Meeting Minutes
Joint Conference of the California Biodiversity Council and the Southwest Strategy

March 14, 2002
Yuma, Arizona

CBC & SWS Members Present

Mike Anabel, Arizona State Lands Commissioner
Doug Balmain, Mariposa County Supervisor
Chuck Bell, State Conservationist, USDA Natural Resources Conservation Service, California
Steve Bennett, Ventura County Supervisor
Jack Blackwell, Regional Forester, USDA Forest Service Region 5
Pat Christman, West Regional Environmental Coordination, US Marine Corps
Cynthia Flemming, Regional Environmental Coordination Officer, Department of Defense, Region IX
Alex Glazer, Natural Reserve System Director, University of California
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Jerry Harmon, San Diego Association of Governments
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Barry Welch, Bureau of Indian Affairs, Phoenix
Al Wright, Executive Director, California Wildlife Conservation Board

Opening Remarks

Mike Anabel, Arizona State Lands Commission and Co-Chair, Southwest Strategy
Mr. Anabel announced he is representing Governor Toll who is the co-chair of the Southwest Strategy (SWS). He is glad that SWS is working hard to add states to their work and looks forward to a productive discussion with the California Biodiversity Council (CBC).

Mike Pool, California State Director, Bureau of Land Management and Co-Chair, California Biodiversity Council
Mr. Pool thanked the people from Yuma for a great trip and dinner on Wednesday. He specifically recognized Gail Acheson and Lori Cook (BLM), Jack Simes (BOR), Roger Beadle (Yuma Convention and Visitors Bureau), Roger Blakely, Tina Clark, and Charles Flynn (City of Yuma). He noted that the CBC is reflective of people wanting to work together in California. He looks forward to a productive discussion with the SWS who is engaged in similar work in Arizona and New Mexico.

Mission and History Overviews

Bill Maxon, Executive Director, Southwest Strategy
Before, detailing the history of the Southwest Strategy, Mr. Maxon first thanked Yuma for their incredible hospitality with this great set of meetings.

The SWS started in 1997 when a memo was sent by the secretaries of Agriculture, Interior, and Defense dictating a new partnership to reduce lawsuits regarding natural resource issues under federal jurisdiction. For two years, the SWS was comprised entirely of federal agencies. In 1999, they hired an Executive Director and staff. States and tribes were added soon thereafter. The Governor of Arizona and New Mexico are supportive and the Governor of Arizona is now a co-chair. The SWS now has three tribal reps representing Arizona, New Mexico, and the Navajo Tribe. The SWS is a problem-solving action-oriented organization. Ten issue-based work groups have been formed, each with field-level staff from all levels of government. Work groups bring advice and work products to the Regional Executive Committee (REC). The REC consists of the heads of federal agencies, states, and tribes. They met every month until recently—now they meet in six-week intervals. There is strong commitment among participants to make the SWS work as a problem-solving forum.

Each federal agency contributes $50,000 per year. These funds provide for staff and facilitation, including a facilitation contract with the New Mexico Consensus Council. Recently, the Bush Administration was asked about interest in continuing the SWS—it responded with strong support. Mr. Maxon reiterated that the key to success for this group has been the dedication of the executive and mighty efforts of the ten work groups.

Chris Nota, U.S. Forest Service, and Executive Committee Chair, California Biodiversity Council
The California Biodiversity Council formed in 1991 and celebrated its 10th Anniversary last October at Yosemite National Park. The MOU, or “Agreement on Biological Diversity”, that created the Council was drafted and signed in 1991 by ten founding state and federal agencies. It wasn’t very long before voices from the local level began to challenge the state and federal partnership. In 1992, strong leadership from some county supervisors resulted in a supplemental addendum to the MOU that brought seven regional associations of county

supervisors and the Regional Council of Rural Counties into the group. One of the strongest accomplishments by the CBC has been the continued participation and strong support from county supervisors.

In 1991, the Biodiversity Council set some very lofty goals that included: dividing the State into ten vegetative provinces called bioregions; forming bioregional councils in each; developing a biodiversity conservation strategy for each bioregion; and organizing much of the information and other infrastructure to make it all work. Pursuit of these goals taught the Council some very valuable lessons.

First, efforts to form bioregional councils taught everyone that top-down solutions to regional issues is not a good idea. The CBC encountered immediate and continuous resistance, largely from those who had already discovered the value of cooperation and were well under way with developing unique processes that worked for them.

Second, development of comprehensive conservation strategies for biodiversity (or anything else) requires far more resources and is far more politically sensitive that we imagined. The resources that are required to coordinate conservation across multiple jurisdictions far exceed that which CBC members can commit without considerable infusion of new funds.

A third lesson was that conserving biodiversity is inextricably linked to conserving social well-being and economic health. Local government officials were particularly instrumental in making those linkages known to the Council very early in the relationship.

And last, but most importantly, the Council has learned the value of building strong relationships among agency leaders. It is a principle that transcends resource issues.

These lessons were used to focus current work by the CBC. Now, the Council focuses on building strong relationships and sharing information. While the CBC is hopeful for bioregional conservation strategies some day, they now realize that these can only come after thoughtful conversations among leaders who have developed the interest and capacity to work on tough issues together. Impressive collaborative efforts are emerging from the relationships that have developed at the CBC, but not under the direction of the Council. These programs are emerging as council members see that working together on emerging issues is in their interest. There is hope that this trend will continue.

Discussion

Facilitator: Reese Fullerton, New Mexico Consensus Council

Mr. Fullerton used the small amount of remaining time to ask the group to share the important lessons to be learned from the CBC and SWS.

> **Nancy Huffman:** CBC hasn't had paid staff and has had to do it's staff work from agency contributions. How are county interests addressed at the SWS?
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> Bill Maxon – counties invited to SWS meetings, but are not official members. Open discussions of issues occur at these meetings.
>
> **Carl Rountree:** Including counties has been a critically valuable to the CBC and similar arrangements would be useful for the SWS.

Pat Christman: Is the SWS strategy addressing US/Mexico relations—how does the SWS handle regional ecosystem issues?

Bill Maxon – yes, a work group is addressing this and citizens and local agencies folks are attending the work group meetings. Bill also mentioned that they do hold their meeting in border towns, such as El Paso, in order to garner better participation.

Skip Ladd – Mr. Ladd also mentioned that the SWS has a Collaborative Implementation work Group that's soul purpose is to figure out how to coordinate more effectively. He did note, however, that they do need to get the counties and field staff more directly involved.

Reese Fullerton: Has the CBC been able to reach local agency staffers about collaboration?

Rick Rayburn – it has to an extent in that the Council has requested that in our regional meetings. Rick felt that the engagement of field staff may be happening elsewhere, but it is not officially occurring through the CBC.

Chris Nota: CBC puts considerable effort into planning for regional meetings. The Executive Committee now provides guidance on content and format. The CBC Newsletter has also been helpful in prepping the Council for upcoming meetings and providing other timely information.

Elaine Padovani: SWS participants also provide an agency coordinator who provides staff assistance and coordination functions. This is a full-time position that keeps the work groups populated with the appropriate personal and keeps the agency executives informed.

Gail Acheson: Interagency Fire Management Board coordinates fire operations among fire issues for the SWS. Tribes are an integral part of the SWS, although it appears this relationship is not as strong with the CBC.

Panel Discussion 1: Colorado River Management Issues

Facilitator: Reese Fullerton New Mexico Consensus Council

Jerry Zimmerman, Executive Director, Colorado River Board

The Colorado River Board was created by California in 1937 by state stature. Its ten members are appointed by the Governor. Their mission is to protect the interests and rights of California with regard to management of the Colorado River.

The Colorado River is critical to the future of California. It provides 65 percent of the water to 17 million people in southern California and irrigates 900,000 acres there. The river also provides hydro and other related benefits. The Colorado Desert gets 97 percent of its water from the river.

California has been using 5.2 million acre-feet annually when it has entitlement to 4.4. Recently California has agreed to reduce to 4.4 million acre-feet and can only exceed that when the Secretary of Interior declares there is a water surplus on the River. California has to develop a 15-year plan to meet the 4.4 allocation by the end of this year or face an immediate 700,000 acre foot reduction. The reduction will come through tough negotiations among users. The first draft of plan was released in May 2000. Water transfers from agricultural users is a cornerstone

of the plan. Conservation and ground-water storage are other important elements. Lower Colorado MSCP will provide the on-river mitigation for California's 4.4 Plan. Operator impacts are being addressed by local planning documents.

Sam Spiller, Lower Colorado Coordinator, U.S. Fish and Wildlife Service
The Lower Colorado River MSCP is a broad-based, tri-state, federal, Tribal, local and private partnership that encompasses the lower Colorado River's historical flood plain and reservoirs to full pool elevation. The approximately 35-member partnership includes municipal and industrial users, hydroelectric power producers, agricultural irrigation users, recreation users, fish and wildlife interests, as well as environmental entities for endangered species. The MSCP is being done to provide water users compliance with the Federal and California Endangered Species Acts. It is focusing on 40-50 species that are of special concern because of listed or other special status. The purpose is to develop a 50-year recovery/ enhancement, maintenance, mitigation, and habitat management strategy for species at risk that also provides certainty for water users. Many subcommittees are working on specific issues and programs. Some outcomes may be off-site propagation of some fish species, farming for willow-cottonwood habitats, and heavy involvement of tribes.

Additive to the special nature of this opportunity is the presence of lands owned by six river Tribes: the Cocopah, Ft. Yuma Quechan, Colorado River Indian Tribes (CRIT), Chemehuevi, Ft. Mohave, and Hualapai. Much of these lands have soils that are suitable for growing cottonwoods, willows, and other riparian vegetation; plus, the CRIT has been a leader on the river as to riparian restoration for the past years. Sam indicated that his ultimate goal would be to have partnerships that would sufficiently benefit the Tribes, so that they would want to participate and carry out the work if they desired to. Further, that these partnerships should also address individual Tribe's cultural needs for native plants.

Daniel Eddy Jr., Chair, Colorado River Indian Tribes
Tribes have many issues about river users. They are concerned about species conservation and have participated with the MSCP for many years. Tribes have 90 miles of river property and rights for nearly one million acre-feet of water. They are concerned about effects of water decisions, MSCP and other programs on the uses of their land and water. Tribes have never had the opportunity to participate in key discussion until recently. They are willing and eager to help.

Jayne Harkins, River Operations Manager, Lower Colorado Regional Office, Bureau of Reclamation
Jane provided an overview of Colorado River operations. Overall objectives are flood control, hydropower, water for consumptive uses, recreation, and ecosystem protection. The challenge for the Bureau of Reclamation is to find a good balance between these uses. This is done through the long and short-term operating plans for reservoirs on the system. The basic focus for these plans is balancing projected water quantity with demands.

Mike Pearce, Arizona Department of Water Resources (retired)
Arizona's population increases are resulting in serious groundwater overdrafts in some areas. Arizona's allocation of 2.8 million acre feet from the Colorado River is expected to contribute 1.5 million acre-feet of Colorado River water as the replenishment source for overdraft areas.

Therefore, they are very interested in seeing California comply with the December 2002 deadline to finish the “4.4 Plan” as it cannot afford to put their source of groundwater replenishment at risk.

Arizona is also concerned with the Yuma desalting facility that is cleaning up agricultural return water for delivery to Mexico per their 1944 treaty. Arizona would rather the salty water be passed directly to the Sea of Cortez as it costs them roughly 100,000 acre-feet of water each year to dilute saline return water. Operational constraints on BOR releases from Hoover Dam occasionally result in deliveries of an extra 100-200,000 acre feet of water to Mexico. Arizona is adversely affected and wants to see this fixed. Species conservation for river-related species and riparian values are also important, need additional water, and will cost Arizona more of their allocation.

Jeff Kightlinger, General Counsel, Los Angeles Metropolitan Water District
MWD is a six-county agency that is a regional planner for water supply for the Los Angeles and San Diego area. The challenge with the Quantification Settlement Agreement (QSA) is to reduce use by 800,000 acre-feet while maintaining existing and projected uses. The QSA is a settlement among California agricultural agencies limiting Colorado River water use—a major element of the California Plan is to reduce diversions from the river. The QSA include water conservation and transfer programs. The water conserved by agricultural agencies will move to urban agencies. Keys of the plan are to line the All American canal, water transfers to cities from San Diego and Imperial Valley, and groundwater storage. The legal documents to authorize all work are roughly 90 percent complete. Environmental documentation is now under way. Impediments are 1) specially protected species for which there are no incidental take permits; and 2) protection of Salton Sea (key hurdle for IWA/San Diego County water transfers).

Management of the Salton Sea

Facilitator: Reese Fullerton New Mexico Consensus Council

Charlie Pelizza, Wildlife Biologist, Sonny Bono Salton Sea Refuge, US Fish and Wildlife Service
Salton Sea National Refuge was established in 1930 to protect migratory waterfowl and endangered species. The Sea has always been part of the drainage system for the Colorado River. Very large numbers of waterfowl, shorebirds, and other water-oriented species occur at the SSNWR. Many feed on the fish and other water-borne species of invertebrates. Large neo-tropical migrate use.

Reduced flows to the Sea will lead to higher salinity and lower water use which can result in botulism and other diseases, food shortages, and other adverse effects, largely to bird species. Reduction is bird use will also have effects on the local economy, which now has large bird-watching use.

Gary Wyatt, District 4 Supervisor, Imperial County Board of Supervisors
Mr. Wyatt described the local and political perspectives associated with the water transfers program with the 4.4 Plan. The local population is generally unaware of the issue and work to

address it. People near the Sea are critically interested as their livelihoods depend on it. Those farther away have far less knowledge and interaction with the issue.

Fears of some have been turned management of the Sea into a “jobs versus environment” controversy. Two feasible solutions are emerging: on-farm conservation and land fallowing. Fallowing is the most feasible but is also the most politically sensitive. The final solution must be a win-win for all parties. The December 2002 deadline for the 4.4 Plan is complicating the tensions and the politics. A win-win solution is possible for the Sea, but it will take both leadership and patience.

Mike Walker, Lower Colorado River Region, Bureau of Reclamation
Mr. Walter described the history of the Salton Sea. It was originally part of the Sea of Cortez and was cut off as the Colorado River found its course. Flooding the Colorado occasionally provided water to Sea. Breaching of a water diversion in the early 1900’s created the Sea as we now know it. The source of water is now return water from agricultural irrigation.

Since the Sea is essentially an evaporation pool at the end point of the Colorado River, it is a basin with high salinity. To date, inflow roughly equals evaporation, leaving the salts to accumulate over time. Drying of the basin will likely produce air-borne sources of selenium and other toxic materials

The Sea is now an important drain for agricultural water, provides important habitat for migratory waterfowl and other wildlife, and is an important source of recreation. It is one of the most productive areas for fish and wildlife in North America, providing habitats for over 400 species of wildlife alone.

The big challenge at the Salton Sea is removing the increasing salts while maintaining high water levels. There are five possible technical solutions for the Salton Sea management dilemma under consideration in the January 2002 draft EIR/EIS. New pipelines and desalination of return water are not being considered in detail. Desalting of Salton Sea water with a geothermal energy-fueled evaporator is being evaluated on a pilot basis. Other alternatives are in-sea solar ponds, ground and tower based evaporation systems, and land-based solar ponds. There does not appear to be a cost-effective way of removing the salts without also significantly reducing the water level in the Sea.

Discussion

Where do we go from here?

Salton Sea

Increasing supply is the key to offsetting desalting needs. And dealing is an immediate need. This has to be integrated with other water management programs associated with the 4.4 Plan. Using flood flows is not an option due to negative opinions of other states.

What can the CBC and SWS do?

Both groups agreed to help increase awareness of Colorado issues in the short run and discuss implementation of solutions such as the Quantification Settlement Agreement when they are developed.

At least one future joint meeting was proposed, but no plans for another meeting were made. The groups agreed to share lists of contacts for future reference. Inviting California participation with the SWS work groups (like their water work group) was also mentioned. Group agreed and tasked staffs to identify people who might pursue this. The SWS will develop a charter and work plan that will be shared with CBC. California will be invited to SWS work groups if CBC will provide names. The groups also agreed to share information about the April 29 – May 2 Tribal Gathering meeting between the SWS and tribes from Arizona and New Mexico.

For more information on the California Biodiversity Council, please visit http://ceres.ca.gov/biodiversity.

For more information on the Southwest Strategy, please visit http://www.swstrategy.org.

Attachments:
Full contact list of meeting participants

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March 14, 2002

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