

**Executive Summary of Critical Issues**  
**Topic —Protecting Environmental Values in the Colorado River Delta**

Last Update  
July 13, 2007

CAP Position

CAP recognizes that the Colorado River Delta and the Cienega de Santa Clara provide significant environmental values. CAP does not believe that the United States can or should contribute additional Colorado River water to Mexico for environmental purposes at the expense of U.S. water users. But CAP remains willing to explore win-win solutions that would benefit both water management in the U.S. and Mexico and environmental values in the Delta region.

Summary of Issue

The 1944 Treaty between the U.S. and Mexico allocated 1.5 million acre-feet (af) of Colorado River water to Mexico annually. In recent years, various environmental groups have advocated that the United States should deliver additional water to Mexico to sustain and improve environmentally significant habitat in Mexico.

Currently, Mexico receives more than 100,000 af per year of Colorado River water over and above its Treaty entitlement. Most of the extra water is drainage water from the Wellton-Mohawk Irrigation and Drainage District (WMIDD) that is being delivered to the Cienega de Santa Clara without credit against the U.S. Treaty obligation. The U.S. is authorized and directed to treat the WMIDD drainage water by operating the Yuma Desalting Plant (YDP) so that it is useable by Mexico, but the U.S. has chosen not to do so.

There has been much discussion about the potential of committing some portion of the Colorado River water supply for the enhancement and restoration of riparian habitat in the Lower Colorado River Delta located in Mexico. In September 2001, a Mexican Delta symposium focused on the scientific, legal and technical aspects of defining the optimum amount of water and potential sources of water for the Delta region. Many environmental organizations have suggested that the water supply for the Delta come primarily from the U.S. entitlement.

The U.S. has responded by saying there will be no reallocation of water from the U.S. to Mexico, but the U.S. has offered technical assistance concerning potential actions to conserve water in Mexico so that

conserved water may be used for environmental habitat. The U.S. position has been stated, in bi-national forums, at the Presidential level, at the Departmental level, by the State Department through the International Boundary and Water Commission, and by the Department of the Interior through the U.S. Bureau of Reclamation.

In 2000, the International Boundary and Water Commission adopted Minute 306, which resulted in the formation of a bi-national committee. The committee met in 2002 and 2003 and discussed ways to better address meeting both human and environmental needs in the area. They agreed to gather additional information, conduct further modeling and begin to define the kind of water supplies that would be needed for the Delta region. The committee has not actively met since 2003.

In July 2004, CAP led the formation of a group of 13 individuals representing the federal government, the state of Arizona, Mexican and U.S. environmental groups, the City of Yuma and CAWCD. The group developed and evaluated alternative solutions with fundamental objectives to: (1) reduce or eliminate the impact on basin states' water supply that result from the bypass of WMIDD drainage water to Mexico; (2) maintain a viable wildlife habitat and ecosystem at the Cienega de Santa Clara; and (3) remain in compliance with the water quality requirements of Minute 242 to the 1944 Treaty. On April 22, 2005, the group released a white paper that recommends adoption of a short-term plan and a longer-term plan, each of which contain several components. The white paper was issued in English and Spanish and distributed to a variety of elected officials, stakeholders and interested parties on both sides of the border. It is available at <http://www.cap-az.com/images/newfinaldocument.pdf>.

#### Status as of July 13, 2007

Formal dialogue with Mexico recently has focused on high-profile issues such as the lining of the All American Canal and Colorado River shortage sharing. As a result, little or no progress has been made on Delta issues.

In May 2007, Reclamation completed a 90-day demonstration run of the YDP at 10% capacity. The CAP is funding a one-year program to monitor the quantity and quality of the water flowing into the Cienega.

Informal discussions among U.S. water users, Mexican interests and environmental organizations continue to explore potential water management solutions for the border region that would also sustain environmental values in the Delta.