
Jerry Leyendecker – Dona Ana County  
Gary Esslinger – EBID

**I. Review and Approval of Minutes from MAC/SC Meeting on November 29, 2001 (MAC/SC)**

Mr. Archuleta reminded all attendees to please sign in on the form provided at the entrance. Mr. Archuleta asked if anyone wanted to recognize any attendees at the meeting. Ari Michelsen introduced Dr. George Giovonni, their newest staff member at TAMU and an environmental microbiologist who is working on studying water borne pathogens. Mr. Archuleta asked if anyone had any comments on the MAC/SC Meeting Minutes of November 29, 2001. No one had comments and the Minutes were approved as written.

Mr. Archuleta requested that the agenda order be changed in order to better group agenda items together by topic. He suggested the following order: Item II, Update on the Paso Del Norte Water Task Force; Item III, Presentation on the Tri-Regional Planning Study; Item IV, Report on New Mexico Water Quality Standards for the Rio Grande Project area in New Mexico; and Item V, Update on the Paso del Norte Watershed Council. No one had any objections to this request.

**II. Progress of the Paso del Norte Water Task Force (Hector Gonzalez)**

Mr. Gonzales advised that due to a scheduling conflict, the Paso del Norte Task Force (Task Force) meeting had been moved to a day after the MAC/SC meeting instead of prior to the meeting. Therefore, he had had very little to report at this time. However, he should be able to report on tomorrow's Task Force meeting at the next MAC/SC meeting. Mr. Archuleta asked Hector what was on the agenda for the Task Force meeting tomorrow. Hector replied that he had just received a copy of the agenda a few minutes ago. He stated that the Task Force was trying to come up with a project to work on next and to trying to identify a source of funds to continue with the Tri-Regional Planning Group (TRPG) Feasibility Study. Mr. Archuleta asked Hector whether one of the discussion items by the Task Force concerned how the Task Force can support the objectives of the MAC/SC and TRPG, and the manner by which the three groups can come up with a common agenda for dealing with some of the major priorities. Mr. Gonzalez affirmed this point, adding that this was exactly the point he made at the last Task Force meeting. He added that there appears to be some duplication of effort among these groups, and that they

are indeed trying to identify some common goals and areas where they can all work together. The Task Force is also looking at finding ways for continued funding of the TRPG Feasibility Study, which he estimated would require an additional \$1 million to complete. Participation and coordination issues related to obtaining the additional funding will be a topic for discussion at tomorrow's Task Force meeting.

Ms. Luz Perez from Senator Reyes office asked if the TRPG Study was related to the Sustainable Water Project (SWP). Mr. Gonzales replied that, yes, several elements of the SWP were incorporated into the TRPG Study and that Mr. Gorder would discuss this in detail during his presentation.

### **III. Presentation on the Tri-Regional Water Feasibility Study (CDM/EPWU)**

Mr. Archuleta introduced Mr. Paul Gorder of CDM and briefly described the work that he is doing for the TRPG.

Mr. Gorder gave a PowerPoint presentation on the Tri-Regional Water Feasibility Study (copy of presentation attached as **Exhibit B**). All of the alternatives described in the presentation would be staged; they would start with low water volumes and be increased later.

After the presentation, Mr. Gorder pointed out that Juarez's long term plans did not involve reducing pumping from the Hueco Bolson, but only to level off the pumping from this aquifer. Their plans include starting to develop surface water resources, as well as a few other longer term ideas, such as desalination and development of the Bismark Aquifer. Mr. Archuleta asked Mr. Gorder what the schedule was for completion of the next phase of the study. Mr. Gorder replied that the next phase was due for completion in mid to late 2002. The schedule for dealing with Juarez's groundwater and other studies depends on how much work needs to be done. An audience member asked whether the 1906 Treaty with Mexico to deliver Rio Grande Project water to Mexico would be a problem in implementing the Preferred Alternative. Mr. Gorder replied that IBWC thinks that the Preferred Alternative can be done, but that it will not be easy. The main issue would be in changing the diversion point for Mexico's allocation. He explained that another problem that will need to be dealt with is the retirement of farmland in Juarez which will be required to enable the conversion of 30,000 AF of surface water to municipal use. One of the strategies that will likely be required is the secondary treatment of Juarez's effluent to partially compensate for the loss in dilution resulting from a reduction in the available surface water. He added that the cost for secondary treatment had been included in the cost estimates for the alternatives.

Gary Esslinger asked that, in view of all the planning being done under the Tri-Regional Planning Study, could these activities provide Mexico with an opportunity for them to attempt to re-open the 1906 Treaty? Mr. Gorder answered that he didn't think this was likely, since all the participants would need to agree to this. However, he conceded that anything was possible. Mike Landis asked what happens to Mexico's Rio Grande Project allocation during a year when the U.S. Districts' allotment is reduced. Mr. Gorder replied that Mexico gets their 60,000 AF annual allocation except under very dire drought circumstances. Mike Landis explained that Mexico's allocation historically has been reduced in the same proportion as the allocation for the U.S. irrigation districts. However, theoretically the conditions under which Mexico's allocation should be reduced could depend on how the term "extreme drought conditions" is defined.

Mr. Keyes asked whether any work was being done on developing a Principal Engineer's Report by IBWC concerning a bi-national water and wastewater plant. Mr. Gorder replied that there was no work of that nature that he was aware of. Mr. Archuleta explained that the work being done by the Tri-Regional Planning Group (TRPG) involved inputs from all players – IBWC, EPWU, JUNTAS, CILA, and Dona Ana County. The TRPG evolved out of the perception that IBWC was not doing enough to assist in dealing with regional water problems. The JUNTAS approached EPWU about doing a regional study

after they became aware of EPWU's modeling efforts and modeling projections for remaining quantities of fresh water in the Hueco Bolson. The next step now is to perform cost studies, look for any fatal flaws, and to study issues dealing with Juarez farmers.

Tony Tarquin asked why the JUNTAS had not been included in the New Mexico-Texas Water Commission. Mr. Archuleta replied that he had proposed this early in the Commission's history, but that there had been some resistance by some members of the MAC/SC to bringing Juarez in too early. However, he thought that the long term plan had always been to bring Juarez in at some point. Mr. Keyes emphasized that he thought that now was a good time for the MAC/SC to provide Juarez with an opportunity to join the group. Mr. Archuleta asked if it was the desire of the MAC/SC to bring Juarez into the group at this point. Tony Tarquin commented that his position has always been that Juarez should be part of the MAC/SC. Some discussion followed, but no formal decision was made on this issue.

Mr. Keyes asked if the Public Service Board was aware of the alternatives proposed in the TRPG Feasibility Study. Mr. Archuleta answered that the Board was aware of it, but that it had not made any commitments concerning their implementation.

Tony Tarquin asked if all the TRPG alternatives included an Upper Valley Water Treatment Plant. Mr. Gorder replied in the affirmative. Hector Gonzalez pointed out that TRPG includes not only El Paso and Cd. Juarez, but also Dona Ana County. He added that Dona Ana County recognizes that any economic problems experienced by El Paso and Cd. Juarez will also be felt by Dona Ana County, which is why the Lower Rio Grande Water Users Organization (LRGWUO) was included in the TRPG.

Mr. Archuleta asked Mr. Gorder if his presentation had been made to the LRGWUO and to EBID. Mr. Gorder replied in the affirmative. Gary Essingler stated that he wasn't sure if city officials from Sunland Park and Santa Teresa had been informed of the TRPG Feasibility Study, since they are not members of the LRGWUO. Hector Gonzales stated that it had been previously suggested that the TRPG make contact with these two communities. Mr. Gorder added that he would look into how they could be included in future activities of the TRPG. The report covering the current phase of the Tri-Regional Planning is due in April.

#### **IV. Report on New Water Quality Standards for the Rio Grande Project Area in New Mexico (Conrad Keyes)**

Mr. Keyes reviewed the information in the handout regarding the November 13, 2001 Amendment by the New Mexico Water Quality Control Commission (NMWQCC) of the water quality standard for Segment 101 of the Rio Grande, which is the segment starting one mile below Percha Dam to the IBWC sampling station above American Dam. The NMWQCC revised the fecal coliform standard for this segment of the river from that applicable to the secondary use designation to that applicable to the primary use designation, without changing the designated use of the segment. New Mexico's standards are now closer to Texas' standards. This segment will be on the 303(d) list in Texas first, and then in New Mexico next. Over the next 3 years, this segment will start seeing work done to reduce the TMDL. EBID is already in the process of looking at their drain discharges in this respect.

#### **V. Comparison of Water Quality Standards for Texas Portion of Rio Grande Project (Gilbert Anaya, IBWC-Texas Clean Rivers Program)**

Gilbert Anaya gave a PowerPoint presentation on this topic (copy of slides attached as **Exhibit C**). After the presentation, Mr. Keyes noted that New Mexico did not have a water quality standard for the Rio Grande segment between Corchense Bridge and American Dam – only Texas has a standard for this

segment. Also, the Rio Grande segment between the State Line and Corchense Bridge have both New Mexico and Texas standards. Doug Echlin asked what happens to the New Mexico segment without a standard. Mr. Keyes didn't know the answer to this question, but stated that this segment at least has a Texas standard that applied to the Texas half of the river. Mr. Michelsen asked Mr. Keyes about the most recent 303(d) list from New Mexico. Mr. Keyes answered that the latest list had not yet been finalized. He added that was not on the same schedule as Texas' 303(d) list and that it could be six months to a year before it was finalized.

Mr. Archuleta asked Mr. Anaya if they had noticed any improvements in water quality in the Rio Grande after the Juarez' wastewater treatment plants became operational. Mr. Anaya replied that they had not seen noticeable improvement, possibly because of the location of the monitoring station. Mr. Archuleta then asked if they had seen improvement after the upgrades to the Haskell Plant. Mr. Anaya replied that yes, they had seen the levels of ammonia dropped significantly at about that time.

## **VI. Update of the Paso del Norte Watershed Council (Conrad Keyes)**

Mr. Keyes discussed some items from the November 16, 2001 Paso del Norte Watershed Council (Council) Meeting Summary, which was provided as a handout. He noted that the Council had made two changes to the Bylaws. First, the Treasurer position and description of duties for same were added, and Ari Michelsen was appointed as Treasurer. Second, the term limits for the Executive Committee members were increased from 1 year to 2 years. Mr. Keyes then referred everyone to the handout of the Cooperative Agreement between the Texas A&M and EPWU for funding support of the Council. The funds from this agreement will be used to hire a Program Coordinator for the Council. The Council also was awarded a Watershed Assistance Grant (WAG) by Rivernetwork. Because of the additional funds now available, the Coordinator Position has been upgraded to a ¾ time position. The objective is to have the selected candidate start work as soon as possible, probably before the end of February. A report on Council activities, to be prepared by the Coordinator, will be due in September of this year. Mr. Keyes explained that the Officers of the EC will interview the candidates and select a Coordinator. An ad was placed in the January 20<sup>th</sup> Sunday edition of the El Paso Times (a copy of the ad was included in the handouts), and the Council is looking into placing additional ads in other newspapers.

Mr. Keyes next mentioned the November 30<sup>th</sup> meeting of the Council's Coordinated Database Committee (Database Committee). A copy of the meeting summary is available in the handouts. The purpose of the Database Committee is to implement a website with a dedicated server that will afford centralized web access to water flow and water quality data, using a GIS/database platform. The website will be available to everyone in the region. The information made available on this website could include all aspects of the watershed. The Council would like to have this website be a major item of interest in the region, and could eventually include related data and projects from other water groups.

## **VII. Review of Water Modeling Proposals by TAMU (Ari Michelsen)**

Ari Michelsen gave a talk about their review of Joint U.S.-Mexico Border Groundwater Modeling proposals, which includes water quality modeling elements. TAMU is working with the USGS and State offices (TXWRI and NMWRI) on this initiative. IBWC has a parallel proposal out as well. The work project will include the collection of new groundwater data in both the U.S. and Mexico, and will be a long term effort. TAMU's project is a 7 year program, but will be limited to the El Paso region. IBWC's project is slated to be a 10 year program, and will include the entire Mexican border region. Karl Wood is working with New Mexico agencies on this project.

Mr. Archuleta asked about the size of the funding for these projects. Mr. Michelsen replied that project would have \$5 million per year funding in the first year. This funding will come through the USGS and will be distributed among the agencies involved. IBWC's project funding is estimated at \$50 to \$70

million over 10 years, and will be funded through the USGS and the State Department. Mr. Archuleta asked if the TAMU project had prioritized work between the Hueco and Mesilla Bolsons. Mr. Michelsen replied that the work had not been prioritized because no work plan had been prepared yet. Mr. Woods added that he anticipated funding participation from Mexico at some point. Mr. Archuleta asked what new information would be gained from these modeling studies that EPWU didn't already have. Mr. Michelsen replied that water quality data for the aquifers is not well integrated, and this project would include additional data collection and modeling in this respect. The focus of the projects is to form a consensus with Mexico. The development of a joint database will also allow both countries, for example, to agree on how the agricultural communities from both countries are operating and how they are impacting the aquifer. Also, modeling of the Conejos-Medanos aquifer will be a priority. Ari Michelsen requested a letter of support for his proposal from all members of the MAC.

### **VIII. Summary of Project Certification Requirements for BECC Funding (Renata Manning-Gbo Gbo/Dona Ana County)**

Ms. Manning-Gbo Gbo gave a PowerPoint presentation on Project Requirements for BECC Funding based on her experience with wastewater projects for communities in Dona Ana County (County). Ms. Gbo Gbo explained some aspects of the work being done by the County. The County has agreed to serve as the lead for a number of community water projects in the County. These projects are mostly for wastewater collection and treatment. BECC acts as a facilitator for the projects with assistance from the New Mexico Environment Department (NMED). Combining projects from number of small utility systems into one grant application enhances the probability of obtaining grant funds and streamlines the process. Consultants are hired to carry out the management and administration of the projects. The NMED assists with writing the Environmental Assessments and obtaining FONSI's, normally in a 4 to 6 week time period. About \$35 million in constructions projects is slated to be awarded during the next few months. The County, however, is having greater difficulty obtaining funds for potable water projects because of the more extensive EPA qualification criteria and greater documentation requirements for these type of projects, as compared to wastewater projects. For example, potable water projects must meet Border Environment Infrastructure Fund (BEIF) criteria, whereas wastewater projects do not. Two big regional wastewater plants will be released for bid soon – the South-Central Plant and the Rincon Plant. Ms. Gbo Gbo pointed out that it is important to request funds for public participation activities, which can involve significant costs but are an extremely important facet of any project. One of the goals is to get all wastewater hookup costs paid with 100% grant funding. The County has a mandatory hookup program once the wastewater collector lines are in place.

An audience member had a question concerning the status of the Chaparral Project. Ms. Gbo Gbo replied that the facility plan for the Project is complete, and that the last estimate for the wastewater project was \$35 million. Mr. Archuleta pointed out that a few years back EPWU had offered to provide water and wastewater service to Chaparral and Sunland Park using regional facilities, but that EPWU had received no response. Nonetheless, he stated that he supported the projects currently planned by the County.

### **IX. Other Business**

Mr. Archuleta mentioned the upcoming New Mexico Legislative short session, and asked if anyone knew of any significant water related issues that would be considered during the session. Mr. Karl Wood advised that he was aware of a bill that would fund a water task force that would be based at the NMSU College of Agriculture. Also, a bill may be introduced to reduce the current 3 AF/acre allotment currently given to domestic wells, and also to tighten up some of the statutes related to these wells.

Mr. Archuleta asked about any water metering or monitoring issues. Mr. Gary Esslinger stated that a bill would be introduced to authorize money for the Water Trust Fund, administered through the Interstate Stream Commission, to implement water conservation and planning projects which would be managed by

EBID. Mr. Wood added that the bill to set up the Water Trust Fund was passed by the New Mexico Legislature a year ago, but that no money had been authorized for the Trust Fund. A proposal to use funds from gaming revenues was made, but Mr. Woods stated that he didn't think the Governor would agree to that source of funding.

An audience member asked Mike Landis about the current run-off forecast. Mike Landis advised that snow pack levels were below average for most of the basins averaging approximately 46% of the 30-year average. Last year at this time, snow pack levels were at 129% of the average.

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

The next meeting was scheduled for 9:00am, March 14<sup>th</sup>, at either the Las Cruces Utility Offices or at the Las Cruces City Hall. Mr. Jorge Garcia will send an e-mail later to confirm location.

Some potential agenda items were identified for the next meeting:

- 1) An update by Paul Gorder on the status of the Tri-Regional Planning Group Feasibility Study.
- 2) At some point, an update may be in order on EL Paso's desalination project by EPUW's consultant.
- 3) An update by BuRec on the Rio Grande Project precipitation and run-off forecast. Mr. Esslinger mentioned the upcoming Interagency Coordination Meeting on February 12<sup>th</sup>, which will include an update on this topic.

Mr. Michelsen reminded the MAC/SC about drafting a letter of support for Texas A&M's Water Modeling Proposal. Mr. Archuleta recommended that Mr. Michelsen draft a letter for joint review and signature by the MAC/SC.