

**Colorado River Citizens Forum  
City of Calexico  
Calexico, California  
October 24, 2019  
\*Tentative Meeting Notes**

**Board Members in attendance:**

Matt Dessert, Imperial County Air Pollution Control District  
Jim Buster, Southwest Resource Strategies  
Phil Rosentrater, Salton Sea Authority  
Brian McNeece, retired Professor  
Frank Ruiz, Audubon Society  
Juan Leal-Rubio, Senior Planner, Yuma County Department of Development Services  
Roberta (Bobbi) Stevenson-McDermott, Yuma Natural Resource Conservation District Member, Arizona Association of Conservation Districts Board Member

**USIBWC Staff in attendance:**

Jayne Harkins, Commissioner, USIBWC, El Paso, Texas  
Daniel Avila, PE, USIBWC, El Paso, Texas  
Wayne Belzer, Environmental Engineer, El Paso, Texas  
Anna Morales, Area Operations Manager, USIBWC, Yuma, Arizona

**58 Members of the public in attendance**

**Welcoming and Introduction Remarks:**

At 4:00 p.m. Citizens Forum Co-Chair Phil Rosentrater convened the meeting by welcoming the group and provided a brief description of the meeting agenda items.

Board members briefly introduced themselves.

Commissioner Jayne Harkins was introduced. Commissioner Harkins provided opening remarks and briefly discussed the budget process timeline and history.

**Question and Answers (Q&A):**

Q: Brian McNeece - How did you get funding for the Wastewater Treatment Plants?

A: Congress appropriated the San Diego plant; U.S. Environmental Protection Agency (USEPA) funded the construction of the Nogales plant.

**Presentation One:**

**[USIBWC History of the New River](#) - Wayne Belzer, Environmental Engineer, USIBWC, El Paso, Texas Headquarters**

Mr. Belzer provided a presentation on the USIBWC history of the New River. Detailing international agreements and obligations associated with the New River. The New River is a stream that flows from Mexicali, Mexico into the United States at Calexico, California. The presentation also highlighted water quality data collected by the USIBWC, results and trends of the data, and how the public can access the data. The presentation also covered projects undertaken to improve New River water quality and development of a protocol to notify stakeholders in the United States when breakdowns in the Mexicali sewer system result in wastewater contamination into the river.

*Early History of the IBWC*

- The Convention of Nov. 12, 1884 adopted rules about the location of the boundary when the rivers changed course.
- The Convention of March 1, 1889 established the International Boundary Commission.
  - Focus on maintaining the boundary.
  - Monuments placed within line of sight
  - 258 principal monuments
- The IBWC makes official determination of international boundary.
- The IBWC is responsible for boundary demarcation at bridges and ports of entry.

*The Treaty of 1944, Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande* was briefly discussed. The Treaty also changed the name of the International Boundary Commission to the International Boundary and Water Commission (IBWC), and in Article 3 the two governments entrusted the IBWC to give preferential attention to the solution of all border sanitation problems.

Current Commissioners for the IBWC are Commissioner Jayne Harkins for the United States Section and Commissioner Roberto Salmón for the Mexican Section.

*IBWC Minutes.* Decisions of the Commission are recorded in the form of Minutes. The Minutes are binding agreements of the IBWC intended to implement the Treaty. There are 323 Minutes today.

*Minutes related to sanitation along the international boundary at Mexicali and the New River*

- Minute 261 provides definition and reiteration on the 1944 Treaty for the preferential treatment of border sanitation.
- Minute 264 established a water quality goal for the New River. One country cannot impose the other country's standards.
- Minute 274 provided jointly funded projects of \$1.2 million for a new pumping plant, standby pumps for two of the pumping plants and sewer cleaning equipment.
- Minute 288 provided conceptual plan for the long-term solution to the border sanitation problems of the New River with quick fixes, sewer lines, equipment, expansion of Zaragoza Wastewater Treatment Plant, and construction of Las Arenitas Treatment Plant, which became operational in 2007.
- 30 years later, the same fixes are presently needed.

*IBWC Binational Technical Committee (BTC)* holds meetings every two months. The group discusses sanitation issues, field surveys are performed, updates of water quality monitoring, project improvements and needs. Agencies from both the United States and Mexico participate. Meetings are not open to the public.

The BTC performs joint observations of the New River, discharge outfalls, and sanitation projects. Sites of concern are visited by the group, which discusses the issue, and the appropriate actions are taken by Mexico to work with those companies to improve their process and control the discharges into the New River. These efforts, when combined with the improvements made to wastewater conveyance and treatment, have shown vast improvement to the water quality in the New River.

The untreated wastewater which once flowed into the New River is now captured and sent south to Las Arenitas Wastewater Treatment Plant, with the effluent discharge flowing south into the Rio Hardy. Las

Arenitas has been discharging a higher volume than the original treatment plant design capacity. The Mexicali utility (CESPM) is still working on a plan to increase the capacity of Las Arenitas with the overall goal of meeting Mexico's effluent discharge standards (NOM 001) and, after passing through the wetland, to meet NOM 003.

The BTC visits sanitation projects with Mexico's National Water Commission (CONAGUA) and CESPM personnel to discuss ongoing repairs, issues, and needs. The Zaragoza Wastewater Treatment Plant (WWTP) has undergone some upgrades to power and aeration, but additional work is needed to the lagoons' baffle system. Increased population in the service area will also require additional investment into the City's collection system as well as rehabilitation of the current lines. Mexico is looking at expanding the WWTP.

The goal of investment in infrastructure projects relating to sanitation is improved water quality and a healthy environment for the communities of Mexicali and Calexico. The current state of water quality in comparison to its condition before 2007 is evident when comparing data from the current monitoring program as well as the binational study conducted in 2003 of the New River and Colorado River that utilized data collected in 1995 and 1996. Although there is still much room for improvement, the data shows that we are on the right track in assisting one another to achieve a mutual goal.

*Investments into sanitation improvements in the New River* by both countries.

- \$98 million from United States and Mexican sources since 2007.
- From 2014 to 2016, CESPM has invested \$10.4M USD and another \$1.1M in 2017
- The North American Development Bank (NADB) performed a Diagnostic Study in 2016. Study provided results and recommendations for improvements. CESPM has incorporated the recommendations into their master plan.
- CESPM purchased their own video inspection equipment, which has already been used to detect and eliminate untreated sewage flows into the New River from 9 different locations.
- They have repaired two pump stations, while spending extra resources to ensure that the wastewater flows to that pump station were not sent to the New River.
- They have installed screens and aerators at Zaragoza WWTP.
- A U.S. Policy meeting was held in 2016. The outcome of the meeting:
  - Allocated ~\$330,000 for bypass equipment
  - In Dec 2017: contractor starts delivering equipment
  - May of 2018: all equipment delivered and deployed
- Actions by Mexico (CESPM 2018)
  - Pump station improvements and construction of a new pumping plant
  - Rehabilitation of both treatment plants
  - Construction of 2 new treatment plants with a capacity of 200 lps
  - Collector sediment removal program (60 collectors, 200 km - 40 km per year for 5 years)
  - Mitigating/preventing most discharges
  - PRODDER investments for rehabilitation:
    - Pumping Plant #2 rehabilitation \$5,886,168.89 pesos
    - Pumping Plant #5 rehabilitation \$6,552,331 pesos

*USIBWC New River monitoring under Minute 264* was discussed. Data graphs were also shown from the various monitored locations.

Below are the standards under Minute 264

Qualitative Standards			
Applicable at indicated sampling location			
Monthly Average Values			
Sampling Location	New River at Boundary	Lagoon Discharge Canal	New River upstream of Discharge Canal
<u>Parameters</u>			
BOD		30 mg/l filtered	30 mg/l unfiltered
COD		70 mg/l filtered	100 mg/l unfiltered
pH	6.0 to 9.0		
DO	5.0 mg/l		
Fecal Coliforms			30,000 CFU
			No sample to exceed 60,000 CFU

Lagoon discharge canal is referencing the Zaragoza WWTP effluent.

The fecal coliforms 30,000 CFU is a two-year rolling trend; the 60,000 CFU is for a single spike.

Sampling locations are not monitored daily. Samples are collected twice a month.

USIBWC personnel collect samples and analyze for fecal coliforms, PH and DO; samples for BOD and COD are collected and shipped to lab for analysis.

Q: Has the neighborhood flourished and developed since the encasement? Has it been a positive impact?

A: Yes, there are new roads and commercial properties in the area.

The New River upstream of discharge canal is located just upstream of the International Boundary approximately 300 meters before reaching the boundary, above the discharge of Mexicali I. Construction of sanitation infrastructure in Mexicali has improved water quality in the New River. The graph showed a key indicator (fecal coliform bacteria), dropped when the Las Arenitas plant went online in 2007. Other works and efforts, such as the control of discharges from companies like Su Karne and Don Fileto also contributed to the reduced levels in 2014.

USIBWC Geographic Information System (GIS) Program can be accessed at [https://www.ibwc.gov/GIS\\_Maps/GIS\\_Program.html](https://www.ibwc.gov/GIS_Maps/GIS_Program.html) to view IBWC water quality data.

#### *Formal Notification Protocol for the New River*

An informal notification process for wastewater spills has been in place for a year. However, the IBWC is currently developing a formal notification protocol for the New River. The process consists of CESPM notifying the Mexican Section of the IBWC of any issues impacting the New River. The information is then relayed to the U.S. Section of the IBWC (USIBWC) via email. Upon receiving the notification, USIBWC sends an email notifying Headquarters, BTC members and Imperial County Health.

#### *Summary of Improvements*

- No bypasses have occurred to the New River from infrastructure construction for over a year
- Significant investments from both countries
- CESPM developed a master plan to improve infrastructure and construct additional capacity and treatment
- BTC meetings and inspections are continuing to highlight areas of concern and improvements

### **Question and Answers (Q&A):**

Q: Is there something in the Treaty that allows a way to study the border area aquifers?

A: We do have a study/reports of the transboundary aquifer program. There is no Treaty or Minute with Mexico for aquifer studies.

Q: Is the New River still the most polluted in the nation?

A: Not sure, haven't seen new or updated report.

Q: Is water quality to the Salton Sea worse?

A: There are wetlands that remove metal to improve quality of the water. I don't have the water quality for the Sea.

Q: Who pays for the WWTP in Mexicali?

A: Las Arenitas had various funders for construction. Federal and state from the U.S. and Mexico plus matching funds to implement quick fixes. Since then, CESPM and NadBank fund the plants.

### **Presentation Two:**

**[New River Water Quality](#) - Trina Hamby, Registered Environmental Health Specialist, Consumer Protection Manager, Imperial County Public Health Department Division of Environmental Health**

Mrs. Hamby provided a presentation on the progression of water quality in the New River including the improvement of New River water quality as the result of wastewater treatment and capital improvement projects. The presentation discussed the unquantifiable threats attributed to the variability of the water quality resulting from unannounced and announced sewage bypasses into the New River from the Mexicali wastewater treatment facilities. The presentation also included water quality monitoring and challenges of intermittent and non-comparable testing protocols. It was also discussed the international water quality standards in comparison to the Federal Clean Water Act and the need for a water quality monitoring program that measures and informs the community of the variability in New River water quality.

#### *Binational Treatment Projects*

Pre-Binational project (before 2007) there were up to 20 mgd of raw sewage, over 1,000,000 MPN/100 ml of fecal or E. Coli, less than 1.0 mg/l of dissolved oxygen available and 40% of nutrient (P04) load to Salton Sea.

Post-Binational Projects (shortly after 2007) the untreated sewage was reduced, 8,00 to 60,000 MPN/100 ml of E. Coli, averaged between 3-5 mg/l of dissolved oxygen and 20% of nutrient (P04) load to the Salton Sea.

Improvements have been made but hasn't constantly met the standards.

*Mexicali WasteWater Treatment* is failing. Since November 2016, an average of one bypass of a month of raw sewage with a magnitude ranging from 1-13 million gallons per day. Increased pathogens in the New River and increased nutrients into the Salton Sea. Increase of nitrogen and phosphorus level in the Salton Sea. System deteriorating with an estimated price of \$75-80 million to fix the infrastructure problems.

Q: (Commissioner Harkins) Where are you getting your data from?

A: California Regional Water Quality Control Board provided the data.

*Immediate Actions* requested of the IBWC.

- New Minute order reflecting compliance with the U.S. Clean Water Act. Water Quality Standards under Minute 264 are outdated and violate California and Clean Water Act standards.
- Restructured and expanded New River water quality monitoring. The community needs access to water monitoring data. Monitoring results are not user friendly. Testing methods are different. Imperial County wants a unified testing standard by all agencies. Funding to support the implementation of Imperial County's water testing program estimated at \$150,000 per year.
- Operational sewage treatment infrastructure in Imperial County. Treats 100% effluent from the New River, removes 100% solid waste from the river.
- Communication protocol to alert, inform and motivate community action. Provide project updates, sewage discharge notifications, accessible water quality testing results, unified signage protocols.

Commissioner Harkins – Minutes are diplomatic agreements, a binational agreement There is no order, nor can the U.S. make or order Mexico to do it. Mexico is a sovereign nation. It's a diplomatic process, a project is developed that will benefit both countries. The BTC has a draft notification process in development.

We are willing to work with you in developing a package. USIBWC does not have Congressional support to take on new projects or O&M of a project. USIBWC has a flat budget year. Capital projects are easier to get resources for, the O&M money is harder to get support for.

Imperial County Health Jeff Lamour – The Minute is 40 years old; we expect IBWC to advocate for the U.S. a new Minute.

Imperial County Ryan Kelly – Would love to discuss standards to be applied across the borders. Imperial County asks for the same level of respect. Testing protocols by IBWC and the California Regional Water Quality Control Board have gaps. Have a shared program with Imperial County.

Board of Supervisor Jesus Escobar – Understand budget constraints, the county is frustrated, and we can't afford to do nothing. Push at all levels, we need infrastructure in the U.S.

**Public Comments:**

Numerous members of the public made various comments.

**Board Discussion and Future Agenda Items:**

-Due to time, no discussions occurred

Next meeting January 22, 2020 in Yuma, AZ

The meeting adjourned at 6:00pm.

\*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.