

**INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO**

El Paso, Texas
December 12, 2000

Minute No. 306

**CONCEPTUAL FRAMEWORK FOR
UNITED STATES - MEXICO STUDIES FOR FUTURE
RECOMMENDATIONS CONCERNING THE RIPARIAN AND
ESTUARINE ECOLOGY OF THE LIMITROPHE SECTION OF THE
COLORADO RIVER AND ITS ASSOCIATED DELTA**

The Commission met in the offices of the United States Section in El Paso, Texas, at 11:00 a.m. on December 12, 2000, to consider a conceptual framework for cooperation by the United States and Mexico through the development of studies and recommendations concerning the riparian and estuarine ecology of the Colorado River in its limitrophe section and its associated delta.

The Commissioners observed that studies are currently being performed by the Commission to improve the capacity of the Colorado River channel to convey normal and flood waters in the 24 mile (36 kilometer) limitrophe section of the Colorado River under the authority of Article 13 of the United States - Mexico Treaty for "Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande," signed February 3, 1944. Studies are also currently being performed by the Commission on the preservation of the channel of the Colorado River in its limitrophe section under the terms of Article IV of the United States - Mexico Treaty to Resolve Pending Boundary Differences and Maintain the Rio Grande and the Colorado River as the International Boundary, signed November 23, 1970.

The Commissioners referred to the Commission's binational technical task force (hereinafter binational technical task force) that was established to facilitate studies concerning the Colorado River delta in Mexico, as well as water flows to the Santa Clara Slough which are discharged to Mexico under IBWC Minute No. 242, entitled "Permanent and Definitive Solution to the International Problem of Salinity of the Colorado River," signed August 30, 1973. They made note of the United States - Mexico consultations concerning the proposed United States modification of its domestic surplus water guidelines, currently being conducted under the auspices of the Commission.

The Commissioners noted that each country has laws and regulations concerning the preservation of riparian and estuarine system habitat that are executed by authorities that are provided such responsibility in their respective country. The Commissioners recognized that collaboration is growing between those authorities as well as between scientific, academic and non-government organizations in the two countries which have an interest in preserving the Colorado River delta ecology. They observed that some studies conducted by these groups have provided some definition

John W. Street
John W. Street

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of the ecology affected by decreases in Colorado River flows in this reach and potential impacts to the habitat of fish, marine and wildlife species of concern to each country. The Commissioners observed that some entities in their respective countries may seek water and seek to ensure its use for ecological purposes in the Colorado River's limitrophe section and the Colorado River delta.

The Commissioners recognized that there was a need for the United States and Mexico to create a framework to formalize a process that will: 1) consider Colorado River delta restoration studies prepared by government, scientific, academic and non-government organizations in the two countries; 2) provide for development of additional studies through the binational technical task force; and 3) formulate recommendations for cooperative projects concerning the Colorado River delta in Mexico to be undertaken by the United States and Mexico based on the principle of an equitable distribution of resources. The Commissioners also recognized that there is a need to support the binational technical task force with a forum for the exchange of information and advice among government and non-government organizations with an interest in the affected areas.

Based on the above, the Commissioners submit the following recommendation for the approval of the two Governments:

1. That in recognition of their respective governments' interest in the preservation of the riparian and estuarine ecology of the Colorado River in its limitrophe section and its associated delta, the Commission shall 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 and formulation of recommendations for cooperative projects, based on the principle of an equitable distribution of resources. The Commission may elicit the support and technical advice of the competent agencies of each Government.
2. That the Commission, through the binational technical task force, shall examine the effect of flows on the existing riparian and estuarine ecology of the Colorado River from its limitrophe section to its delta with a focus on defining the habitat needs of fish, and marine and wildlife species of concern to each country.
3. That the Commission shall support the binational technical task force by establishing a forum for the exchange of information and advice among government and non-government organizations with an interest in the affected area.

John W. Powell
Attorney General for

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4. That all activities undertaken pursuant to the provisions of this Minute shall be subject to the availability of funds, resources, and corresponding personnel as well as to applicable laws and standards in each country.

5. That this Minute shall enter into force upon notification of approval by the Government of the United States and the Government of the United Mexican States through the respective Sections of the Commission.


The meeting was adjourned.




John M. Bernal
United States Commissioner



J. Arturo Herrera Solís
Mexican Commissioner



Manuel R. Ybarra
United States Section Secretary



José de Jesús Luévano Grano
Mexican Section Secretary