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U.S., Mexico Extend Treaty to Manage Water Supplies from Colorado River

by Carlos Navarro

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While the US and Mexico remain embroiled in disputes over immigration and border security ([SourceMex, Jan. 18, 2017](#), and [March 22, 2017](#)), the two countries have quietly reached an agreement to extend a longstanding treaty over sharing of water on the Colorado River and the Rio Grande, known in Mexico as the Río Bravo. Negotiations were led by the International Boundary and Water Commission (IBWC), which has had oversight over water-sharing issues since the US and Mexico signed a water-sharing treaty in 1944 ([SourceMex, April 27, 2005](#), [Nov. 28, 2012](#), [March 26, 2014](#)).

The nine-year agreement, signed at the end of September in Santa Fe, New Mexico, expands on the 1944 treaty, allowing the US and Mexico to continue using the Colorado River while also pushing more conservation efforts to ensure that water is available during droughts.

The accord, known as Minute 323, is an amendment to the treaty that lays out how the two nations share the river. The treaty promises Mexico 1.5 million acre-feet (1.9 billion cubic meters) of water annually. The remaining water will be used by the US. The average annual flow in the river is about 16.4 million acre-feet (20 billion cubic meters), according the US Bureau of Reclamation, which manages the river in the US.

As part of the latest agreement, the US committed to spend US\$31.5 million on conservation efforts in Mexico that would include relining leaky canals, improving water pump systems, and using more advanced runoff capture systems that allow water to be reclaimed and stored, officials familiar with the agreement said in an interview with the Los Angeles Times.

That move would have the effect of creating more access to water for 27 million people in several western US states, particularly California, Nevada, and Arizona.

For its part, Mexico pledged to develop a plan to reduce consumption of water during times when the level of the Colorado River in Mexico drops significantly.

Long-term sustainability

Area officials agreed that the pact was an important step to create long-term water sustainability for the western areas of the US and Mexico.

“The Colorado River basin drought continues to be a serious issue, and this agreement shows how the seven states, the country of Mexico, and our federal government are taking proactive steps to collaboratively address the situation and reduce the potential for shortages,” said John Entsminger, general manager of the Southern Nevada Water Authority. “For Southern Nevada, we gain more tools to protect our community’s water supply, and Mexico gets both a valuable water reserve and increased flexibility in managing their water resources.”

Another provision in the agreement guarantees that Mexico and the US would share water-supply cutbacks if water levels drop significantly on the Colorado River and Lake Mead. The latter body of water, which is the largest reservoir in the US, is formed by the Hoover Dam on the Colorado River.

“This binational agreement provides a measure of certainty for the water management efforts of Mexico and the US, giving our country a planning tool for management of the water resources for the [Colorado River], as provided by the 1944 Water Treaty,” Mexico’s foreign relations ministry (Secretaría de Relaciones Exteriores, SRE) said in a statement. The agreement will remain in place until 2026.

The concerns about low flows are very real, with recent studies from the University of Arizona and Colorado State University suggesting that the warming of the climate might reduce the flow of the Colorado River by one-third by the end of the 21st century.

“It’s good news for both nations, for water users in the US and Mexico,” said Chuck Collum of the Central Arizona Project, a Colorado River user that will help fund the infrastructure improvements in Mexico.

According to Collum, the agreement provides more certainty in how the two countries will deal with the risk of a shortage and recognizes the danger the river faces.

“It’s an acknowledgement that the US and Mexico both share risk due to a hotter and drier future,” Collum said.

Jeffrey Kightlinger, general manager of the Metropolitan Water District of Southern California, said the U.S.-Mexico agreement shows “there can be a long, fruitful partnership” between the two countries.

“We’re laying the groundwork for a long, good partnership, and that’s promising,” he said.

The Metropolitan Water District supplies water to 26 member cities and districts, which in turn provide water to 19 million people across Southern California.

Opposition in Baja California

While US water management officials were pleased with the results of the negotiation, critics in Baja California, including agriculture interests and water-rights advocates, voiced their strong opposition to Minute 323. They directed their criticism to Roberto Salmón Castelo, Mexico’s representative in the IBWC, and to Roberto Ramírez de la Parra, head of the federal water agency (Comisión Nacional del Agua, CONAGUA).

According to Rigoberto Campos, head of the water-rights group Comité Ciudadano por la Defensa del Agua, the two officials acted against the best interests of Mexico by accepting the clause that requires Mexico to reduce water usage when Colorado River flows are low. The clause, Campos said, benefits US cities like Los Angeles at the expense of communities and agriculture operations in Baja California.

“This document represents a clear move by the IBWC and CONAGUA officials to sell off our water rights to the US,” he said.

Campos suggested that the decision to exchange water rights during a time of drought for funding for conservation programs amounts to “a transaction on the financial markets” and a violation of Mexico’s water sovereignty.

"This is equivalent to the commercialization of water," he said. "In Mexico, water is not a product, it is a human right."

Agriculture organizations in Mexicali, for their part, argued that the agreement could exacerbate an already difficult situation in the Mexicali Valley. Growers in the region, a fertile area in the middle of the desert, produce vegetables, grain, cotton, and other crops.

"[The signing of the treaty] has been rejected by citizens of Baja California, particularly the agricultural producers in the Mexicali Valley, who believe that the accord is going to create a greater scarcity of water in the productive area in this desert region," said the news site Reporte Índigo.

The limits on usage from the Colorado River represent just one of the water-related challenges facing residents of Baja California. According to Reporte Índigo, the city of Ensenada has implemented a system of water rationing, while a controversy has emerged in the city of Rosarito over a government plan to finance a construction of two desalination plants by going into debt. In Mexicali, citizens have expressed opposition to the construction of a brewery that could potentially use about 20 million cubic feet of potable water annually. In the Valle de Guadalupe, the wine industry is extremely concerned about an extended drought that could endanger production of local wines, which have gained strong international reputation.

Environmentalists pleased

Conversely, environmental advocates praised the accord as one that would benefit wildlife on the Mexican side. The agreement includes the release of as much as 210,000 acre-feet (260 million cubic meters) for environmental restoration projects, according to a briefing from Southern California's Imperial Irrigation District, another of the organizations providing funds for Mexican infrastructure projects.

"Water is the lifeblood of any ecosystem, and nowhere is water more precious than in the arid West," said David Yarnold, president and CEO of the National Audubon Society. "The Colorado River's flow now trickles to a stop 100 miles from the sea due to over-allocations and a historic drought. This is an urgent crisis for millions of people and birds, but this upgraded water agreement proves meaningful solutions are still possible."

In recent years, border water authorities have launched efforts to protect the habitat of wildlife in the Colorado River. The most prominent of these initiatives included an unprecedented cooperation plan that sent about 105,000 acre-feet (130 million cubic meters) of water surging into the river's delta in Mexico in 2014. The US and Mexico developed a schedule of "pulse-flow" releases of water at the Morelos Dam in Los Algodones, in Baja California state, each month from March through May. Morelos Dam is just south of an area where California, Arizona, Baja California, and Sonora come together. That environmental experiment brought water and life to the dried-out delta for the first time in years ([SourceMex, March 26, 2014](#)).

The current plan does not include a pulse-flow initiative, but it does contain other conservation measures.

"The new water agreement is a victory for more than 36 million water users in rural and urban communities on both sides of the border," said Jennifer Pitt, Audubon's Colorado River Project director. "Leaders from the United States and Mexico have taken a giant leap forward to secure the reliability of the Colorado River, truly representing the best in international collaboration. As the

two countries increase water security for people, they are also able to commit water and resources to conservation efforts that protect the millions of birds that depend on the Colorado River and its delta.”

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