

MEXICAN AGENCIES/ORGANIZATIONS

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COMMENT LETTER

RESPONSES

AUTONOMOUS UNIVERSITY OF BAJA CALIFORNIA

Rectory
Doc. No. 018/2000-2

Ms. Jayne Harkins
Regional Office
Bureau of Reclamation
Boulder City, Nevada 89006-1470

Dear Madame:

The undersigned, Victor Everardo Beltran Corona, Rector of the Autonomous University of Baja California, addresses you in the most respectful manner to advise you that we have received information generated by the Bureau of Reclamation of the United States in a document entitled: "Interim Criteria for the Management of Excess Flows in the Channel of the Colorado River," in which the redistribution of the volumes of excess flows in the Lower Colorado River Basin for the next 15 years is being considered.

Given the enormous importance that the said waters represent to the State of Baja California in Mexico, we are addressing you for the purposes of providing you, for your consideration, with our comments regarding the plan proposed by the Bureau of Reclamation and its probable impacts on the ecosystem and in general on our entire region.

The Colorado River hydrologic basin is a region which comprises a territory of nature which should be analyzed as an integrated ecosystem from its origin in the Rocky Mountains of the United States to its final part in the Gulf of California in Mexican territory.

From the beginnings of the XX century our region was known as a region of abundant vegetation and native fauna which developed in harmony and splendor due to the waters of the Colorado River which naturally watered these lands. Hydrologic records of the Bureau itself establish the enormous flows which the Colorado River provided to the delta region. The records report average values which exceed 20,000 million cubic meters per year, a situation which drastically changed when the United States government initiated the construction of Hoover Dam in Black Canyon, state of Nevada, causing enormous ecological damage to the entire region.

Additionally, the adverse impacts increased year after year. The reduced water flow volume permitted to pass to the Mexican side was aggravated even further with the dispositions agreed to by the representatives of the two governments, United States and Mexico, who signed the International Water Treaty on February 3, 1944, which regulates the deliveries of water to our country. Nevertheless, the adverse conditions under which this document was negotiated have presented to Mexico a difficult situation in the administration and assignment of water resources. In 1944, they only considered assigning water rights for a reduced part of the agricultural lands and small settlements, overlooking that over time water needs would increase considerably.

Translation: RAV:rav
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September 8, 2000
No.: Ms 083

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File: WAC 10 Surplus Water Supply - Colorado River

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1: The Interim Surplus Criteria EIS addresses potential effects of the implementation of interim surplus criteria, not the effects of management of the Colorado River as a whole. As such, the impact analysis focuses on areas that may be affected by interim surplus criteria. Note that Section 3.16 of the EIS discusses the potential for decreased excess flows to Mexico as a result of interim surplus criteria and identifies the potential effects to the natural and physical environment within Mexico may be developed.

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supports 1

1 cont'd

This grave omission not only delayed the future growth of regional agriculture and of the cities in our state, but also overlooked a fundamental aspect of the development of all of us who live in this region, the sustainability of the Colorado River Delta, which comprises all the southern part of the Colorado River and the Upper Gulf of California. We emphatically point out that the physical boundary established by man cannot transcend the boundaries established by nature, the Delta also forms part of the hydrological basin of the Colorado River.

During many years (1961-1977), there were many problems between the governments of the United States and Mexico regarding the quality of the waters arriving in the region. Currently, some of these problems still persist; nevertheless, in the hopes of achieving good neighborhood between the two countries, our farmers are accepting waters of low chemical, physical and bacteriological quality, such as the case of the waters delivered at the point of diversion known as the Southerly International Boundary at San Luis Rio Colorado, Sonora, which as part of the International Treaty each year receives wastewater coming from the urban and agricultural drainage system of the Yuma, Arizona area, to be used in the agriculture of the San Luis Valley with the consequent deterioration of the subterranean aquifer.

supports 1

Currently, a great number of deep wells in the area have had to be relocated due to the grave deterioration of the water quality which has lessened harvests, and as a consequence harmed economic conditions.

The decrease in the quality of the water delivered at the Northerly International Boundary during the winter is another problem facing our farmers, and one which in addition to the deficiencies in the natural drainage of our soils, makes for even further crop yield reductions.

Based on hydrologic studies conducted by our researchers, it has been possible to determine that the cycle of Colorado River flows periodically reports the presence of extraordinary volumes in the natural channel. This has been analyzed using, as an indicator of the environmental impact, the species of shrimp which develops in the Upper Gulf of California, which has been the recipient of the beneficial impact of the fresh waters which are registered during periods of "El Niño" which stimulate the development of marine fauna, especially shrimp species, totoaba and the *vaguita marina* (a porpoise); in addition to favoring an oceanographic condition of residual currents in the Upper Gulf of California, which due to mass compensation, results highly beneficial to fishing for diverse species and an excellent level of economic development for the fishing community.

Today, the impressive system of dams on the Colorado River has permitted the establishment of an almost absolute control of its waters on their way south. After the construction of the last of the large dams in the channel of the river (Glen Canyon Dam), the possibilities of receiving fresh water in the Mexican area of the Delta were reduced; nevertheless, after May 1, 1979 we were heartened to see that fresh water was arriving in our region, which in spite of flooding in low areas, represented a resurgence in the natural conditions for our flora and fauna. The excess flows continued for the following 20 years: 1980-1981; 1983-1988; 1992-2000.

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supports 2

It should be mentioned that during those years in which we have not had the additional volumes contemplated in the International Treaty for the Colorado River, there have been environmental effects on the environment, principally on marine species, such as shrimp, totoaba and *curvina*. This last species, in the last 25 years, had not achieved the level of development that it now has, and this thanks to the maintenance of additional fresh water flows in the natural channel of the Colorado River.

The Mexican delta of the Colorado River comprises a little over 300,000 hectares, of which nearly 35,000 hectares naturally receive the benefit of the waters flowing in the channel. The riverside vegetation, currently constituted of willows, poplars, mesquites, salty pine, *cachanilla*, and others, form a rich, virgin area inhabited by a multitude of animal species, many of which are migratory birds coming from Canada and the northern United States to establish their reproductive areas for future generations.

2

The Autonomous University of Baja California comes before you in the most respectful manner seeking that the proposal that additional volumes of fresh water continue flowing in the Colorado River to the delta region of the river be considered, since only in this manner will it be possible to sustain viable one of the most notable and important ecosystems in the world.

The characteristics which the ecosystem of the Colorado River Delta presents are unique, since only in this region do terrestrial and marine species reproduce as in no other part of our planet; as such, this region should be considered by all of us as a legacy for humanity currently constituted as a Biosphere Reserve.

At this time you are about to make a decision which could provide the hope for the life and development of one of the most important ecosystems which nature has provided to all of us who live in they hydrologic basin of the Colorado River.

SINCERELY,
Mexicali, B.C. September 6, 2000
"FOR THE COMPLETE ACTUALIZATION OF MANKIND"
RECTOR
(Signed)
VICTOR EVERARDO BELTRAN CORONA

2: The U.S. through the IBWC has entered into formal consultations with the Government of Mexico regarding this action. In the context of comity, joint cooperation projects in a support of the Colorado River riparian ecology to the Gulf of California that would have a benefit to the United States and Mexico.