



Raise the River – Minute 323: Q&As/FAQs

September 27, 2017

Minute 323 Questions

How is Minute 323 and its provisions for restoration of the Delta connected to other basin-wide water and conservation efforts?

Delta restoration remains a top conservation priority for Mexico, which is why it is a critical component of Minute 323 and why both countries are willing to make significant water and funding commitments to the Delta. The binational agreement also lays out other important commitments that enhance overall water security for water users throughout the Colorado River Basin. First, Mexico agrees to reduce the amount of Colorado River water it receives as the water supply in Lake Mead diminishes. This is subject to the three lower basin states (Arizona, California, and Nevada) also agreeing to reduce their uses as part of a U.S. Lower Colorado River Basin Drought Contingency Plan, currently being negotiated. Second, water agencies in the United States commit to investments in water infrastructure in Mexico to improve delivery efficiency.

Some of the water conserved in early years by this infrastructure will be left in Lake Mead where it will benefit all Colorado River water users by reducing the probability of shortage, and some will be made available for use by those water agencies that make the investment. Over the long term, the water conserved by this new infrastructure in Mexico will be available to benefit Mexico's Colorado River water users. Advancing all these elements of the binational agreement is key to our continued success in responding to basin-wide drought and ensuring that there is water for both people and the environment going forward.

What is Minute 323 and what does it include?

Minute 323 is an addendum to the 1944 Water Treaty between the United States and Mexico that provides new guidelines for the binational management of Colorado River water, and provides benefits to both countries for their joint cooperative actions for water management. Put simply, Minute 323 commits the United States and Mexico to work together to address potential Colorado River water shortages and to meet new water conservation and storage

objectives. In addition to promoting a more secure water future, Minute 323 supports and expands the ongoing environmental restoration projects in the Colorado River Delta.

Specifically, Minute 323:

- Provides for Mexico to continue to store its water in Lake Mead, helping to keep reservoir levels high enough to avoid triggering dramatic cuts to Colorado River water users.
- Includes an agreement between both the United States and Mexico for voluntary water cutbacks in times of droughts that further staves off triggering a shortage declaration. Should a shortage be declared, these new commitments will slow progress towards even larger water shortages.
- Commits US water managers to invest \$31.5M in water efficiency projects in Mexico that will result in savings of more than 200,000 acre-feet of water. In return, the U.S. entities will receive a one-time water exchange, and over the long term Mexico will benefit by generating additional water from these conservation programs and improved infrastructure.
 - Potential projects to include canal lining, on-farm conservation, fallowing, regulating reservoirs, and modernization of irrigation districts.

Why is Minute 323 so important?

This Agreement – as well as the predecessor Minute 319 agreement – is important for water management and delta restoration because it hinges on a ‘partnership principle.’ It allows the United States and Mexico to share in good years and dry years, encourages both countries to invest in water conservation, outlines an environmental program to better manage existing resources, and better manage water security for both countries in the future.

What are the main benefits under Minute 323?

The accord continues provisions for Mexico to store water in U.S. reservoirs, and establishes reductions in water usage for both Mexico and U.S. water users in the event of a Lower Colorado River shortage. These provisions help to shore up water supplies needed to get through drought years. Specifically, this will help to increase the elevations of Lake Mead and Lake Powell.

Minute 323 also provides binational funding for infrastructure and conservation programs in Mexico which will save water. This saved water benefits water users in both countries. It’s an example of what can be achieved when we work cooperatively together.

Why is the U.S. investing in Mexico water infrastructure projects?

U.S. entities will invest in water infrastructure and environmental projects in Mexico, and in exchange for this funding, the U.S. entities will receive water benefits, both in terms of a decreased probability of Colorado River water shortages, and via a one-time water exchange that

will increase water supplies available to these U.S. water users. Over time, these projects will generate additional water for Mexico's water users as a result of conservation and improved infrastructure.

Why is the US supporting environmental restoration in Mexico?

The U.S. and Mexico have been interested in options to better understand and protect riparian resources in the Colorado River Delta region for many years as demonstrated in Minute 306, a 2000 framework agreement for studies and recommendations concerning the region's ecology. The importance of the ecological resources of the Colorado River Delta region was further recognized during the binational negotiation and development of both Minute 316, which addressed a pilot test run of the Yuma Desalting Plant and conveyance of water to the Santa Clara Wetland, and Minute 317, which outlined and authorized binational Colorado River studies and work groups for joint cooperative opportunities to promote sustainable water management, including consideration of water for the environment. Minute 319 included specific provisions on water for the environment, and Minute 323 builds on that cooperation. An improved habitat in Mexico reduces risk to U.S. water users who must mitigate habitat impacts of their water deliveries.

Minute 323 is a package deal, negotiated by two sovereigns. The benefits are balanced. The United States benefits by including provisions that enable Mexico to make commitments under the Minute.

Why doesn't Minute 323 include another 'pulse flow'?

Minute 323 commits water for delivery to the environment, but does not prescribe a pulse flow. Once the two countries begin implementing the Minute, they will prepare an environmental water delivery plan based on lessons learned under Minute 319. This plan is likely to emphasize what was learned, specifically that the most efficient use of water for restoring vegetation, bringing back wildlife, and giving local residents opportunities to experience the river is actually more targeted, smaller flows to specific areas.

Has the new U.S. Administration affected the work in the Delta or the binational negotiations, and if so, how?

Refer to USIBWC (Sally Spener, 915-832-4175, sally.spener@ibwc.gov, or Lori Kuczmanski, 915-832-4106, lori.kuczmanski@ibwc.gov).

USIBWC Response: The International Boundary and Water Commission, United States and Mexico, identifies technical solutions to boundary and water concerns along the U.S.-Mexico border. Our work on Colorado River cooperation with Mexico has a long history of bipartisan support. We have continued to work on Colorado River cooperation based on sound technical and engineering considerations.

General Questions:

What's wrong with the Colorado River Delta?

The Colorado River Delta used to stretch over 2 million acres, with vast wetlands, forests and waterways extending from the southernmost point of the Arizona-California border to the Gulf of California in Mexico. The Colorado River has been dammed and diverted to meet a growing population in both the United States and Mexico, causing flows to the Delta to dwindle, and for the region to dry out. Today the Colorado River rarely, if ever, reaches the sea.

While there are still pockets of native habitat in the Delta that support fish and wildlife, much of the Delta's once vast stretches of riparian and wetland areas have disappeared or been taken over by exotic species, such as salt cedar, that do not provide good quality habitat for most of the species of birds that use the Delta year-round or as a migration stop on the Pacific Flyway. Marine life in the Gulf of California, including fish and shrimp, has also declined.

How has the dry delta affected the people who live along the Colorado River?

Not only have plants, animals and marine life been hard hit, but it has also had a severe impact on the culture and livelihood of the residents of this region. The Native Americans who have lived on the lands of the Delta region for thousands of years — the Cocopah (also known as the *Cucapá* in Spanish) — have been deprived of the landscape and river they have depended on for hunting and fishing. These activities are central to their communities, not just for sustenance, but also to honor their cultural identity.

Minute 323 reconnects the 160,000 the residents of San Luis Rio Colorado to their namesake river, a connection which has been absent for a generation. New recreational options, economic activities, and job opportunities — including river restoration, tourism, recreational hunting, and sport and commercial fisheries — can be generated for the people of the Mexicali Valley. This will be accomplished through the delivery of recreational flows, and the restoration of 2,300 acres of forest and marsh along this 70-mile stretch of river.

How much does this restoration work help?

Our restoration work and strategic use of water in the region has helped establish healthy, self-sustaining cottonwood and willow trees at key restoration sites in the delta. These sites have helped increase the populations of local and migratory birds, many of which are endangered or threatened. We are already seeing the regeneration of rural economic activities and job opportunities for local people including river restoration tourism.

On a larger scale, this project shows how governments and stakeholders with diverse interests can come together to manage the river for people and nature in the face of drought. If it can be done across international borders, then surely we can do it in the rest of the Colorado River Basin and other places in the world.

But what about the drought? Shouldn't the water be conserved in case there's a shortage, instead of going to the delta?

We worked with federal officials from the United States and Mexico to understand how delta restoration might take place without harming the interests of other water users. Both Minute 319 and the new Minute 323 are cooperative, binational water-sharing agreements that include benefits for people and nature alike. Minute 323 includes water conservation and infrastructure programs, which frees up additional water resources.

What is 'Raise the River'?

Raise the River is a unique partnership of six U.S. and Mexican non-governmental organizations committed to restoring the Colorado River Delta. Members include the [National Audubon Society](#), [Pronatura Noroeste](#), Restaremos el Colorado, A.C., [Sonoran Institute](#), [The Nature Conservancy](#), and the [Redford Center](#). Previous members that were a part of the first phase of the organization included the Environmental Defense Fund and The National Fish and Wildlife Foundation. The coalition has worked with policymakers, water agencies and governmental representatives from the U.S. and Mexico since 2012 to cooperatively create historic change for the Colorado River Delta.

Raise the River has worked closely with the governments of Mexico and the United States to demonstrate the Colorado River Delta's tremendous resilience. Through a combination of limited water deliveries and on-the-ground work to restore natural habitat, native vegetation is sustaining a great diversity of life in these sites and there has been a renewal of the community relationships and engagement that promote long-term stewardship of the river.

What was Raise the River's role under Minute 319...what was accomplished?

Raise the River played a significant role in implementing Minute 319, the U.S. – Mexico Colorado River agreement that covered the term of 2012-2017. Our activities included planning water deliveries for environmental benefit, implementing habitat restoration projects, monitoring the hydrologic and ecological impacts of these actions, and coordinating community environmental education and employment opportunities.

Since the signing of Minute 319, Raise the River raised \$10 million dollars. The majority of these funds were used to provide water for the Colorado River Delta through the Colorado River Delta Water Trust, matching each country's commitment to provide water for the Colorado River Delta. Water rights were acquired from willing sellers in the Mexicali Valley to provide the water needed to implement habitat restoration in the region and sustain these restoration sites.

Our work demonstrated that with strategic timing and placement of the water, only a small amount of water – less than 1% of the Colorado's historic flow to the delta – is sufficient to restore crucial habitat for the birds and wildlife that previously lived in the delta.

Specifically, this water and our active management resulted in the restoration of over 1,000 acres of riparian habitat along the river's main channel, where more than 230,000 native cottonwoods and willow trees were planted.

What is the next goal for Raise the River, and its timeframe?

Our goal is to fulfill our commitments under Minute 323 with regard to ongoing water acquisition, restoration groundwork, scientific monitoring, community educational programs, and operations. In meeting our goal, we will rebuild the habitats that support local communities and wildlife.

How can the public get involved?

By raising awareness, money and, ultimately, the water level of the river, we will restore the wetlands of the Colorado River Delta. The Delta is the most broken reach of the Colorado River. If we can fix the Delta, we can demonstrate that no place is beyond hope. Join us in rewriting history. You can get involved by joining in our efforts. Visit our [website](#) to learn more. Join our active [Facebook community](#) and become a part of the solution.

To learn more about Raise the River, visit www.raisetheriver.org.

Coalition Partner Media Contacts:

- **Raise the River:** (917) 573-8412: lbairstow@redfordcenter.org
 - **National Audubon Society,** Nick Gonzalez: ngonzalez@audubon.org
 - **The Nature Conservancy,** Kelli Harrington: kharrington@tnc.org
 - **Pronatura Noroeste,** Osvel Hinojosa: osvelhh@gmail.com
 - **Redford Center,** Lynne Bairstow: lbairstow@redfordcenter.org
 - **Sonoran Institute,** Seth Cothrun: scothrun@sonoraninstitute.org

###