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## **Mexico, U.S. Reach Water Payment Schedule; Long-Term Strategy Set**

by LADB Staff

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The tensions between Texas farmers and the Mexican government regarding water rights along the Rio Grande appear to have subsided for the moment with the plentiful moisture that has fallen in northeastern Mexico during the past two years. Rainfall has been consistent in northeastern Mexico since 2003, replenishing reservoirs in Chihuahua, Coahuila, Nuevo Leon, and Tamaulipas states, the Comision Nacional de Agua (CNA) reported recently.

The increased reservoir levels allowed President Vicente Fox's administration to approve the release of an additional 268,000 acre-feet of water from the Falcon and the Amistad reservoirs on the Rio Grande in late March. The move immediately reduced Mexico's water obligations to the US by half, with later payments that would eliminate the debt entirely by September.

The two countries also negotiated a long-term agreement that could prevent future water disputes. Drought conditions in northern states during the last decade at times prevented Mexico from fully complying with its obligations, which contributed to tensions along the US-Mexico border (see SourceMex, 1996-03-27, 1999-05-26 and 2003-04-22).

As recently as August 2004, a coalition of farmers and officials from irrigation districts in Texas had filed a US\$500 million claim under the North American Free Trade Agreement (NAFTA) against the Mexican government for its failure to comply with a 1944 water treaty (see SourceMex, 2004-09-01). Under the treaty, Mexico is obligated to release 350,000 acre-feet of water from reservoirs on the Rio Grande to Texas.

In exchange, Mexico receives about 1.5 million acre-feet of water from the Colorado River, benefiting primarily the states of Baja California and Sonora. Payment schedule adopted at Mexico City meeting in March The Secretaria de Relaciones Exteriores (SRE) said the water-payment schedule was finalized as part of an agreement reached by US Secretary of State Condoleezza Rice and Mexico's Foreign Relations Secretary Luis Ernesto Derbez during a meeting in Mexico City in early March.

### ***Congressional pressure on both sides***

Texas Sens. Kay Bailey Hutchison and John Cornyn had pressed Rice to make the water dispute a priority during talks with Derbez, said the daily newspaper The Monitor, in McAllen, Texas. "We urge you to press for the fulfillment of Mexico's remaining water treaty obligations while they have the available water in storage," the senators said in a letter to Rice. The agreement reduces the amount of water that Mexico will ultimately pay off to the US. "They owed us 733,000 acre-feet of water," said a spokesperson for Sen. Bailey Hutchison. "We are letting them not pay back 154,846 acre-feet of water roughly 20% of what they owed us."

The Mexican Congress was skeptical about the agreement, criticizing the Fox administration for being so quick to agree to the payment without first determining whether the needs of agriculture producers in northern states would be affected. Relevant committees in the Senate and Chamber of Deputies summoned one or more Cabinet members to explain the agreement, including Derbez, Agriculture Secretary Javier Usabiaga, Environment Secretary Alberto Cardenas, and CNA director Cristobal Jacquez.

In an interview with the Mexico City daily newspaper *El Universal*, CNA official Jose Antonio Rodriguez Tirado said water supplies in northern states would be more than adequate in the near future. Heavy rainfall during the winter months created a surplus of water in northern Mexico, allowing Mexico to pay off the debt to the US. "We are making the payment to the US with surplus water," said Rodriguez.

While the water supply appears promising in the near term, Deputy Fernando Ulises Adame de Leon said agriculture interests in northern states are concerned about the situation in future years, especially if a dry cycle returns. "Agricultural producers do not want any surprises," said Adame, who chairs the water-resources committee (Comision de Recursos Hidraulicos) in the lower house. Adame is a member of the opposition Partido Revolucionario Institucional (PRI).

### *Mexico, US adopt longer-term solutions to water dispute*

Talli Nauman, who writes a column on environmental issues for the Mexico City English-language newspaper *The Herald*, said the two sides negotiated a long-term agreement that incorporates a set of recommendations from the US-based International Boundary Water Commission (IBWC) that proposes long-term solutions for the Rio Grande Basin.

Nauman said the recommendations propose development of long-term water conservation projects in both countries, promoting efficiency and integration of watershed-management techniques. These agreements, she said, would help guarantee an adequate supply of water to consumers on both sides of the US-Mexico border. "Fewer recommendations could be more important than this last one," Nauman said in reference to the issue of watershed management. "If Mexico and the United States are to avoid more of the painful tussling over scarce water in the arid border region that has characterized the past decade, multi-stakeholder participation in a comprehensive water-use plan is advisable."

Nauman said another benefit of the agreement is that it could help avoid future disputes over rights to the water on the Rio Grande. "Following these recommendations indeed would put to rest one of the most contentious issues of the bilateral agenda, since the water deficit impacts the daily lives of tens of thousands of municipal water users, irrigators, and ranchers on both sides of the US-Mexico border," said Nauman. There are other efforts to address the long-term water needs of the US-Mexico border.

The US House and Senate are each considering legislation that would create an unprecedented and reliable database for local governments to manage water resources on a binational basis, said the International Relations Center, based in New Mexico. The bills, introduced in February, would conduct comprehensive studies on water tables from Arizona to Texas for the period spanning

from 2005 to 2014. Among the target water tables are the Hueco and Mesilla aquifers in New Mexico-Texas-Chihuahua and the Santa Cruz River Valley aquifer shared by Arizona and Sonora. Two key participants in the study would be the IBWC and its Mexican counterpart, the Comision Internacional de Limites y Aguas (CILA), both of which were created by the 1944 water treaty. [Sources: The Monitor (McAllen, TX), 03/08/05; Reuters, 03/09/05, 03/10/05; Associated Press, 03/10/05, 03/22/05; La Jornada, Los Angeles Times, Fort Worth Star-Telegram, The Brownsville Herald, The Dallas Morning News, 03/11/05; International Relations Center Americas Program, 03/21/05; El Universal, 03/22/05, 03/28/05, 03/29/05; La Crisis, 04/05/05; Notimex, 03/21/05, 04/13/05; The Herald-Mexico City, 03/11/05, 03/21/05, 04/11/05; La Cronica de Hoy,04/14/05]

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