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Canal Relining Project In Southern California Causes Dispute Between U.S. & Mexico

by John Neagle

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A US government plan to reline the All-American Canal, which carries water from the Colorado River, has provoked a dispute with Mexico. The canal channels water into California's Imperial Valley, where it is used largely for irrigation, and the renovation project would provide a new source of water for Los Angeles and San Diego. The controversy has been referred to the International Boundary and Water Commission, a binational body with jurisdiction over the 1,952-mile border. The commission is headquartered in El Paso and Juarez. Construction of the earthen-lined canal was completed in the late 1930s. Since then, the canal has lost about half its total volume of water per year to seepage in a large sandy area that runs parallel to the Mexican border. The seepage, estimated at 32.6 billion gallons a year, flows underground across the border, where it is recovered and used on farms and in cities. In November, the US Congress authorized the Department of the Interior to reline with concrete a 66-mile stretch of the canal west of Andrade, Calif., "in order to reduce the seepage of water." Construction of a 1.5 mile "prototype relining project" (US Bureau of Reclamation nomenclature) has commenced on the Coachella Branch of the canal. The plan calls for the Metropolitan Water District of Southern California (MWDSC) to pay the $150 million cost for canal relining. The District serves 14.7 million people in the Los Angeles and San Diego metropolitan regions, comprised of 300 cities and towns in a six-county area. In exchange, the District would receive up to 100,000 acre-feet each year for 55 years, diverting the water upstream at Parker Dam to the Colorado River Aqueduct. (An acre-foot is the volume of water required to cover an acre of land to a depth of one foot, equivalent to 325,851 gallons.) At the end of the 55-year period, a new agreement would be negotiated. The quantity to be diverted is the equivalent of 5% of the water now provided each year by the MWDSC. With rapid population growth in southern California expected to continue for many years into the next century, the search for new water sources has been and will continue to be a top priority. Mexico's position: Citing a 1973 bilateral agreement on Colorado River water, Mexican government officials describe the project as illegal. The document says, "With the objective of avoiding future problems, the United States and Mexico shall consult with each other prior to undertaking any new development" or "substantial modification" of existing projects "in the border area that might adversely affect the other country." In the words of Camilo Moreno Goicochea, state delegate in Mexicali for the Mexican government's Ministry of Agriculture and Water Resources: "The treaty does not permit it. We are very worried at the advance of this project, and we intend to protest it in every manner possible." The relining would severely reduce replenishment of the aquifer supplying the Valle de Mexicali, one of Mexico's most productive agricultural zones. Beginning about 35 years ago, more than 700 wells have been installed to recover seepage from the All-American Canal. The area east and south of Mexicali became a major producer and exporter of wheat, cotton, vegetables and animal fodder. According to a Mexican government study, agriculture accounts for 94.5% of the water consumed in Baja California Norte. Officials predict that the urban and industrial share of water consumption in the state will increase to at least 25% by 2010, due to the rapid growth of Tijuana and Mexicali. At present, Tijuana's population numbers one million, and Mexicali, about 800,000. Thus, for
farmers the water recovered from the Canal will become even more crucial. Sergio Amaya Brondo, representative of Mexico's National Water Commission in Mexicali, told the New York Times: "If this thing goes through, it will mean the end of the Valle. We have no other sure source of water for agriculture and these cities than the Colorado River." Roman Calleras, an engineer who studies water issues for El Colegio de la Frontera Norte, said the dispute has been transformed from a merely technical question to a highly political one, and thus, intractable. He added, "This could be an international problem that may have to go all the way to the World Court in The Hague and that will drive apart two neighbors. This should not be the case, because there are other ways to do things." US position: US officials refer to a 1944 treaty under which Mexico is allotted 1.5 million acre-feet a year from the Colorado River. The river forms the border between the two countries over a 24-mile stretch before emptying into Mexican waters. According to Manuel R. Ybarra, secretary to the US section of the boundary commission, "What we are saying is that the United States government considers the waters in the All-American Canal to be United States waters, diverted to the United States under the 1944 treaty...The United States has the right to take whatever measures it wants to conserve those waters." Myron Holburt, MWDSC assistant general manager, and former director of the Colorado River Board of California: "As far as we are concerned, we expect the project to go ahead. We view the groundwater as incidental water to which Mexico does not have a right, and we're standing pretty firm on the 1.5 million acre-feet figure to which Mexico is entitled by the treaty." The 1944 treaty does not address the question of groundwater. For some US officials, the vagueness of treaty language is an advantage. Holburt said, "There's nothing governing this, not the treaty, which deals strictly with surface water, or anything else. Even under international law, any country can improve its public works, such as lining the canal, without being considered to be harming another country." On the other hand, said Holburt, "Our feeling is that this does get us into a problem with Mexico, which is something we want to avoid. We had a pumping war with them in Arizona a while back, and we don't want to get into that again." (Basic data from New York Times, 10/01/89)

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