MAIL

From:	frisbierl@state.gov
To:	Ed Drusina, Carlos Pena, Sally Spener, Matthew Myers, Jose Nunez
Subject:	DHS Secretary Kelly Testimony February 7, 2017
Date:	08-Feb-2017 13:10
Attachments:	Mime.822 *(excluded from export)*
	image002.jpg *(excluded from export)*
	image001.png *(excluded from export)*
	02-07-17 - Gen. Kelly - HouseHomeland (Border and Maritime Security).docx [Save] [Open]
	TEXT.htm *(excluded from export)*
Creation Date:	08-Feb-2017 13:09
Store Date:	08-Feb-2017 22:19
Status:	opened,read
Box Type:	received
Folder:	Ed Drusina Home > Mailbox
Message Id:	589B18A8.USIBWC.ELP.200.2000035.1.1ABA8.1

The attached transcript includes comments and questions from three of "our" border Congressional district Representatives: Filemón Vela (TX-34th) pp. 42-45, Will Hurd (TX-23rd) pp. 45-48, and Martha McSally (AZ-02nd) pp. 51-55. In particular, some of Representative Hurd's observations and questions get indirectly to some of the practical matters that our 1970 Treaty obligations address.

[cid:image002.png@01D0031C.0C319CD0]
Russell L. Frisbie | Special Assistant | International Boundary and Water Commission, U.S. Section | Washington, D.C.
Liaison | c/o Office of Mexican Affairs, Department of State | (202) 647-8106 | (202) 527-3225 (BlackBerry)
[small seal.jpg]"Excellence Through Teamwork"

Official
UNCLASSIFIED

MAIL

From:	sally.spener@ibwc.gov
To:	Jose Nunez
Subject:	documents on levee wall
Date:	07-Feb-2017 16:54
Attachments:	DHSFenceLeveeDiscussion.doc [Save] [Open] HidalgoLettoJudgeSalinasHCCD1Feb27.doc.pdf [Save] [Open] HidalgoDannenbaumUSIBWC MTG MINUTES (032008).pdf [Save] [Open] March12MeetingMinuteswithDHSallFences.doc [Save] [Open] Hinojosa QFR.doc [Save] [Open] LeveeFundsLettoCongressJuly7.pdf [Save] [Open] TEXT.htm *(excluded from export)* LeveeFenceLet.doc [Save] [Open] ReporttoStateDepartmenton18leveewall.pdf [Save] [Open]
Creation Date:	07-Feb-2017 16:54
Store Date:	07-Feb-2017 23:07
Status:	accepted,opened,read,replied
Box Type:	sent
Folder:	Sally Spener Home > Sent Items
Message Id:	5899FBC5.$$$.$$$.200.2000046.1.34080.1

See attached. Introduction section of the Report to State Department seems to answer your question about whose idea it was to build the levee-wall and the answer appears to be that it came from the local community and their Congressional delegation. LeveeFundsLettoCongress also sheds light on the development and funding. I don't know if LeveeFenceLet was ever finalized and sent but it indicates a sentiment at USIBWC that we didn't want to wait on the other agencies to figure out the levee wall; we wanted to proceed ASAP with our own levee rehab work.

Sally E. Spener, Foreign Affairs Officer
IBWC, U.S. Section
Headquarters
(915) 832-4175
(915) 693-4280 Fax
"Excellence Through Teamwork"

STATEMENT OF CONFIDENTIALITY
The information contained in this electronic message and any attachment(s) to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. You are hereby notified that any unauthorized use, disclosure, and/or distribution of the information is strictly prohibited. If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you receive this e-mail in error, please notify the sender immediately by reply e-mail and permanently destroy along with any attachments without reading, forwarding, saving, or disclosing them.

From Mary Brandt 1/8/08

I received a call from [redacted] of Dos Logistics (they represent both Hidalgo and Cameran counties) regarding the DHS decision to build the retaining wall on our levees. [redacted] was surprised that DHS had not informed or coordianted with IBWC. He indicated that last week DHS reps walked the levees with County Judge [redacted] and the engineers that are under contract to Hidalgo to design the levees. DHS indicated to Hidalgo (or Hidalgo is interpreting as such) that they had concluded that the retaining wall would meet their security needs. He brought my attention to the attached language in the FY 08 DHS appropriations bill that reduces the fencing from 670 to 370 miles and ties disbursement of $600 million of the $1.2 billion appropriated for fencing to a report that the Secy of DHS must prepare for the Appropriations Cmtes by section of fencing regarding which options were chosen and why. The bill language also included provision for consultation with affected federal agencies and State and local governments. [redacted] stated that of the 60 miles of levees in Cameron Cty, 37 of those miles are currently slated for fencing. Cameron County is interested in finding our where IBWC is with respect to the design/construction of levees in this reach. I referred [redacted] to Steve for more detailed information on implementation of the various phases. [redacted] also indicated that Cameron may want to enter into an MOU with IBWC similar to that that we have with Hidalgo, whereby they would front funding for levee rehab.
mb

-----Original Message-----
From: [redacted]
Sent: Tuesday, January 08, 2008 4:04 PM
To: Brandt, Mary M
Subject: DHS FY08 Bill

Mary,

Please take a look at the attached files. I have included the press release from the House Appropriations Committee that was released at the time of passage, an article from CQ, the pages from the Omnibus bill, and Section 564. Comprehensively, these show how Congress will provide oversight of the program. Please let me know if you need any more information.

Thanks,

[redacted]

[redacted]

Visit us on the web at: www.doslogistics.com

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

February 27, 2008

The Honorable J.D. Salinas
Hidalgo County Judge
100 E. Cano, 2nd Floor
Edinburg, Texas 78540

Dear Judge Salinas:

The U.S. Section of the International Boundary and Water Commission (USIBWC) entered into a Memorandum of Understanding (MOU) with Hidalgo County Drainage District No. 1 (HCDD1) on July 16, 2007 to enable Hidalgo County to participate and cost share in the rehabilitation of deficient Lower Rio Grande levees that are owned and operated by the USIBWC pursuant to bi-national agreement with Mexico.

The Memorandum of Understanding specifically provides that:

> "HCDD1 acknowledges and agrees that it has funding available to perform all contributions listed in this agreement without reimbursement or expectation of reimbursement by the USIBWC or U.S. Government; and
>
> ...the parties understand that the contributions under this MOU are provided gratuitously and that no past, current or future USIBWC or United States government funds will be made available to HCDD1."

The USIBWC's willingness to enter into the MOU was predicated on HCDD1 agreeing to cost share and participate in the levee rehabilitation without reimbursement or expectation of reimbursement by the U.S. Government.

In January of this year HCDD1 requested that USIBWC amend the MOU to allow for reimbursement of funding for the work performed under the MOU, subject to the enactment of legislation introduced in the U.S. House of Representatives on December 12, 2007 by Congressman Rueben Hinojosa (H.R. 4504) that would give the USIBWC broad reimbursement authority.

Let me reiterate that the USIBWC is unable to amend the MOU to allow for reimbursement because the USIBWC is prohibited from involving the government in any obligation to pay money before funds have been appropriated for that purpose. To commit future administrations would be a violation of the Anti-Deficiency Act. In addition, we do not expect the Administration to support H.R. 4504 since it is not consistent with the Federal appropriations process with respect to both the Executive and Congressional branch roles, and would raise issues regarding consistency with federal procurement law and the Anti-Deficiency Act.

The Commons, Building C, Suite 310 • 4171 N. Mesa Street • El Paso, Texas 79902
(915) 832-4100 • (FAX) (915) 832-4190 • http://www.ibwc.state.gov

Pursuant to the terms of the MOU, all work orders issued to HCDD1 under Individual Work Order (IWO) No.1 dated October 5, 2007 and IWO No. 2 dated October 10, 2007 are subject to the terms and conditions of the MOU and the USIBWC does not intend to seek funding to reimburse HCDD1 for this work.

Despite our discussions on this topic and your written agreement to these conditions, I am concerned that at a February 8, 2008 press conference in McAllen, Texas, you publicly thanked the USIBWC for its willingness to reimburse Hidalgo County for its expenditures under the MOU and stated publicly on numerous occasions that Hidalgo County intends to recapture its expenditures. Hidalgo County's widely stated and public position on this matter makes it difficult for me to proceed with the work orders issued under the MOU or to consider issuing additional task orders to HCDD1 for additional levee rehabilitation work.

If HCDD1 confirms in writing that HCDD1 has funding available to perform all work under MOU No. IBM07A0011, and subsequently issued work orders Nos. 1 and 2, in conformance with the above stated provisions of the MOU; I am in the position to continue with this project. I must additionally have this understanding confirmed before I am in a position to consider issuing any additional work orders under the current MOU.

Please contact me if you have any questions.

Sincerely,

[redacted]

b (6)

Carlos Marin, P.E.
U.S. Commissioner

Enclosure(s)
MOU No.IBM07A0011

cc w/enclosure: The Honorable Ruben Hinojosa
United States House of Representatives
2463 Rayburn House Office Building
Washington, D.C. 20515-4315

The Honorable Henry Cuellar
United States House of Representatives
336 Cannon House Office Building
Washington, D.C. 20515-4315

e-mail bcc w/enclosure: Commissioner Marin, Legal S. Daniel, ENG PE S. Smullen
D:\corres08\GodfreyGarzaFeb25
SD:lh 2/25/08

MOU No. IBM07A0011

MEMORANDUM OF UNDERSTANDING
BETWEEN
INTERNATIONAL BOUNDARY & WATER COMMISSION
UNITED STATES SECTION
AND
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

REGARDING
REHABILITATION AND RECONSTRUCTION OF FLOOD CONTROL LEVEES
IN THE LOWER RIO GRANDE FLOOD CONTROL PROJECT
WITHIN THE COUNTY OF HIDALGO, TEXAS

This Memorandum of Understanding hereinafter referred to as "MOU" constitutes an agreement between the United States Section, International Boundary and Water Commission, United States and Mexico, (hereinafter referred to as "USIBWC"), as represented by the Commissioner of the USIBWC in El Paso, Texas, and Hidalgo County Drainage District No. 1 acting herein by and through the BOARD OF DIRECTORS, (hereinafter referred to as "HCDD1"), as represented by the Chairman of the Board of HCDD1, collectively referred to as the parties to this agreement.

WHEREAS, the USIBWC is authorized to construct, operate and maintain any project or works projected by the United States of America within the Lower Rio Grande Flood Control Project (hereinafter referred to as "LRGFCP"), as authorized by the Act of the 74th Congress, SESS. I CH. 561 [H.R.6453] approved August 19, 1935 (49 Stat.660), and codified at 22 U.S.C. Section 277, 277a, 277b, 277c, and Acts amendatory thereof and supplementary thereto; and

WHEREAS, the construction, operation and maintenance of LRGFCP works is in furtherance of the provisions of Minutes 196, 212, 238, and 285 of the International Boundary and Water Commission, United States and Mexico regarding improvement of international flood control works on the Lower Rio Grande; and

WHEREAS, pursuant to 22 U.S.C. Sections 277b and 277c the USIBWC is authorized to enter into agreements in connection with the acquisition of lands and construction, operation and maintenance of any flood control project or works on the LRGFCP with state and local political subdivisions within which such project or works may be in whole or in part situated upon; and

WHEREAS, the HCDD1, a special district established under state statute by the State of Texas responsible for the gathering, diverting and control of stormwater in Hidalgo County, Texas, is authorized to enter into this agreement pursuant to Title 22 U.S.C. Section 277b and

277c et seq., as a political subdivision within which the LRGFCP may be in whole or in part situated, and by virtue of the Texas Water Code Ch. 56.143; and

WHEREAS, the design of improvements and the acquisition of rights of way identified in the USIBWC's Rio Grande Flood Control System Rehabilitation Program for the LRGFCP within Hidalgo County is needed to protect the people of Hidalgo County from injury and destruction of property caused by a flood flow of 125,000 cfs to 250,000 cfs; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has initiated an aggressive five-year plan to update the nation's flood hazard maps; and

WHEREAS, pursuant to 44 CFR Section 65.10 FEMA will only recognize in its flood hazard and risk mapping effort those levee systems that meet, and continue to meet, minimum design, operation and maintenance standards; and

WHEREAS, the USIBWC and HCDD1 agree that it is the mutual interest of the parties to work together to expedite and coordinate the acquisition of rights of way, design and construction work to modify the levees within Hidalgo County to meet FEMA levee certification standards; and

WHEREAS, HCDD1 acknowledges and agrees that it has funding available to perform all contributions listed in this agreement without reimbursement or expectation of reimbursement by the USIBWC or U.S. Government; and

WHEREAS, the parties understand that the contributions under this MOU are provided gratuitously and that no past, current or future USIBWC or United States government funds will be made available to HCDD1; and

NOW, THEREFORE, the USIBWC AND HCDD1 hereby agree as follows:

ARTICLE I – HCDD1 CONTRIBUTIONS

The following will be provided by HCDD1:

(1) HCDD1 shall jointly participate in the LRGFCP rehabilitation effort by contributing, at no cost to the U.S.Government, HCDD1 resources (materials, equipment, labor, funding, etc.) for the design, easement acquisition, and construction of the USIBWC Rio Grande levee from Peñitas, Texas to the Banker Inlet (beginning of Main Floodway) upstream of Anzalduas Dam, and such other reaches as may be agreed upon by the parties.

(2) The contributions to be performed will be defined by individual work order. All activities by HCDD1 will be in accordance with IBWC and federal standards, and performed following concurrence of the USIBWC.

(3) HCDD1 shall provide levee certification documents to USIBWC in accordance with those required by 44 CFR Section 65.10.

ARTICLE II – USIBWC CONTRIBUTIONS
The following will be provided by the USIBWC:

(1) USIBWC will jointly coordinate with HCDD1 phases of the flood control plan for the LRGFCP by issuing individual work orders for the design, easement acquisition, and construction of the USIBWC Rio Grande levee from Peñitas, Texas to the Banker Inlet (beginning of Main Floodway) upstream of Anzalduas Dam, and such other reaches as may be agreed upon by the parties, at no cost to the U.S. Government..

(2) The USIBWC will provide requirements for the acquisition of rights-of-way and final design criteria for use in designing the improvements identified in the USIBWC's Flood Control System Rehabilitation Program to the LRGFCP within Hidalgo County.

(3) Forbear levee rehabilitation design and construction work performed by HCDD No.1.

(4) USIBWC will submit documents to FEMA for approval of USIBWC certification of levees.

ARTICLE III – MAINTENANCE PROGRAM
Maintenance of any improvements will be performed by the USIBWC.

ARTICLE IV – WORK ORDERS
Nothing in this MOU shall be construed to require the HCDD1 or the USIBWC to provide any contributions (as identified under ARTICLES I and II), except as may be set forth in Individual Work Orders ("IWO(s)").

Contributions shall be provided under this MOU only after an appropriate IWO has been signed by a representative of each party authorized to execute that IWO.

Individual Work Orders.

The IWO shall include and address the following:
- detailed scope of work statement;
- project and/or task development schedule;
- identification of individual project managers and/or principal representatives;
- identification of types of contracts to be used;
- types and frequencies of reports;

- identification of which party is to be responsible for contract administration, records maintenance, rights to data, software and intellectual property, and contract audits;
- such other particulars as are necessary to describe clearly the obligations of the parties with respect to the requested contributions.

The IWO shall not waive the USIBWC's and HCDD1's responsibilities and obligations established in this MOU. Each executed IWO shall become a part of this MOU. Work included in an IWO shall not begin until the USIBWC and HCDD1 have signed the IWO.

ARTICLE VI – DURATION

This MOU shall be effective for a period of five (5) years from the date of execution or upon completion and final acceptance and payment of the last IWO executed within the five-year period. Nothing in this MOU shall prevent the Parties from renegotiating its terms to provide for reallocation of duties between the Parties; however, until such renegotiation has been agreed to, pursuant to the terms of ARTICLE VII herein, this MOU will remain in full force and effect.

ARTICLE VII – ADMENDMENTS

This MOU may be modified at any time by written agreement of both Parties. Either party may request a review of the contents of this MOU at any time, including prior to the issuance of any IWO, to provide recommendations for amendments. If the request is denied then either party may terminate this MOU on thirty days written notice.

ARTICLE VIII – INTERAGENCY COMMUNICATIONS

To provide for consistent and effective communication between both Parties, the USIBWC assigns the Chief Engineering Services Division of its El Paso Headquarters Office or his/her designated representative, and HCDD1 assigns the District Manager or his/her designated representative, as the points of contact on all matters related to this MOU.

ARTICLE IX - RESOLUTION OR DISAGREEMENTS

The parties shall attempt in good faith to promptly resolve any dispute arising out of or relating to this MOU by negotiation between those executives who have direct responsibility for administration of this MOU. Any dispute arising under this MOU, which is not disposed of by agreement of executives of the Parties, shall be submitted jointly to the organizational heads of the Parties: the Commissioner of the USIBWC and the Board of Directors of HCDD1. A joint decision of the organizational heads of the Parties shall be the disposition of such dispute. If the dispute has not been resolved by a joint decision of the organization heads of the Parties, the parties shall endeavor to settle the dispute by mediation. Pending the resolution of any dispute or claim pursuant to this article, the Parties agree that performance of all obligations contained in this MOU shall be diligently pursued.

IN WITNESS WHEREOF, the USIBWC and HCDD1 have caused this Memorandum of Understanding to be effective when signed by both Parties.

FOR U.S. INTERNATIONAL BOUNDARY & WATER COMMISSION

(b) (6)

BY: [redacted] Date: 7/16/07

Carlos Marin, PE

Commissioner, USIBWC

FOR HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

(b) (6)

BY: [redacted] Date: _____

Juan D. Salinas

Chairman of the Board

WITNESS THE HAND OF THE HONORABLE CONGRESSMAN HENRY CUELLAR
effective as of the day and year first written above.

(b) (6)

By: _____ Date: _____
Congressman Henry Cuellar

DANNENBAUM
ENGINEERING COMPANY - McALLEN, LLC
DL INC.
DOS LOGISTICS, INC.

MEETING MINUTES

Report Date: April 17, 2008	**Report No.: 04**
Meeting Subject: **Update on HCDD No. 1 Levee Improvement Projects**	**Project No.: 4287-XX**
Client Name: HCDD No. 1	**Meeting Date: March 20, 2008**
Meeting Location: Mercedes USIBWC Field Office	

Attendees:
See **Attachment "A"** for a list of all participants.

NOTES
See **Attachment "B"** for Action Items.

1. **PURPOSE OF MEETING**

The purpose of the meeting was to bring everyone up to date on the design of the 3 sections of levees and the status of the pending IWOs. Jose Nuñez explained to the group that the USIBWC received the draft IWOs (3 thru 6) yesterday (March 19) and had started the review process, however, there was a difference of opinion of miles between DEC and USIBWC for IWO#3; whereas DEC had 2.9 miles and USIBWC had 4.84 miles.

[redacted] inquired as to the status of the water elevation letter that was mailed to USIBWC last week. Mr. Nuñez said USIBWC will have it to DEC by March 28, 2008.

[redacted] explained to the group that he had sent a letter to DHS and Congressional members regarding the March 31 go/no-go date and requesting all information from all parties by March 31. He explained that if he didn't have all this information by March 31, 2008, the hydraulic wall concept would be scratched. . [redacted] explained that IWO#3 was correct with the exceptions of the differing lengths. Inquiring about IWO#4, USIBWC responded they are working on additional review comments. [redacted] informed the USIBWC that if the section of levee around the City of Hidalgo goes 'wall', then DEC will be requesting all electronic documents from the USIBWC consultant (S&B Infrastructure) via written letter. [redacted] explained it was his understanding that all IWOs being submitted included the 'wall' segments. [redacted] said he would modify IWO#4 to include the Hidalgo wall.

[redacted] asked the USIBWC if it would be possible that all IWOs could be completed by 3/31/08 and if they foresaw any other concerns on the DEC or USIBWC end. Jose Nuñez replied that the recommended revisions to the draft IWOs (3 thru 6) will be forwarded to [redacted] by Tuesday, March 25. IWO#1 might have to be amended to allow for the construction of a wall segment. Mr. Nuñez to check with their legal office.

2. **PHASE I, MISSION LEVEE BID STATUS**

[redacted] informed the group that he had received clearance from USIBWC to advertise for bids and that DEC was currently addressing the markups ([redacted] informed the group that the markups DEC was handling were form Common Levee—not Mission Levee). The advertisement would go out on Saturday, March 22, 2008 and would run for four (4) or five (5) weeks (dependent

upon HCDD1 obligations). The Pre-Bid conference would be April 11, 2008 (possibly in the USIBWC Mercedes Conf. room), the bid opening would be April 23, 2008, and the bid would be awarded on April 29, 2008. The notice to proceed would be issued shortly after the award date. [redacted] is hoping to have construction underway by May or June, working on concurrent IWOs. Mr. Nuñez inquired as to whether or not HCDD1 needed anything from the USIBWC with regards to this; [redacted] replied no, the USIBWC has cleared HCDD1 to go out for advertisements, with the engineers handling the construction and inspection specs. [redacted] told the group that the USIBWC would be welcomed to bring someone on board to supervise the construction process once it began if they wished.

With regards to the Common Levee, [redacted] informed the group that USIBWC showed the density impaction at 98% whereas DEC has it at 95%. [redacted], with L & G Engineering, said 95% should be ok, as that density is what TxDOT uses/suggests. [redacted] explained the USIBWC had 98%, however, if the geo-technical consultant recommends 95%, then that will do.

[redacted] inquired about the Chimney Park 90 day letter. [redacted] and [redacted] said that DEC will prepare an exhibit showing where the utilities will be cleared and will prepare a draft letter to send with the exhibit. [redacted] will include the August date regarding the specs in the letter.

3. PHASE III, COMMON LEVEE DESIGN COMMENTS BY USIBWC

[redacted] told the group that while DEC is going to respond to each comment in writing, he wanted to discuss a few now. [redacted] said DEC/DLI have been able to implement most of the recommendations, however, there was some confusion regarding the front-end documents. It seems the most recent set of plans sent to USIBWC did not have the most updated front end documents. Mr. Nuñez explained the set they received had a different definition for owner and contract administrator as previously agreed by the attorneys. [redacted] said DEC would check on that when they got back to the office and forward the most up to date copy to USIBWC.

[redacted] told USIBWC that DEC/DLI was working on consolidating all revisions and will more than likely submit the package to USIBWC earlier than March 31. It was decided that a conference call on April 3 would be set to discuss the revised plans/specs. [redacted] informed USIBWC that he would be going out for bids for this section of the levee on April 19 (tentative) and will inform everyone of the bid schedule once the April 19 release date is set in stone.

4. PHASE II, MISSION LEVEE PLANS AND SPECS

[redacted] said DEC will be sending USIBWC a complete set of plans on March 21, however, they will blank-out the area of the pump station due to the pending matter as to whether it is a historical site. The USIBWC EA does not designate the pump station as a historic site but recommends review of qualifications to see if it will qualify as historical. [redacted] inquired as to who has authority over the pump station and if they would have a copy of the historical permit. Mr. Reyes with Mercedes USIBWC said he had Saul Barrera researching that issue but hasn't found anything as of yet. Mr. Nuñez said USIBWC will look into the pump station on their end.

[redacted] explained the ROW and land acquisition maps are stopped on both sides on the pump station. [redacted] suggesting breaking at the pump station and bidding each section; once the pump station issue is taken care of, bid that section. [redacted] said that while the USIBWC EA has the levee in front of the pump station, the owner needs to be responsible; if HCDD1 is the owner, then they will take care of it. In the case that no one finds a historical permit, Mr. Nuñez

said to have the owner advise. [redacted] explained that because the pump station is of historic age, in order to avoid having to get permits or permission, put the levee in front of the structure.

[redacted] explained the existing pump house wall has cracks and raising the wall might not be safe. He inquired if DEC mails in the phase tomorrow, will USIBWC still need 2 weeks to review. Mr. Nuñez said USIBWC can review plans in 1 week. [redacted] explained the phase being sent in is part of the proposed hydraulic wall segment. He inquired as to whether DEC should send in 2 separate plans (1 wall/1 levee) or just submit as is. Mr. Nuñez advised to send in as is, but to make a note that the 4.3 miles may change to wall.

[redacted] advised to submit the plans to USIBWC showing what is being altered and USIBWC will give an opinion as to whether or not that would modify the historical value of the pump station. The USACE might have to address this issue [redacted] suggested the Hidalgo County Irrigation District might be the owner of the structure. If the structure does belong to them, they need to be contacted and asked to fix the structure and asked to turn over any paperwork regarding the historic value of the pump station. [redacted] said if the Irrigation District has no responsibility for the pump house, then we need to move forward with getting the permitting for this structure, which could take 60 to 90 days.

[redacted] brought up the railroad crossing which needs to be raised. It is listed in the EA as 47 years old however it still could be considered historical. The cultural resources report shows there will be little impact on the structure. The USIBWC told the group to go ahead and raise it (or replace it), but document every step, make sure it's replaced with similar materials, and make sure it's done by the book. The structure only needs to be raised by 2.3 inches.

[redacted] asked the USIBWC if their gif delineations were actual surveys or were based on information from USFWS. Gilbert Anaya replied they were done in the field; USACE approved the wetlands delineation. [redacted] said he believes we can align it to where the wetlands are missed completely.

5. GEOTECHNICAL

[redacted] explained they have addressed all comments and have a 90% submittal. The geotechnical consultants will deliver 15 copies to DEC by the end of the day on Monday, March 24. [redacted] will send the final geotech report to USIBWC tomorrow (Friday). [redacted] explained they left out the pump house and are addressing it as it were a wall.

6. CULTURAL RESOURCES

The THC wants additional testing done on the La Lomita area. Dos Logistics is submitting and amended report to the THC next week and will try to set up a meeting with the reviewers in order to expedite the review process.

Phase III cultural resources was submitted to DEC for comments and will be forwarded to USIBWC today. [redacted] explained to the group that due to time constraints, these documents need to be submitted and reviewed concurrently. The USIBWC said they do not see a problem delivering both reports at the same time.

Additional testing was be done on Phase II based on Phase I comments from THC.

[redacted] read the action items out loud and they were agreed on by the group.

DANNENBAUM
ENGINEERING COMPANY - McALLEN, LLC
DL, INC.
DOS LOGISTICS INC

MEETING MINUTES

[redacted] will get an updated schedule to the USIBWC for Phases I – IV.

[redacted] reminded the group to be aware of the schedule and that it can change at any moment depending upon whether or not DHS comes through with their agreement.

Mr. Nuñez asked to DEC to increase the number of sets sent to El Paso to 4.

NEXT MEETING DATE:

PREPARED BY: Carlos Aguilar, P.E.	**DATE DISTRIBUTED:** April 17, 2008	
COPIES TO: ☒Client ☒Participants ☒Dos Logistics, Inc. ☒Job File		These meeting minutes are being submitted to you for review. Please respond with your revisions within five business days of the date of distribution.
	X	These meeting minutes are being submitted as FINAL MEETING MINUTES.
OFFICE USE ONLY:	**Reviewed By:** CA/SS	**Approved for Distribution By:** Jose Nuñez / [redacted]

DANNENBAUM
ENGINEERING COMPANY - McALLEN, LLC
DL INC.
DOS LOGISTICS INC.

ACTION ITEMS
ATTACHMENT "B"

1. USIBWC to make revisions on IWOs 3, 4, 5 and 6 and send to Hidalgo County Drainage District No. 1 (Tuesday, 3/25/08)

2. [redacted]o provide Water Surface Elevations for the segments requested by Dannenabum (DEC) (0-5 to 0-10) (Friday, 3/28/08)

3. USIBWC to check with attorney whether IWO 1 needs to be revised or a new IWO would be needed for DHS segment 0-4 (Friday, 3/21/08)

4. USIBWC to send Chimney Parks owner official notification of construction so they can remove anything encroaching into the USIBWC easement (Friday, 3/28/08)

5. DEC to send USIBWC exhibits for previous action item along with a draft letter to include construction sequencing (Thursday, 3/20/08)

6. DEC to verify front-end documents on Spec book with County attorney.

7. DEC/DLI to submit response letter and revised plans for Common Levee (Phase III) (Monday, 3/31/08)

8. Teleconference set to address remaining review comments on Common Levee & discuss IWOs status for DHS segments for Thursday (4/03/08)

9. DEC/DLI to send plans and Specs for Inspiration Rd to Penitas segment (Phase II) (Friday, 3/21/08)

10. USIBWC to comment on Phase II set (Monday, 4/07/08)

11. USIBWC to review for any license or permits for the Penitas Pumphouse (Monday, 3/31/08 or sooner)

12. DEC/DLI to identify where levee ends and DHS segment 0-4 begins in Item No. 9 set (Friday, 3/21/08)

13. USIBWC/HCDD No.1 to contact Irrigation District No. 1 regarding Penitas Pumphouse (Monday, 3/31/08)

14. USIBWC to check if gate structure near railroad at Penitas belongs to them (Monday, 3/31/08)

15. DEC/DLI to coordinate with [redacted] on gate structure improvements

16. DEC to submit Geotech revised report on Common Levee (Friday, 3/21/08)

17. L&G to submit to DEC 90% submittal on Phase II (Monday, 3/21/08)

DANNENBAUM
ENGINEERING COMPANY - McALLEN, LLC
DL INC.
DOS LOGISTICS, INC.

ACTION ITEMS
ATTACHMENT "B"

18. DLI to set up meeting THC and coordinate with USIBWC so they can phone conference in (ASAP).

19. DEC to submit revised schedule to USIBWC (Friday, 3/21/08)

20. DEC to send cultural resources documents on Common Levee (Friday, 3/21/08)

Question for Secretary Rice
Submitted by Cong. Rubén Hinojosa
Foreign Affairs Committee Hearing on the International Relations Budget for FY09
February 13, 2008

WHA clear w/ OES

Madam Secretary, thank you for coming today. As you know, the International Boundary and Water Commission is responsible for the construction, repair and maintenance of over 2,000 miles of levees along the U.S.-Mexico border. Yet a recent report submitted by the IBWC found that most of these levees were either too low or too weak to protect the communities living behind them because of chronic funding shortfalls. The IBWC needs $100 million to repair all the levees. $50 million would allow the worst levees in the most populous areas to be repaired, yet the President's budget provides only nominal funding to the IBWC for this purpose.

The Rio Grande Valley in Texas is home to over 1 million people who are living behind inadequate IBWC levees. A severe rain event, not even a hurricane, could cause another horrible situation like Hurricane Katrina in New Orleans. Hidalgo County, the most populous in the Valley with a population of 700,000, has creatively proposed a partnership between the County, the Department of Homeland Security, and the IBWC. The county's plan, which already has the enthusiastic support of DHS Secretary Chertoff and the U.S. Border Patrol, would merge the levees and the border fence into a single federal project—at a cost of $5 million per mile and a savings to the federal government of $76 million for construction and millions more for the upkeep of one federal project instead of two.

Hidalgo County, which according to the U.S. Census is one of the poorest urban counties in the country, recently passed a bond issue to pay for the construction of the hybrid wall-levee project. DHS has agreed to reimburse the county for $3 million per mile, the cost they have allocated toward building the border wall. IBWC Commissioner Carlos Marin, however, has resisted efforts to draft legislation to allow the IBWC to provide reimbursement to the County for the remaining $2 million per mile. Should the IBWC not agree to this proposal, the IBWC would have to eventually pay over $5 million per mile for construction and my constituents are going to have to pay higher local property taxes and flood insurance premiums because the federal government is not living up to its responsibility to maintain these levees.

Question:

Will you be willing to join Secretary Chertoff in expeditiously supporting this project which helps our country gain operational control of its border while protecting South Texas from devastating floods, all at a cost-savings to the government? If not, then how does the Administration intend to maintain the levee system along our southern border in the absence of necessary appropriations?

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO
July 7, 2008

The Honorable Kay Bailey Hutchinson
284 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Hutchinson:

This letter is to update you on USIBWC's levee rehabilitation activities in the Lower Rio Grande Valley. The USIBWC is pursuing a series of flood control improvements in the Lower Rio Grande. These improvements are being carried out with appropriations received to address flood protection requirements along the entire length of the Rio Grande.

As requested by Hidalgo County, USIBWC is jointly coordinating the Lower Rio Grande Flood Control Project (LRGFCP) rehabilitation effort in Hidalgo County with the Hidalgo County Drainage District No. 1 (HCDD1). The USIBWC entered into an MOU with HCDD1 on July 16, 2007 to enable Hidalgo County to participate and cost share in the rehabilitation of deficient Lower Rio Grande levees that are owned and operated by the USIBWC pursuant to bi-national agreement with Mexico. The USIBWC has issued six work orders to HCDD1 pursuant to the MOU, and in furtherance of the Cooperative Agreement entered into between HCDD1 and U.S. Department of Homeland Security (DHS) to support border security protection enhancements in conjunction with improvements to the LRGFCP.

On May 15, 2008 the USIBWC canceled its construction contract for Phase I Hidalgo County levee improvements at the request of the County of Hidalgo, Texas and DHS. In order to allow Hidalgo County to enter into an agreement with DHS for the construction of an integrated levee/flood wall instead of a fence, Hidalgo County and DHS requested that the USIBWC not proceed with any construction plans that fall within the footprint of DHS border security plans in the Hidalgo Protective Levee Phase I project. USIBWC has facilitated the activities in the May 2, 2008 Cooperative Agreement entered into between DHS and HCDD1.

The funding that was designated for USIBWC's Hidalgo Phase I construction contract has been reallocated by the USIBWC to address other Rio Grande flood control improvement efforts in the Rio Grande flood control project which extends from New Mexico/Texas state line to Brownsville, Texas. The reallocated funds from the Hidalgo Phase I Project from Donna to Brownsville, Texas have been obligated to conduct geotechnical exploration work on the Hidalgo County levees, conduct geotechnical work and levee rehabilitation in Cameron County, and flood control work in the Rectification Project in El Paso County.

Pursuant to the terms of the MOU entered into with HCDD1 all work orders issued to HCDD1 are subject to the terms and conditions of the MOU which provide for no USIBWC or Federal Government reimbursement or expectation of reimbursement for the work performed by

The Commons, Building C, Suite 310 • 4171 N. Mesa Street • El Paso, Texas 79902
(915) 832-4100 • (FAX) (915) 832-4190 • http://www.ibwc.state.gov

HCDD1. In addition, USIBWC is not able to sole source future work to HCDD1 or reimburse HCDD1 for the work it is performing on USIBWC levees since it would circumvent the established federal budgetary process with respect to both the Executive and Congressional branch roles, and would raise issues regarding consistency with federal procurement law and the Anti-Deficiency Act.

We appreciate your support in the improvement of the LRGFCP within Hidalgo, Cameron and El Paso Counties and the flood control projects of the USIBWC along the Rio Grande which provide protection to people from injury and destruction caused by flooding. Please let me know if you need additional information.

Sincerely,

[redacted]

b (6)

Carlos Marin, P.E.
Commissioner

DRAFT DRAFT DRAFT 2/7/08

Dear XXX

[redacted] b (5)

[redacted] b(5)

[redacted] b (5)

[redacted] b (5)

[redacted] b (5)

[redacted]

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

April 1, 2008

Mr. John Dickson
Director
Office of Mexican Affairs (WHA/MEX)
U.S. Department of State, Room 4258
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Dickson:

By letter dated February 26, 2008, you asked the U.S. Section to provide the U.S. Department of State with a written report assessing whether the proposed 18-foot high combined levee-border wall structure in the Lower Rio Grande Valley would allow for flood flows consistent with existing IBWC Minutes, whether it may cause deflection or obstruction of the normal flow of the river or of its flood flows, and whether Mexico would be adversely affected through any such deflection or obstruction. If the proposed structure could have adverse consequences, you ask for the U.S. Section to provide recommendations on how the project could be modified to prevent such consequences.

In response to your request, I have enclosed the Report Assessing the Proposed Levee-Border Wall in Light of International Commitments of the 1970 Boundary Treaty and the Lower Rio Grande Flood Control Project prepared by U.S. Section staff.

To summarize the report's findings, [redacted] b (5)

Should you have any questions about the report, please do not hesitate to contact me at 915-832-4157.

Sincerely,

[redacted] b (6)

Carlos Marin, P.E.
Commissioner

Enclosure(s)
As stated

The Commons, Building C, Suite 310 • 4171 N. Mesa Street • El Paso, Texas 79902
(915) 832-4100 • (FAX) (915) 832-4190 • http://www.ibwc.state.gov

MAIL

From:	ed.drusina@ibwc.gov
To:	Carlos Pena, Sally Spener, Matthew Myers, Frisbie, Russell L
CC:	Ed Drusina
Subject:	Re: TRUMP BORDER 'WALL' TO COST $21.6 BILLION, TAKE 3.5 YEARS TO BUILD: INTERNAL REPORT
Date:	10-Feb-2017 14:40
Attachments:	TEXT.htm *(excluded from export)*
Creation Date:	10-Feb-2017 14:40
Store Date:	10-Feb-2017 22:23
Status:	accepted,opened,read
Box Type:	sent
Folder:	Ed Drusina Home > Sent Items
Message Id:	589DD0DD.USIBWC.ELP.200.200001A.1.46B4D.1

Russell, Reach out to congressional offices offering our facilities and knowledge of the border to the visiting congressional staff.

Carlos, Tell the AOM's to reach out to the regional CBP offices noting our interest in being included in any meetings that they have along the border regarding the wall/fence. We need to be part of this team effort. All such scheduled and actually held meetings need to be included in your weekly report. You need to stay on top of this for us.

Sally, any notifications you receive regarding such visits also need to be reported. Citizen forums need to hear what we hear about all wall planning activities.

Thanks Russell

Ed

Sent from my iPhone

> On Feb 10, 2017, at 5:39 AM, Frisbie, Russell L <FrisbieRL@state.gov> wrote:
>
> FYI. The "fences" bit likely reflects recognition of the reality of the river boundary. Presumably Messrs. Flossman and Recinos will be in a position to brief us shortly.
>
>
>
> TRUMP BORDER 'WALL' TO COST $21.6 BILLION, TAKE 3.5 YEARS TO BUILD: INTERNAL REPORT
> By Julia Edwards Ainsley
> Reuters, February 9, 2017
> President Donald Trump's "wall" along the U.S.-Mexico border would be a series of fences and walls that would cost as much as $21.6 billion, and take more than three years to construct, based on a U.S. Department of Homeland Security internal report seen by Reuters on Thursday.
>
> The report's estimated price-tag is much higher than a $12-billion figure cited by Trump in his campaign and estimates as high as $15 billion from Republican House Speaker Paul Ryan and Senate Majority Leader Mitch McConnell.

>
> The report is expected to be presented to Department of Homeland Security (DHS) Secretary John Kelly in coming days, although the administration will not necessarily take actions it recommends.
>
> The plan lays out what it would take to seal the border in three phases of construction of fences and walls covering just over 1,250 miles (2,000 km) by the end of 2020.
>
> With 654 miles (1,046 km) of the border already fortified, the new construction would extend almost the length of the entire border.
>
> Many cost estimates and timelines have been floated since Trump campaigned on the promise of building a wall. The report seen by Reuters is the work of a group commissioned by Kelly as a final step before moving forward with requesting U.S. taxpayer funds from Congress and getting started on construction.
>
> A DHS spokeswoman said the department does "not comment on or confirm the potential existence of pre-decisional, deliberative documents."
>
> A White House spokeswoman said it would be "premature" to comment on a report that has not officially been presented to the president.
>
> The report said the first phase would be the smallest, targeting sections covering 26 miles (42 km) near San Diego, California; El Paso, Texas; and in Texas's Rio Grande Valley.
>
> The report assumes DHS would get funding from Congress by April or May, giving the department sufficient time to secure contractors and begin construction by September. Trump has said Congress should fund the wall upfront, but that Mexico will reimburse U.S. taxpayers. Mexico has said it will not pay.
>
> Several U.S. congressional delegations are visiting the border this month to assess funding needs, according to several people familiar with the travel plans.
>
> The report shows the U.S. government has begun seeking waivers to address environmental laws on building in some areas. It also shows the government has begun working with existing contractors and planning steel purchases for the project.
>
> Trump told law enforcement officials on Wednesday, "The wall is getting designed right now."
>
> The report accounted for the time and cost of acquiring private land, one reason for its steep price increase compared to estimates from Trump and members of Congress.
>
> Bernstein Research, an investment research group that tracks material costs, has said that uncertainties around the project could drive its cost up to as much as $25 billion.
>
> The second phase of construction proposed in the report would cover 151 miles (242 km) of border in and around the Rio Grande Valley; Laredo, Texas; Tucson, Arizona; El Paso, Texas and Big Bend, Texas. The third phase would cover

an unspecified 1,080 miles (1,728 km), essentially sealing off the entire U.S.-Mexico border.
>
> BARRIERS TO CONSTRUCTION
>
> The report lays out costs to cover the border with barriers, but funding constraints and legal battles are likely to place limits on those plans.
>
> It also does not account for major physical barriers, like mountains, in areas where it would not be feasible to build.
>
> A source familiar with the plans said DHS may have to go to court to seek eminent domain in order to acquire some of the private land needed to cover the final and most ambitious phase.
>
> The first phase, estimated to cost only $360 million, could be a relatively easy way for Trump to satisfy supporters eager to see him make good on his campaign promises to limit illegal migration. But the rest of the construction will be markedly more expensive, covering a much larger stretch of land, much of it privately owned or inaccessible by road.
>
> In addition to seeking eminent domain and environmental waivers, the U.S. government would also have to meet the requirements of the International Boundary and Water Commission, a U.S.-Mexico pact over shared waters. The report estimated that agreement alone could bring the cost from $11 million per mile to $15 million per mile in one area.
>
>
>
> Official
>
> UNCLASSIFIED
>
>
>
> Official
>
> UNCLASSIFIED
>
>

MAIL

From:	sally.spener@ibwc.gov
To:	Lisa Holguin, Ed Drusina
Subject:	PAO and FAO weekly report
Date:	10-Feb-2017 08:56
Attachments:	Weekly Report Feb 6 - Feb 10, 2017ses.docx [Save] [Open] TEXT.htm *(excluded from export)*
Creation Date:	10-Feb-2017 08:56
Store Date:	10-Feb-2017 22:23
Status:	opened,read,replied
Box Type:	received
Folder:	Ed Drusina Home > Mailbox
Message Id:	589D8024.$$$.$$$.200.2000046.1.34682.1

See attached.

FAO/PAO WEEKLY REPORT ENDING FEB 10

Mexican Officials:
SRE: Secretary Luis Videgaray Caso, Undersecretary for North America Carlos Manuel Sada Solana. Until Geronimo Gutierrez is confirmed as Ambassador, the top official at the Embassy is Ana Luisa Fajer.
CONAGUA: Director General Roberto Ramirez de la Parra, Deputy Director Victor Alcocer Yamanaka.

LETTERS RECEIVED FROM MEXICO, TRANSLATED AND FORWARDED TO ADDRESSEE:

[redacted]

OUTGOING LETTERS REVIEWED BY FAO:

- [redacted]

CALENDAR

Feb 8 Transboundary Aquifer Assessment, Nogales (interpretation)
Feb 8 Lower Rio Grande Citizens Forum (Saltcedar Beetle, Brownsville Levee Rehab)
Feb 10 Congressional Staff Visit and American Dam tour
Feb 13 USIBWC planning Mtg. for Feb 22-23 IBWC Regional Commission Meeting
Feb 14 Minute 32X, US Minute Negotiating Group telecon
Feb 16 Convention of 1906 binational meeting (interpretation)

MINUTE 319 – 10 months and 18 days left in Minute 319.
EMERGENCY DELIVERIES MINUTE 322 - Entered into force on Feb. 3, 2017.
VEHICLE DECAL MINUTE 321 - Entered into force on Feb. 3, 2017. [redacted]

MEDIA AND STAKEHOLDER INQUIRIES

- KRGV, Channel 5--covered Lower Rio Grande Citizens Forum meeting.
- KRGV, Channel 5--On Falcon Dam encroachment. Gave an update that letters have not been sent to DOJ and some residents have been offered extensions, some structures can stay.
- Various inquiries on border wall referred to DHS.
- Ray Stern--Phoenix New Times--Following up on the gate erected at San Miguel, AZ, affecting access for tribal members. Advised we are surveying the area next week.
- Japanese TV production company called Zazou Productions-- filming a documentary about the US/Mexico border for Fuji Television. Referred to Realty for permit to film on USIBWC land. [redacted]

[redacted]

FAO/DC LIAISON WEEKLY REPORT ENDING FEB 10

Weekly Report: February 6 -10, 2017

Though I will go into more detail in separate reports, let me highlight a few of the things dealt with this week while I was in Washington:

[redacted]

b (5)

New Mexican Ambassador: although the Department of State does not comment publicly on such matters, the USG *has* granted agrément (*beneplácito*) to the GOM for its nomination of Gerónimo Gutiérrez to serve as Ambassador of Mexico to the United States. Next step for him will be confirmation by the Mexican Senate, thence on to Washington, D.C.

Secretary of State Tillerson/Foreign Affairs Minister Videgaray Meeting: the Mexican FM traveled to DC for a meeting with his U.S. counterpart on the latter's fifth day in office; Secretary Tillerson also received his Canadian counterpart on Wednesday. The short official readout follows: *Secretary Tillerson and Foreign Secretary Videgaray said they look forward to working together on the essential relationship between our two countries. They had a constructive conversation on a range of U.S.-Mexico collaboration including law enforcement, migration, and security. They agreed the Secretary would visit Mexico City.*

b (5)

February 10, 2017

WHA Leadership Chain
Francisco "Paco" Palmieri: Assistant Secretary for Western Hemisphere Affairs, Acting PalmieriFL@state.gov 202.647.8387
John Creamer : Deputy Assistant Secretary CreamerJS@state.gov 202.647-6755
Colleen Hoey: Director for Mexican Affairs (WHA/MEX) HoeyCA@state.gov 202.647.8186

MAIL

From:	ed.drusina@ibwc.onmicrosoft.com
To:	Lisa Holguin, Carlos Pena, Sally Spener, Diana Forti, Matthew Myers, Fred Graf, Jose Nunez, Russell Frisbie, Lori Kuczmanski
CC:	Ed Drusina
Subject:	Weedkly Rpt Ending Feb 10.docx
Date:	12-Feb-2017 13:14
Attachments:	Weedkly Rpt Ending Feb 10.docx [Save] [Open] Mime.822 *(excluded from export)* ATT00001.txt *(excluded from export)*
Creation Date:	12-Feb-2017 13:13
Store Date:	12-Feb-2017 22:05
Status:	
Box Type:	received
Folder:	Ed Drusina Home > Mailbox
Message Id:	58A05FA4.USIBWC.ELP.200.20000CE.1.4DC4D.1

All, my comments are attached.

WEEKLY REPORT
FEB 10, 2017

Commissioner Drusina in San Diego CA Feb 8-10 attending Western Water Law Conference. (b) (5) [redacted]

Operations Department Weekly Report Ending Feb 10

Carlos - Please add the name of each AOM to the lead in for their areas. I want to see them getting the credit they deserve in their weekly reports.

1. San Diego**(Steve Smullen Reports)** - Pump Station CILA still off line. Flow down to 1.5 cms or so. Minor rain on 2/6, more expected on 2/10 and later next week. Minute 320 Sediment and Solid Waste working group meetings scheduled for March 1 at CESPT offices in Tijuana. (b) (5) [redacted]

2. Yuma – U.S. deliveries to Mexico from February 1-8, 2017 are 38,961 af; of Mexico's requested order of 38,945 af. Deliveries are over Mexico's requested order by +15 af. Precip to date: Upper Colorado River basin 122% (11.7"); compared to last year 102%. Current snow pack – Upper Colorado River 142% (10.5"); compared to last year 105% (b) (5) [redacted]

3. Nogales - Lorenzo Ortiz attended the 2/8/17 presentation in Nogales AZ regarding the Sand Pedro and Santa Cruz aquifer studies

Upper Rio Grande- (b) (5) [redacted]

BOTA Operations: Total cleaned on a weekly basis = 2,456 Linear Feet. (b) (5) [redacted]

Image 1 (BOTA Before)

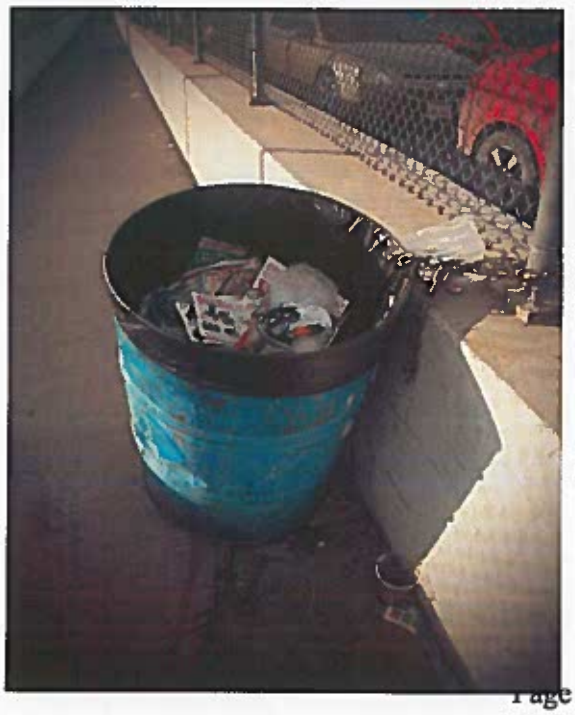


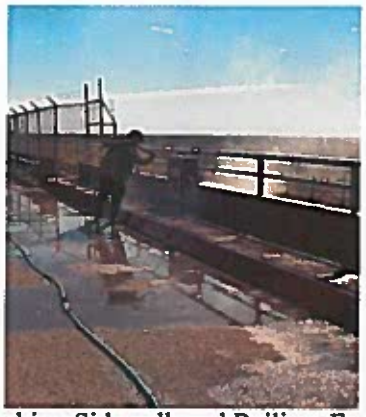
Image 2 (BOTA After)**Nice clean up job.**

Presidio - Conduct maintenance of gage stations at Above, Vehicle Bridge, and Below. Conduct river water measurements at Candelaria, Johnson, and Terlingua Gage stations. Preventive Maintenance and painting of gage house at Alamito, Above and Vehicle Bridge Gage Station.

Falcon – Continued pressure washing the Dam Spillway Roadway Deck and Sidewalks. This is being done to remove decades of dirt and mold in-order to better identify any hairline cracks or concrete damage (see photos below)\

Pressure Washing Sidewalk and Railing, Facing East.

Pressure Washing Sidewalk, Facing North



Pressure Washing Sidewalk and Railing, Facing North.

Laredo - Carried out a joint site visit with CILA of the on-going Section 206, Aquatic Ecosystem Restoration, near the river next to the community college led by the City of Laredo and the USACE.

Site visit by CRP, Leslie Grijalva, scheduled for the 15th to certify office as official CRP partner.

Amistad - Weekly inspection the concrete section, embankments, and surrounding area was done by Dam Safety Technician. (b) (5) [redacted]

Lower Rio Grande - . LRGFO Carrizo Cane Biological control efforts south of Brownsville. USDA began topping (cutting) the cane at 3 feet height around the Gateway Bridge and Fort Brown area. USDA spread the wasp along the areas where the cane was topped. (In Progress, currently undergoing) **CLEARING** -Mowing downstream of Alamo Road and upstream of FM 107. (b) (5) [redacted]

Before **After**

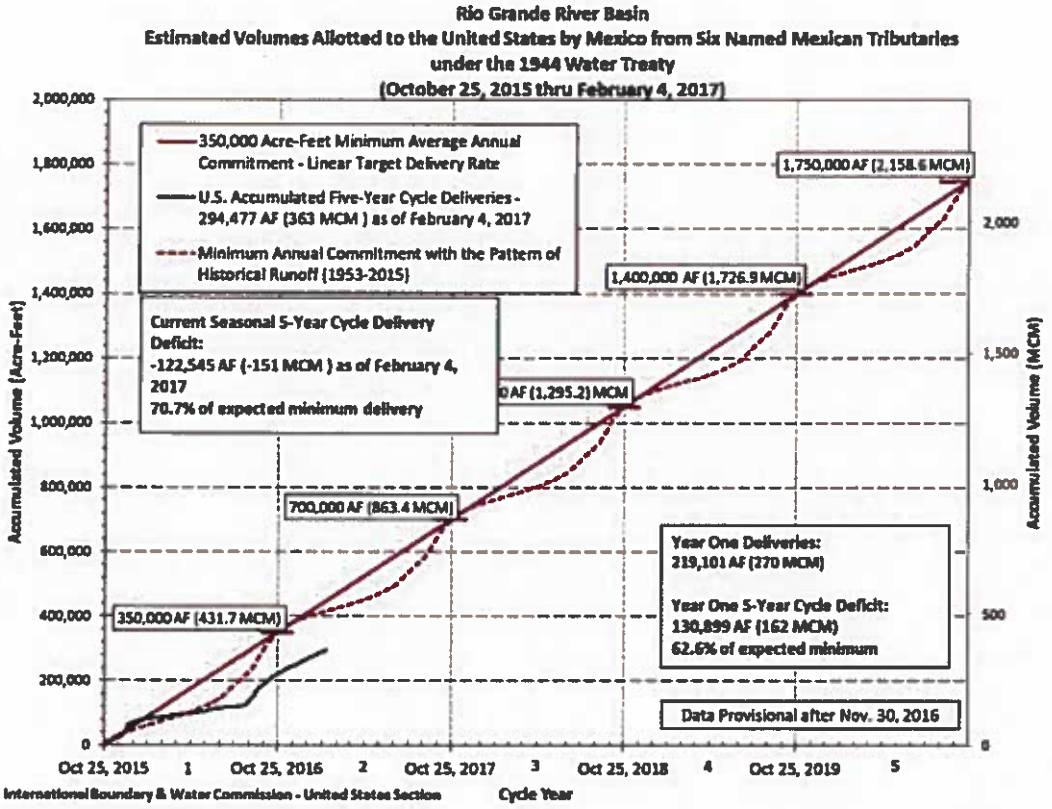
Before **After**

Power Production – (b) (5) [redacted]

(b) (6) [redacted]

Safety/Security - The Safety Manager attended the Hazmat Instructor course in El Paso 7-10 February.

WAD- 1906 Meeting Thursday Feb (b) (5) [redacted]



ENGINEERING DEPARTMENT WEEKLY REPORT ENDING FEB 10

a. Presentations: Citizens Forum, Mercedes (Rubalcaba) - Held Feb 8. Brownsville levee remediation. Media wanted construction start date. (Canava) -Congressional Staff on Feb 10.

b. Amistad Geotechnical Study (Landis) – [redacted]

c. [redacted]

e. [redacted]

f. (b) (5) [redacted]

g. Vado East Levee Rehabilitation (Glover) - Substantial completion reached Feb 7, 2017.

h. (b) (5) [redacted]

k. Realty (Corpus) – Provided comments to proponent for LSF/G 490; research for Shady Haven docs, Angostura Arroyo; preparing flood notices for 2017.

l. Mercedes Survey Crew (Caltzontzint) – Researched land ownership of parcels surrounding Arroyo Colorado gaging station; Elevations at Anzalduas Buoy Project for cable installation.

m. (b) (2) [redacted]

n. (b) (6) [redacted]

q. Alamito and Terneros Creeks (Blough) – Reviewed and commented on MOAs for disposal of sediment from on the Estrada and Nieto Properties.

r. Arroyo Colorado (Blough) – (b) (5) [redacted]

s. Texas Clean Rivers (Garcia) – Reviewed Nov lab data; Revised 2017 Basin Highlights Report.

t. (b) (5) [redacted] (b) (5)

u. (b) (5) [redacted]

w. Latitude Geographics (GeoCortex) (Sheila/Ruy) - Met with Scott Stafford-Veale software representative. EMD Liz and Albert Flores provided their department uses of product.

x. (b) (6), (b) (5) [redacted]

y. (b) (6) [redacted]

z. USIBWC Real Property Assessment (I. Duran) – Map 13 is complete, export to Google Earth shows good fit of lay of land; Planning trip to LRGV to retrieve missing computation sheets for EOF in state plan coordinate system. (G. Duran) – working on ROW downstream of Anzalduas. Approx. 14 miles of USIBWC ROW described in AutoCAD Civil 3D so far (b) (5) [redacted]

ADMINISTRATIVE DEPARTMENT WEEKLY REPORT ENDING FEB 10

FY 2017 Budget: (b) (5) [redacted]

FY 2018 Budget: No new developments.

FY 2016 IT FISMA: (b) (5) [redacted]

Executive Orders / Memorandum relevant to our Agency provided via separate e-mail. Will continue to provide updates on new EO/Memorandum.

Managers Meeting – submitted draft agenda with proposed data for March 3.

FY 2017 (b) (5) [redacted]

Misc Reviews:

- (b) (5) [redacted]
- [redacted]

Internal Controls and Risk Assessments – Pending – too many conflicting schedules. **Need a draft agenda.**

- (b) (5) [redacted]
- [redacted]

ERM – Pending – looking to schedule in the last couple of weeks. **Need a draft agenda.**

Administration Department Reviews:

Completed:

- AMO – personal property review finalized and report submitted.

Pending:

- Fleet management. .
- RMO – records management on-going.
- IMD – initiated review of the Network section of the division.

Performance ratings for ACQ completed. Supervisory ratings – ongoing – will complete next week. Performance plans issued.

MAIL

From: (b) (6) [redacted]
To: [redacted]
CC: [redacted] Ed Drusina, (b) (6) [redacted]
Subject: Re: Draft 18th report and timeline
Date: 13-Feb-2017 10:00
Attachments: TEXT.htm *(excluded from export)*
Mime.822 *(excluded from export)*
18th Rept Outline_v4-kp.docx [Save] [Open]
Creation Date: 13-Feb-2017 10:00
Store Date: 13-Feb-2017 22:21
Status:
Box Type: received
Folder: Ed Drusina Home > Mailbox
Message Id: 58A183C1.USIBWC.ELP.200.20000F3.1.34EF5.1

Hi Paul,
I have a two questions for you about the outline of the 18th report.
First, for context, I cut and paste below some sections of President Trump's Executive Order regarding the border:

Executive Order: Border Security and Immigration Enforcement Improvements
https://www.whitehouse.gov/the-press-office/2017/01/25/execu
tive-order-border-security-and-immigration-enforcement-improvements

Sec. 2. Policy. It is the policy of the executive branch to:
(a) secure the southern border of the United States through the immediate construction of a physical wall on the southern border, monitored and supported by adequate personnel so as to prevent illegal immigration, drug and human trafficking, and acts of terrorism;

Sec. 3. Definitions.
e) "Wall" shall mean a contiguous, physical wall or other similarly secure, contiguous, and impassable physical barrier.

*Sec. 4. Physical Security of the Southern Border of the United States. *
(d) Produce a comprehensive study of the security of the southern border, to be completed within 180 days of this order, that shall include the current state of southern border security, all geophysical and topographical aspects of the southern border, the availability of Federal and State resources necessary to achieve complete operational control of the southern border, and a strategy to obtain and maintain complete operational control of the southern border.

My two questions,

b (5)

b (5)

best,
Keith

---

b (6)

[redacted]

On Sun, Feb 12, 2017 at 9:41 AM, [redacted] b (6) [redacted] wrote:

> H. i All,
> Many thanks to all of you who were able to attend the meeting in Imperial
> Beach where we developed a draft outline for the 18th report. A copy of the
> outline is attached. Please review the draft and add in Track Changes your
> corrections, additions, and other suggestions and return to me by the close
> of business on February 16. Be sure to communicate with your workgroup
> members as necessary.
>
> Please note that the final structure of the report will evolve to reflect
> the content provided by the workgroups.
>
> Some of you not in Imperial Beach will find your names listed as a member
> of a workgroup or two. If this is not ok, please let me know.
>
> For those of you who did not attend the Imperial Beach meeting, please
> sign up to participate where your expertise will help develop the 18th
> report.
>
> Thanks, in advance, for your quick response. We will have less time than
> usual this year to prepare our report and need to be ready to approve the
> report in early September.
>
> Best wishes,
> Paul
>

18th Report Outline and Timeline

Section 1. b (5)

b (5)

b (5)

b (5)

b (5)

b (5)

b (5)

b (5)

b (5)

b (5)

b (5)

Section 5: Recommendations

b (5)

b (5)

Elements for each workgroup to consider:

- b (5)

[redacted] b (5)

Timeline for workgroups:

- Feb. 16, COB, all revisions to draft outline sent to P. Ganster
- Feb. 18, revised draft outline with all workgroup members incorporated will be sent out
- Feb. 24, revised outline for the report with all contact information for workgroups and logistics of workgroup
- Workgroup leader sets timelines within workgroup to meet the draft deadline of mid-April to have the workgroup text completed (with potential recommendations)
- Compile draft and circulate to GNEB
- Early May have an all GNEB conference call to discuss the GNEB draft
- Early September have the final report approval phone call

DRAFT

MAIL

From:	ed.drusina@ibwc.gov
To:	Sally Spener
Subject:	Re: request for input on State of the Commission
Date:	28-Feb-2017 06:28
Attachments:	TEXT.htm *(excluded from export)*
Creation Date:	28-Feb-2017 06:28
Store Date:	28-Feb-2017 23:01
Status:	opened,read
Box Type:	received
Folder:	Sally Spener Home > Cabinet > Annual Report
Message Id:	58B51882.USIBWC.ELP.200.200001A.1.473F6.1

Thanks, for 2017 I would like for you to add [redacted] (b) (5) [redacted]

Sent from my iPhone

> On Feb 27, 2017, at 8:42 AM, Sally Spener <Sally.Spener@ibwc.gov> wrote:
>
> Commissioner,
>
> In response to your note in the weekly report, here is my input.
>
> FAO and PAO accomplishments over last few years:
> Negotiated Minute 32X,
> Signed Minutes 320 (Tijuana River Watershed), Minute 321 (Commission vehicle decal), Minute 322 (Tijuana emergency deliveries).
> Hired staff so the office is fully staffed.
> Translated numerous technical reports (groundwater, safety of dams, Colorado River environmental reports, etc.).
> Recruited and installed board members for 5 active Citizens Forum boards.
> Continued to convene Regional Commission Meetings.
> Coordinated IBWC participation in World Water Forum in South Korea.
>
> Some items for 2017:
> (b) (5) [redacted]
>
> Sally E. Spener, Foreign Affairs Officer
> IBWC, U.S. Section
> Headquarters
> (915) 832-4175

> (915) 693-4280 Fax
> "Excellence Through Teamwork"
> STATEMENT OF CONFIDENTIALITY
> The information contained in this electronic message and any attachment(s) to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. You are hereby notified that any unauthorized use, disclosure, and/or distribution of the information is strictly prohibited. If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you receive this e-mail in error, please notify the sender immediately by reply e-mail and permanently destroy along with any attachments without reading, forwarding, saving, or disclosing them.
>
>
>

MAIL

From:	ed.drusina@ibwc.gov
To:	Carlos Pena, Russell Frisbie, Matthew Myers, Jose Nunez
Subject:	Re: Agency plans to award Mexico border wall contracts by April (news article)
Date:	28-Feb-2017 13:27
Attachments:	TEXT.htm *(excluded from export)*
Creation Date:	28-Feb-2017 13:27
Store Date:	28-Feb-2017 22:20
Status:	accepted,opened,read
Box Type:	sent
Folder:	Ed Drusina Home > Sent Items
MessageId:	58B57AD2.$$$.$$$.200.200001A.1.53282.1

Thanks, interesting approach that DHS and the Corps is following.

Sincerely,

Edward Drusina, P.E.
Commissioner
USIBWC
"Excellence Through Teamwork"

STATEMENT OF CONFIDENTIALITY
The information contained in this electronic message and any attachments(s) to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. You are hereby notified that any unauthorized use, disclosure, and/or distribution of the information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately via e-mail, and destroy all copies of this message and any attachments.

>>> Jose Nunez 2/28/2017 12:07 PM >>>
http://www.krgv.com/story/34599038/agency-plans-to-award-mexico-border-wall-contracts-by-april

MAIL

From:	ed.drusina@ibwc.gov
To:	Lisa Holguin
Subject:	Fwd: Meeting w/ DHS, March 23rd, Border Fence
Date:	08-Mar-2017 07:45
Attachments:	TEXT.htm *(excluded from export)*
	ReporttoStateDepartmenton18leveewall.pdf [Save] [Open]
	HCDD 1 Letter, February 21, 2017, to DHS.pdf [Save] [Open]
	TEXT.htm *(excluded from export)*
	TEXT.htm *(excluded from export)*
Creation Date:	08-Mar-2017 07:45
Store Date:	08-Mar-2017 22:20
Status:	accepted,opened,read
Box Type:	sent
Folder:	Ed Drusina Home > Sent Items
Message Id:	58BFB6AB.USIBWC.ELP.200.200001A.1.47A7A.1

Print out and include in my package.

Sent from my iPhone

Begin forwarded message:

> From: "Jose Nunez" <Jose.Nunez@ibwc.gov>
> To: "Ed Drusina" <Ed.Drusina@ibwc.gov>, "Russell L Frisbie" <frisbierl@state.gov>
> Subject: Meeting w/ DHS, March 23rd, Border Fence
>
> Gentlemen:
>
> In anticipation of your meeting with DHS on March 23rd in DC, please find attached the following documents that might of use to you during this meeting:
>
> 1. USIBWC letter dated April 1, 2008, to DOS
>
> 2. HCDD No. 1, February 21, 2017, to DHS
>
> Regards,
>
> Jose
>

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

April 1, 2008

Mr. John Dickson
Director
Office of Mexican Affairs (WHA/MEX)
U.S. Department of State, Room 4258
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Dickson:

By letter dated February 26, 2008, you asked the U.S. Section to provide the U.S. Department of State with a written report assessing whether the proposed 18-foot high combined levee-border wall structure in the Lower Rio Grande Valley would allow for flood flows consistent with existing IBWC Minutes, whether it may cause deflection or obstruction of the normal flow of the river or of its flood flows, and whether Mexico would be adversely affected through any such deflection or obstruction. If the proposed structure could have adverse consequences, you ask for the U.S. Section to provide recommendations on how the project could be modified to prevent such consequences.

In response to your request, I have enclosed the Report Assessing the Proposed Levee-Border Wall in Light of International Commitments of the 1970 Boundary Treaty and the Lower Rio Grande Flood Control Project prepared by U.S. Section staff.

To summarize the report's findings, [redacted] b (5) [redacted]

Should you have any questions about the report, please do not hesitate to contact me at 915-832-4157.

Sincerely,

[redacted] b (6)

Carlos Marin, P.E.
Commissioner

Enclosure(s)
As stated

The Commons, Building C, Suite 310 • 4171 N. Mesa Street • El Paso, Texas 79902
(915) 832-4100 • (FAX) (915) 832-4190 • http://www.ibwc.state.gov

REPORT ASSESSING THE PROPOSED LEVEE-BORDER WALL IN LIGHT OF INTERNATIONAL COMMITMENTS OF THE 1970 BOUNDARY TREATY AND THE LOWER RIO GRANDE FLOOD CONTROL PROJECT

International Boundary and Water Commission, United States and Mexico, United States Section

March 31, 2008

Introduction

The U.S. Department of Homeland Security (DHS) is working to install fencing along the U.S.-Mexico border to hinder the illegal entry into the United States of vehicles, persons, and contraband. The U.S. Section of the International Boundary and Water Commission (USIBWC) has been in discussions with DHS regarding installation of fencing on or near the USIBWC Rio Grande flood control levee in the Lower Rio Grande Valley of South Texas. At the urging of local government leaders in South Texas and members of the region's Congressional delegation, the USIBWC and DHS have also been considering a proposal to install a type of floodwall incorporated into the river side of the U.S. levee that would serve the dual purpose of providing flood protection and enhancing border security by hindering illegal crossings into the United States. The wall, as envisioned by its proponents, would be 18 feet tall.

The U.S. Department of State by letter dated February 26, 2008 from John Dickson, Director, Office of Mexican Affairs, requested that the USIBWC provide a written report assessing whether the proposed 18-foot high combined levee-fence structure in the Lower Rio Grande Valley would allow for flood flows consistent with existing IBWC Minutes, whether it may cause deflection or obstruction of the normal flow of the river or of its flood flows, and whether Mexico would be adversely affected through any such deflection or obstruction. If the proposed structure could have adverse consequences, the Department of State requests that USIBWC provide a recommendation on how the project could be modified to prevent such consequences. This report intends to address the Department of State's requests.

Executive Summary

(b) (5)

[redacted]

[redacted]

b (5)

International Commitments for the Lower Rio Grande Flood Control Project

The United States and Mexico first agreed to a coordinated project for flood control in the Lower Rio Grande in 1932. Prior to that time, works were constructed separately by entities in each country and there was no internationally-coordinated plan. The United States proposed such a plan in 1931. The proposed plan contemplated a maximum flood of 240,000 second feet at Rio Grande City, with 112,000 second feet to be diverted into interior floodways in the United States, 40,000 second feet into Mexico, and 30,000 second feet through the channel of the Rio Grande below Brownsville. Due to the flattening effect on the flood crest caused by the steeper slope resulting from the withdrawal of water at the floodways, this would be equivalent to a flood at Rio Grande City of 137,000 second feet. It further proposed construction and/or improvement of river and floodway levees in both countries.

In July 1931, a flood resulted in discharge of large quantities of water to the Mexican side because of the inadequate physical condition of the U.S. floodways. It was presumed that Mexico would not object to a plan that provided for construction and operation of floodways in the United States that could handle larger volumes of water. As Colonel Crecelius wrote in December 1931, in his Special Report on Flood Control Investigations, Lower Rio Grande, "the proposed plans...would proceed along lines calculated to minimize the opportunity for protest on the part of Mexico which might otherwise result from the construction, operation and maintenance of a larger levee system only deflecting excessive quantities of floodwaters onto lands in Mexico. By the operation, under control of a Federal agency, of the proposed floodways of suitable capacity to take care of large quantities of water through the United States as proposed in this plan and estimated, international complications are avoided." The Crecelius Report also made note of exceptional agricultural development in the United States at the time while similar Mexican lands were largely undeveloped. This statement alludes to conditions that continued to exist in coming decades where levee construction was left to each country to determine the level of protection that it required in specific areas.

Upon review of the 1931 proposal, the Mexican Foreign Office did express concern about the need to better control lower flood discharges. As a result, further consideration was given and in 1932 the proposed plan was amplified to provide for the construction of two diversion dams.

The Preliminary Report on Flood Control Plans, Lower Rio Grande, September 3, 1932, by International Boundary Commission, United States and Mexico, contained three major recommendations:

"(1) That the two countries agree in general principle to the plan submitted as amplified to include the construction of two international diversion structures in the Rio Grande.

(2) That because of the emergencies which exist, each Section of the Commission be authorized to proceed without delay in the construction, operation and maintenance of such floodways as are located within their territory.

(3) That the two countries proceed with the development of an agreement providing for the construction, operation and maintenance by the International Boundary Commission of the two international diversion structures and for such regulations as may be deemed necessary and desirable for the control of floodway operations."

A series of letters exchanged in October 1932 among the two Sections of the Commission, the Mexican Foreign Office, and the U.S. Department of State indicate that the two countries approved Recommendation 2. However, Mexico withheld approval of the other recommendations regarding construction of diversion dams pending conclusion of a final agreement on equitable distribution of international waters (what later became the 1944 Water Treaty).

The 1932 agreement set the stage for international cooperation in the Lower Rio Grande Flood Control Project. The basic premise was that most of the floodwaters would be diverted into floodways in the United States and Mexico, leaving relatively small volumes of water in the Rio Grande. For this reason, subsequent agreements focused on the equitable diversion of floodwaters into the interior floodways of each country and the structures necessary to effect and convey such diversions. The international agreements give relatively little consideration to improvements designed to convey floodwaters along the river itself.

Article 6 of the Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, known as the1944 Water Treaty, directed the Commission to prepare plans for flood control works on the Rio Grande from Fort Quitman, Texas to the Gulf of Mexico. It also established that such works are subject to the approval of the two Governments: "Each Government agrees to construct, through its Section of the Commission, such works as may be recommended by the Commission and approved by the two Governments." This article suggests that Rio Grande flood control works cannot be constructed in one country unless approved by both Governments.

Minute No. 182, Approval of "Joint Report on Engineering Conference on Studies, Investigations and Procedures for the Planning of Works to be Built in Accordance with the Treaty of February 3, 1944," approved in 1946, and the related Joint Report broadly discuss engineering recommendations related to implementation of the 1944 Water Treaty. The Joint Report states, "A flood control project consisting of levees along the river and interior floodways is under construction jointly by the United States and Mexico to afford partial flood protection to the Lower Rio Grande Valley." Other documents indicate that works contemplated for the United States in the 1932 plan were constructed from fiscal year 1934 through fiscal year 1953.

Minute No. 187, Determinations as to Site and Required Capacities of the Lowest Major International Storage Dam to be Built on the Rio Grande, in Accordance with the Provisions of Article 5 of the Treaty Concluded February 3, 1944, approved in 1948, discussed the required flood control capacity for Falcon Reservoir in light of considerations related to the floodways of the International Flood Control Project.

Minute No. 196, Modification of the Original Plan for the Lower Rio Grande International Flood Control Project, approved in 1951, and the related Joint Report of the Principal Engineers, constituted the agreement for construction of Anzalduas Diversion Dam. The Joint Report states, "Estimates have not been developed for any new levees or improvements to existing levees or floodways that may be required, or irrigation diversion facilities since it appears that to the extent required these should be built by and at the expense of the country in which the works are located." Recommendation 5 of the Joint Report restates this point as, "Any additional levees or improvements to existing levees or floodways, and any irrigation diversion facilities which each country may desire to construct, be constructed by and at the entire expense of the country in which the work is located."

(b) (5)

[redacted]

Minute No. 212, Improvement of the Channel of the Lower Rio Grande, approved in 1962, provided for periodic clearing of the Lower Rio Grande channel to maintain its conveyance capacity.

In 1962, F.P. Brown prepared a Review of Lower Rio Grande Flood Control Project. This review was apparently conducted in light of flooding that occurred in 1958 and completion of construction of Anzalduas Dam in 1962. According to the report, following the 1958 flood, improvements were made to the U.S. system in 1958-1961. Presumably these improvements were carried out pursuant to the general guidelines of Minute No. 196. In describing 1962 conditions, Brown writes, "The United States river levee below Anzalduas is generally several feet above the Mexican levee, and as occurred in 1958, overflow would take place into the Mexican floodway...." Brown also indicates that the existing Mexican river levees are "now considered adequate by its authorities since Mexico's interim design criteria based upon 100,000, c.f.s..." [redacted]

b (5)

A Memorandum dated October 22, 1962 (author unnamed) that is an appendix of the Brown Report states that during the 1958 flood, the U.S. levees were threatened but there was no serious damage. However, the Mexican river levees between Anzalduas Dam and Brownsville were either overtopped by the floodwaters or intentionally breached to reduce flow in the river at Brownsville-Matamoros.

In September 1967, Hurricane Beulah struck the Lower Rio Grande Valley causing widespread flooding in both countries. By January 1968, U.S. Commissioner J.F. Friedkin had prepared the Recommended Plan for Repairs and Improvements, Lower Rio Grande Flood Control Project, Texas. The 1967 flood indicated a serious deficiency in the project due to "the inability to control flows into the United States floodways to safe amounts..." Immediately after the flood, "The understanding was reached that the two countries should proceed at the earliest practical date to provide the joint works in the main river channel, and the unilateral works required in each country to effect positive controlled diversions to its floodways of 50% of the waters in the main channel in excess of the safe capacity of the river downstream at the cities of Brownsville, Texas, and Matamoros, Tamaulipas."

The 1968 Report indicated the adoption of a design flood of "250,000 cfs with a high margin of safety on levees for urban areas and a margin for rural areas, as follows:

a) 5 feet of freeboard on the levees for protection of Mercedes and other urban areas which would provide protection against a 270,000 cfs flood with about 3.5 feet of freeboard remaining.

b) 3 feet of freeboard along all other levees, except as noted in c) below, which would protect against a 270,000 cfs flood with about 1.5-foot of freeboard remaining.

c) 2 feet of freeboard on the levees along the North Floodway downstream from Highway 77 bridge where there is less development."

b (5)

[redacted]

The plan also recommended alteration of floodway inlets to control flow into the U.S. floodways, improvement of the U.S. river levees downstream of Anzalduas Dam for 35 miles to the Mexican floodway, construction of a new diversion dam (Retamal), and other works on the interior floodways.

In a January 19, 1968 presentation to local authorities in the Lower Rio Grande Valley, Commissioner Friedkin discussed the recommended plan for the United States, as discussed above. He also discussed Mexico's plans as consisting of construction of storage dams on the San Juan and Alamo Rivers, joint construction of a diversion dam with the U.S. (Retamal), construction of a bridge across Mexico's main floodway (parts of Mexico were cut off during the 1967 flood), and strengthening of Mexican levees to protect the City of Reynosa.

Minute No. 238, Improvement of the International Flood Control Works of the Lower Rio Grande, and the related Joint Report of the Principal Engineers, approved in 1970, established a design flood of 250,000 cfs at Rio Grande City, provided for construction of Retamal Dam (some 40 years after it was originally proposed), and specified that each country would divert 105,000 cfs into its interior floodway. Given the greater volume of the design flood than that previously used, levee improvements were also necessary. Resolution 7 of Minute 238 states, "That each Government proceed to construct, operate and maintain at its own expense the improvement of the levees in its respective territory." (b) (5)

[redacted]

Considerations under the 1970 Boundary Treaty

The Treaty to Resolve Pending Boundary Differences and Maintain the Rio Grande and Colorado River as the International Boundary (1970 Boundary Treaty) resolved pending boundary differences between the two countries, established a means of determining the location of the international boundary where it is formed by the Colorado River or Rio Grande, authorized the Commission to maintain and restore the river channels as the international boundary, and tasked the Commission with preventing construction of works along the Colorado River and Rio Grande that would obstruct or deflect the normal or flood flows of the rivers.

Article IV (A) and (B) states:

"A. Each Contracting State, in the limitrophe sections of the Rio Grande and the Colorado River, may protect its bank against erosion and, where either of the rivers has more than one channel, may construct works in the channel or channels that are completely within its territory in order to preserve the character of the limitrophe channel provided, however, that in the judgment of the Commission the works that are to be executed under this paragraph do not adversely affect the other Contracting State through the deflection or obstruction of the normal flow of the river or of its flood flows.

B. (1) Both in the main channel of the river and on adjacent lands to a distance on either side of the international boundary recommended by the Commission and approved by the two Governments, each Contracting State shall prohibit the construction of works in its territory which, in the judgment of the Commission, may cause deflection or obstruction of the normal flow of the river or of its flood flows.

(2) If the Commission should determine that any of the works constructed by one of the two Contracting States in the channel of the river or within its territory causes such adverse effects on the territory of the other Contracting State, the Government of the Contracting State that constructed the works shall remove them or modify them and, by agreement of the Commission, shall repair or compensate for the damages sustained by the other Contracting State."

(b) (5)

[redacted]

b (5)

[redacted]

Conclusion

b (5)

[redacted]

(b)(5)

b (5)

Lege[redacted]

[redacted]

(b) (5)

(b)(5)

b (5)

(b) (5)

b (5)

HIDALGO COUNTY DRAINAGE DISTRICT No. 1
RAUL E. SESIN, PE, CFM
General Manager, Floodplain Administrator

BOARD OF DIRECTORS

DAVID L. FUENTES	EDUARDO "EDDIE" CANTU	RAMON GARCIA	JOE M. FLORES	JOSEPH PALACIOS
Board Member	Board Member	Chairman of the Board	Board Member	Board Member

February 21, 2017

Hon. Congressman Michael McCaul
Chairman of Homeland Security
Attn: John F. Kelly
Secretary of Homeland Security
Department of Homeland Security
Washington, D.C. 20528

RE: Continued Partnership for Protecting the US/Mexico Border ~ Border Levee Strengthening & Security Infrastructure Project
DHS – CBP-08-112-001 (Including Amendments A001 ~ A004)

Hon. Congressman McCaul:

On behalf of the citizens of Hidalgo County, I want to express our gratitude to the Federal Government, more specifically the Department of Homeland Security, for the work done to date under the joint grant agreement titled "Hidalgo County Border Infrastructure Improvement Program" dated 05/02/2008. To date, the "Border Levee Strengthening & Security Infrastructure Project", that resulted from the above referenced program, has served a dual purpose in providing over 20 miles of much needed flood protection against waters from the Rio Grande River, while at the same time providing border security to our great nation as identified on Exhibit A attached. The original intent was to complete approximately 50 miles of a river protective levee/wall for the entire length of Hidalgo County which is the most populous county along the Texas/Mexico border.

The estimated cost to complete the 50 mile program is projected to be just over $611,567,856.63. This active and open program to date has been awarded a total of $232,640,656.63 of which the local participation by Hidalgo County Drainage District No.1 consisted of $58,166,594 and a DHS contribution of $174,474,062.63. This funding was utilized to successfully complete the above referenced 20 miles of the Federal Border Infrastructure Project.

Based on the "Hidalgo County Levee Rehabilitation Project Economic Impact Study" prepared in April 2009 by the University of Texas Pan American, it was determined this $232,640,653 expenditure created a stimulus of over $317,000,000 of economic impact to the area, and created over 3,000 jobs. This was a tremendous boost to the economy of Hidalgo County in 2008 and 2009 when the rest of Texas and the Country experienced a severe economic downturn. Using a similar method of analysis, it is projected that Phase II would create over $500,000,000 of economic impact and over 5,000 new jobs. Needless to say, this would be a tremendous economic stimulus and jobs program for Hidalgo County and the Nation.

902 N. Doolittle Road • Edinburg, Texas 78542 | Office 956 292.7080 • Fax 956 292.7089

HIDALGO COUNTY DRAINAGE DISTRICT No. 1
RAUL E. SESIN, PE, CFM
General Manager, Floodplain Administrator

BOARD OF DIRECTORS

DAVID L. FUENTES	EDUARDO "EDDIE" CANTU	RAMON GARCIA	JOE M. FLORES	JOSEPH PALACIOS
Board Member	Board Member	Chairman of the Board	Board Member	Board Member

In order to complete this program, the partnership between Hidalgo County Drainage District No.1 and DHS needs to be continued via the preparation and approval of Amendment #5 to the previously referenced Grant Agreement. Amendment #5 needs to increase the total federal share from $174,474,062.63 to $553,401,262.63 for a net increase of **$378,927,200**. With the approval of Amendment #5, the continued partnership between DHS and Hidalgo County would result in an approximate **90/10 cost sharing breakdown for the $611,567,856.63 program.**

As I am sure you would agree, securing our borders is the responsibility of the Federal Government, however, due to the importance of protecting our borders for illegal immigration, as well as from flood waters from the Rio Grande River, we feel that the continued partnership is essential to protecting the State of Texas, as well as the United States.

Sincerely,

(b) (6)
[redacted]

Hon. Ramon Garcia
Chairman of the Board

Attachments (Exhibit 1 – Overall Hidalgo County Levee Gap Exhibit)

cc:
Hon. Senator John Cornyn – of Texas (R)
Hon. Senator Ted Cruz – of Texas (R)
Hon. Congressman Henry Cuellar – 28th District of Texas (D)
Hon. Congressman Vicente Gonzalez – 15th District of Texas (D)
Hon. Congressman Filemon Vela – 34th District of Texas (D)
Hon. Speaker Paul Ryan – Wisconsin's 1st Congressional District (R)
Hon. Chairman Kevin Brady – Texas's 8th Congressional District (R)
Hon. Majority Whip Steve Scalise – Louisiana 1st Congressional District (R)
Hon. Senator Thom Tillis – of North Carolina (R)
Hon. Congressman/Majority Leader Kevin McCarthy – 23rd District of California (R)
Hon. Greg Abbott – Governor of Texas (R)
Hon. Dan Patrick – Lt. Governor of Texas (R)
Hidalgo County Commissioners Court / HCDD1 Board of Directors (D)
Commissioner Edward Drusina – IBWC
Raul E. Sesin, P.E., CFM, HCDD1 General Manager

APPROVED BY HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 BOARD OF DIRECTORS
ON: 2/21/17

902 N. Doolittle Road • Edinburg, Texas 78542 | Office 956 292.7080 • Fax 956 292.7089
www.hcdd1.org

MAIL

From:	sally.spener@ibwc.gov
To:	Ruy Martinez
Subject:	Fwd: Re: American Recovery and Reinvestment Act levee repairs
Date:	10-Mar-2017 11:29
Attachments:	TEXT.htm *(excluded from export)*
Creation Date:	10-Mar-2017 11:29
Store Date:	10-Mar-2017 23:03
Status:	accepted,opened,read,replied
Box Type:	sent
Folder:	Sally Spener Home > Sent Items
Message Id:	58C28E29.$$$.$$$.200.2000046.1.36FAB.1

Thanks.

Sally E. Spener, Foreign Affairs Officer
IBWC, U.S. Section
Headquarters
(915) 832-4175
(915) 693-4280 Fax
"Excellence Through Teamwork"
STATEMENT OF CONFIDENTIALITY
The information contained in this electronic message and any attachment(s) to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. You are hereby notified that any unauthorized use, disclosure, and/or distribution of the information is strictly prohibited. If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you receive this e-mail in error, please notify the sender immediately by reply e-mail and permanently destroy along with any attachments without reading, forwarding, saving, or disclosing them.

>>> Ruy Martinez 3/10/2017 11:06 AM >>>
Sally,

We will work with Isela on updating the maps with a current status. They will be posted to our website once completed. I will send a follow up email upon completion.

Ruy

>>> Sally Spener 3/10/2017 10:37 AM >>>
Lori and Isela,

I received a couple of inquiries from the Sierra Club and Audubon about the Hidalgo County levees. According to them, Hidalgo County officials say there are still deficient Rio Grande levee segments in Hidalgo County so the county is seeking DHS funds for a levee-wall in the deficient areas. See forwarded email chain. Mr. Nicol's statement in his 3/10 message is not accurate. Also, the GIS levee maps on our web page have not been updated since May 2016, which

adds to the confusion. I have also attached the latest schedule discussing the status of the projects.

[redacted] b (5)

[redacted] b (5)

I am on annual leave starting today and won't be back until March 20. Can you get together on this to respond?

[redacted] b (5)

Sally E. Spener, Foreign Affairs Officer
IBWC, U.S. Section
Headquarters
(915) 832-4175
(915) 693-4280 Fax
"Excellence Through Teamwork"
STATEMENT OF CONFIDENTIALITY
The information contained in this electronic message and any attachment(s) to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. You are hereby notified that any unauthorized use, disclosure, and/or distribution of the information is strictly prohibited. If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you receive this e-mail in error, please notify the sender immediately by reply e-mail and permanently destroy along with any attachments without reading, forwarding, saving, or disclosing them.

>>> Lower Rio Grande Valley Sierra Club <lrgvsierraclub@gmail.com> 3/10/2017 7:29 AM >>>
Thank you for your help with this. Just to be clear, is it accurate to say that 1) all of the river levees in Hidalgo County were either rebuilt as part of DHS's levee-border wall project or were repaired using American Recovery and Reinvestment Act funds, and 2) for the river levees (but not necessarily the interior levees) IBWC has submitted certification to FEMA.

There would still be issues of drainage, as you mention in your earlier email, but the levees themselves are no longer in need of repair.

Sorry to belabor this, but I want to make certain that I do not misrepresent the current situation.

Thanks,

Scott Nicol
Lower Rio Grande Valley Sierra Club

On Fri, Mar 3, 2017 at 5:00 PM, Sally Spener <Sally.Spener@ibwc.gov> wrote:

In many communities, during non-flood conditions, local rainfall from the land side of the levee drains into the river via gates in the levee. However, during flood operations, the gates are closed to prevent the flooded river from flowing out onto the land side of the levees. There needs to be a plan for how to handle the land side runoff during these conditions, such as by pumping it over the levee. The drainage infrastructure varies among the communities but this is the general idea of how there needs to be a local drainage plan in order for FEMA to accredit a flood control system. We can fix the levees but there are still other flood control concerns that need to be addressed by local jurisdictions.

Sally E. Spener, Foreign Affairs Officer
IBWC, U.S. Section
Headquarters
(915) 832-4175
(tel:(915)%20832-4175)
(915) 693-4280
(tel:(915)%20693-4280) Fax
"Excellence Through Teamwork"
STATEMENT OF CONFIDENTIALITY
The information contained in this electronic message and any attachment(s) to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. You are hereby notified that any unauthorized use, disclosure, and/or distribution of the information is strictly prohibited. If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you receive this e-mail in error, please notify the sender immediately by reply e-mail and permanently destroy along with any attachments without reading, forwarding, saving, or disclosing them.

>>> Lower Rio Grande Valley Sierra Club <lrgvsierraclub@gmail.com> 3/3/2017 3:45 PM >>>
Thank you very much. One last question: could you clarify what drainage issues on the 'land side of the levees' could be? Does this mean for instance drainage ditches that channel water away from the levee? Or is there something about the land side of the levee itself?

Thanks,

Scott Nicol

On Fri, Mar 3, 2017 at 3:36 PM, Sally Spener <Sally.Spener@ibwc.gov> wrote:

Dear Mr. Nicol:
"Certification Submitted" means that the USIBWC has submitted documentation to FEMA indicating that USIBWC certifies the levee as meeting FEMA criteria. In that sense, the levee rehabilitation part of the accreditation process is complete. FEMA accreditation also depends on local communities addressing local drainage issues on the land side of the levees. In the Lower Rio Grande Valley, we are still in the construction phase on the North Floodway (Mercedes) and Union Pacific Railroad Crossing in Hidalgo County but, of course, this is the interior floodway, not the river levee.

Sally E. Spener, Foreign Affairs Officer
IBWC, U.S. Section
Headquarters
(915) 832-4175
(tel:(915)%20832-4175)
(915) 693-4280
(tel:(915)%20693-4280) Fax
"Excellence Through Teamwork"
STATEMENT OF CONFIDENTIALITY
The information contained in this electronic message and any attachment(s) to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. You are hereby notified that any unauthorized use, disclosure, and/or distribution of the information is strictly prohibited. If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you receive this e-mail in error, please notify the sender immediately by reply e-mail and permanently destroy along with any attachments without reading, forwarding, saving, or disclosing them.

>>> Lower Rio Grande Valley Sierra Club <lrgvsierraclub@gmail.com> 3/3/2017 1:14 PM >>>
Thank you, Ms. Spener. Can you please tell me what "Certification Submitted" on the maps means? Does this mean that the levee is fully rehabilitated? Or is there work still to be done? How do we know if FEMA has accredited the levees?

Since the LRGV maps are from May, could you tell me if there is still construction going on in the Hidalgo County levees closest to the river in any segment?

Thank you,

Scott Nicol

On Mon, Feb 27, 2017 at 5:59 PM, Sally Spener <Sally.Spener@ibwc.gov> wrote:

Dear Mr. Nicol:
For the status of our Rio Grande levee rehabilitation projects, with maps, please go to our web site at:
https://www.ibwc.gov/GIS_Maps/levee-rehab-status_tabbed.html

Sally E. Spener, Foreign Affairs Officer
IBWC, U.S. Section
Headquarters
(915) 832-4175
(tel:(915)%20832-4175)
(915) 693-4280
(tel:(915)%20693-4280) Fax
"Excellence Through Teamwork"
STATEMENT OF CONFIDENTIALITY
The information contained in this electronic message and any attachment(s) to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. You are hereby notified that any unauthorized use, disclosure, and/or distribution of the information is strictly prohibited. If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you receive this e-mail in error, please notify the sender immediately by reply e-mail and permanently destroy along with any attachments without reading, forwarding, saving, or disclosing them.

>>> Lower Rio Grande Valley Sierra Club <lrgvsierraclub@gmail.com> 2/25/2017 9:28 AM >>>
Hi Sally,

We are trying to learn the final outcome of the levee repairs that were to be funded with American Recovery and Reinvestment Act (aka the Stimulus package) funds in Hidalgo County, Texas. Were all of the levees in Hidalgo county that were in need of repair repaired & subsequently FEMA certified, or were there some levees in Hidalgo that are still in need of repair? A map showing the locations of the repairs that were completed would be especially helpful.

Thanks,

Scott Nicol
Lower Rio Grande Valley Sierra Club

MAIL

From: joyce.mark@epa gov
To: [redacted]
Subject: FW: Border Wall video and article in today's Austin Amerlican-Statesman
Date: 13-Mar-2017 12:55
Attachments: Mime.822 *(excluded from export)*
image001.png *(excluded from export)*
TEXT.htm *(excluded from export)*
Creation Date: 13-Mar-2017 12:55
Store Date: 13-Mar-2017 22:17
Status:
Box Type: received
Folder: Ed Drusina Home > Mailbox
Message Id: 58C696D2.USIBWC.ELP.200.200003A.1.323CC.1

Dear all,

Please see the following information from Steve Niemeyer. Everyone should be able to post information like this on the SharePoint site by the end of the week.

Mark

Mark Joyce
Senior Advisor
U.S. EPA (1601M)
1201 Constitution Avenue NW
Washington, DC 20004

Tel: 202-564-2130
Fax: 202-564-8129
Email: Joyce.Mark@epa.gov

From: Steve Niemeyer [mailto:steve.niemeyer@tceq.texas.gov]
Sent: Friday, March 10, 2017 6:47 PM
To: Joyce, Mark <Joyce.Mark@epa.gov>
Subject: Border Wall video and article in today's Austin Amerlican-Statesman

Hi Mark, everyone's getting in on the border wall story, including the paper in my little town of Austin. I hope the link works without needing a subscription.

http://projects.statesman.com/news/texas-border/noman.html?ref=cbTopWidget

I hope you had a good weekend!

Steve

Stephen M. Niemeyer, P.E.
Border Affairs Manager and Colonias Coordinator
Intergovernmental Relations Division
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building F
Austin, TX 78753
Mail Address:
MC-121
P.O. Box 13087
Austin, TX 78711-3087
512-239-3610 w
Steve.Niemeyer@tceq.texas.gov<mailto:Steve.Niemeyer@tceq.texas.gov>

[TCOT-150pix]

Please note the new phone number: 512-239-3610