

## Rebecca Rizzuti

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**From:** Rebecca Rizzuti  
**Sent:** Tuesday, July 18, 2023 3:26 PM  
**To:** Vargas, Rogelio  
**Cc:** Luise Martinez; carlos.r.garcia60.mil@army.mil; Vargas, Rogelio Jr. CPT USARMY NG TXARNG (USA); vince.a.espitia.mil@army.mil; jayson.p.garcia.mil@mail.mil; Jennifer Pena  
**Subject:** RE: Eagle Pass Texas \_ Barrier Emplacements  
**Attachments:** 011123LetterStateOfTexasPermitBoundaryTreatyRequirements.pdf

Hi Cpt. Vargas,

Thanks for the call.

As stated:

1) if USIBWC owns the land where you are working, we will require a permit from us to be present on our land. Please send coordinates of where your work will be and I'll verify whether we have land holdings there.

2) Regardless of land ownership, the USIBWC requires that hydraulic modeling must be done for work in the river or floodplain to determine if the proposed project will create a deflection or obstruction of the normal or flood flows of the river. We require this modeling to comply with a 1970 Treaty between the United States and Mexico where both countries agree to try to stabilize the course of the river by preventing obstructions or deflections of normal or flood flows of the river. I've attached a letter that was sent to various Texas entities in January. This letter has a lot more detail about USIBWC's modeling & permit requirements.

In addition to USIBWC requirements, please also contact the US Army Corps of Engineers as well as they have requirements that may apply to your work.

Neil Lebsock, [Neil.M.Lebsock@usace.army.mil](mailto:Neil.M.Lebsock@usace.army.mil), 817-357-7213, or if Mr. Lebsock is not available, then Joe Shelnett, [Joseph.L.Shelnett@usace.army.mil](mailto:Joseph.L.Shelnett@usace.army.mil), 817-886-1738

Thanks for reaching out and let me know if you have any questions or need a follow-up call.

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*Rebecca A. Rizzuti*

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**From:** Vargas, Rogelio <rogelio.vargas6.mil@txmil.onmicrosoft.com>

**Sent:** Tuesday, July 18, 2023 11:06 AM

**To:** Rebecca Rizzuti <rebecca.rizzuti@ibwc.gov>

**Cc:** Luise Martinez <luise.martinez@ibwc.gov>; carlos.r.garcia60.mil@army.mil; Vargas, Rogelio Jr. CPT USARMY NG

TXARNG (USA) <rogelio.j.vargas.mil@army.mil>; vince.a.espitia.mil@army.mil; jayson.p.garcia.mil@mail.mil

**Subject:** Eagle Pass Texas \_ Barrier Emplacements

Good Morning Ms. Rizzuti,

My name is Rogelio Vargas and I am a Captain (CPT) with the Texas Army National Guard (TXARNG). I am trying to find out what are legal limitations to perform earthwork along the river's edge of the Rio Grande River in Eagle Pass, Texas. If you could please, contact me via phone to discuss this matter.

Respectfully sent,  
Rogelio Vargas Jr.  
CPT, EN TX-ARNG

Cell: (512) 317-2828  
Work: (512) 782-5149  
[email] [rogelio.vargas6.mil@army.mil](mailto:rogelio.vargas6.mil@army.mil)

Operation Lone Star (OLS)  
Task Force OLS / Engineer Operations (EN OPS) – Project Management Cell  
Eagle Pass, TX