

## COMMENT LETTER

## RESPONSES

AUG-22-2000 TUE 01:01 PM IBWC EL PASO

FAX NO. 915 832 4191

P. 02/03

**General Subdirector for Construction  
Border Affairs Coordinator  
Letter No. B00.03.04-191/00**

**(SEAL)  
National Water Commission**

**Mexico City, Mexico, August 18, 2000**

**Mrs. Jayne Harkins  
Bureau of Reclamation  
BC00-46-00, PO BOX 61470  
BOULDER CITY, NV 89006-1470  
United States of America**

**(Dear Mrs. Harkins:)**

I refer to the draft environmental impact (statement) that identifies the potential environmental effects that would occur if the a specific criterion is adopted for the management of excess flows of water in the lower basin of the Colorado River in the next 15 years.

We understand that the above document will be submitted for public consultation the last two weeks of this month. According to this, as Colorado River water users, we take the liberty of expressing our position on the potential impacts in Mexico if the surplus management criteria proposed by the USBR is applied.

It should be mentioned that this position has already been communicated at the beginning of last June by the Mexican Commissioner to his United States counterpart.

In the current operating conditions, Mexico since 1950 has received an approximate annual volume of 2,530 million cubic meters ( 2,050 acre-feet) of excess flows which have been used beneficially in our country, precluding the environmental deterioration of the physical and natural environment of the Colorado River.

The plan proposed for the distribution of the excess flows between the three U.S. states of the lower basin tends to eliminate these flows for 15 years. Also, in the California Plan, water conservation measures which would affect the recharge of the groundwaters shared by both countries are being considered; this is the specific case with the lining of the All American Canal. We estimate that the feeding *[sic]* of these flows would have the following effects on the Mexican physical and natural environment:

- 1 | 1. Impact on the recharge of the aquifer in quantity and quality reducing the beneficial use of the same.
- 2 | 2. Increase in the salinity of the 200,000 hectares of cultivation in the Mexicali Valley since part of the excess flows are used to leach this soil.
- 3 | 3. Deterioration in the quality of the water received by Mexico at the Southerly International Boundary (SIB), especially with regard to salinity because the fresh water flows are used to reduce the high salt concentrations at SIB.

1: Section 3.16.5.3 has been added to the FEIS to provide additional information on the general potential impacts that the implementation of the interim surplus criteria may have on the frequency of excess flows to Mexico as well as the potential resultant impacts to groundwater recharge and salinity south of the international border. See also responses to Comments 64-7 and 56-16.

2: See response to Comment 67-1.

3: See response to Comment 67-1.

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4. Deterioration in the quality of the water received by Mexico at NIB with the reduction of the flows to the amount of the Mexican demand and maintaining discharges to the river of flows from the agricultural drains in the Yuma, AZ area.
5. In the upper part of the Sea of Cortez endangered fish species and those requiring special protection would be affected, such as: the most rare and scarce cetacean in the world, the sea cow and the Totoaba. Also, commercial fishing in the area would be affected, especially shrimp and two species of curvina, fish which have not been seen in significant numbers in the last 25 years.
6. As far as the existing flora in the reach between Morelos Dam and the mouth of the Colorado River at the Sea of Cortez, in recent years, 33,000 hectares of native riparian vegetation has been reestablished in the watershed, composed of poplars, willows, mesquites and salty pines, among other species which are fundamental to the ecosystem since many of them are used for nesting by a great number of birds such as the Yuma Clapper, the yellow seagull, the sea dove and the royal blue swan, among others, same which would be affected by these measures.
7. It should be pointed out that the identified effects could weaken the cooperative bilateral relations regarding the Delta, which include the coordination between the contiguous protected natural areas, the environmental management of the basin and binational accords for habitat protection, of wetlands, and migratory species in which both countries are signatories such as the Ramsar Convention, the Management Plan for North American Aquatic Birds and the UNESCO Network of Reserves.
8. Finally, let me point out to you that the government of Mexico is not in agreement with putting into effect the proposed plan without considering the measures which would be implemented to mitigate its impact in Mexican territory. Also, I emphasize our request that the environment be considered a user of the excess flows which would be declared for the lower basin of the Colorado River. We support the goodwill of the Department of the Interior of the United States in proposing a "zero net loss of benefit to the environment" in the development of the surplus criteria.

I take this opportunity to reiterate to you the assurances of my distinguished consideration.

**SINCERELY,**  
**Border Affairs Coordinator**  
**(SIGNED)**  
**ENG. JAIME TINOCO RUBI**

cc: Eng. Prospero A. Ortega Moreno, General Manager of Construction  
 cc: Eng. Arturo Herrera Solís - Mexican Commissioner - IBWC  
 cc: Dr. Francisco Oyarzabal Tamargo - Regional Manager of the Peninsula of Baja California

4: Comment noted. Additional analysis regarding salinity at the NIB has also been added to the FEIS, in Section 3.16.5.

5: Section 3.16.6 of the EIS discusses potential effects on the sea cow (Vaquita) and the totoaba, as well as other endangered species known to occur in Mexico.

6: Section 3.16.6 of the FEIS includes additional information about potential impacts of the proposed interim surplus criteria on special status species and their habitat which may occur in both the U.S. and Mexico, including the Yuma Clapper Rail and Southwestern Willow Flycatcher. The description of the affected environment acknowledges that habitat along the river is also used by many other species of concern.

7: Reclamation is continuing its consultation and coordination with the IBWC. See FEIS Sections 3.16 and 5.3.2 for updated information.

8: Comment Noted. Please see updated Section 3.16, Transboundary Impacts.

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