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The Multi-Species Conservation Program: What It Means for Water Users and the Environment in the Lower Basin

Natural Resources Law Center
University of Colorado, Boulder, Colorado
“Hard Times on the Colorado River: Drought, Growth and the Future of the Compact”
June 9, 2005
Planning Area
Historic floodplain from Lake Mead to Mexico
Key Legal Documents

1922  Colorado River Compact
1928  Boulder Canyon Project Act
1929  California Limitation Act
1931  Seven Party Agreement
1944  U.S.-Mexico Water Treaty
1963  Arizona v. California
1968  Colorado River Basin Project Act
LCR MSCP Participants

Broad cross-section of interests representing:

- Department of the Interior (i.e., USBR, USFWS, BLM, NPS, and BIA)
- Department of Energy (i.e., Western Area Power Administration)
- Native American Tribes
- State Agencies in Arizona, California, and Nevada (Water, Power, and Game & Fish)
- Colorado River Water and Power providers in the three states
- Environmental organizations
- County, City, and general public representatives
ESA Incidental Take Authorizations

- The delivery, diversion, and return flow of up to 7.5 MAF/year, plus any such surpluses, or unused apportionment, as the Secretary of the Interior may determine, from existing facilities;

- The future transfer and change in points-of-diversion of up to 1.574 MAF/year;

- Operations and maintenance of existing facilities and associated activities, both flow and non-flow-related, all of which have been identified and approved by the MSCP Steering Committee and analyzed in the Conservation Plan.
### Key LCR MSCP Species

<table>
<thead>
<tr>
<th>Habitat</th>
<th>Species</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Aquatic</strong></td>
<td>Razorback sucker (E/CFP); Bonytail (E/CE)</td>
</tr>
<tr>
<td><strong>Marsh</strong></td>
<td>Yuma clapper rail (E/CFP); Black rail (CFP)</td>
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<tr>
<td><strong>Riparian</strong></td>
<td>Southwestern willow flycatcher (E/CE); Arizona Bell’s vireo (CE); and Yellow-billed cuckoo (CE/petitioned for federal listing)</td>
</tr>
</tbody>
</table>
Humpback Chub
Razorback sucker
Southwestern willow flycatcher
Yuma clapper rail
LCR MSCP Goals & Objectives

- Conserve habitat and work toward recovery of listed species
- Attempt to reduce likelihood of additional species listings
- Accommodate current water diversions and power production and optimize opportunities for future water and power resources development
LCR MSCP Goals & Objectives (cont.)

- Provide a 50-year coordinated and comprehensive species conservation and habitat management prescription for the Lower Colorado River planning area

- Provide the basis for incidental take authorizations pursuant to the Federal and California Endangered Species Acts

- Provide ESA compliance for 27 “covered” species, and 4 “evaluation” species
Mitigation Measures

- Habitat creation – 8,132 acres
  - Cottonwood-willow
  - Mesquite
  - Marsh
  - Backwaters

- Fish augmentation

- Habitat Protection

- Adaptive Management and Research
Program Costs

$626 million in 2003 dollars over 50 years

Habitat creation $267 million
Habitat protection $113 million
Fish augmentation $34 million
Monitoring and research $212 million
Cottonwood-willow habitat
# Native Fish Proposal

<table>
<thead>
<tr>
<th>SPECIES</th>
<th>ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Razorback Sucker</td>
<td>660,000 fish Over 50-year period</td>
</tr>
<tr>
<td>Bonytail</td>
<td>620,000 fish Over 50-year period</td>
</tr>
<tr>
<td>Humpback Chub</td>
<td>$10,000/year to GCDAMP For 50 years</td>
</tr>
<tr>
<td>Flannelmouth Sucker</td>
<td>$80,000/5 years + 85 acres of backwaters</td>
</tr>
</tbody>
</table>
Maintenance of Existing Habitat

- $25,000,000 Fund – Up front in process, used to fund actions to avoid impacts to existing habitats within the planning area
- Available to Land Managers, via a grant application program with consent of Reclamation, USFWS, and State participants