
CHAPTER II MANAGEMENT FRAMEWORK

Introduction	II-1
Reclamation Responsibilities Within the Study Area	II-1
Responsibilities of Other Entities Within the Study Area	II-6
Responsibilities of Other Entities Adjacent to the Study Area	II-9



Chapter II

Management Framework

INTRODUCTION

This chapter describes the management framework within and adjacent to the study area and the existing policies and management responsibilities of involved agencies that may influence development of the study area in the future. Administration of the land areas and associated environmental resources within the study area requires a coordinated effort among several entities that have varying degrees of management responsibility. In addition, the Bureau of Reclamation (Reclamation) has issued several existing land use authorizations to second parties for the use of public lands within the study area. Existing land uses, as well as existing environmental conditions, can be described as "limiting factors" to development. Reclamation cannot interfere with the legal rights previously granted to another party. Reclamation has an obligation to coordinate its planning activities with adjacent private and public landowners to ensure that authorized uses of its lands are compatible with adjacent land uses. (**Map II-1** shows land ownership in the study area and immediate area.)

RECLAMATION RESPONSIBILITIES WITHIN THE STUDY AREA

Reclamation maintains primary jurisdiction of the lands and associated resources within the study area; however, management of some resources, such as wildlife, is the responsibility of another entity, as discussed later in this chapter. In addition to its responsibilities under the 1944 Water Treaty, Minute No. 242 of the International Boundary and Water Commission (IBWC 242 Minute), and Title I of the Colorado River Basin Salinity Control Act of 1979, as amended, Reclamation is responsible for implementing and enforcing all Federal laws, regulations, and Executive orders dealing with natural resources on its lands. These include, but are not limited to, the following:

- ~ National Historic Preservation Act of 1966, as amended
- ~ Fish and Wildlife Coordination Act of 1958, as amended
- ~ Endangered Species Act of 1973, as amended
- ~ Executive Orders 11644 and 11989, Off-Road Vehicles on Public Lands, 1972 and 1977
- ~ Executive Order 11990, Protection of Wetlands, 1977
- ~ Executive Order 12962, Recreational Fisheries, 1995
- ~ Executive Order 13007, Indian Sacred Sites, 1996

~ Executive Order 13186, Conservation of Migratory Birds 2001

In addition, Reclamation policies and procedures govern the use of its lands and water areas and may affect the way certain lands are managed now and in the future. Some of these policies and procedures are described in the following sections.

Outgrants

Section 10 of the Reclamation Project Act of 1939 (53 Statute 1187) authorizes Reclamation to grant leases, licenses, permits, easements, and rights-of-way. All land use activities for specific use of Reclamation lands and water areas are authorized and managed under outgrants, such as lease agreements, license agreements, special use permits, rights-of-way easements, and other legal and binding contracts. Each outgrant is subject to specific terms and conditions covering the use of the Federal estate. Reclamation's Yuma Area Office has copies of all authorized conveyance documents dealing with second party use of Reclamation lands. Lessees are restricted from conveying their permitted use to another party without Reclamation's approval. Outgrants may be issued only when they will not interfere with Reclamation project purposes. They are to be, for the most part, temporary in nature and contain restrictive language that protects current and future Federal land interests.

Reclamation's *Land Use Authorization Directives and Standards* states that Reclamation will prohibit any new exclusive/semiprivate use of Reclamation land unless directed otherwise in specific authorizing legislation and that existing private/semiprivate use will be eliminated when the use authorization expires, unless a formal planning process determines that there is a significant public need and benefit for the exclusive private/semiprivate use and the land is not needed for other public or project purposes. The *Land Use Authorization Directives and Standards* discussed here do not apply to private exclusive use, which may exist within concession areas. See "Concessions," discussed later in this chapter, for details regarding exclusive use within concession areas.

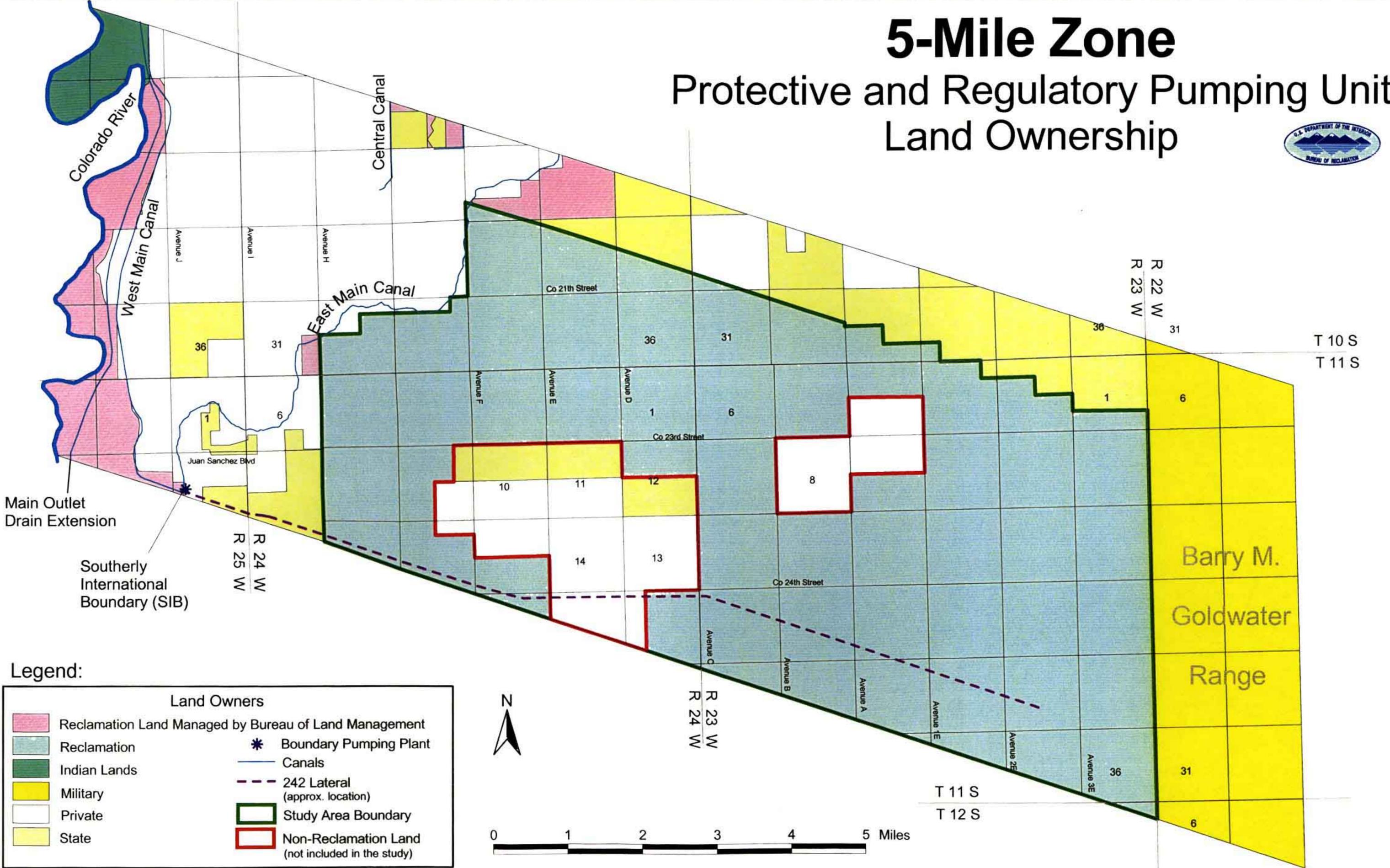
In addition, Reclamation issues permits for all improvements within easements, such as culverts and bridges, pipelines, and utilities. Special use permits are also considered for rock collecting, archeological investigation, airports, wells, mineral exploration and extraction (including sand and gravel), surface water use or sale, and material storage. Pesticide and herbicide application on Reclamation lands requires a plan and permit.

Acquisition of Reclamation Lands

A project's authorized purpose and related general laws provide the basis for Reclamation to both acquire and retain title to all land and land rights. The original agency purposes of irrigation, power, and navigation were supplemented later with fish and wildlife conservation and recreation when these latter purposes became pressing national issues. To accommodate these added public purposes, the Congress, in the 1950s, recommended a joint acquisition policy for Reclamation and the U.S. Army Corps

5-Mile Zone

Protective and Regulatory Pumping Unit Land Ownership



Legend:

Land Owners	
	Reclamation Land Managed by Bureau of Land Management
	Reclamation
	Indian Lands
	Military
	Private
	State
	Boundary Pumping Plant
	Canals
	242 Lateral (approx. location)
	Study Area Boundary
	Non-Reclamation Land (not included in the study)

of Engineers, published in 43 Code of Federal Regulations (CFR) Part 8. Reclamation has closely followed the joint policy since that time.

Disposition of Reclamation Lands

Pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976, Reclamation must review all its withdrawn lands to determine if they are needed for project purposes. Withdrawn lands not needed for project purposes should be returned to the public domain for administration by the Bureau of Land Management (BLM).

In the case of acquired lands, Reclamation must determine if they are no longer needed for project purposes. These lands are reported as excess to the General Services Administration (GSA). GSA first offers the lands for sale to other Federal, State, or local public entities. If these entities do not want the lands, they are put up for sale through public bid at established fair market and competitive prices.

Off-Road Vehicle Use

Unless officially designated, Reclamation lands are closed to off-road vehicle use. 43 CFR, Part 420, formulated off-road vehicle use policy to protect the land resource, promote the safety of all users, minimize conflicts among land users, and ensure that any permitted use would not result in significant adverse environmental impact or cause irreversible damage to existing ecological balances. The policy states, “Reclamation lands are closed to off-highway vehicle use, except for an area or trail specifically opened to use of off-highway vehicles.” Areas permitted for off-road vehicle use are to be evaluated and the use to be judged compatible with adjacent private and public lands. Executive Orders 11644, February 8, 1972, and 11989, May 24, 1977, provide further guidance on managing off-road vehicles.

Concessions

Reclamation authorizes and manages concessions on its lands pursuant to its *Policies and Directives and Standards for Concessions Management*. Reclamation and any managing partners would ensure that concessions are developed and managed to meet public needs, protect natural and heritage resources, provide stewardship of all lands and waters, and to provide a variety of goods and services to the public while being consistent with authorized project purposes. All concessionaires make individual business decisions to enter into legal, binding contracts with Reclamation for operating commercial businesses on Federal lands for a specified period of time. Among other things, the right of renewal, fixed assets, trailer lease sites, and the length of a contract are governed by the existing terms and conditions of a contract. The terms and conditions of an existing contract are not changed without mutual consent of both parties. Reclamation policy determines who is entitled to the new concession opportunity upon expiration of an existing contract. Any existing concessionaire will

have to compete with other bidders who officially respond to a bid package (prospectus) sent out by Reclamation. A prospectus will contain enough detailed information to allow bidders to submit respective proposal(s) for the operation of a commercial business to Reclamation for evaluation and selection.

Before issuing a concession prospectus and request for proposal, Reclamation would complete a formal Commercial Services Plan (CSP). At a minimum, the CSP must determine the number of concessions necessary to meet the public needs, the type of facilities and services to be provided, the financial feasibility of the concession(s), and the location(s) appropriate for commercial activities. The complexity of CSPs will vary according to location, past visitor use, anticipated revenues, and other factors. Public involvement would be an integral part of any commercial services planning effort. Public involvement would be initiated early and continued throughout the commercial services planning process. An appropriate level of environmental analysis would also be conducted.

If a concession operation was contemplated, a financial feasibility evaluation would be conducted, and pertinent data will be documented in the CSP. The evaluation should be commensurate with the types of facilities, goods, and services to be provided and other factors that may influence the incoming concession operation. Information such as estimated fees to be returned to the United States, justification for the proposed length of the concessions contract, and any underlying assumptions regarding the concessionaire's capital investment in the concession operation should be addressed in the CSP.

Reclamation's Concessions Management policy states, "Exclusive use¹ of the Federal estate will not be allowed, and existing exclusive use will be removed as soon as possible." Exclusive use, as discussed here, applies only to concession-operated areas. Exclusive private/semiprivate use outside of a concession area is addressed in separate Reclamation directives and standards. See "Outgrants," previously discussed in this chapter, for a discussion on exclusive private/semiprivate land use authorizations.

The Office of Inspector General (OIG) has prepared a report, dated May 2000 (Report No. 00-I-376), that addresses all concessions managed by Reclamation. At all Reclamation areas and pursuant to the OIG report, Reclamation has agreed to the following:

- ~ Establish and implement an oversight process to ensure that concessions comply with existing contract provisions, especially in the areas of building improvements, annual inspections, and prices charged to the public.
- ~ Complete and issue detailed guidance and procedures to fully implement the new *Policies and Directives and Standards*.

¹Exclusive use is any use that excludes other appropriate public recreation use or users for extended periods of time. Exclusive use includes, but is not limited to, boat docks, cabins, trailers, manufactured or mobile homes, structures, roads, or other amenities that are determined by Reclamation to be exclusive use.

- ~ Develop a formal action plan to assess and correct the health and safety deficiencies and degradation of land and water resources within the concessionaire area.
- ~ Establish a review process to ensure that all new concessions and newly issued and reissued contracts are in compliance with Reclamation's *Policies and Directives and Standards*.
- ~ Develop a formal action plan to bring Reclamation-managed contracts into compliance with its *Policies and Directives and Standards*.

In addition, the OIG identified the 10 most significant contract provisions that each concession permit must contain:

- ~ Contractor default
- ~ Building improvements
- ~ Operation and maintenance (O&M) plans
- ~ Title to fixed assets
- ~ Franchise fees
- ~ Exclusive use
- ~ Prices charged for services
- ~ Safety program
- ~ Recordkeeping
- ~ Operations review and evaluation

Fire Management

Pursuant to the Secretary of the Interior's policy letter dated January 18, 2001, Reclamation must address the implementation actions contained in the updated 2001 Federal Wildland Fire Management Policy document. The 2001 Wildland Fire Management Policy states, among other things, that every area with burnable vegetation must have an approved fire management plan, which is a strategic plan that defines a program to manage wildland and prescribed fires based on the areas's approved land management plan. Fire management plans must provide for firefighter and public safety; include fire management strategies, tactics, and alternatives; address values to be protected and public health issues; and be consistent with resource management objectives, activities of the area, and environmental laws and regulations. Fire management planning, preparedness, prevention, suppression, fire use, restoration and rehabilitation, monitoring, research, and education will be conducted on an interagency basis with the involvement of cooperators and partners. Accordingly, Reclamation will

work with State, tribal, and non-Federal organizations, as well as other Federal agencies, to implement the 2001 Federal Wildland Fire Management Policy.

Recreation

Public Law (P.L.) 89-72, as amended, encourages Reclamation to seek State and local partners to manage the recreation resources on its lands. Throughout the 17 Western States, Reclamation has numerous successful partnerships with non-Federal entities. In other instances and pursuant to P.L. 89-72, as amended, Reclamation has transferred to other Federal agencies the jurisdiction of its lands, such as national recreation areas, national wildlife refuges, or national forest lands if the Reclamation project is within or adjacent to a National Forest System. If Reclamation lands are transferred to another Federal agency, all resources, including recreation, are managed using the rules, regulations, and funding sources of that agency. When Reclamation cannot obtain either a non-Federal or Federal partner, Reclamation manages its lands and resources pursuant to existing laws and regulations and specific Reclamation authorities and limitations. Chapter III, "Planning Issues, Opportunities and Constraints," provides additional discussion of opportunities and constraints in securing managing partners.

RESPONSIBILITIES OF OTHER ENTITIES WITHIN THE STUDY AREA

International Boundary and Water Commission

The International Boundary and Water Commission (IBWC) is responsible for the demarcation of all international boundaries, placement of related legal boundary monuments, and any water or boundary issues. The IBWC is responsible for annual reports that address the amount of water pumped from Reclamation wells within the study area, as well as the amount of water pumped from wells by other entities and individuals within the study area. The United States Geological Survey and the other entities supply this information to the IBWC. The IBWC facilitates discussions on any proposed actions along the boundary that might be of interest to or affect the other nation.

United States Border Patrol

The United States Border Patrol (Border Patrol) is the mobile uniformed law enforcement arm of the Department of Homeland Security (DHS). It was officially established on May 28, 1924, by an act of the Congress passed in response to increasing illegal immigration.

The primary mission of the Border Patrol is the detection and apprehension of illegal aliens and smugglers of aliens at or near the international land boundary.

The primary source of authority granted to officers of the DHS are in the Immigration and Nationality Act (INA), found in Title 8 of the United States Code (8 U.S.C.) and in other statutes relating to the immigration and naturalization of aliens. The secondary sources of authority are administrative regulations implementing those statutes, primarily those found in 8 U.S.C., judicial decisions, and administrative decisions of the Board of Immigration Appeals.

Subject to constitutional limitations, Border Patrol officers may exercise the authority granted to them in the INA. The statutory provisions related to enforcement authority are in Section 287 (8 U.S.C. 1357), Section 235 (8 U.S.C. 1225), Section 274 (8 U.S.C. 1324), Section 274A (8 U.S.C. 1324a), and Section 274C (8 U.S.C. 1324c).

Other statutory sources of authority are Title 18 (18 U.S.C.), which has several provisions relating to enforcement of immigration and nationality laws; Title 19 (19 U.S.C. 1401), relating to Customs cross-designation of Border Patrol officers; and Title 21 (21 U.S.C. 878), relating to Drug Enforcement Agency cross-designation of DHS officers. Section 287(a)(3) provides further authority to Border Patrol agents to enter any lands within 25 miles of the international borders, without prior approval of the property owner, in the pursuit of illegal entrants.

Arizona Game and Fish Department

The Arizona Game and Fish Department (AGFD) has management authority of the State's wildlife, which is held in trust for the citizens of the State of Arizona. Established in 1929 under Title 17 of the Arizona revised statutes, the Arizona Game and Fish Commission directs and governs the AGFD. Under the provisions of Arizona Revised Statutes 17-231, the Arizona Game and Fish Commission establishes policy to manage, preserve, and harvest wildlife. The AGFD has the following mission:

To conserve, enhance, and restore Arizona's diverse wildlife resources and habitats through aggressive protection and management programs, and to protect wildlife resources, and safe watercraft and off-highway vehicle recreation for the enjoyment, appreciation, and use by present and future generations.

The AGFD's primary wildlife management responsibilities within the study area include the following:

- ~ Enforcing hunting regulations
- ~ Developing and maintaining habitat assessment/evaluation and protection
- ~ Conducting wildlife population surveys
- ~ Establishing game limits for hunting, trapping, and non-game species collection
- ~ Managing endangered species/special status species

- ~ Managing wildlife predators
- ~ Issuing hunting permits

Yuma Area Water Resources Management Group

The Yuma Area Water Resources Management Group (YAWRMG) includes representatives from major water entitlement holders, suppliers, and managers in the greater Yuma area. The group includes irrigation districts, municipalities, and governmental agencies, such as Reclamation. YAWRMG's objective is to more effectively manage and use the water resources available to the greater Yuma area while meeting treaty water quality and salinity requirements with Mexico. Another YAWRMG objective is to address issues related to high groundwater levels by more effectively using wells and maximizing return flow credits for the water right holders and the State of Arizona.

Flat-Tailed Horned Lizard Interagency Coordinating Committee

In 1993, the U.S. Fish and Wildlife Service (Service) proposed a rule to list the flat-tailed horned lizard as threatened. In May 1997, the Flat-Tailed Horned Lizard Working Group of the Interagency Coordinating Committee finalized the Flat-Tailed Horned Lizard Rangewide Management Strategy (Rangewide Management Strategy). (Also see chapter V, "Flat-Tailed Horned Lizard.") In July 1997, the Service issued a final decision to withdraw the proposed rule when seven Federal and State agencies, including Reclamation, signed a Conservation Agreement to implement the Rangewide Management Strategy. Signatory agencies, including Reclamation, have agreed to incorporate strategy measures into their land management plans. The purpose of the Rangewide Management Strategy is to provide a framework for conserving sufficient habitat to maintain several viable populations of the flat-tailed horned lizard (*Phrynosoma mcalli*) which is found only in southwestern Arizona, southeastern California, and adjacent portions of Sonora and Baja California Norte, Mexico. Implementing the Rangewide Management Strategy by the involved agencies was intended to avert listing the species as threatened under the Endangered Species Act. The Rangewide Management Strategy identified five flat-tailed horned lizard management areas—four in California and one in Arizona. Most of the flat-tailed horned lizard habitat in Arizona is within the Barry M. Goldwater Range. However, approximately 16,000 acres of suitable habitat is on lands administered by Reclamation and within the study area (shown on **map V-6**, later in this document). In 1997, Reclamation began managing these lands, known as the Yuma Desert Management Area, under the Rangewide Management Strategy.

In December 2001, the Service issued a restatement of the 1993 proposed listing of the flat-tailed horned lizard as a threatened species but withdrew the rule in January 2003 based, in part, on protections offered by the 1997 Rangewide Management Strategy.

In May 2003, the Flat-Tailed Horned Lizard Coordinating Committee released a revised Rangewide Management Strategy. Because some of the management actions and directions provided in the 2003 version differed from the 1997 version, Reclamation, in cooperation with other involved entities, will manage its approximately 16,000 acres of critical habitat pursuant to the guidance provided in the 2003 Rangewide Management Strategy.

RESPONSIBILITIES OF OTHER ENTITIES ADJACENT TO THE STUDY AREA

BLM, the U.S. Air Force, and the U.S. Navy administer Federal lands adjacent to and near the study area. BLM manages the lands for multiple use and is responsible for managing a wide variety of renewable and nonrenewable resources. As an agency, some of the resources it manages are soils, water, grazing, minerals, wildlife species and habitat, recreation, off-highway vehicles, and heritage resources. The U.S. Air Force and the U.S. Navy administer lands that primarily support national defense purposes. They administer other lands to manage and protect natural and cultural resources.

The State of Arizona administers several sections of land adjacent to or within the study area. These lands are used primarily for open space, recreation activities such as hunting, and for agriculture through leases with private parties.

Local government entities, such as the city of San Luis, city or county of Yuma, private nonprofit organizations, such as the Greater Yuma Port Authority, and a private irrigation district manage other lands adjacent to the study area. These lands are used primarily for residential and industrial uses while maintaining adequate open space for public recreation.

Some of these entities and their responsibilities are described in more detail in the following sections.

Bureau of Land Management

BLM manages certain Reclamation lands within the immediate area, pursuant to the Department of the Interior's Departmental Manual 613 (DM 613) (attachment D). As stated earlier, the lands that BLM manages for Reclamation are not part of this planning process and are not within the study area. Reclamation either has withdrawn these BLM-managed lands from the public domain or has acquired them as part of the Colorado River Basin Salinity Control Act of 1974. In 1964, the Secretary of the Interior approved the Lower Colorado River Land Use Plan (Land Use Plan). The Land Use Plan provides recommendations and guidance on how to manage public lands² and

² Public lands are those lands that are under the administration and jurisdiction of the Secretary of the Interior through the Director of the Bureau of Land Management.

other Federal lands³ along the Colorado River from Davis Dam to the international boundary between the United States and Mexico. As directed in DM 613, BLM is responsible for the implementation of the Land Use Plan. Attachment D, DM 613, lists BLM's management responsibilities for lands along the Colorado River. BLM also has jurisdiction of scattered tracts of land west of the study area that it manages under its rules and regulations.

U.S. Air Force and U.S. Navy

On October 5, 1999, the Congress passed the Military Lands Withdrawal Act (MLWA) of 1999 (Title XXX of P.L. 106-65) extending authorization for the Barry M. Goldwater Range (BMGR) for 25 years until 2024. Under the MLWA, the rangelands are withdrawn from all forms of appropriation under the general land laws, including mining, mineral leasing, and geothermal leasing, and are reserved for continued military use. The Congress assigned land jurisdiction over the eastern and western portions of the BMGR to the Secretaries of the U.S. Air Force and U.S. Navy, respectively.

Before the MLWA of 1999, the MLWA of 1986 provided congressional authorization for the BMGR. The 1986 Act provided that the Secretary of the Interior (acting locally through BLM) was responsible for managing the natural and cultural resources. However, the MLWA of 1999 transferred Federal land surface management responsibility to the Secretaries of the U.S. Air Force and U.S. Navy. With the MLWA of 1999, the Secretary of the Interior retains a management oversight role, but the Congress has assigned the Secretaries of the U.S. Air Force and U.S. Navy the responsibilities of using the range to support national defense purposes as well as to manage and protect its natural and cultural resources.

The Secretary of the Air Force has delegated local control of the eastern portion of the BMRG to the Commander of the 56th Fighter Wing at Luke Air Force Base. Similarly, the Secretary of the Navy has delegated local control of the western portion of the BMRG to the Commanding Officer of the Marine Corp Air Station (MCAS) in Yuma. The area currently delegated to MCAS is adjacent to the eastern boundary of the study area and encompasses a portion of the Yuma Desert Management Area (flat-tailed horned lizard habitat.) Therefore, Reclamation has coordinated activities pertaining to the Yuma Desert Management Area with MCAS.

The BMGR was first established in 1941 and, over the years, has generally encompassed about 2.7 million acres. However, the MLWA of 1999 reduced the land area to

³ For the purposes of this document, Federal lands are those lands under the administration and jurisdiction of the Secretary of the Interior through Reclamation, the Service, or another Department of the Interior agency. These Federal lands may have been public lands (BLM lands) at one time but were withdrawn from the public domain by another agency for specific purposes (e.g., withdrawn by Reclamation for development of a water project or withdrawn by the Service for development of a wildlife refuge).

1,733,921 acres (2,709 square miles). The BMGR is undeveloped and uninhabited because military safety requirements restrict habitation, economic development, and public access.

The MLWA of 1999 expressly reserves the BMGR for use by the Secretaries of the U.S. Air Force and U.S. Navy for the following:

- ~ An armament and high-hazard testing area
- ~ Training for aerial gunnery, rocketry, electronic warfare, and tactical maneuvering and air support
- ~ Equipment and tactics development and testing and other defense-related purposes consistent with those specified in Paragraph (a)(2) of Section 3031 of the MLWA of 1999

The BMGR is nationally significant as a critical component in the largest remaining tract of unfragmented Sonoran Desert in the United States. Made up of the BMGR, Cabeza Prieta National Wildlife Refuge, and Organ Pipe Cactus National Monument, this tract of unfragmented Sonoran Desert currently totals 4,569 square miles, of which the BMGR contributes almost 60 percent of the land area. The BMGR incorporates much of the diversity of landforms, rainfall, and elevation gradients present within the Sonoran Desert in Arizona and contributes greatly to the biodiversity of the region. The BMGR is unique for its size and protected status, and it may be the largest intact, relatively undisturbed ecosystem in the United States with all of its original components in sufficient numbers and with sufficient habitat so as to be indefinitely sustainable.

City of San Luis

The city of San Luis was established in 1930 with the opening of the U.S. port-of-entry. Its population grew slowly for the first 50 years. However, since its incorporation in 1979, San Luis has experienced tremendous population and commercial growth. Today, it is the fastest growing community in Yuma County, nearly doubling in population between 1990 and 2000 from 4,212 to 15,322, a 263.8-percent increase. The Arizona Department of Economic Security estimated that the 2001 population of San Luis was 17,090. San Luis's proximity to Mexico and the booming maquiladora industry⁴ has influenced this growth, which is expected to continue to outpace the rest of the county through 2005.

⁴ Maquiladoras, also known as maquilas, are factories that produce goods for export, primarily on the basis of assembly or conversion of components and raw materials imported from abroad. Maquilas are not required to pay duties on the goods they import, provided that these imported inputs are included in the export shipments. Most of Mexico's maquilas are located at or near the border where they have access to U.S. supplies, transportation, and communications. As of December 1999, there were 28 maquiladoras in San Luis Rio Colorado, Mexico.

In January 2000, the city began developing the San Luis General Plan, as required by Arizona Revised Statute. The San Luis General Plan is a statement of policy and an expression of the community's vision for the future. Additionally, the plan is a tool to help guide and shape the physical development of the planning area. The city's planning area includes approximately 60 square miles (including portions of the 5-mile zone and the study area), while the city's incorporated boundary is approximately 30 square miles. Furthermore, the mission of the general plan is to achieve a sustainable future for the community through sound growth management.

City of Yuma

The city of Yuma operates with a council/manager form of government. The mayor serves as the chief executive officer, and the city administrator serves as the chief administrative officer. Elected council members set legislative policy, which is administered by the city administrator. The council appoints the city administrator. The city council consists of the mayor and six councilmen elected at large from the entire community for 4-year terms, staggered in 2-year intervals.

The city is governed by a charter, Arizona State statutes, and an adopted strategic management plan.

The city owns and operates water and wastewater utilities and provides police, fire, emergency services, parks and recreation, and solid waste services (with residential customers currently receiving solid waste services at no cost). It has recently acquired ownership and operation of all streetlights. Other utility corporations provide power.

The incorporated area of Yuma is approximately 108 square miles and houses more than 83,330 full-time residents as of July 2003. Development within the city limits is governed by an adopted general plan and zoning and land use regulations. New businesses within the city limits require a business license and environmental and safety review.

The city of Yuma has a water allocation of 50,000 acre-feet from the Colorado River. The city recently entered into two agreements with local water districts and Reclamation (1) to convert agricultural allocations to municipal and industrial uses and (2) to receive return flow credits.

Yuma County

The mission of the Yuma County Board of Supervisors is to oversee operation of the various county departments by setting strategic goals for the county, adopting a budget, setting the property tax rate, advocating for necessary legislative changes, and monitoring progress in satisfying the county's residents.

The county's current strategic plan will be in effect until 2006. The county's strategic plans are in effect for 5 years to encourage the inclusion of objectives and strategies that

provide long-term direction for the county. Although each plan is in effect for 5 years, it is reviewed annually and can be amended as needed. The strategic plan, in conjunction with the capital improvements program, the comprehensive plan, and the long-range financial forecast, are the fundamental tools the county uses to make resource allocation decisions in its annual budgeting process.

Greater Yuma Port Authority

The Greater Yuma Port Authority, Inc. (GYPA) is a nonprofit corporation under Arizona law. It is operated exclusively for charitable purposes, within the meaning of section 501(C) (3) of the Internal Revenue Code of 1986. The articles of incorporation state the following:

The Corporation is created as a cooperative regional effort of governmental entities in the Yuma County, Arizona area (the “Area”). The general purpose of the Corporation shall be to lessen the burdens of government and to erect and maintain public buildings and works by engaging in charitable activities, including such activities as

- (i) constructing and maintaining an international port of entry along the Arizona-Mexico border in coordination with Federal agencies,
- (ii) establishing, operating and maintaining a foreign trade zone or expansion zone within Yuma County, Arizona (the “Area”),
- (iii) acquiring land in an economically depressed section of the Area, and encouraging businesses to locate new facilities in the Area, (iv) providing employment opportunities for low income residents and improving economic conditions in the Area, and (v) improving the flow of transportation in and around the Area.

The GYPA was created as a cooperative and organized regional effort between the public and private sectors of the Yuma County region for the sole purpose of promotion and development of the port district and economic wellness of the Yuma County region. Currently, the members of the GYPA, each of whom appoints two members to the Board of Directors, are Yuma County, city of San Luis, city of Yuma, and Cocopah Indian Tribe.

The board of directors may approve new GYPA members. Any new member must be a Federal, State, or local government entity or a federally recognized Indian tribe. The board of directors may also appoint nonvoting ex-officio members to the board. Ex-official board members currently include members selected from the Marine Corps Air Station (Yuma), the Yuma Metropolitan Planning Organization, the Yuma Airport Authority, the Yuma Proving Grounds, the Greater Yuma Economic Development Corporation, city of Somerton, and the Yuma County Chamber of Commerce.

Hillander “C” Irrigation District

The Hillander “C” Irrigation District (District) is a private irrigation district created and organized under the laws of the State of Arizona. The District, headquartered in Yuma, represents agricultural interests with approximately 2,300 acres under irrigation. The 2,300 acres are currently surrounded by Reclamation lands within the study area boundary. The private land served by the District is bounded on the south by a 339-acre commercial port-of-entry site.

As early as 1982, a concern that groundwater pumping associated with the wells of the Protective and Regulatory Pumping Unit—coupled with pumping in Mexico—would lower groundwater levels, prompted the District to enter into a water contract with Reclamation. The initial water contract with the District was issued in 1983, under a temporary authorization for 4,000 acre-feet per year. The temporary contract was renewed in 1985. Records show that in 1990, 320 acres of the 2,300 acres under irrigation were served by Reclamation. Currently, however, no Reclamation water serves Hillander “C” needs.