

Executive Summary of Critical Issues
Topic — Multi-Species Conservation Program

Last Update

July 16, 2007

CAP Position

The Lower Colorado River Multi-species Conservation Program (MSCP) balances the existing and projected uses of lower Colorado River water and power resources and the conservation of threatened and endangered species and their habitats in compliance with the federal Endangered Species Act (ESA). It is a better approach than a species by species consultation under the ESA. The MSCP provides: certainty for ESA enforcement, clearly defined mitigation goals, and caps on the costs of required mitigation activities. The program serves to protect existing and future water and power operations as well as maintenance activities along the lower Colorado River. In addition, the costs of the program are shared among water users in Arizona, California, and Nevada, and the Federal government.

Summary of Issue

The MSCP is a comprehensive program for the protection of 26 covered species and their habitat in the Lower Colorado River Basin, including six federally listed endangered and threatened species as well as reducing the likelihood that additional species will be listed as threatened or endangered during life of the program. The program extends for 50 years (through 2055) at a combined total estimated cost of \$626 million (2003 dollars). The MSCP meets the requirements of the ESA and protects existing and future activities associated with water use and power production by:

- Conserving existing habitat,
- Creating new habitat for covered species (8,132 acres of various habitat types),
- Restocking covered fish species (660,000 Razorback Sucker and 620,000 Bonytail)
- Accommodating current water and power operations and maintenance activities,
- Optimizing specific opportunities for future water and power development,
- Providing ESA “incidental take authorizations” needed by federal (Section 7) or non-federal (Section 10) entities.

On April 4, 2005, the Secretary of the Interior executed the MSCP agreements that enable the participants in Arizona, California and Nevada to continue water and power operations while protecting species and complying with the Endangered Species Act. A bill supporting the

MSCP program has been introduced in Congress. However, it is unlikely that Congressional action will occur before the end of the year. Work is also being done to amend the Endangered Species Act to protect entities whose responsible operations could impact threatened or endangered species.

Arizona bears twelve and a half percent of the program costs. California pays twenty-five percent and Nevada pays twelve and a half percent. The remaining fifty percent of the program costs are borne by the Federal government. Through water use fees, license fees, and other agreements Arizona participants who receive benefit pay an appropriate share of the costs. There are twenty-four contributing entities in Arizona, including CAWCD.

On March 3, 2005, the Board authorized participation in the 50-year MSCP. CAWCD contributed approximately \$100,000 (of Arizona's \$600,000 share) toward the effort in 2005. In 2006, the first year of program implementation, CAWCD's contribution was approximately \$500,000 or roughly forty-eight percent of Arizona's contribution. CAWCD's contribution is included as part of the fixed OM&R portion of CAWCD's water delivery rate. For 2006, the MSCP contribution is approximately \$0.30 per acre-foot. Going forward, program costs and contributions escalate consistent with an inflation factor.

Through July 2007, MSCP has:

- Released over 60,000 fish, approximately 40,000 razorback suckers and approximately 20,000 bonytail,
- Created over 80 acres of backwater habitat,
- Created over 12 acres of marsh habitat,
- Created over 100 acres of cottonwood-willow habitat,
- Created over 60 acres of honey mesquite.