

LOWER RIO GRANDE CITIZENS FORUM
USIBWC FIELD OFFICE
Mercedes, TX
November 8, 2017
*Tentative Meeting Notes

Citizens Forum Board Members in attendance:

Omar Rios, City of Harlingen Environmental Services
Rick Cavazos, Mayor of the City of Los Indios
Henry Leo, Agent in Charge – Harlingen Border Patrol Station
Bill Lewis, Civil/environmental Engineer
Joel Espinoza,
Lawrence Drake, Drake Farms
John Goolsby, USDA Research Entomologist

USIBWC Staff in attendance:

Juan Uribe, Area Operations Manager, USIBWC, and Citizens Forum Co-Chair
Esteban Martinez, USIBWC Mercedes Regional Security Officer (RSO)
Frank Martinez, Assistant Area Operations Manager, USIBWC Mercedes LRGFO
Jason Smith, Administrative Services Clerk, Mercedes Field Office, USIBWC

Members of the public in attendance:

Maria McLane, Davila & Associates
Joe Tucker, IBWC retired
Carl Boyd, IBWC retired
Jose A Davila, TCEQ
Bill Keltner, La Feria News
Hector Gonzalez, TXDOT
Rex A Costley, TXDOT
Carol Brown, Citizen
Jonathan Salinas, LVPE
Volker Imschweider
Ann Williams Cass, Project Azteca/Equal Voice
David Negrete, Mexican section, IBWC
Alfonso Carmona, Mexican section, IBWC
George Garrett, Precinct 1 Constable
Sergeant John Saucedo, Precinct 1 Constable
Gary Cooper, Citizen
Claudia Lozano, TCEQ

Opening Remarks:

At 3:00pm Juan Uribe, Co-Chair, convened the Lower Rio Grande Field Office's Citizens Forum. Mr. Uribe began with a short welcome and allowed Board Members and those in attendance to introduce themselves.

Mr. Uribe introduced Sergeant John Saucedo the first presenter on the agenda to discuss efforts to stop illegal dumping on the levees.

Presentation One: Efforts to Stop Illegal Dumping on the Levees. Sergeant John Saucedo

I have been in law enforcement for 18 years. When I moved to the Constable's Office, I got involved with the illegal dumping task force. We investigate, follow up, and enforce laws associated with the illegal dumping. The precinct that I cover is from Hargill to Progresso as far west as the outskirts of Donna, and East of the county line in Mercedes and in between. The illegal dumping reported to our office are the county areas. What does it mean to us that the IBWC has cleared the levees off limits? To us, it shuts down the opportunity for illegal dumping on the levees. It also shuts down escape routes for pursuits and illegal activity.

What type of activity have we had since the IBWC declared the levees off limits August 8, 2017?

We have no incidents to report at this time. Prior to the levees being secured, we recovered a burned vehicle and assisted on pursuits.

Our stats from the beginning of 2107 are as follows: We have had about 102 reported illegal dumping sites that we have investigated. Penal code Section 3665012 reads illegal dumping- a person commits an offense if a person disposes, allows or permits the disposal of litter or other solid waste at a place that is not an approved solid waste site. This includes a place on or within 300 feet of a public highway or right away, or on other public or private property to include inland or coastal water of the state. There is a fine if you are found guilty not to exceed \$500 or confinement in jail not to exceed 30 days.

When we get a call of illegal activity we get the report, we head to the location and investigate any information that we find with names or addresses on the materials. We do interviews if there are witnesses or suspects and will be cited for illegal activity.

The Executive Office Nuisance Abatement Program was created by the Hidalgo County Commissioner's Court on August 16, 2016 to assist County residents with nuisance's in violation of State of Texas Health and Safety Code Chapter 243011. This refers to a private resident. The code covers unsanitary conditions to include land lots and drainage. Some code violations include trash on private property, debris on county right of way, and grass over 3 inches in height.

What can you do as a citizen to report a violation?

Spread the word that you can get cited and call local law enforcement. Dispose of your trash at county dump sites. When reporting illegal activity, please include a description of the people, vehicles, and types of items that have been discarded illegally, a date, time, and the location. Combating illegal dumping is a joint effort between law enforcement and our citizens. Together we can keep our neighborhoods, cities, and precincts clean. It's our goal to enforce and help educate.

Question and Answers:

Q: I see trucks loaded with trash driving the opposite way of the trash. I know they are going to do illegal dumping. In Starr County, they have dumpsters so you can dispose of trash. Within the precinct are there any places where people can go to discard trash?

A: Sergeant John Saucedo replied: There are dumpsites that you can use. You need to get a permit to dump your trash in an authorized location. Unfortunately, not everyone has those permits.

Q: We have a problem in the Colonius area. There is no garbage collection in the area. The sites set up for permits are not working. We need to consider low cost garbage collection. I don't think there is enough dumpsters being put out.

A: That's great information that we can get here. This is something I can take back. We are working on some programs to go out to the areas and work with the citizens. We have taken large garbage bins out so they can dispose of their trash. We are looking into more programs/alternatives to help with this.

Q: How often do you have the garbage places set up?

A: I'm not sure on that.

Q: Another problem that we have a lot of people that build homes that will not pay to dump their left-over construction materials. They will dump them in the country. Owners of the property have been fined. How do we combat this?

A: It goes back to education. Speaking with business owners and citizens.

Q: The citations you give out, do they have to pay them?

A: Their cited and the judge determines the punishment for the offense that occurred.

Presentation Two: Binational Solution to Assure 1944 Water Treaty Compliance and Better Predictability/Reliability in Future Rio Grande Water Deliveries to the U.S.: Billy Finn, USIBWC

I am the chief of water counting division and we oversee the 5-year cycle in accordance with the 1944 treaty. We are going to discuss some treaty basics, a status on the current five-year cycle, and how technology has/will play a role in the future. The mission of the commission consists of two sections. The U.S. and Mexico section. We come together to try and provide binational solutions from San Diego to Brownsville. Most of our issues center on boundary demarcation. I deal with the ownership of water. We have a sanitation mission, water quality, and flood control.

How do we share the Rio Grande Water?

Water is shared in accordance with a treaty known as the 1944 Water Treaty. This treaty dictates how much water the U.S. and Mexico is allotted. U.S. and Mexico share water of the Rio Grande from Ft. Whitman TX to the Gulf of Mexico. We have two reservoirs, too. We have Amistad Dam near Del Rio, Texas and Falcon dam near Laredo Texas for water supply and flood control. The water shed the treaty allocates is 1/3 flow of water that reaches the Rio Grande to the U.S. from six name tributaries. Most of our water shed comes from Mexico. There is very little water shed from the U.S. On the U.S. side, the treaty allocates 100% of flow that reaches the Rio Grande.

Article 4 is very important to the treaty. Article 4 describes how we distribute the water. 1/3 of the water delivered will not be less as than average amount of the 5-year cycle and 350,000-acre feet annually. In the treaty, there is an extraordinary drought clause that reads if there are any deficiencies in the delivery of the required water amount in the previous cycle it can be made up in the next cycle. Another important aspect of the treaty is if the U.S. conservation pool in both Amistad and Falcon Dam fill the cycle ends, all debts are paid and the cycle ends.

Minute Number 234 is a provision if Mexico were to end the previous cycle in debt they have three ways to get current. Mexico can deliver more water, assign more water some of their sheared water, and can also do a reservoir transfer to meet the 5-year cycle allocation. In this present cycle year 1 Mexico, ended on October 24 with a deficit of about 130,000-acre feet. Mexico elected to use the Minute 234 provision and give us 50% of the water instead of 33%. That allowed Mexico to deliver the necessary water. The current total 5-year delivery stands at 792,000-acre feet that represent about 112% of the expected minimum delivery. That is good news. We are above what is expected.

What are we doing to ensure treaty compliance?

We've developed binational working groups to resolve Water management issues on the Colorado River system. These groups cover policy, environmental, water supply, and infrastructure issues. We made a lot

of advancement dealing with issues on the Colorado River. The working groups work well to solve a lot of binational issues. We are now planning the same strategy in the Rio Grande. We have initiated these groups. We have members from TCEQ, Texas water development board, and some political representation. We had a meeting in October so far, we've created two groups; a policy group and hydrology group. Our primary objective is to use science to develop better operational policy. That ensures compliance with the 1944 Water Treaty and improving predictability and reliability in water deliveries for both countries.

What does that mean?

We are developing a binational river model that is inclusive of both countries operational policies of delivering water. The software analyzes our operational management strategy and policies coupled with historic information to review scenarios that would deliver water in dry/normal times. That is the biggest initiative we have going right now.

After Hurricane Alex, we invested a lot of resources to get better equipment to meter/measure to report data on the Rio Grande River. We use acoustics to find the velocities along the water to figure out how much water is in the river and flowing. We can use this technology on boats, handheld devices, and remote-controlled water devices. We are collecting a lot of data and have invested in software to read the data we collect.

Q: How do we know how much water is ours if it goes into the Rio Grande?

A: Billy Finn replied: We have gauging stations that maintain and records the volume of water. U.S. Mexico have hydro technicians that monitor the water flow.

Q: What are the reasons Mexico is falling behind on water delivery?

A: I think it has a lot to do with hydrology.

Q: About 6 months ago Sally Spener was here and I asked if Mexico had approved the border wall in Roma and in Rio Grande City? She said no and the U.S. side will still proceed. Do we have a committee working on that to make sure the treaty is upheld? The Border wall is in violation of the treaty and Mexico hasn't approved it.

A: I don't deal with the border wall. I work with treaty deliveries. I can't speak on behalf of the border wall.

Q: Do you have public meeting like this in STARR County and can they be scheduled?

A: Juan Uribe replied: Currently, we do not. That's a possibility. I will ask.

Q: Are there any problems with illegal capturing of water by farmers along the river?

A: The water master office monitors that and reports issues to IBWC.

Q: Who controls the quality/solidity of water coming in?

A: We partner with TCEQ to monitor the quality.

Future Agenda Items

People are very concerned with the decision IBWC has made about not being able to walk on the levee and to use them for recreational activity. It would be great if we could have a discussion about it at our next meeting.

I would like to know if the levees are all completed and credited. Can we invite Raul Sesin with the Hidalgo county water district 1 to talk about the status of the levees regarding the FEMA maps?

I am concerned with the treaty being complied with in STARR County and that Mexico is still opposed to the wall and the U.S. is still moving ahead. The international treaty read one side cannot change the drainage or flooding aspects of the river with agreement and cooperation from the other side and there are good reason to think the proposed levee walls that are going to be built will have an effect on drainage and flooding. I think it's a very important discussion to have. Can someone speak on this issue?

The next Citizens Forum meeting is scheduled for February 14, 2018.
The meeting was adjourned at 5:20 pm.

*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.