

THINKING LIKE A RIVER BASIN: Leaders' Perspectives on Options and Opportunities in Colorado River Management

Executive Summary **April 2011**

This report provides a snapshot of Colorado River Basin leaders' perspectives on the policy decisions and challenges facing the basin. Its findings are based on confidential interviews conducted with 29 decision makers and other experts, including current and former employees of local, state, interstate, tribal, and U.S. and Mexican federal entities; urban and rural water agencies; conservation groups; and universities and related research institutes.

The concept for this report emerged from discussions over the past year among Carpe Diem West network members, who saw the need to develop a picture of the possible range of solutions for better managing water in the Colorado Basin in a time of increased water scarcity and growing demand.

Several common themes emerged in these conversations:

- There is widely shared concern that the Colorado River Basin's water supply and demand are in a precarious balance, and that conditions are likely to get less certain rather than more secure in the near term.
- Although many people foresee the likelihood of increased conflict as a result of these conditions, there is a widely held and consistently expressed shared value for resolving conflicts through discussion and negotiation, and an equally strong aversion to Compact-related litigation.
- There is widespread acknowledgement that a broader range of stakeholders desires to be involved in river management decisions than is currently allowed, although opinions vary about whether a broadly inclusive model of participation would be feasible or desirable.

The report summarizes the leaders' perspectives in response to the two broad questions that provided the starting point for each conversation:

First Interview Question:

If the Colorado River continues to be managed pursuant to current laws, including the Interim Guidelines [contained in the 2007 Record of Decision], what conditions do you foresee in 15 years in terms of water shortages, water security, and interstate conflicts?

Hydrologic Conditions: *“The sky is not falling . . . yet”*

- Although all do not agree that climate change is the cause, there is general agreement that water supplies will be more stressed and conditions less certain in the future.
- The Colorado River is near capacity in meeting the demands of current uses.
- A shortage as defined in the Interim Guidelines is likely to be declared much sooner than was anticipated in 2007.

Political Conditions: *Unstable footing ahead*

- The consequences of a shortage would vary a great deal among the seven basin states.
- A variety of unresolved legal issues make discussion of solutions difficult; some of these will have to be resolved to move forward productively.
- There is a real possibility of compact-based litigation in the next 15 years, although most parties share a strong commitment to resolve conflicts outside of the courtroom.
- Many feel strongly that the Law of the River provides important protection for states’ interests and does not require major changes.
- Recent initiatives offer encouragement for the promise of collaborative solutions, assuming the parties have an incentive to negotiate.
- Many see an unmet need for leadership that is willing to look beyond the interest of their own constituencies and promote a basinwide vision.

Second Interview Question:

What might be necessary to achieve a more satisfactory outcome in this time period and beyond? We’re interested in your thoughts about how to improve decision-making processes, certainty, meaningful participation by stakeholders, and political/financial support for innovative management solutions.

The Law of the River: *The key is flexibility*

- There is widespread support for preserving the 1922 Colorado River Compact, though many favor additional agreements and interpretations of the Law of the River to address identified concerns.

- There is some interest in forming or engaging a new entity to facilitate basinwide conversations and provide a more regular process for stakeholder input.
- There are mixed opinions about the appropriate role for the Secretary of the Interior.
- Many expect the Interim Guidelines to require updating sooner than was anticipated in 2007.

River Management: *More information and better practices*

- The Basin Study could provide important information about future scenarios and management options, but not everyone expects this outcome.
- There is a great deal of interest in options for augmenting the basin's limited water supplies to meet anticipated demands.
- Conservation and efficiency are viewed as important tools for stretching limited Colorado River water supplies.
- Some favor a broader approach to water transfers, ranging from local markets to interstate transactions involving cooperative storage agreements.
- Environmental protection and restoration initiatives remain a high priority, but some feel they should be evaluated and prioritized for maximum effectiveness.
- Many believe that additional and more diverse financial support will be necessary to address the basin's issues.

The many thoughtful ideas reflected here offer numerous starting points for productive, forward-looking conversations. Our experience suggests that the conditions may be ripe in the Colorado River Basin to explore some options for complementary processes to involve a wider range of interests to inform future management decisions. A broader dialogue could engage people more effectively in understanding and addressing the tough choices ahead in the basin.