

From: [Rebecca Rizzuti](#)
To: ggentsch@fisherind.com; [Kris Kobach](#)
Cc: [Apurba Borah](#); [Padinare Unnikrishna](#)
Subject: Structure in Lower Rio Grande Flood Control Project (RGV03)
Date: Friday, November 15, 2019 4:44:45 PM
Attachments: [Floodplain Lateral flow LRGV.PDF](#)
[Rio Grande fence within floodplain above Anzalduas dam.pdf](#)
[USIBWC_DrainageReviewList.pdf](#)

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Hi Mr. Gentsch and Mr. Kobach,

Thank you for Fisher Industries' submission of the attached documents.

Pursuant to a treaty between the U.S. and Mexico that was executed in November of 1970, Article IV (B) (1) (link to 1970 Treaty at : https://www.ibwc.gov/Treaties_Minutes/treaties.html) , the USIBWC requires that proponents of projects in the US floodplain of the Rio Grande river submit to the USIBWC (1) digital hydraulic models and calculations to assure that hydraulic impacts of the proposed project are within threshold limits and (2) a hydraulic report for their project. For major projects of the kind contemplated here, the USIBWC requires the development of two-dimensional HEC-RAS hydraulic models. Before model development begins, the USIBWC will share with you a methodology for the model and for the calculation of hydraulic impacts. This modeling allows the USIBWC to determine whether the proposed project in the floodplain will impact the flood flows and river flows in the Lower Rio Grande Flood Control Project where your project is located.

The USIBWC analyzes the hydraulic models and confers with Mexico about the analysis. If the hydraulic impacts due to the proposed project are noted to be within threshold limits, the USIBWC issues a letter of no objection to the project proponent. If there is deflection or obstruction exceeding these threshold limits, the USIBWC typically requests that the proponent modify their project design.

To facilitate the Government's compliance with this 1970 Treaty requirement

and process, the USIBWC requests that you:

1. Contact the USIBWC for a more detailed explanation of the methodology and calculation required; and
2. Submit to the USIBWC a packet with the hydraulic model and calculations and the project relevant items in the list identified in the attached PDF.

The USIBWC requests that you wait until its process is completed before continuing with construction of your structure. Please note that pursuant to the 1970 Treaty, Article IV. (B)(2), compensation can be sought for damages caused by a deflection or obstruction of the flood or river flows related to the structure or the maintenance of the structure. Please contact Dr. Padinare Unnikrishna or Dr. Apurba Borah (cc'd here) to visit about the methodology for the model and calculation of hydraulic impacts.

Also, please note that unauthorized vehicles are not allowed on USIBWC-controlled river levees. Please do not use any motorized vehicles on the levee. If you wish to use a levee for a special event or special use, please contact the USIBWC realty office to secure a permit for use of the levees.

Thank you for your cooperation and we look forward to working with you.

Respectfully,

Rebecca A. Rizzuti

Assistant Legal Adviser, USIBWC

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