ARIZONA WILDLIFE FEDERATION
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Mesa, Arizona 85201

March 24, 2004

Arturo Duran Commissioner
International Boundary and Water Commission
4171 North Mesa, Suite C-100
El Paso, TX 79902-1441

Dear Commissioner:

We write to urge you to initiate a review of flood control and boundary alignment objectives for the Colorado River limitrophe. As you know, the Commission is in the process of defining alternatives to meet these objectives. We are concerned that as currently planned, the project will result in the destruction of the Colorado River limitrophe native riparian forests, wetlands, and backwaters, which constitute some of the best habitat on the Lower Colorado River. We believe that IBWC and CILA have an historic opportunity to provide cost-effective, reasonable protection for life and property, address sovereignty concerns of the United States, Mexico and the Cocopah Indian Nation, andat the same time protect – and even restore – the valuable limitrophe habitat. Specifically, we request that the Commissions re-examine the need for protection against a flood of 140,000 cubic feet per second, as well as the need to dredge a pilot channel that accommodates 15,000 cubic feet per second.

Some of the very best native riparian habitat in the entire lower Colorado River (indeed in the entire arid southwest of the North American continent) is found in the southernmost reach of the river: native tree cover is 18%, while on the rest of the lower Colorado mainstem it is only 1-2%. This reach below Morelos Dam is the only remaining segment of the lower Colorado where over-bank flooding has been available in recent decades to sustain native vegetation such as cottonwood and willow trees. The resultant habitat sustains several species listed in the United States as endangered, including the Southwestern willow flycatcher and the Yuma clapper rail; Mexico lists the clapper rail as threatened as well. A rapid biological assessment conducted in 2003 documents the local, regional, and continental significance of this habitat.

In the past few years, IBWC has begun to craft a proposal to add flood capacity to the limitrophe in an effort to fulfill the requirements of Minute 217 (an element of the U.S.-Mexico Colorado River Treaty adopted in 1964), and to rectify the U.S.- Mexico boundary per the requirement of the 1970 border treaty. Minute 217 relies on a report from the 1940's as the basis for its channel capacity standard. Although the extent of water development on the Colorado River since then is indisputable (including the construction of the Central Arizona Project and the Colorado River Storage Project), the IBWC has not updated its flood predictions on the Lower Colorado. Consequently, the standard established in Minute 217 would protect communities near the limitrophe from

the 10,000-year flood. Major riverside cities in the United States such as New Orleans and St. Louis are protected from the 500-year flood. We are concerned that the existing objective of protection from a flood of 140,000 cubic feet per second for the limitrophe would result in extraordinarily high project costs, as well as unnecessary environmental impacts. These impacts will increase project mitigation costs dramatically, and will lead to strong opposition from environmental organizations in both countries.

The second component of IBWC's plan is to dredge a new pilot channel with a capacity of 15,000 cubic feet per second within the limitrophe, literally clearing vegetation to create a path of bare sand ranging from 350-700 feet wide in order to accommodate smaller flows and to demarcate the international border. We are concerned that this plan would require the physical removal of significant native habitat, and would strand existing habitat by removing its water source (both by moving channel location and by lowering the groundwater table). The United States and Mexico do not have a codified agreement committing to a pilot channel of 15,000 cubic feet per second, indicating that this objective of IBWC's plan can be easily modified, reducing costs and minimizing negative environmental impacts.

We are confident that if IBWC and CILA review flood control and boundary adjustment needs using contemporary Colorado River flow data, in the context of contemporary flood protection policies, life and property can be protected to a reasonable degree, and sovereign concerns about territory can be satisfactorily addressed, at the same time that habitat is preserved and perhaps even restored. Moreover, we believe a more reasonable alternative will be much less costly, saving limited taxpayer funds in both countries. To this end, we recommend the IBWC and CILA cooperate in a contemporary assessment of the limitrophe, including existing environmental values, existing flood probability, and existing flood protection. With this information in hand, IBWC and CILA will be suitably equipped to determine what additional flood protection is needed, and how a flood protection and boundary adjustment project not only might minimize negative environmental impacts, but even might restore additional environmental value to the limitrophe.

We offer ourselves as a resource in this review, and would welcome the opportunity to participate. Specifically, we recommend the following principles for project design, based on what we know about the ecological form and function of the limitrophe:

1. Consider doing nothing: The native riparian deciduous forest that dominates much of the limitrophe regenerated during the 1980-90's without intervention, responding naturally to the presence of water and occasional flooding. If left alone, it will continue to thrive as long as water continues to flow. The levee-to-levee capacity already exceeds a flow of 75,000 cubic feet per second, which is nearly twice thevolume that the Bureau of Reclamation calculates as the 100-year flood.[1] In fact, the levees can contain 140,000 cubic feet per second in all but the northernmost reach of the limitrophe. The international boundary could be adjusted in the southern reach of the limitrophe where ecological values are lower.

2. Maximize use of levees to minimize the risk to streamside habitat: We are particularly concerned that IBWC is planning to dredge in the northernmost extent of the limitrophe in order to increase levee-to-levee capacity. If the project must increase flow capacity in this reach, it should be done by raising the levees rather than dredging.

[1] Bureau of Reclamation, Flood Frequency Determinations for the Lower Colorado River Review. September, 2000.

3. Reconsider the need for a pilot channel: Dredging a pilot channel of 15,000 cubic feet per second will remove and/or deny water to native vegetation in the limitrophe. Given that the U.S. and Mexico have not entered into a formal agreement to dredge a pilot channel of a given capacity, we are optimistic that IBWC and CILA will be able to agree on a project design that does not require such a destructive element. It is possible that a design solution using multiple channels could alleviate the need to impact native habitat. The existing braided channel already has a capacity of 15,000 cubic feet per second in all but the northernmost reach of the limitrophe.

4. Assess inside-levee flood risk: Where homes exist inside the levees (and we understand that most are in the southern half of the limitrophe, on relatively high ground) assess their flood risk. Where homes are at risk of frequent flooding, consider buying the property, ending the concession, or in the case of illegal occupation, by helping the residents find alternative housing. We expect that it will be considerably less expensive, and certainly less damaging to the environment, to remove homes with high flood risk rather than dredging a huge channel to protect them from floods.

5. Identify and protect areas with significant habitat value: Avoid any modifications in the northern half of the limitrophe where native riparian habitat values are high. Do not strand existing native riparian forest by diverting the existing channel and the flows it conveys. Make boundary adjustments as needed in the southern half of the limitrophe where native riparian habitat values are lower.

6. Emphasize habitat restoration: Incorporate restoration of cottonwood-willow trees, oxbows and backwaters, and other important riparian habitats into a final alternative. Add stability to the existing channel by augmenting the native vegetation.

Thank you for your interest. We would like to receive a written response to our request. We look forward to working with you to make the Colorado River limitrophe flood control and boundary adjustment project a success.

Sincerely,