

January 12,

2008  
Senator Jeff Bingaman  
703 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Bingaman:

This letter is to request your support in having the Flood Study for the Tellbrook and Fillmore Arroyos placed in abeyance until the review (restudy) period in 2010. Pending the 2010 restudy, the current 1991 Flood Insurance Study would remain in effect. The URS contract 05-024 supplied data to FEMA concerning this Flood study is incomplete. The attached documentation will support this basis for the request.

The attached documentation is as follows:

1. Request for Proposal from Dona Ana Purchasing Department
2. Contract issued to URS Corporation for Engineering services and URS Scope of Work for the  
Tellbrook and Fillmore Arroyos Flood Study
3. Survey Scope of Work with map of Flood plain to be mapped
4. Three Maps;
  - A. Tributary Map of Fillmore Arroyo
  - B. Effective Flood plain Limits (Existing)
  - C. Fillmore Arroyo Proposed Floodplain Limits

A contract was awarded to URS Corporation for the sum of \$174,945.10 on June 30, 2004, and a Change Order adding \$1,446.23 increasing the total award / contract amount to \$176,391.33. Contract Number 05-024 was funded with Dona Ana County Purchase order #500064 from federal grant funds received by the Flood Commission from the Federal Emergency Management Agency (FEMA). See Attachments 1. and 2.

The area affected by this study has approximately 640 households, of which, this study will negatively impact over 50%. It is our feeling that if this study were completed as originally contracted and under the original scope and specifications that the data would be correct.

Holding the Tellbrook / Fillmore Arroyo study in abeyance is requested because:

1. The Contract appears to have not been completed although fully funded. The Fillmore Arroyo has 6 major tributaries (see map 4.A). Only three tributaries 1, 3 and 4 were studied (see maps 4.B. and C). Not all contributing watersheds were evaluated as to the volume flowing into the Fillmore Dam. Fillmore Tributaries #2, #5 and #6 were not studied, thus flawing the flood study. Two of the three tributaries that were not studied travel through a very populated area and contribute significant flow off of the Organ Mountains to the Fillmore dam.

2. The Contract scope of Work calls for a Detailed Riverine Study to be completed on the Fillmore Arroyo, its tributaries and contributing water shed. In a Detailed study as delineated in Contract 05-024, the surveying requirements were to be done in accordance with the specifications set forth in the Survey Scope of Work (see Attachment 3), sections Study Areas and Cross Section Surveys. This was not accomplished.
3. No Change Orders or Amendments could be located in contract 05-024 files that would indicate local (Dona Ana) or federal (FEMA) government authorization of a reduction to or change in the scope of work of the contract. Yet, the Contract was completed as an Alluvial Fan Study as opposed to the stated required detailed Riverine study.
4. Technical Oddity. On Map 4.B flow of the water down Tributary #3 does not accurately depict that it follows its natural channel but rather shows water stopping then flowing laterally to then flood another channel.

The rainfall here is unique in that the rapid moving storm cells do not generally cover vast areas but narrow paths. A couple of years ago we had intense storms with the heaviest rainfall in recorded history (Mesilla being settled in 1850). There have been no reports of flooding or associated damage to homes here in Talavera (Tellbrook / Fillmore restudy focus area). Dirt roads cut through the bottoms of arroyos in this community have been reported as 'flooded' as well as the paved county maintained Soledad Canyon road. However, reported 'road' flooding is not the same as homes flooding, and perhaps indicates an erroneous original basis of 'proneness to flooding' for this area.

The National Academy of Sciences has recommended to FEMA that the analysis of the Southwestern United States be studied differently than the rest of the country because of the unique weather patterns and the foothills associated with the western mountain ranges. This residential area where the Tellbrook / Fillmore tributaries study area was focused is a foothill area of the Organ Mountains 500 feet to 1000 feet above the Rio Grande valley floor. It is a heavily channelized area with braided streams, and the major part of the area is a pediment NOT an alluvial fan. The modeling for this area we feel is inaccurate utilizing the FEMA alluvial fan model.

Whether or not FEMA partnering efforts with the Dona Ana Flood Commission entail attempting to fit the 'one size fits all' flood science and technology more aptly applied in coastal and flat land river areas of the eastern and middle portions of the U.S. to the foothills of western states is not the basis of this request. This request is based on the fact that the Tellbrook / Fillmore restudy was not complete and, therefore, cannot be scientifically and technologically accurate as such. Therefore, it is again strongly requested that you support this community through ensuring the Tellbrook / Fillmore NFIP study is held in abeyance pending additional FEMA and associated Dona Ana partnering funding to perform an accurate and complete study and / or restudy of all associated Tellbrook / Fillmore water sheds / tributaries for the full lengths of same from the

Organ Mountains to the respective dams.

Respectfully,

Michael D. Park  
Chairman Talavera Community Association  
Flood Study Review Committee  
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Letter to:

Senator Pete Domenici, NM  
Representative Steve Pearce, NM  
Representative Heather Wilson, NM  
Representative Tom Udall, NM  
Mr. William E. Peterson, Regional Director – Region VI, FEMA