

## USIBWC SECTION 3 PROGRESS REPORT: 2018 – 2020

The United States Section, International Boundary and Water Commission (USIBWC) is proud to report on the last three (3) years of Cultural Resource work at the USIBWC. Our mission is to provide binational solutions to issues that arise during the application of United States – Mexico treaties regarding boundary demarcation, national ownership of waters, sanitation, water quality, and flood control in the border region. We have submitted this report as a land management agency. We have chosen to answer each question individually as stated below. When reference is to IBWC, this is for both the United States and Mexico Sections of both countries.

- 1. Building upon previous Section 3 reports, how many historic properties have been identified by your agency in the past three (3) years? Have your identification methods improved? Approximately what percentage or portion of inventory has been surveyed and evaluated for the National Register?**

The USIBWC in the last three (3) years has identified at least ten (10) new historic properties. A total of five (5) identified properties have been evaluated as National Register Eligible. The total number of historic sites we have are over 1000 prehistoric and historic sites, with over 950 at Falcon Reservoir. The others vary from 10 to 20 in California and Arizona, and around 25 in New Mexico. This does not include the International Boundary Monuments located from El Paso, Texas to San Diego, California, a total of 276 monuments. In Texas, USIBWC has the Fort Brown National Historical Landmark (NHL) at Brownsville and several National Register Districts along the International Border with Mexico.

Our identification procedures have not changed in the last three (3) years. We use Indefinite Delivery, Indefinite Quantity (IDIQ) contractors for our cultural projects unless we can perform them in-house. The USIBWC has one Cultural Resources Specialist (CRS) for the agency and handles the United States - Mexico border where USIBWC properties exist. As projects arise, and feasible in scope and scale, the CRS conducts limited surveys and report writing. The USIBWC will use IDIQ contractors for most projects. As of September 2020, we have at least 90% of our lands surveyed. At Fort Brown NHL, we have evaluated the area for an Environmental Assessment (EA) for a future transfer of 166 acres of land to the National Park Service. We are hoping to complete an EA for Falcon Dam and Reservoir in 2021.

Our heritage assets vary in scope and location. The international land boundary monuments, 276 monuments, that run from El Paso, Texas to San Diego, California have not been evaluated for National Register Eligibility by the agency. It was found that other federal and state land management agencies have recorded them as *their* property and evaluated them. The CRS is working on nominating these monuments as a National Register Multiple Property Historical District which will entail formal evaluation as Eligible for the National Register. This is being conducted predominantly in New Mexico where the Border Wall is being constructed. This includes photography and surrounding site documentation as many of the areas where cut stone monuments were installed had camps near them in the 1890s.

The various New Deal projects from the 1930s along the border are also critical as heritage assets but are used today for flood and irrigation operations. Along the Rio Grande River, our levees and Reference Point (RP) monuments have been evaluated as eligible but not currently nominated for the National Register. They are located in various locations along the border in the U.S. and Mexico. These RPs were emplaced under the International Boundary Commission (IBC), the agency name until 1944 when formally changed to the IBWC. At Brownsville, Texas, the only National Historical Landmark we have is Fort Brown from the Mexican – American War of 1846 to 1848.

Presently, we have added new archeological sites at Falcon Reservoir and in Presidio, Texas. Additionally, in the Canalization Project of New Mexico because of ongoing sediment removal projects in the river that have found or updated sites under our PA with New Mexico SHPO. Some of the boundary monuments have been added as historic structures or sites on the border of New Mexico and Mexico. Smeltertown (41EP7316) at the Texas, New Mexico and Mexico nexus has been added to the Texas Site Atlas and this is part of the Canalization and Rectification Projects of the 1930s. These new sites and our evaluation of Falcon and Amistad Villages as eligible have increased our number of historic resources under surveys for USIBWC Programmatic Agreements (PA) for these management areas. One new unevaluated prehistoric site was added and will be avoided for the Rehabilitation of the North Levee in San Diego, California.

**2. Has your agency implemented any policies that promote awareness and identification of historic properties over the last three years?**

The USIBWC mission is centered on flood control and other issues along the border regions. We follow Section 106 of the National Historic Preservation Act and 36 CFR 800. We have developed several Programmatic Agreements (PA) with State Historic Preservation Officers (SHPO) for specific areas of land owned by USIBWC. This is for properties that our levees and other projects will impact. USIBWC has conducted archeological and architectural surveys for projects pertaining and funded to our mission objectives. We have completed around 95% of our 106 undertakings for funded projects and our Section 110 work is estimated at 75%. This Section 110 information is for projects that are discussed at professional conferences and in publications or on the website.

In New Mexico and Texas on the Rio Grande, we have years of sediment buildup in the channel. USIBWC is excavating this and disposing of it at various local locations. All of this falls under consultation with the NMSHPO under our PA or consultation with the Texas Historical Commission (THC) for lands in Texas. Archeological Surveys are conducted by the CRS for areas of known sites and then updates are recorded, and sites are avoided.

USIBWC measures progress with annual reports to our PA partners and reports to Congress. We do not use benchmarks as many of our projects are based on funding or unfunded due to maintenance and replacement of resources as identified. The Cultural Resources Specialist keeps a log of project work and consultation for the individual projects.

**3. How has your agency employed partnerships (with federal or non-federal partners) to assist in the identification and evaluation of historic properties over the last three years?**

USIBWC properties are smaller holdings than most Federal agencies and spread out along the U.S. – Mexico borderlands. The exceptions to this are our holdings that are more than one (1) acre in size for comparison. These are located along the border in San Diego, CA.; the Rio Grande River from Percha Dam in Central New Mexico down to the Gulf of Mexico in Texas. Large holdings are located at Amistad and Falcon Dams and Reservoirs. We update the various state SHPO databases with new site information and consult with these agencies under our Programmatic Agreements (PA). USIBWC has specific contractors under our Indefinite Delivery and Indefinite Quantity (IDIQ) service providers for projects related to ground disturbing activity. Partnerships we have are Memorandums of Understanding (MOUs) with the National Park Service (NPS) at borderlands National Parks consisting of Palo Alto Battlefield National Historical Park and Chamizal National Memorial. We have also added Texas A&M International University (TAMI), and Sul Ross State University in Texas and individual State Parks and Universities along the border. These MOUs are to work with these organizations on archeological discoveries, training and geospatial data sharing that is beneficial to both. USIBWC is also preparing Memorandums of Agreement (MOAs), as applicable with federal and state agencies. We have a standing MOA with several Texas agencies for the Visual Impacts in the Chihuahueta Historic District in El Paso, Texas that expires in 2021. Programmatic Agreements (PA) are written for projects to alleviate consultation for projects less than an Environmental Assessment (EA) or Environmental Impact Statement (EIS). These partnerships have helped alleviate our consultation with the SHPOs but also allows us to conduct work for the projects to be completed.

One site for example, in Presidio, Texas (41PS16) has potential but was not evaluated in detail. Sul Ross State University is monitoring this site, as it is on private land, but RP 26A is located in this site. This is also in conjunction with the Presidio County Historical Commission that our CRS is working with.

Our CRS contributed to the *Walking Tour – Socorro Mission* pamphlet in Socorro, Texas as RP 8 is located here. This was installed with many other RPs in the 1910s traversing down the Rio Grande on both sides of the river by the IBC. We also work with the National Park Service National Trails Intermountain Region (Santa Fe) on many of the trails that cross the U.S. – Mexico border or through IBWC properties. All of these entail updating of geospatial databases and information to find some of the missing RPs and possible trails that cross IBWC lands.



*Figure 1: RP8 at Socorro Mission, Socorro, Texas.*

USIBWC falls under the guidance of the State Department and works directly with our Mexican counterpart on Treaty and Minutes issues. For projects in the United States, we use MOUs, MOAs, PAs, or Interagency Agreements. It has been found that these agreements work well in archeological discoveries as many agencies can react within a day of a discovery to evaluate the cultural resource. Because we have one Cultural Resource Specialist in El Paso, Texas at the USIBWC Headquarters, local agencies can act as a representative for evaluation.

4. **Have the programs and procedures your agency has in place to protect historic properties, including compliance with Sections 106 (54 U.S.C. 306108), 110 (54 U.S.C. 306101-306107 and 306109-306114), and 111 (54 U.S.C. 306121-306122) of NHPA, changed over the reporting period in ways that benefit historic properties?**

In the last three (3) years and earlier, our duties to these sections of the NHPA has improved. We now work hand in hand with all the State SHPOs to a point that our consultations are approved within the 30-day time frame or less. Our CRS, Mark Howe, has worked to fix our compliance so that USIBWC is known for quality and timely work and consultation. Mr. Mark Howe is the only person on staff at USIBWC in Archeology, but works with other staff for training and administrative compliance. This training with USIBWC staff and associated MOUs with other agencies, has allowed him to be able to manage a wide range of locations (Pacific Ocean to Gulf of Mexico). Declining travel budgets only allow travel when specific projects need him to be there or for Native American Graves and Protection Act (NAGPRA) related items are an issue. Training is conducted if requested by our CRS and funding dependent or completed by online

webinars and associated with other agencies. Our CRS did participate in the Advanced Archeological Resources Protection Act Training (ARPA) in 2020 with an online Class sponsored by the National Park Service. In all, the CRS responsibilities have increased in working not only in Cultural Resources, but with other Environmental projects in the Environmental Management Division (EMD) at USIBWC.

**5. How has your agency employed partnerships to assist in the protection of historic properties over the reporting period?**

USIBWC has partnered with Palo Alto Battlefield National Historical Park (NPS) for the protection and monitoring of Fort Brown in Brownsville, TX. We are working on establishing partnerships with Coronado National Monument (NPS) in Arizona and University of Arizona for helping with the maintenance of our monuments on the border that USIBWC is responsible for under Minute 244. USIBWC is working with various Texas State Parks and other federal agencies on the border in writing MOUs and MOAs that will benefit the agencies for monitoring, education and compliance. Partnerships we have or are working on establishing are Memorandums of Understanding (MOUs) with the National Park Service (NPS) at borderlands National Parks, Texas A&M International University (TAMI), United States Forest Service (USFS), Sul Ross State University in Texas and with individual State Parks and Universities along the border.

Our partnerships in Historic Preservation help our agency owing to having a large land and river border USIBWC covers, but limited budgets for travel and program work. Our success has been limited due to the slow progress of review and approvals of the MOUs, MOAs and PAs in both state and federal review. It is noted that our PAs and MOUs have aided in historic preservation by increased monitoring, inspection and compliance at sites that are not checked by our office on a yearly basis. By having our partners monitor and keeping USIBWC informed as to what is happening locally, this has been a big benefit for Section 106 compliance. These partnerships have helped to educate people in these areas about the integrity of sites, Section 106 and 110 and how they can take a personal responsibility in site protection and monitoring for the USIBWC.

**6. How has your agency used program alternatives such as Programmatic Agreements, Program Comments, and other tools to identify, manage, and protect your agency's historic properties over the last three years?**

We use the various state SHPO databases for updating and adding new site information and consult with these agencies under our Programmatic Agreements (PA). USIBW has specific contractors under our Indefinite Delivery and Indefinite Quantity (IDIQ) service providers for projects related to ground disturbing activity or complete this in-house under Section 106 and 110. As stated before, partnerships we have or are working on establishing are Memorandums of Understanding (MOUs) with the National Park Service (NPS) at borderland National Parks, Texas A&M International University, United States Forest Service, Sul Ross State University (Texas), University of Arizona and with individual State Parks and Universities along the border. These MOUs are to work with these organizations on archeological discoveries, training and data sharing that is beneficial to both. USIBWC is also preparing Memorandums of Agreement



(MOAs), as applicable with federal and state agencies. Our last MOA was with El Paso County on the demolition of the Fabens – Caseta International Bridge in 2016. We have a standing MOA with several Texas agencies for the Visual Impacts in the Chihuahueta Historic District in El Paso, Texas that expires in 2021. Programmatic Agreements (PA) are written to alleviate consultation for projects less than an Environmental Assessment (EA) or Environmental Impact Statement (EIS). These partnerships have helped alleviate our consultation with the SHPOs but also allows us to conduct work for the projects to be completed in a timely manner.



*Figure 2: Historic Building East of Monument 33.*

**7. How do your agency's historic federal properties contribute to local communities and their economies, and how have their contributions changed over the reporting period?**

At the USIBWC, many of our Field Offices are located in towns and cities along the border with some in isolated areas. At Falcon and Amistad Reservoirs which are large recreation areas, we manage the dams. At Amistad Reservoir is the Amistad National Recreation Area of the National Park Service. IBWC does not manage this area but we control the water levels of the lake with Mexico. This is for flood control and power generation, but we help the local economy in keeping the levels high for boaters and campers along the lake. At Falcon Reservoir, IBWC manages the Dam and Lake. Many of the lands here are in permit status for grazing or public use. Currently, USIBWC is planning on removing many of the grazing permits and restoring the land back to natural riparian environments.

In El Paso, Texas, our CRS is involved in working with the El Paso County Historical Commission (EPCHC) and works with the Presidio County Historical Commission on areas of historic preservation the tie into heritage tourism. As many of our locations are behind the Border Fence and not accessible to the public, the CRS is involved in giving tours and speeches to many organizations to foster heritage tourism and history.

8. **What other laws, regulations, or requirements (other than the NHPA) most directly affect your agency's strategies to protect and use historic properties? What factors have influenced agency decision making on the continued use or re-use of historic properties during the last three years?**

Even though we are a Federal agency under the U.S. State Department, we do work with local and state SHPOs and the state laws to accomplish our mission in California, Arizona, New Mexico and Texas. In California we consult with the Office of Historic Preservation (OHP) and with the Native American Heritage Commission for Sacred Lands. In New Mexico, we have a PA in place for the majority of our project work on the Rio Grande. We had a Flood Control Projects PA for Texas, but this has expired and UWIBWC does direct consultations except for Amistad and Falcon which are under our PAs. The factors that have influenced the USIBWC the most are our treaties with Mexico which we abide by. However, since our properties and offices are strategic resources for land demarcation, flood control and sanitation along the border, upgrading is crucial to all of these locations. Therefore, we continue to consult under the various factors we have as the projects are still active today as when first built.

9. **Does your agency use, or has it considered using, Section 111 (now 54 U.S.C. Â§ 306121) of the NHPA or other authorities to lease or exchange historic properties?**

Currently we are in the process by both GSA and through Congress to exchange the Fort Brown NHL with 166 acres to the National Park Service. This would become part of the Palo Alto Battlefield National Historical Park. Another long-term project would be releasing Falcon Reservoir to the US Fish and Wildlife Service. This is one project that is being looked at today for transfer.

10. **Provide specific examples of major successes, opportunities, and/or challenges your agency has experienced in identifying, protecting, or using historic properties during the past three years.**



The USIBWC mission is to provide binational solutions to issues that arise during the application of United States – Mexico treaties regarding boundary demarcation, national ownership of waters, sanitation, water quality, and flood control in the border region. This work is in conjunction with our Mexican Commission, Comisión Internacional de Límites y Aguas (CILA), in Ciudad Juarez, Mexico.

*Figure 3: Virgin of Guadalupe Painting south of Monument 28 in Mexico.*

**American Canal and Smeltertown:** In El Paso, Texas, the American Canal (Rectification Project) had a section near the American Dam Field Office reconstructed. From this location, many artifacts and some structures of “Smeltertown” were found. Smeltertown was the original townsite formed for workers for the ASARCO smelter located to the east. Our CSR has given many presentations and published on this important aspect of Borderlands history.

At the USIBWC, we strive to preserve historic structures and sites as pertinent, but a portion of our mission is flood control and many areas are either inundated or at risk of destruction in these areas. Another success we have is the preservation of Fort Brown.

**Fort Brown NHL:** In Brownsville, Texas we have the remaining earthen fortifications of Fort Brown on USIBWC lands. A “Star” shaped fort that is the location where the Mexican – American War started in 1846. This NHL was an active golf course under permit for the last 50 years with various local entities. The golf course closed a few years ago, and the land was left as is, in a state of acquiescence. The original levee system continued around the peninsula. The area changed in the intervening years and in 2012, we reconstructed parts of our lower Rio Grande Levee system. Unfortunately, the levee went through the remains of the original Fort Brown (Figure 4). When we started to improve our levees in the area in 2012, we wrote a limited time MOU in 2012 and a five (5) year MOU with Palo Alto Battlefield National Historical Park for archeological monitoring in 2014. This MOU was continued in 2019. When reconstruction of the levee through the fort was conducted, the NPS archeologist monitored the area for cultural resources. A few years later after the golf course closed, under the MOU, the NPS archeologist reported a looting incident at the site and this was investigated, and measures of protection implemented. Recently we had damage to the Breastworks by heavy equipment that was being transferred by CBP that inadvertently cut through part of the structure, but the damage was minimal. We are in the process of transferring this site and 166 acres of land associated here to the NPS as part of the Palo Alto Battlefield National Historical Park.



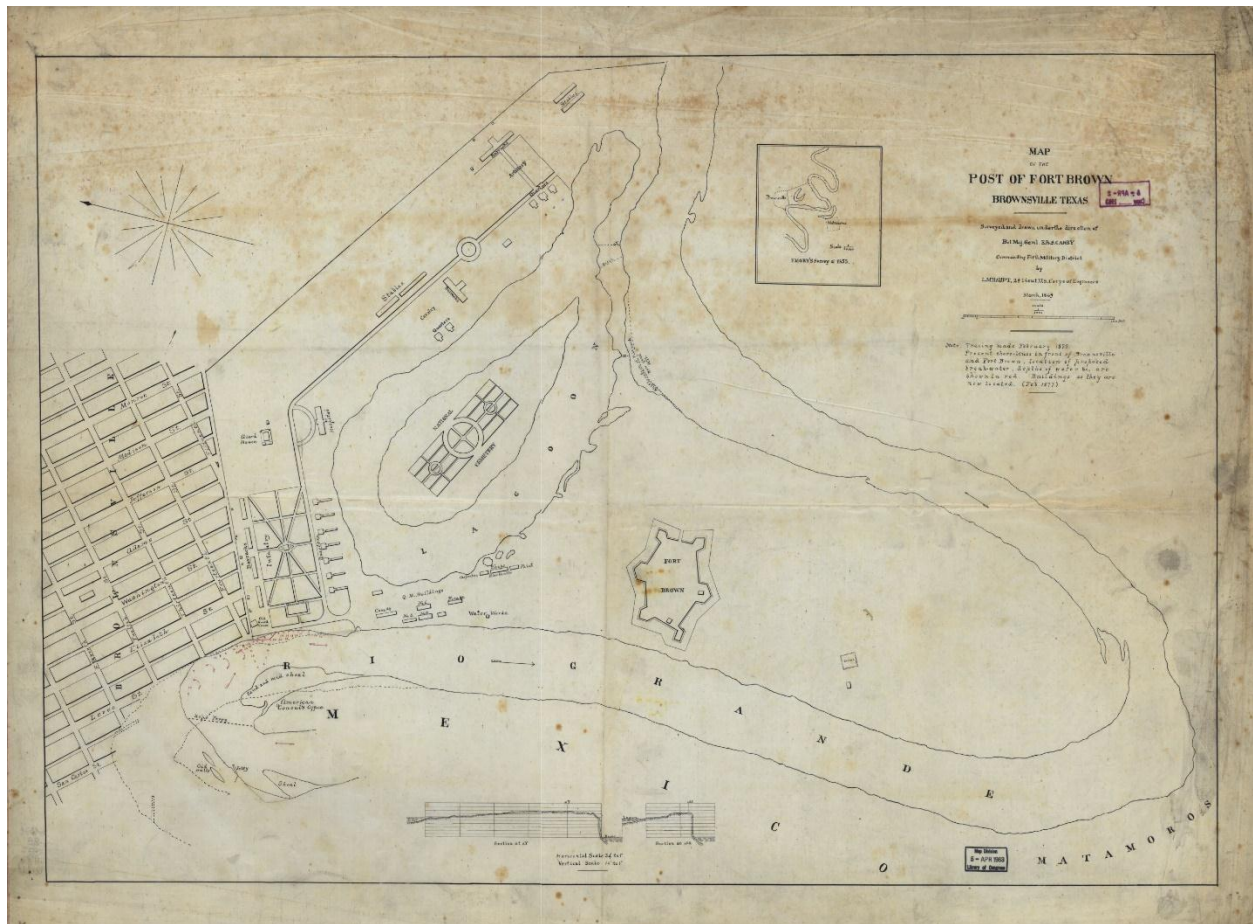


Figure 4: Fort Brown and Brownsville in 1869.

**International Boundary Monuments:** The International Boundary Monuments / Markers start from El Paso, Texas, west of the Rio Grande River in New Mexico at Monument 1. They continue west to Monument 258 in San Diego, California ending close to the Pacific Ocean. A total of 276 markers are present, some are obelisks and others are markers placed as points of reference. It has been discovered that many of the Monuments have been recorded on the United States side by other State and Federal agencies as their property. USIBWC is in the process to correct site forms with accurate information, history and record. We are also working on a National Register of Historic Places Multiple Property Nomination for the 258 monuments from the 1800s. This is a lengthy process due to the number of them and the locations. A portion of USIBWC work under Minute 244 with Mexico is maintenance of the International Boundary / Border Monuments. USIBWC is responsible for those in Arizona and we are monitoring them during the Border Wall construction as possible. Our CRS has been out in the borderlands to monitor and to work with CILA representatives and during this time has helped them to identify cultural resources along the borderlands.



*Figure 5: Monument 32 in New Mexico, CRS Mark Howe in Mexico, facing Northeast.*

**Fabens Bridge MOA:** This agreement is with El Paso County on the demolition of the Fabens – Caseta International Bridge in 2017 into 2018. A Texas Historical Commission Historical Marker was placed at the new Port of Entry in 2018. This historic bridge was replaced with a larger Port of Entry to the north. Originally constructed in the 1930s, this bridge was demolished under our treaty guidelines.





Figure 6: Fabens – Caseta International Bridge: View to Northwest. HAER TX-3399, 2015.



Figure 7: Tornillo-Guadalupe (Fabens-Caseta) Bridge THC Marker.

**Chihuahuita Historic District MOA:** A standing MOA signed in 2014 with several Texas agencies pertaining to the Visual Impacts in the in El Paso, Texas area. This historic district will be impacted by the new Border Highway. This MOA allows for educational materials to be written for dissemination to the community on Chihuahuita History. This expires in 2021.



*Figure 8: Smeltertown and American Dam, east and south to the International Border with Mexico. Picture taken on August 18, 1939.*