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Advancing U.S.–Mexico Water Management: The Good Neighbor Environmental Board (GNEB) and Water Along the U.S.–Mexico Boundary

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Abstract

This study reviews the influence of the U.S. Good Neighbor Environmental Board on water management along the U.S.–Mexico border. The GNEB has a unique mandate to inform the president and congress of needed infrastructure, investments, and policy actions supporting sustainable development of communities and natural resources in the border region. The study uses the GNEB’s own policy recommendations in its annual reports to consider its influence on border water management over more than 25 years. It concludes that while the GNEB’s recommendations have not had a direct impact on border water management policy, it has played an important role in describing border water management conditions; endorsing and legitimizing federal border environmental programs; spotlighting and advocating for best practices in border water management, including promoting policy integration among federal, state, and local water management programs; and advancing binational cooperation in developing and implementing border environment and water-related programs.

Keywords: Good Neighbor Environmental Board; Federal Advisory Commissions; U.S.–Mexico Border Region Water Management; La Paz Agreement Environmental Programs



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1. Introduction

The Good Neighbor Environmental Board (GNEB) is a statutory citizen advisory board tasked with advising the U.S. president and congress concerning environmental conditions and needs in the U.S. region situated along the international boundary with Mexico. Established in 1992 by the Enterprise for the Americas Initiative Act (Public Law 102-532) during the administration of George H.W. Bush in the run-up to the North American Free Trade Agreement (NAFTA), the GNEB is unique among U.S. national environmental citizen advisory boards for its mandate to address environmental issues in a vast region of the country located along an international boundary [1,2].

The GNEB’s stated mandate is to “advise the President and the Congress on the need for implementation of environmental and infrastructure projects (including projects that affect agriculture, rural development, and human nutrition) within the states of the United States contiguous to Mexico in order to improve the quality of life of persons residing on the United States side of the border” [2]. Though tasked with advising the president and congress, Executive Order 12916 delegated to the U.S. Environmental Protection Agency the responsibility of housing the GNEB and receiving its reports [3].

While not officially tasked with grounding its recommendations in scientific evidence, from its inception, the GNEB saw its mission as one that ought to be driven by the best

sustainable development practices informed by solid analysis of border area environmental conditions and attention to the binational circumstances affecting environmental sustainability and addressing infrastructure needs along the border [4]. Its membership was diverse, incorporating representatives of federal and state agencies and private organizations in its deliberations. Its first reported membership, according to its 1997 report (second report), consisted of 23 members, including 7 federal agencies, 3 state or local agencies, 11 private sector entities, 1 international agency, and 1 tribal government [4]. While its overall membership grew over time, the mix of members would continue to be diverse.

The GNEB's advisory mandate thus spanned a broad range of environmental issues, engaging multiple federal and state agencies on policies that often played out in an international context. The GNEB sought to offer a broad sustainable development vision for the border region, encouraging interagency collaboration and partnerships in tackling big environmental problems. Offering actionable advice across such a diverse policy and organizational landscape was always a tall order [5]. The GNEB struggled with this from its formation. Gauging the impact of its policy recommendations has thus been a chronic challenge given that its guiding vision, mandate, and goals are framed in such broad generalities and dependent on the actions of so many actors at multiple scales and levels of government.

To gain a better idea of the GNEB's impact on border area environmental management, it is useful to take a focused look at how it sought to shape one of the leading environmental sectors within its border environment remit, that pertaining to water. The water sector emerged early as a leading border region environmental priority—evident in the work and priorities of NAFTA-generated border environmental institutions, including the La Paz Agreement border environmental programs [6,7] and the newly established (in 1994) Border Environmental Cooperation Commission (BECC) and the North American Development Bank (NADB) [8]. Thus, improving border water management to include addressing transboundary water quality and sanitation issues was a leading GNEB concern from the outset.

This study examines the GNEB's advisory influence on water management along the U.S.–Mexican border since the Board became active in 1995. It first reviews the literature on U.S. federal citizen advisory boards to properly situate and describe the GNEB's unique mandate and associated challenges of influencing policies within that mandate. It then describes the methodology used to assess the GNEB's policy impact in the border water sector and follows with a review of the GNEB's recommendations and the discernable results through 2023. The paper concludes with an assessment of the GNEB's influence on border water management and its broader significance for assessing the GNEB's value and importance for environmental management along the U.S. boundary with Mexico.

2. The Applicable Literature

The literature devoted to understanding and explaining U.S. federal citizen advisory board influence on environmental decision-making is quite sparse. Only one study focuses on the GNEB itself [5], and that study describing the Board's mandate makes no effort to assess its policy influence. Several studies describe and critique the requirements of the Federal Advisory Committee Act for eliciting “candid advice and discussion” within advisory committees and boards subject to FACA regulations [9]. Other studies, focused on U.S. federal environmental citizen advisory boards [10], address the array of organizational forms such boards may take and the conditions conducive to offering influential advice [11]. Much of the literature centers on the nature and functioning of single-issue EPA citizen advisory boards convened to address site-specific superfund remediation of hazardous and toxic waste sites [12] and is not very useful for understanding the functioning and influence of multipurpose, region-wide advisory boards, though some of the challenges of ensuring representative and inclusive participation of the affected stakeholders are at least analogous

to the challenge of ensuring adequate representation of non-governmental stakeholders at the GNEB and reaching consensus on policy recommendations. In general, the literature focuses on the challenge of assuring stakeholder representation and deliberation and reaching consensus on policy recommendations [13,14], not the influence and impact of the boards' recommendations or the various roles and functions that federal advisory boards may perform, which are the focus of this study.

3. Methodology

This assessment of the GNEB's impact on water management at the U.S. border with Mexico relies on a careful analysis of the GNEB's reports to the president and congress of the United States. Since it became operational in 1994, the board has produced periodic reports, either annually or biannually, summarizing its environmental policy recommendations for the border region. These reports typically provide a comprehensive assessment of the state of the border environment but, beginning in 2000, featured in-depth analysis of one or more environmental issues deemed to warrant priority attention at the time. As a matter of practice, successive reports commented on policy achievements in particular environmental sectors, including water, making it possible to at least partially track the realization of the GNEB's previous recommendations within a sector. The water sector emerged as a dominant and continuous concern of the board. Thus, it is possible to use the GNEB's own reports to at least loosely chart its self-acknowledged accomplishments over the span of its work from 1995 to 2024. This method is, of course, imperfect but provides a useful if incomplete and uncorroborated window into the GNEB's performance over the review period. The fact that these reports drew virtually no independent criticism from water sector and environmental scholars and professionals arguably lends some authority to relying on GNEB self-assessments for an understanding of its impact and accomplishments (an AI-assisted Google search found no written criticism of these reports from 1995 to 2021).

A total of 20 GNEB reports issued between 1995 and 2024 are reviewed in this study. Most of these reports mention water policy in some aspect, but four reports—reports 4, 8, 15, and 20—single out water policy for special emphasis, making water management the environmental sector receiving the greatest focused attention from the board. No other environmental sector to date has been singled out for special analysis as often as water in these reports. For purposes of convenience, the discussion of reports is grouped roughly by decade into three distinct periods, a first phase of the GNEB's work from 1995 to 2000, a second phase from 2001 to 2009, and a third phase from 2010 to 2024. Key recommendations from individual reports are identified within each chronological period, followed by a summary comment on the GNEB's self-identified achievements, as well as those recommendations that were unrealized in that chronological period.

4. The GNEB's Political and Policy Environment: An Overview

A citizen advisory board does not function in a political or policy vacuum, and the GNEB's concerns with the water sector need to be read, in part, in relation to the political contexts that drove its creation and shaped its work since its inception. At its outset, the GNEB's orientation towards water management was clearly influenced by the NAFTA-generated debate over how to address the border's many environmental challenges, problems analysts expected to be aggravated by the intensified manufacturing investment and trade that NAFTA was meant to trigger. As early as 1992, pressed by environmental criticism, the two countries collaborated in developing an Integrated Border Environmental Plan (IBEP) [7]—established under the existing authority of an earlier bilateral compact, the 1983 U.S.–Mexico La Paz Agreement on binational cooperation for environmental protection in the border area [6]. IBEP identified the water sector (water and wastewater

treatment) as a leading priority for the sustainable development of the border region [7]. A successor plan to IBEP, the Border XXI Program, was unveiled in 1995 and underscored these priorities [15].

Beginning in 2001, the U.S. response to the terrorist attacks of 11 September 2001 and a heightened emphasis on securitization at the boundary with Mexico intruded on binational environmental cooperation both in the form of diminished funding for environmental programs grounded in the La Paz Agreement and in the form of new security infrastructure that adversely impacted aspects of the natural environment in the border region [16]. These concerns were evident in the GNEB's reports from 2001 to 2023 and continue as persistent concerns on the GNEB's advisory agenda. Political pressures on the border environmental program amplified after 2016 as a new U.S. administration deprioritized binational environmental cooperation. These issues are evident in recommendations in the GNEB reports after 2017.

5. GNEB Policy Recommendations, 1995–1999

5.1. Early Recommendations

The GNEB's first official report in 1995 is notable for setting out a comprehensive agenda for border environmental improvement with emphasis on the water sector. Specifically, the report recommended that the U.S. and Mexico prioritize water and wastewater treatment as the most critical and immediate contribution to the "improvement of environmental quality, health, and standards of living" on both sides of the boundary [17]. While providing a broad panorama of water sector deficits in the border region, the report offered little by way of specific measures. It called for accelerating completion of authorized projects, development of a comprehensive binational priority list of needed potable water and sanitation construction projects for the border area, and urged that the newly established Border Environmental Cooperation Commission (BECC) and the North American Development Bank (NADB) focus on the water sector and that an integral bilateral strategy for protecting shared (transboundary) waters be devised [17]. The report also urged the adoption of new mechanisms for provision of federal funds for projects that had private sector support and expedited funding for needed water projects in impoverished colonia settlements on the U.S. side of the boundary [17].

The GNEB's second report, issued in 1997, advanced several water policy recommendations [4]. It urged the new Border XXI Program to address water resources. It called for more support for studies of groundwater basins along the border to determine the location, amount, quality, and movement of groundwater and encouraged the crafting of new binational groundwater management arrangements at key border locations [4]. It urged the BECC to emphasize low water-use treatment processes in its certification reviews of proposed sanitation and wastewater treatment projects [4]. It recommended that border state wastewater revolving funds allocate a major portion of state revolving funds (SRF) to border infrastructure needs [18]. And it advocated incorporation of an ecosystem approach to addressing shared environmental problems, including those related to water [4].

In 1998, the GNEB's third report focused heavily on implementation of the Border XXI Program and devoted modest attention to water, focusing on watershed planning and water quantity management and conservation. It recommended "consideration of the Department of Commerce's binational sustainable development study of the Rio Grande" as a possible model for the study of other watershed areas [18]. It urged the two governments "to work" with the International Boundary and Water Commission (IBWC) "to collect essential water quantity data using joint protocols, and to discuss water allocation issues" [18]. It further recommended "the development and implementation of a bilateral strategy for conservation of ground and surface water" and the adoption "of best management practices

and local water conservation programs” [18]. And it called for increased emphasis on protecting in-stream flows in general [18].

5.2. *The GNEB’s Influence and Achievements*

Of the recommended measures in its first three reports, the most notable results that aligned with the GNEB’s recommendations by 1999 were the BECC and NADB’s declared prioritization of the water sector [19] and the dedication of federal EPA funds to border water projects through a new financing window, the Border Environment Infrastructure Fund [20]. Despite its recommended prioritization of border water projects by other government agencies, no such prioritization emerged, as water projects continued to be developed and financed on an ad hoc basis in response to project proposals emanating from local communities scattered along both sides of the boundary [19]. There is no evidence, for example, that the four border states’ governments took this advice to devote more of their state revolving funds to the border region as defined by the La Paz Agreement. What we do see that can be loosely associated with GNEB recommendations is an assortment of roughly 20 Border XXI projects largely funded by the EPA, directly or through the BEIF, addressing an array of border water problems [21]. Most of these projects appear to originate in the efforts of various communities and border states to address specific needs and less as a response to the GNEB’s recommended policies, though they are certainly compatible with some of those recommendations.

5.3. *2000–2009 Recommendations*

The subsequent decade saw the GNEB continuing to argue for prioritizing the water sector and advancing a broader suite of water sector reforms on its environmental agenda. Five years of the Border XXI program and the deployment of dozens of BECC-certified and NADB-funded water and sanitation projects (with the EPA’s financial assistance) provided valuable experience for identifying border water sectoral needs and painted a comprehensive panorama of the border’s financial and administrative water challenges. The late 1990s also saw greater engagement between otherwise disparate binational, federal, and state agencies working in the border water domain, drawn together by the funding and projects enabled by the BECC and NADB, assisted by the EPA’s BEIF and Border Water Infrastructure Fund.

A broadening of the scope of the GNEB’s water sector recommendations came with its fourth report, in 2000, which unequivocally endorsed a watershed orientation towards managing shared (transboundary) water resources and project development [22]. The catalyst for this new orientation was partly a growing conflict over Mexico’s Rio Grande River water delivery obligation to the United States occasioned by protracted drought on the middle and lower reach of the river [23]. The dispute drew new attention to the importance of conservation and achieving greater efficiencies in water use along the river. The new emphasis on watershed-oriented approaches to border water needs challenged the prevailing orthodoxy in border water management, particularly in the U.S. border states where water resources were governed in a highly decentralized manner.

The GNEB’s untitled fourth report put the border water issues front and center. The GNEB recommended employing a watershed approach as the “underlying standard operating procedure” for developing all water management projects along the border, prioritizing certain (unspecified) key watersheds and expanding gradually to consider others in the border region [22]. It called for development of a border region strategic water plan to be used as an “operational tool for day-to-day management decisions about individual watersheds...” made by governments and their agencies in the border region [22]. And it backed the collection and integration of data that provided a better picture of watershed

management and the analytical basis for developing detailed planning scenarios [22]. The GNEB recommended the full inclusion of border water stakeholders, including tribal governments, “in implementing a watershed approach” and stressed the importance of federal budgetary support for such efforts with priority given to binational commitments to border environmental issues [22].

The GNEB’s amplified approach to framing border water needs carried forward in its sixth report, issued in 2002, as a prolonged drought on both major treaty rivers (Colorado and Rio Grande), binational contention over Mexico’s Rio Grande Article 4 water payments, groundwater, and the greater visibility of ecological concerns on shared watercourses gained visibility in binational water management [24]. The sixth report singled out three water issues in its recommendations: watershed management, groundwater, and public education and research on border water issues [24]. Its watershed recommendations urged greater attention to sustainability grounded in attaining greater efficiencies in “use of water, conservation, innovative technology, and attention to ecosystem needs” [24]. Groundwater recommendations urged a border-wide groundwater assessment program that could serve as an essential “springboard” for considering complex policy issues associated with advancing binational stewardship of shared groundwater aquifers [24]. The GNEB’s education and research recommendations emphasized support for binational research and data sharing with governments and university-based scholars on border water concerns [24].

The GNEB’s eighth report, issued in 2005 (the second of its named reports with the title *Water Resource Management on the U.S.-Mexico Border*), put water resources front and center again [25]. This eighth report advanced a broad spectrum of recommendations organized under three overarching themes: (1) clarifying the administrative responsibilities of government water management entities in the border region, identifying institutional gaps, as well as potential synergies among agency mandates conducive to advancing “cross-institutional collaboration”; (2) data development and new agreements, both interagency and binational, aimed at advancing the “collection, analysis, and sharing” of water information throughout the border region; and (3) border-wide strategic planning built on a 5-year binational integrated water resources planning process employing a “stakeholder-driven watershed approach” [25].

The GNEB’s eighth report carried forward its earlier emphasis on watershed-oriented management of shared watercourses and clearly recognized the extraordinary decentralization of U.S. water policy as a complicating factor for addressing solutions to border area and binational water problems (see Table 1 below, reproduced from the GNEB’s eighth report, which captures the array of agencies engaged in water management on the U.S. side of the border). It embraced the concept of integrated watershed resources management (IWRM), a normative–technical approach endorsed by leading professional organizations and U.N. advisory bodies, as a mechanism for strategic planning in managing border area water resources [25]. Though not explicitly referenced, the report may have been influenced by controversy over drought management on the Rio Grande and Colorado rivers, particularly the dispute over Mexico’s arrears in Rio Grande water payments to the U.S., as well as ecological considerations on the Colorado River [23]. It was certainly influenced by the achievements and challenges associated with BECC/NADB water and sanitation projects and experience with the EPA’s BEIF facility housed with the NADB after 1997 [20,26].

In retrospect, the recommendations of the GNEB’s eighth report seem wildly optimistic, idealistic, and even presumptuous. The report’s detailed diagnosis of the complexities and challenges associated with border water management was certainly accurate. Its recommendations, however, seemed idealistic and detached from many of the actualities of border water management, particularly in its call for comprehensive border-wide 5-year water planning [25]. With the eighth report, it appears that the GNEB very consciously

adopted the role of border water scold, staking out a policy role advancing broad professional and internationally emerging norms that could, in theory, benefit binational water management if embraced and adopted. Apart from calling for further research, data development, and data sharing [25], there was little practical advice on how to attain the GNEB’s ambitious recommendations. The GNEB’s eighth report capped off the Board’s water policy recommendations during the first decade of the 21st century.

Table 1. U.S. federal and state water management agencies along the border with Mexico.

Binational: IBWC.	
U.S. federal agencies: corps, USBR, NRCS, USFS, USGS, NRCS, USEPA.	
State: CalEPA and other agencies; TCEQ and other agencies; NMED and other agencies; ADEQ and other agencies; Colorado River Basin Compact; Upper Colorado River Commission; New Mexico/Texas Water Commission.	
Local: (city, county, district, other) irrigation districts; local agencies and private irrigation districts; local conservancies, agencies, and private utilities’ irrigation districts.	
Indian tribes: multiple Indian tribes.	
Courts: federal, state-level federal, and numerous state-level courts.	

Source: GNEB 8th report [25].

In 2009, the GNEB’s 12th report, titled *Innovative and Practical Approaches to Solving the Border’s Environmental Problems*, spotlighted a number of important achievements in border water management, including the Brawley and Imperial County Wetlands Project; the Bahia Grande Wetlands Restoration Project in Cameron County, Texas; the Kay Bailey Hutchinson Groundwater Desalinization Project at El Paso, Texas; and the San Pedro River Partnership focused on groundwater conservation in Arizona [27]. The report also mentioned the growing threat of water scarcity associated with rapid urbanization and climate change in the border region and boldly asserted that “Current usage, as well as climatological conditions, may require that U.S. and Mexican allocations be reduced” in the future to cope with current trends in water availability for agricultural and urban use [27]. The 12th report may be read as a tacit recommendation that more such innovative projects be undertaken in the border region and that mentioned projects were compatible with its broader vision for binational integrated watershed management.

5.4. The GNEB’S Influence and Achievements

Reflecting on this period of the GNEB’s water recommendations, several results stand out. First, the GNEB’s recommendations in this period were aspirational. While entirely in line with emerging hydro-political thinking at the international and regional levels and embraced by leading international, professional, and water advocacy organizations, the recommendations did not align with U.S. water administration and planning or existing binational water treaty implementation provisions. Mexico’s centralized water administration, which embraced watershed councils in principle and in various denominated river basins [28], more closely approximated the GNEB’s recommended approach to managing water resources. Beginning in 2012, however, the IBWC informally began to consider watershed management approaches in resolving problems on the border’s transboundary rivers [29]. The GNEB’s watershed recommendations helped legitimize the IBWC’s fledgling initiative.

The GNEB also highlighted the development of border area projects supported by the new NAFTA border environmental institutions and their prioritization of water infrastructure development along the boundary (its concerns also appear to be influenced by dynamics in U.S.–Mexico water relations, both the deepening grip of chronic drought in the Rio Grande and Colorado River basins, and the interim agreements reached by the IBWC on the protracted dispute over Mexico’s treaty obligations on the middle and lower

reaches of the Rio Grande). It is unclear whether these projects described in its 12th report were influenced by the GNEB's recommendations, though they certainly aligned with its advocacy of watershed-oriented solutions in border water management. The extraordinary complexity and lack of border area water policy integration, especially on the U.S. side of the boundary, also shaped much GNEB'S concerns and recommendations.

5.5. Recommendations for 2010–2024

In 2010, with its 13th report, entitled *A Blueprint for Action Along the U.S.-Mexican Border*, the GNEB pivoted to more practical recommendations for border water management [30]. While retaining its watershed management orientation, the board took the opportunity to offer more specific recommendations predicated on its awareness of the accomplishments and attainments of border water institutions, as well as spotlighting obvious problems with government support for border water initiatives. Leading its recommendations was a pitch for bolstering federal fiscal support for BECC/NADB sanitation and potable water projects which had experienced sharp reductions over the 2000–2010 period, a problem flagged repeatedly in separate GNEB advice letters in this period [30]. The GNEB also urged support for the 2005–2015 Transboundary Aquifer Assessment Program (TAAP) and suggested that governments build on this successful effort to jointly study and “characterize” shared groundwater basins straddling the boundary to strengthen data gathering and sharing on shared aquifers and promote the harmonization of standards in management of shared groundwaters [30]. Building on recent progress in stakeholder inclusion and collaboration in the Lower Colorado River, the GNEB suggested adapting this Colorado River model to the management of other binational watersheds “to preempt conflicts” [30]. It also suggested reviewing binational water treaties to “ensure compliance” and repeated its longstanding jeremiad on the need for better planning and management in the border water sector [30]. It further urged the federal government to better address tribal water needs and ensure that federal agency tribal consultation mandates resulted in effective action on meeting tribal water needs [30]. As a final recommendation, the board, for the first time, endorsed greater binational cooperation in monitoring coastal contamination threats on the Pacific Ocean and in the Gulf of Mexico, including “non-point source pollution” threats to coastal waters [30].

The 13th report prefigured what would be another in-depth report on border water just two years later. The GNEB's 15th report (2012), *The Environmental, Economic, and Health Status of Water Resources in the Border Region*, can be accurately described as the most comprehensive of the GNEB's statements on border water [31]. Acknowledging the persistence of its previously flagged border water challenges and the unfulfilled recommendations in its 2005 report, it began with a review of the known barriers to managing resources in the border's transboundary watersheds. It noted the continuing binational funding deficits associated with provision of needed water infrastructure, different water management, and governance systems on either side of the boundary; the absence of a binational management framework for the use of transboundary groundwater basins; the data deficits, irregularity, and incompatibility of water data along the boundary; and the piecemeal implementation of watershed measures to date [31].

The 15th report then noted some gains in border water management. The TAAP, while circumscribed and limited to just a few transboundary aquifers (Megdal [32]), was seen as responsive to its earlier recommendation that the two countries study and share data on transboundary groundwater basins [31]. But the fact that just USD 2 million of an authorized USD 50 million had been appropriated by the U.S. federal government in support of TAAP studies suggested a lack of serious commitment to the project [31]. The BEIF program had supported numerous worthy projects, but annual funding shrank from

USD 100 million in 1999 to USD 50 million in 2007, declining to just USD 5 million in 2012 [31]. The GNEB noted how the NADB's Low-Interest Rate Facility for funding border water infrastructure was essentially defunct, suggesting the need for new low-interest lending capacity at the bank [31]. The expansion of the geographic scope for BECC-NADB certification and lending from USD 100,000 to 300,000 was touted as an example of making more of existing legal authority to address border water problems [31]. GNEB praised IBWC's project to develop an integrated border-wide geographic information system and the greater harmonization of data achieved since 2005 [31]. Evidence of advances in binational watershed planning was seen on both the Santa Cruz and Tijuana rivers with respect to stream flow data collection (Rio Santa Cruz) and identification of remediation projects (Rio Tijuana) [31]. Non-point source pollution monitoring of coastal waters, a recommendation associated with its 2010 report (and 2009 advisory letter), was also undertaken in California [31].

The 15th report also advanced an extensive set of detailed recommendations organized around four broad themes: (1) "increase coordination and collaboration"; (2) "reduce discharge into border water bodies"; (3) "improve drinking and wastewater infrastructure"; and (4) "address financial needs". Its recommendations in the first thematic domain addressed management and planning and data acquisition and sharing [31].

Echoing previous reports, in the first thematic category, the GNEB urged the federal government to increase support for watershed planning and provide "institutional support and technical assistance" to local governments in addressing smaller watershed needs [31]. Specifically, it urged the Department of the Interior, Department of Agriculture, IBWC, and EPA to continue cooperating on binational watershed management issues and searching out common areas "for the sustainable management of shared water resources" [31]. It asked the DOI to "continue its support for the Colorado River Basin Water Supply and Demand Study" and urged its dissemination of findings to stakeholders [31]. It also asked U.S. federal natural resource agencies and the IBWC "to develop metrics and models to forecast environmental flows" that could be applied to other border watersheds [31]. The USIBWC was encouraged to advance binational, multistakeholder work "to improve water quality in shared water bodies" [31].

As a general recommendation, the federal government was urged to assist shared waters' "utilities, cities and industrial and agricultural" stakeholders with water conservation [31]. The BECC and NADB were asked to continue assisting project applicants to incorporate "water conservation efforts" in proposals, and the EPA was asked to continue to incorporate both "water and energy conservation" in its cooperative agreements with BECC-NADB [31]. Various federal agencies were asked to continue providing support for "water and drought management along the border", including developing planning scenarios addressing "environmental limitations and drought conditions" [31]. The EPA and IBWC were urged "to strengthen partnerships with Mexico to improve pretreatment of wastewater discharges" in common watersheds and manage stormwater and non-point source discharges from municipalities [31]. The EPA and the Indian Health Service were encouraged to continue helping indigenous tribes "to strengthen their regulatory authority over tribal waters". Completing the list of water management recommendations, the EPA was asked to continue supporting its IBWC Minute 304 commitment [33] to bring state and local governments into "project planning and development meetings" and allow them to join the "annual Minute 304 meetings" with the IBWC and CONAGUA [31].

The GNEB further recommended that the USDA and DOI seek to reach data analysis and sharing agreements with Mexico on surface and groundwater resources in support of greater utility, transparency, and better binational watershed management [31]. It recommended that "federal agencies. . . Mexican stakeholders, and tribal governments" be

permitted to participate in state-level environmental flow assessments and urged the federal government to step in where such assessments were not being conducted to convene and undertake such basin-wide environmental flow studies with the involvement of Mexico, states, tribal governments, and others [31]. It also urged that additional funds be directed to local groundwater conservation districts and state agencies and asked “USGS to enhance the coordination on data collection currently underway” [31].

Recommendations in the second thematic domain, reducing discharge to border water bodies, began with asking the Natural Resources Conservation Service and Bureau of Land Management to identify problems and promote better management of sediment deposition in border rivers [31]. The NRCS was also encouraged to reduce “nitrate contamination of surface and groundwater” resources [33]. The IBWC, EPA, and state and municipal environmental agencies were asked to support “sharing of industrial pre-treatment programs with Mexican water agencies” [31]. The Border 2020 water work group was encouraged to advance “measures to protect shared infrastructure and environment” in binational watersheds, and the Border 2020 water and waste groups were urged to protect better waste management in both countries [31]. Better federal modeling of “nutrient load and transport” in support of sediment conservation practices was recommended [31].

The GNEB’s third priority, improving drinking water and wastewater infrastructure, advanced federal support for “building institutional capacity” of local wastewater treatment and collection facilities employing NABD resources [31]. GNEB further urged the U.S. federal government “to work with Mexico to repair and replace infrastructure to separate wastewater from stormwater and provide emergency backup power for redundant systems” [31]. The IBWC and EPA were urged to “promote stakeholder awareness” of the adverse effects of inadequate wastewater management and support better management of wastewater infrastructure [31].

The GNEB’s fourth priority, addressing financial needs, contained four recommendations. The first recommendation asked the BECC and NADB to continue “to provide funding for water management and planning, specifically for conservation and drought management” [31]. In addition, the federal government was urged “to devote more resources to data collection” and to live up to its financial promise in support of the TAAP, with emphasis on developing better groundwater data [31]. It asked BECC-NADB and other relevant agencies to step up support for “economically disadvantaged” border communities and support them with opportunities to fund projects “through grants, cost-sharing agreements and low-interest loans”, providing technical, managerial, and financial assistance [31]. Special attention should be given to small and rural communities lacking the capacity to upgrade treatment to meet evolving standards for water quality [31]. Finally, the BECC/NADB’s Joint Board of Directors was asked to consider creating new lending mechanisms to include subsidized lending, revolving loan funds, and refinancing existing debts [31].

The GNEB’s subsequent four reports also touched on water management. Its 16th report, titled *Ecological Restoration in the U.S.-Mexico Border Region*, highlighted restoration work in the lower Colorado River region and other watersheds along the border [34]. Its recommendations for ecological restoration included attending to the recovery and restoration of fish species in the Rio Grande below New Mexico’s Caballo Dam, emphasizing the need to fund the TAAP, in order to adequately understand groundwater impacts on surrounding ecosystems, and identifying funding for further water conservations efforts, particularly in the middle and lower reach of the Rio Grande [34]. It encouraged the USIBWC to engage Mexican partners in transborder watershed management and urban ecological restoration, emphasizing the need for a special area management plan for the Tijuana River [34]. It further encouraged the USIBWC to initiate talks with Mexico regarding sustainable management of shared water resources, including ecological restoration, talks to be modeled on the broad-based

participation occurring on the Colorado River, and asking Mexico for “more continuous releases of water from the Rio Conchos” in satisfaction of treaty obligations and beneficial for ecological restoration [34]. It particularly encouraged the IBWC to build on “the success of Minute 319 to include an environmental component” in the subsequent 2017 follow-up agreement on water sharing and suggested that the Lower Colorado River partnerships might well support an amendment to Minute 276 (or a new minute) “on securing wastewater effluent for the Santa Cruz River” [34]. In its section recommending options for flow management, including irrigation, wastewater, and supporting ecological restoration, it endorsed evaluating environmental flows needed for aquatic species, working with water trusts, and creating tax incentives as a means of transferring water to ecological restoration in a way compatible with established systems of water rights [34]. It also endorsed developing policies that require some water conserved through the implementation of greater irrigation efficiencies to be dedicated to in-stream flows [34].

The GNEB’s 17th report, focusing on climate change, devoted a full chapter to understanding a changing climate’s likely impacts on border water management [35]. Its recommendations included encouraging water managers to better utilize “real time” stream-flow data in considering new developments and incorporating data from Mexico for shared watersheds; encouraging U.S. and Mexican officials to work with the Colorado River states on efforts to extend the provisions of IBWC Minute 319 addressing water shortage on the river; encouraging U.S. and Mexican federal officials to step up efforts to cooperate on managing shared water bodies in order to better cope with climate change; suggesting that federal water agencies and the NADB “compile and share information on local and state water conservation programs” to assist communities “in building resilience in the face of climate” stresses on water availability—extending that to gathering and sharing data and acting on water pollution prevention employing watershed management approaches to pollution mitigation; encouraging federal agencies and the IBWC to support groundwater recharge programs and stormwater capture and reuse programs and enhance engagement with local communities to support local design solutions to reduce contamination of water sources, including wastewater recapture and treatment; and urging the allocation of funds from “the Small Watershed Program to rehabilitate aging stormwater infrastructure and complete watershed plans” to better cope with flooding in the border region [35].

The GNEB’s 18th report, in 2017, reviewing environmental quality in relation to border security measures over the past decade, devoted a section to water management focused on reducing flooding, trash, and sedimentation flows, problems aggravated by border security infrastructure [36]. It recommended that stakeholders coordinate “with the IBWC and other agencies to avoid flooding and excessive sedimentation caused by security infrastructure”, it noted the USIBWC’s need for additional funding to improve the Rio Grande levee system to cope with hurricane events and bring the system up to FEMA standards, and it urged that the BLM’s Southern Arizona Project be sustained [36].

The GNEB’s 19th Report issued in 2019 tackled the problem of energy production, transportation, and demand in the transborder region [37]. Its recommendations advocated that the EPA be “the lead agency, coordinating with other agencies” to include the USIBWC, in developing new programs, policies, and incentives “for water conservation and reuse in energy production in the U.S.-Mexico border region”; and it recommended sustained and strengthened financial support for the NADB and its water infrastructure investments in border communities [37].

The GNEB’s 20th report, *Water and Wastewater in the U.S.-Mexico Border Region*, issued in 2024, after reviewing domestic and binational water management practices, concluded with ten recommendations (see Table 2). These recommendations, while targeting enduring problems of transboundary sanitation and the longstanding deficit of binational attention

to transboundary aquifers, notably stress the need to adapt existing funding mechanisms to allow for supporting operations and maintenance needs of border utilities and for their focus on educating border communities, especially marginalized and tribal communities, of existing but often overlooked access to EPA clean water program funds for flood control, sediment removal, and storm water management [38].

Table 2. GNEB 20th report on water and wastewater management.

Recommendations [38]:	
1.	“Continue to expand water and wastewater federal partnerships to serve marginalized and underserved communities.
2.	Provided targeted assistance to marginalized communities enabling them to take advantage of federal funding opportunities.
3.	Develop grant program to assist border communities with funding ongoing operations and maintenance and operations of public water systems.
4.	Provide guidance that EPA cleanwater revolving funds can be used to manage, reduce, treat, or recapture stormwater.
5.	Provide funding to IBWC maintenance and repair of levees and flood infrastructure along the boundary.
6.	Provide guidance to state and local governments that authorized uses of bill funding include flood infrastructure and sediment removal.
7.	Convene task force of federal, state, local and international agencies to devise a long-term institutional solution for chronic and predictable environmental problems such as cross-border flows of contaminated water and sewage.
8.	Fund the U.S.-Mexico Border Water Infrastructure Program (BWIP) at the \$100 million USD level to address water and wastewater infrastructure deficits in border communities.
9.	Provide funding stream to the IBWC for capital and repair projects vital for the health of millions of border residents.
10.	Direct the IBWC and other agencies to initiate and continue as long as necessary discussions with Mexican agencies to develop joint governance mechanisms for critically important transboundary aquifers.”

5.6. The GNEB’s Influence and Achievements

The sheer number of GNEB recommendations in the eight reports issued during the 2010–2024 period is certainly impressive. Their impact, however, is difficult to gauge. Many of its recommendations fell short. The 13th and 15th reports’ recommendations that TAAP be continued fell on deaf ears. Likewise, the Colorado River stakeholder model that enabled binational shortage sharing agreements on that river has not been adapted to address water shortage on the Rio Grande River, though there is some progress in the form of binational task forces tasked with exploring binational hydrological, policy, and environmental opportunities for cooperation on that river [39]. While some border region state governments like Texas strengthened water planning after 2010 [40], there is little evidence that this proceeded in a more systematic fashion throughout the border region as the GNEB envisioned. Recommendation of more formalized data sharing agreements by U.S. federal agencies did not materialize, though the IBWC in 2020 and 2024 did advance hydrological data sharing in the Rio Grande watershed [39,41]. The NADB did continue to fund water management and planning programs along the border, but financial capacity to do was not enhanced after 2012 [42]. Despite the GNEB’s recommendations, federal support for border environmental programs, including water, diminished after 2017 [43]. As in the earlier periods, it is difficult to find a direct link between the GNEB’s recommendations and government agency actions and funding.

6. Gauging the GNEB’s Impact on Border Water Policy

The GNEB’s twenty reports issued since its inception show that water figured prominently in its vision of environmental sustainability for the binational border region. But just how successful was GNEB in advancing sustainable water management since its first report was published in 1995?

6.1. GNEB’S Policy Impact

There is no doubt that GNEB’s policy influence is, at best, indirect. The board, as seen above, is advisory and has no implementation authority. As the period summaries

above reveal, advice, such as advocating for greater intergovernmental policy integration, strengthening financial support for the La Paz Agreement programs, or extending congressional support for the TAAP, appears to have fallen on deaf ears. Other suggestions—extending the IBWC's Colorado River agreement on shortage sharing with Mexico (Minute 319), for example—did follow. But evidence of direct impacts of GNEB recommendations is hard to find. That said, it is also clear that the board has played important advocacy roles in advancing sustainable water management in the border area.

6.2. The GNEB's Roles and Advocacy

The GNEB, as noted, was designed to offer constructive advice to the president and congress concerning the state of the border environment and its pressing needs related to achieving environmental sustainability. The scope of its assignment is and was quite vast, embracing the work of at least seven federal agencies in the water sector alone and numerous state and local agencies, as well as private sector stakeholders engaged in water-related activities in the border region.

From its beginning, an important function, perhaps its most important function, was to describe and report on conditions in the border region and raise awareness of the border's environmental circumstances and pressing needs to an audience of federal officials and congressional representatives for whom the border area was a distant and little-known region of the United States—border state senators, representatives, and state and local officials excepted, yet even here, state and local officials in one region of the boundary had little awareness of circumstances beyond their own jurisdictions. This was a tall order by itself. It would be fair to say that the GNEB plays an important role in elevating awareness of the border's environmental and hydraulic realities.

The GNEB's further role has been to legitimize the efforts of federal, state, and local governments to address environmental problems in the border region, drawing attention to their efforts; spotlighting funding deficits and opportunities; justifying, and to some extent prioritizing, needed federal investments; and painting a picture of pressing needs, as well as accomplishments.

Yet another GNEB role, one that emerged early on, was to spotlight and advocate for policy best practices for advancing environmental sustainability in the border region. This meant, at least in part, that the GNEB served as advocate for well-accepted professional and technical approaches for addressing environmental problems and finding solutions.

A further role assumed by the GNEB was advancing policy integration among agencies and levels of government to gain greater efficiencies in the management of environmental policies affecting the border region.

Finally, the GNEB was also tasked with advancing bilateral cooperative mechanisms and solutions to border environmental problems congruent with authorities endowed by existing treaties, the 1983 La Paz Agreement, and NAFTA-based executive agreements like the BECC/NADB (now NADB) and CEC accords.

All these roles are evident in the GNEB's work in the water sector as the preceding review of the GNEB's recommendations over a 27-year period reveals. Its detailed descriptions and characterization of border water management provide a bird's eye view of the practices and challenges in the border water sector that no other agency provides. Its reports, both those fully focused on water and those segments on water matters contained in other topical reports, are well documented, accessible to non-technical readers, and benefit from review by agency representatives serving on the GNEB, as well as by the EPA's in-house technical vetting.

The GNEB's legitimization function may be seen in many of its recommendations endorsing work that various agencies are already doing, its calls for sustained effort, and

its advocacy for better funding of these activities. For example, the GNEB regularly praised initiatives taken under the aegis of the binational La Paz programs, championed the BEIF, and called for an expansion of the NABD's lending capacity coupled to adjusting its interest rate restrictions and creating new grant options for financing border water infrastructure.

GNEB's best practices advocacy role is perhaps best evident in its endorsement of applying IWRM principles to the management of shared watersheds and approaching water management and planning decisions through a watershed lens that included concern for ecosystem and ecological values. Here, we see the GNEB directly encouraging federal and state agencies to better incorporate emerging professional and technical standards in addressing sustainable water management challenges in the border region.

In a similar vein, from its inception, the GNEB, perhaps taking a cue from widespread criticism of the La Paz programs (both IBEP and the Border XXI Program) (a common criticism of the La Paz programs, particularly the earliest iterations, was that the programs, such as they were, were merely a laundry list of what specific agencies were already doing or tasked to do, without any real strategic and long-term objective or coordinated approach to identified environmental and water problems in the border area [16]), championed greater policy integration among federal, state, and municipal agencies in addressing border water problems. The GNEB repeatedly flagged the extraordinary decentralization and complexity of policy-making in the water sector, particularly on the U.S. side of the border, urging agencies to coordinate and align their activities and border-directed priorities with those of other agencies to enhance efficiencies and generate a sense of common purpose among water agencies with border-oriented jurisdictions and mandates.

The GNEB's binational orientation, though not mentioned at all in its enabling legislation [2], was also embraced as a defining role for the board from its inception. Though the GNEB's official mission was to improve conditions on the U.S. side of the boundary (PL102-532, Section 6(b) states the following: PURPOSE—The purpose of the Board shall be to advise the President and the Congress on the need for implementation of environmental and infrastructure projects (including projects that affect agriculture, rural development, and human nutrition) within the States of the United States contiguous to Mexico in order to improve the quality of life of persons residing on the United States side of the border [2]), it was well understood that a great many of the conditions the GNEB was tasked to improve were binational and transboundary in nature. Thus, improving communication and collaboration with Mexico for the purpose of strengthening joint efforts to address these conditions was implicit in the GNEB's mission. GNEB reports were translated to Spanish and shared with Mexican environmental agencies. Early on, the GNEB sought to coordinate with its Mexican counterpart, the Northern Border Sustainability Council [22]. The board repeatedly encouraged cross-border collaboration in addressing shared water problems and routinely endorsed the La Paz Program's binational work groups and efforts to build truly binational approaches to address border water problems [22]. It touted the TAAP, for example, as a successful example of binational cooperation on transboundary aquifer research and a model for binational cooperation on transboundary water problems [27,38].

7. Conclusions

Given the policy breadth and complexity of the border water sector and the GNEB's lack of direct leverage on policy decisions by government agencies, it is unreasonable to judge the GNEB by the failure of government authorities to heed its recommendations. In fact, a good argument can be made that the GNEB should be judged by its roles and advocacy functions for sustainable water management in the border area, not by any particular policy outcome.

What is clear is that the GNEB has played an important role in spotlighting and advancing needed water policy investments and improvements for the border area. Its five key roles and functions are not replicated by any other federal, state, or binational agency tasked with water management along the U.S.–Mexico boundary. Its reports afford a broad perspective on the state of the border environment and water policy challenges confronting border communities and governments they rely on to address those problems. Its legitimization function is particularly valuable, as the GNEB has provided independent review and endorsements of key border region environmental programs for 25 years, rationalizing their need for federal fiscal support. The GNEB’s consistent support for engaging Mexico in solutions to shared water problems amplifies other voices and justifies efforts at the agency level to strengthen cooperative outreach and resource sharing, including data harmonization and sharing across the boundary.

Though the GNEB is a singularly unique type of citizen advisory agency, one tasked with reviewing and reporting on the full gamut of environmental concerns of relevance across the nearly 2000-mile span of the U.S. border region—to include the work of multiple federal agencies, four U.S. states, 25 county governments, and 14 municipalities adjacent to Mexican border cities—its utility as a multipurpose citizen advisory board is instructive for understanding the roles of other such citizen advisory agencies. Multipurpose advisory boards may vary with respect to their geographic scope of responsibility, their functional scope, and the number of governance units within their remit—a good example is seen in the functions of the Great Lakes Advisory Board which, like the GNEB, has a broad regional mandate but much narrower functional scope [44]. But all are likely to be tasked with describing and reporting on empirical circumstances affecting the subject of their responsibility—providing some degree of constructive support or legitimization for some aspects of the functions they are asked to review—and with spotlighting concerns and offering suggestions for improvement with respect to these functions. If multiple agencies and levels of governance are involved, they are very likely to be charged with looking for opportunities for policy integration and greater operational efficiencies in accomplishing those tasks. Advancing interagency and intergovernmental partnerships and cooperation is also likely to be an important role for these boards.

In sum, though the GNEB may well be seen as a rarified voice lacking actionable authority, with limited impact on facts on the ground, its functions have become a vital element in U.S.–Mexico border region water and environmental policymaking, particularly on the U.S. side of the border. If the GNEB did not exist, the ability of governments to form a coherent and broad-scale picture of border water policy would certainly be diminished, as was the case prior to its creation. There is good reason to hope that at a time of diminished U.S. federal support for environmental programs along the U.S.–Mexico border [38,43], that the GNEB will continue to be supported and play the role of border sustainable water management advocate for another quarter century.

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