

Binational Declaration for the Colorado River Delta

Whereas the Mexican and United States governments, through Minute 306 of the IBWC/CILA, have agreed to:

"establish a framework for cooperation by the United States and Mexico through the development of joint studies that include possible approaches to ensure use of water for ecological purposes in this reach [of the Colorado River] and formulation of recommendations for cooperative projects, based on the principle of an equitable distribution of resources."

Whereas management over recent decades in both Mexico and the United States has devastated the Colorado River's ecosystems;

Whereas the historical record of Colorado River flow has been estimated at approximately 15 million acre-feet per year, and in recent years the flow below the last major diversion at Morelos Dam is often only 0.2% of the river's estimated historical annual flow;

Whereas the 1944 Colorado River Treaty grants to Mexico the annual right to only 1.5 million acre-feet of Colorado River water (plus 0.2 million acre-feet under certain conditions) while the Colorado River Compact grants to the United States the annual right to up to 16 million acre-feet;

Whereas the Colorado River delta encompasses several important ecosystems in need of conservation attention, including the Colorado River riparian corridor south of Morelos Dam, the open water wetlands of the Cienega de Santa Clara, the Colorado River estuary at the northern Gulf of California, and numerous brackish wetlands throughout the historic delta;

Whereas the Colorado River riparian corridor below Morelos Dam has demonstrated marked regeneration and resilience in response to recent flood releases from Hoover Dam and the Gila River, and now contains more native riparian habitat than the reach of the river from Hoover Dam to Morelos Dam;

Whereas preliminary estimates indicate that the Colorado River corridor below Morelos Dam must continue to receive at minimum an instream flow of 32,000 acre-feet annually in addition to periodic floods of 260,000 acre-feet on average every four years in order to sustain endangered species such as the Southwestern willow flycatcher, in addition to a rich diversity and abundance of other terrestrial and aquatic species;

Whereas the Cienega de Santa Clara was created by irrigation return flows from the United States and must continue to receive approximately 135,000 acre-feet

of water annually with salinity no higher than present levels (2,400 ppm) in order to remain a significant wetland, providing habitat for thousands of migrating and resident waterfowl and endangered species including the Yuma clapper rail and the desert pupfish;

Whereas the Colorado River estuary at the northern Gulf of California was historically one of the world's largest and richest desert estuaries and provided important habitat for Gulf fisheries, shorebirds, migratory birds, and the now endangered vaquita porpoise and totoaba, and will require freshwater flows of unknown quantities to restore its ecosystem;

Whereas the numerous brackish wetlands that remain throughout the historic delta have not been well studied, but provide habitat for thousands of migrating and resident waterfowl, and rely on an unknown quantity of agricultural drainage from the surrounding San Luis and Mexicali agricultural valleys;

Whereas several actions recently taken or proposed within the United States threaten the existence of the Colorado River delta's ecosystems, including the use of water under the Interim Surplus Guidelines and the development of off-stream banking, both of which will eliminate flood releases from Hoover Dam and devastate the native riparian corridor below Morelos Dam, and the operation of the Yuma Desalting Plant, which will destroy the Cienega de Santa Clara;

Whereas surface water and groundwater are inseparable in the Colorado River watershed, and both water quantity and water quality are integral to ecosystem health;

Whereas the human communities in and around the Colorado River delta are impacted by the decisions of agencies both near and far that manage the River and its resources;

Whereas the participation of informed stakeholders promotes the development of sound, acceptable restoration alternatives, and Mexico and the United States have to date implemented Minute 306 with participation from Colorado River stakeholders;

The undersigned Mexican and United States conservation organizations do hereby declare that their governments should consider and adopt the following recommendations in a collaboration to restore the Colorado River delta ecosystems:

The United States and Mexico must commit to dedicating freshwater for the purpose of protecting and restoring the ecosystems of the Colorado River delta, before they are further degraded.

The United States and Mexico must adopt the precautionary principle and integrate it, based on the best available science, into existing programs. The precautionary principle would dictate that neither country should take unilateral actions that limit future actions for restoring the Colorado River delta's ecosystems.

The highest priority must be placed on determining the amount, quality, and timing of water deliveries necessary to sustain and restore Colorado River delta's ecosystems, including the riparian corridor below Morelos Dam, the Cienega de Santa Clara, the River's estuary, and other brackish wetlands.

A scientific approach that uses experimentation and includes specific milestones for long-term monitoring, as well as the flexibility to respond to new information, should be used to determine the quantity and quality of freshwater needed to protect and restore the Colorado River delta's ecosystems.

The United States and Mexico should work together to secure funding both for research needed to develop alternatives to protect and restore Colorado River delta's ecosystems, and for the implementation of those alternatives.

Research and development of alternatives for protection and restoration of delta ecosystems must acknowledge the interconnectivity of groundwater and surface water.

The development of alternatives to protect and restore the Colorado River delta's ecosystems should be transparent and inclusive, and the United States and Mexico should include stakeholders on both sides of the border in the development of any agreements to provide these ecosystems with water.

- Asociacion Ecologica de Usuarios del Rio Hardy-Colorado, A.C.
- Center for Biological Diversity
- El Centro de Derecho Ambiental y Integracion Economica de Sur, A.C.
- Centro Intercultural de Estudios de Desiertos y Oceanos, A.C.
- Centro Regional de Estudios Ambientales y Cientificos
- Defenders of Wildlife
- ECO-SOL Educacion y Cultura Ecologica A.C.
- Environmental Defense El Grupo Ecologista Antares, A.C.
- Friends of Arizona Rivers
- High Country Citizens' Alliance
- International Rivers Network
- La Sociedad de Historia Natural Niparaja, A.C.
- Living Rivers
- Pacific Institute for Studies in Development, Environment, and Security
- Pro Esteros Pronatura

- Peninsula de Baja California
- Sierra Club
- Colorado River Task Force
- Sonoran Institute
- Southwest Rivers