

APPENDIX G: NEW RIVER THIRD PARTY COOPERATING AGENCIES AND ORGANIZATIONS

The cooperation of third party agencies and organizations is pivotal for TMDL compliance. These entities have technical expertise, resources, and organizational structures to effectively address the DO impairment in the New River at the International Boundary. The U.S. government, through the USEPA and USIBWC, is the proper authority to ensure waste discharges from Mexico do not cause or contribute to a violation of this TMDL. Actions taken by these federal agencies are extremely critical to the success of this TMDL.

G.1. United States Government

The United States Government, through USEPA and USIBWC, is responsible for ensuring that waste discharges to the New River and its tributaries in Mexico do not violate binational water treaties. IBWC is a U.S.-Mexican federal agency with roots in the "Treaty of Guadalupe Hidalgo of Peace, Limits and Settlement," signed by both countries in February 1848. The IBWC was established as the International Boundary Commission (IBC) in 1889 to deal with boundary issues. In 1944, the U.S. and Mexico signed the treaty entitled "Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande" (Mexican-American Water Treaty), which was ratified by the U.S. Congress in 1945. The Mexican-American Water Treaty changed the name of the IBC to the IBWC, and expanded IBWC jurisdiction and responsibilities. Both the United States and Mexico have commissioners appointed to the IBWC. In Mexico, the IBWC is called "Comision Internacional de Limites y Aguas" (CILA).

The USIBWC is part of the State Department. USIBWC jurisdiction extends along the International Boundary and inland into both countries where international projects are constructed. Responsibilities include implementing International Boundary water treaties and settling differences in this regard. The treaty specifies that the USIBWC is responsible for resolving sanitation and water quality problems at the International Boundary in cooperation with its Mexican counterpart.

The Presidents of Mexico and the United States signed the La Paz Agreement in August 1983. The La Paz Agreement made the USEPA the U.S. coordinator for pursuing practical, legal, institutional and technical measures to protect and improve the environment at the International Boundary. The agreement originally made the Mexican Secretaría de Desarrollo Urbano y Ecologia (SEDUE) the coordinator for Mexico. In 1992, Mexico transferred responsibility for International Boundary issues to the Secretaría de Desarrollo Social (SEDESOL). Currently, the Comision Nacional del Agua (CNA) has primary responsibility for water issues in Mexico in the International Boundary area.

To achieve this TMDL, BOD and NH₃ must be reduced from the New River and its tributaries in Mexicali, and immediate steps need to be taken to stop trash from crossing the International Boundary via the New River. This will require cooperation from Mexico and U.S. assistance.

G.2. New River/ Mexicali Sanitation Program Binational Technical Advisory Committee (BTAC)

BTAC oversees the measures identified in Minute No. 288 (titled “Conceptual Plan for the Long Term Solution to the Border Sanitation Problem of the New River at Calexico, CA – Mexicali, Baja California”). Minute No. 288 was signed in October 1992 by USIBWC and CILA (the Mexican counterpart to USIBWC). Minute No. 288 established short- and long-term solutions for sanitation problems plaguing the New River at the International Boundary. The primary focus of Minute No. 288 is to improve wastewater infrastructure. Short-term measures were completed in 1999. Long-term measures include constructing the Las Arenitas 20-MGD WWTP, and reconstruction/installation of 21 miles of sewage pipes in the Mexicali metropolitan area, both of which were completed in March 2007. USIBWC is working with its Mexican counterpart (CILA), and other federal and state agencies on both sides of the International Boundary, including the Regional Board, to address New River water quality problems at the International Boundary. Table 10.3 identifies BTAC members.

Table 10.3: BTAC Members

Mexico	United States
CILA (IBWC, Mexican Section)	USIBWC (IBWC, U.S. Section)
CNA (Comision Nacional del Agua, Mexican National Water Commission)	USEPA
CESPM (State Public Services Commission of Mexicali)	California State Water Resources Control Board
CEA (Comision Estatal Del Agua)	California Regional Water Quality Control Board, Colorado River Basin Region
Municipality of Mexicali	Imperial County
	IID
Border Environment Cooperation Commission (BECC), Mexico Section	Border Environment Cooperation Commission (BECC), U.S. Section

The establishment of BTAC has improved communication and technology transfers between the two countries. The California Environmental Protection Agency (Cal EPA), particularly the State Water Resources Control Board and the Regional Board, remain committed to working with all agencies/groups involved in addressing New River pollution problems.

G.3. Citizens Congressional Task Force on the New River (CCTF)

CCTF, managed by Desert Wildlife Unlimited Inc., coordinated with U.S. Bureau of Reclamation (USBR) to construct two wetlands in Imperial County to treat polluted water from the New River and agricultural drains (Tetra Tech Inc. and Wetlands Management Services, 2005). CCTF partnered with Imperial County and received a 1998 Salton Sea Reclamation Act Grant that partially funded these projects. IID provides in-kind matching funds (donated land) for the wetlands. Congress, through the USBR, allocated

\$3 million for construction of the wetlands. These projects focus on wetland removal of silt, pesticides, and selenium pollution in the New River and agriculture drain water. Comprehensive water quality monitoring is conducted on influent/effluent waters, as well as invertebrate, plant, bacteria, and wildlife studies. Water quality data at the two locations will be used to evaluate pollutant removal and wetland effectiveness in addressing New River pollution. The data may also facilitate future design modifications.

G.4. North American Development Bank (NADBank)

The North American Development Bank (NADBank) was created in 1993 by the North American Free Trade Agreement (NAFTA). NADBank is a binational funded organization, in which Mexico and the United States are equal partners. NADBank is the lead financier for public entities seeking financing for environmental infrastructure projects in the International Boundary region. NADBank also assists border communities identify funding sources and design financial plans for wastewater infrastructure projects (NADBank, 2001). Services provided by NADBank include:

- Participation in bond issues;
- Interim financing;
- Grant resources and government budget allocations through Border Environment Infrastructure Funds (BEIF);
- Loan guaranties; and
- Technical assistance through BECC.

G.5. Border Environment Cooperation Commission (BECC)

BECC was created by NAFTA. BECC is a binational organization with headquarters in both countries. BECC developed a Technical Assistance Program to assist border communities with preliminary engineering and design studies. The focus of the Technical Assistance Program is to: (a) develop projects that address environmental problems; (b) achieve BECC certification for projects; (c) provide grants to communities for technical assistance; and, (d) assist communities in obtaining BECC certification—a prerequisite for funding eligibility from NADBank and/or other sources. Funding for projects under the Technical Assistance Program comes from USEPA (BECC, 2001).

G.6. California Border Environment Cooperation Commission (CALbecc)

CalBECC was created in 1994 by the Governors of California, Baja California, and Baja California Sur. CalBECC identifies and promotes environmental infrastructure projects along the Boundary, establishes Boundary priorities, and solicits project funding. CalBECC can assist WWTP owners in soliciting funds for compliance with this TMDL. The CalBECC staff is within the State Water Resources Control Board's Border Program.

G.7. City of Calexico New River Committee (CCNRC)

CCNRC is a nonprofit organization organized in 1999. Its primary goal is to improve the social, political, and economic climate of the Imperial Valley and the City of Calexico by enclosing/treating the New River from the International Border through the City of Calexico. The State of California (AB 1079) allocated eight hundred thousand dollars (\$800,000) to the City of Calexico in 2009 for various planning needs necessary to develop a river parkway plan and river improvement project for the New River. The moneys were appropriated in order to secure and serve as matching funds for the four million dollars (\$4,000,000) allocated pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59) to the City of Calexico for the development of bicycle paths and public park space adjacent to the New River. Committee members are: U.S. Border Patrol, Calexico School District, Campesinos Unidos, City of Calexico, Calexico Waste Water Treatment Plant Imperial County, IID, Imperial Valley College, San Diego State University – Imperial Valley Campus, Heffernan Memorial Hospital District, and Imperial County Representative for Senator Denise Moreno-Ducheny.

G.8. University of California Cooperative Extension (UCCE), Holtville Field Station

The University of California Cooperative Extension (UCCE) was developed to apply university resources to local communities. UCCE offers workshops, programs, and technical assistance to growers on a broad range of agricultural topics, including conservation management practices. UCCE farm advisors conduct research on local problems, and extend that information, along with other related research, to local stakeholders. UCCE's Holtville Field Station conducts demonstration projects and research for preventing/mitigating potential water quality impacts. They also provide training courses and technical assistance for stakeholders.

G.9. United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS)

The United States Department of Agriculture Natural Resources Conservation Service (NRCS) is a federal assistance agency. NRCS provides technical assistance in securing finances for implementation of management practices. NRCS assists NPDES CAFOs in developing plans and specifications for containment prescribed by the general CAFOs NPDES permit.