

**WATER EFFICIENCY:
OPPORTUNITIES FOR ACTION**

REPORT TO THE WESTERN GOVERNORS

from the

WESTERN GOVERNORS' ASSOCIATION

WATER EFFICIENCY WORKING GROUP

Governors' Representatives

Ruth Ann Storey, UT, Chairman
Vern Fahy, ND
Dave McCraney, WA

Western States Water Council Representatives

David Kennedy, CA
Jack Acord, MT
Dee Hansen, UT

U.S. Department of Interior Representatives

Michael Clinton, Former Special Assistant to the
Undersecretary
Ken Maxey, Office of the Asst. Secretary for Water
and Science
Tom Phillips, Bureau of Reclamation

July 6, 1987

APPENDIX A

Western Governors' Association Resolution 86-011

July 8, 1986
Colorado Springs, Colorado

SPONSORS: Governors Lamm and Sinner
SUBJECT: Water Efficiency

A. BACKGROUND

1. The western water system is one of the West's primary assets, allowing development to take place which would have been impossible without it. It was designed to promote economic development through assuring a secure supply of water and to protect property rights in water once they were established. The system is now being asked to do different things as well, such as encourage conservation of water, protect the environment, and accommodate other interests in water use not emphasized in the original design.
2. States, municipalities, water districts and federal agencies are seeking new solutions as they deal with more complex considerations in water allocation issues. Whether pressures come from lack of federal dollars for new construction, the lack of state or local construction dollars, the availability of private dollars to buy water rights, environmental protection, the request to transfer water to junior users who can produce more wealth with it, technological change, or possible changes in water availability due to climatic fluctuations, the system is being asked to evolve.
3. The existing water system is adapting to the demands being placed upon it. However, the public interest can be enhanced by working with the various water institutions and interests to improve the ability of water laws, policies, and institutions to adapt to new needs more quickly and to allow more flexibility in water allocation. Water should be managed to provide broader opportunities for individuals to benefit from it as well as to provide a higher level of prosperity for the community and state. However, in making changes to allow water to do more work, it will be important to protect the well-being of those affected by the change as well as public values in water.
4. We have the opportunity to ensure that our system can continue to evolve as needed, contribute to the region's economic health, and meet future needs. To achieve needed changes will require the expertise and cooperation of current water managers and the private sector and developing ways to communicate with, and hear from, the public.
5. Western states should maintain primacy in controlling water decisions and their different history, geography and goals must necessarily dictate to some degree different systems of water allocation. However, all will face intervention from court decisions, congressional action, federal regulation and other forces if they do not maintain an ability to respond to changing needs.

B. GOVERNORS' POLICY STATEMENT

1. States should play the pivotal role in promoting better use of water in the West because of their primacy in water allocation and management, but to do so will require working effectively with local and federal water managers. Many of the policies that promote more efficient water use are in place in one or more western states. However, all western states could achieve considerable benefits by expanding existing programs for enhancing water use efficiency. In so doing they can choose from among the following means:

- a. Adoption of clear policy statements by western states establishing water use efficiency as a primary objective of water allocation and planning;
 - b. Expansion of programs, appropriate to each state, to:
 - encourage cost-effective water conservation and salvage through changes in water law and water rate structures;
 - facilitate voluntary transfers of rights to use water through state water banks, authorization to water districts to transfer water outside their boundaries and other initiatives designed to facilitate market transactions in water;
 - promote the conjunctive use of substitutable water supplies;
 - enhance the quality of data to enable water officials to institute changes; and
 - afford systematic protection of public community and environmental values in water.
 - c. Enunciation of a policy to avoid state financial assistance to water development except where the development is the most beneficial way to meet the need.
 - d. Greater willingness to cooperate among states to achieve efficiency gains and cooperative distribution of water on a basinwide basis.
2. Changes at the state level need to be coordinated with change at the federal and local levels. The U.S. Bureau of Reclamation delivers over 20 percent of the water in the West under separate law, procedures and rates and owns storage and conveyance works which could facilitate voluntary transfers. The states and the U.S. Geological Survey have water measurement and analytic capabilities, and the U.S. Fish and Wildlife Service has expertise in addressing environmental concerns. At the local level, water users and water user organizations have extensive experience and expertise which can be applied to adopting appropriate changes. Working together, state, local and federal interests can maximize the benefits from available, developed water supplies.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The WGA should continue to provide active, visible leadership to support efficiency as a basic component of water decisions. WGA staff should work with the Western States Water Council, other state officials, and the private sector to identify model approaches states could adopt and to provide states with access to expert assistance, analysis of statutes, legal advice, and financial advice on ways to enhance efficiency.
2. The WGA should initiate a working group to include representatives of the WGA, Western States Water Council, and Department of Interior to consult widely with western water interests to identify steps to facilitate voluntary water transfers and other needed changes and to develop recommendations for changes in law and practices at the federal, state, and local levels. The initial working group should report to the western governors at their winter meeting.

3. The WGA and individual western governors should undertake public education efforts to communicate the broad benefits from efficiency in water allocation and to broaden the base participating in major water decisions to include all affected interests.

DISPOSITION:

Approved: Deukmejian, Lamm, Ariyoshi, Schwinden, Kerrey, Anaya, Sinner, Atiyeh
Janklow, Bangerter, and Gardner

Disapproved: _____

Abstained: _____

Not Present: Sheffield, Lutali, Babbitt, Bordallo, Evans, Bryan, Tenorio, and Herschler