

Executive Summary of Critical Issues
Topic – Operation of Yuma Desalting Plant

Last Updated
July 23, 2007

CAP Position

The United States must meet, *but not exceed*, its obligation to deliver water to Mexico under the 1944 Treaty with Mexico. About 100,000 acre-feet (af) of Wellton-Mohawk drainage water is being delivered to Mexico each year, but not counted against the U.S. Treaty obligation. That over-delivery harms Arizona water users. To eliminate the over-delivery, the Wellton-Mohawk drain water must either be *treated* and delivered to Mexico under the Treaty or *counted* against the Treaty obligation when delivered through the MODE. No other feasible alternative satisfies the U.S. Treaty obligation without unacceptable loss of water to the Basin States, particularly Arizona.

Summary of Issue:

The U.S. is required to deliver 1.5 million acre-feet of Colorado River water to Mexico each year under the 1944 Treaty with Mexico. Salinity became a significant international issue in the 1960s with the introduction of Wellton-Mohawk drainage water and reduced flows on the river. The U.S. and Mexico negotiated Minute 242 to the 1944 Treaty, under which the U.S. agreed to effect a “*permanent and definitive solution*” to the salinity problem. The U.S. determined that a desalting plant was the only alternative that would solve the salinity problem without unacceptable adverse impact on the Basin States’ water supply. The 1974 Colorado River Basin Salinity Control Act authorized construction of the Yuma Desalting Plant (YDP) and made replacement of the YDP reject stream and any water bypassed to Mexico a *national obligation*.

Except for a few months of testing, the YDP has not been operated since construction was completed in 1992. The U.S. is bypassing 100,000+ af of Wellton-Mohawk drainage water to Mexico each year without credit against the U.S. Treaty obligation. To replace that water, the U.S. must release an equal amount from storage in Lake Mead, which is water lost to the Basin States. This water loss increases the risk of shortage, particularly to the CAP, and must be stopped.

Status as of July 23, 2007

In 2001, CAWCD began talking to Reclamation urging them to get the YDP operating. Former Assistant Secretary of the Interior Bennett Raley told CAP that he was convinced the YDP should be operated. Approximately \$50.8

million has been appropriated for YDP from 2001 through 2005. Yet, there was no evidence to suggest that any of those funds have been effectively used to make the plant operational within the promised timeframe of 24-30 months. Lake Mead continues to lose one foot of elevation every year because Reclamation has not operated the YDP.

In July 2004, CAP began hosting a working group of key stakeholders to discuss the YDP. This group included two representatives each from Reclamation, Arizona Department of Water Resources and CAP; one representative from Yuma; and representatives from four environmental groups (Environmental Defense, Nature Conservancy, Sonoran Institute, and the Pacific Institute). CAP employed a consultant to provide technical facilitation.

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, including operation of the YDP. 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 also available at <http://www.cap-az.com/images/newfinaldocument.pdf>. In August 2005, the YDP section was the most visited on CAP's website. There were 500 downloads of the English version and 150 downloads of the Spanish version of the report.

The BOR attached the white paper in its entirety to the agency's 2006 YDP report to Congress. Additionally, the BOR began a public process to determine a solution to meet its water quality treaty obligations. The report makes operation of the YDP as part of the solution an attractive option.

On March 28, 2007, YDP was started and operated for 90 days to demonstrate its operational viability. CAP provided the first year funding to support environmental baseline monitoring in the Cienega to determine the effects, if any, caused by the 2007 YDP pilot operation. The BOR is currently analyzing the plant performance during the trial run. Preliminary indications are that it exceeded operational and cost expectations. Similarly, Cienega monitoring data is being evaluated. It appears that the impacts on the Cienega are non-detectable for the trial period.

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