

State Water Planning: A Path Forward?

***No Universal Remedies:
Place and Politics Matter in Water Governance***

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Talking Notes



Most important message signaled in this picture:

- One formula fits all. Water resources characterized by Nirvana narratives, icons, success stories, happy advice that if only followed, would produce good results.
- Appearances confused with reality. Just because there is a bridge and a sign related to swimming does not mean that there is water.
- Policy not only inappropriate for but obscures real problems. **Drought** ignored by sign only one indicator of multiple water problems. Quoting Elinor Ostrom on state of the world 30 years after Bruntland Report introduced idea of sustainability, and created the appearance that sustainability was being taken seriously, much of the news is negative...much of the lack of success due to “policy analysts who advocate singled idealized solution” key part of the problem, not the solution.

- Policy mandates (warning sign relying on authority) often do not work. Implementation simply does not happen. Implementation often requires as much political energy and effort as policy making. Implementation problems are made worse when solution simply borrowed from elsewhere rather than emerging from situation. Politics in implementation is inevitable and continuous, can not be designed out. Part of the problem is that despite the attempts of the expert water resources community to provide a **template of norms, institutions and practices to govern water, it remains, as Ken Conca describes it, contentious terrain.**

Major Themes

- No universal remedies and no magic bullets
- Multiple and conflicting meanings of water
- The inevitability of politics
- Importance of equity and place
- Design and prescribe for context
- Conclusion

- The water expert community has turned away from the dam and ditch philosophy to embrace a new set of institutional recommendations that seem responsive to problems but tend to disguise operational problems and are not appropriate to many contexts: Geographically based institutions-basins, watersheds; public participation, user pays principles, markets, human rights
- **Politics** is usually blamed for the failures. But I will argue that not only is **politics inevitable, it must be an essential focus of research and practice.** To change the reality of water problems on the ground requires of marshalling essential and sustained political support to implement changes.
- Further, change becomes insurmountable if **issues of fairness, equity, and a sense of place are not fully considered.** Conventional scientific focus on doing things right needs to be expanded toward doing the right thing.
- Design for context. I argue that prescriptions must be fit to **context.** There simply are no universal panaceas. Instead a close study must be made of water resources management as it actually exists in real places before venturing to make proposals for institutional reforms.

No Easy or Permanent Solutions

- Professional consensus on recommendations:
 - River basin or water shed institutions
 - Public participation and involvement
 - Water markets and transfers
 - Human rights to water

A wide variety of academic and governmentally based water experts, and many in the NGO community have embraced a menu of reforms to replace the discredited dam, ditch and divert philosophies of traditional water bureaucracies. These ideas clearly an improvement, but mask problems and are beginnings rather than ends:

- **Water institutions to match hydrologic boundaries.** It would seem that encompassing basins so that systematic upstream and downstream problems can be considered at once is a good idea. Further, drawing a boundary around people who experience directly the effects of water management decisions makes sense in terms of democratic theory. But experience shows many intractable problems with physical feature based institutions regularly arise.
 - **Boundary Problems:** Basins and watersheds are somehow supposed to be these physical entities, but in fact, the choice of what is a basin or watershed is a matter of political judgment. EPA acknowledges in an average state there may be ten or more major basins containing several hundred moderately sized watersheds and thousand of still smaller watersheds within these.
 - **Basin and watershed boundaries do not match the lines of political jurisdictions. (Legislative districts, boundaries of cities, counties)** Basin and watershed institutions have trouble establishing **stable funding streams** because joint funding requires collaboration. Political leaders are distant and estranged from geographically based institutions because their e constituencies and lines of accountability often have no relationship to basin boundaries.
 - Just because people live in proximity to a shared resource does not mean they see eye to eye. Diverse cultural root, economic status. The experience of New Mexico's attempt to plan through regional is instructive. Regions like the Middle Rio Grande encompassed big and small farmers, cities of different sizes, and a number of Native American communities that shared the water resource but often lacked sufficient mutual understanding and empathy to facilitate agreement.
- **Public Participation:** It is generally agreed that public participation is essential if policies are to be responsive to need and implementable, but participation is no panacea. It is often difficult to engage the broad public, and attentive publics often have such intense, entrenched interests that true dialogue is difficult. Usually, participation takes place through representative bodies like executive committees or government boards. How positions are allocated and what rules govern decisions (such as majority rule or consensus) are all difficult political questions. Forums and processes for public participation must be perceived as fair and open if they are to maintain credibility. Further, forums for participation need to be linked to action or people come to believe they are wasting their time. Yet, elected officials and agencies are wary about committing to public participation processes they do not control.
 - Public participation is not necessarily connected to better water management, begging the question better for whom. In a Meta analysis of 35 cases in North America and Europe, in only 1/3rd of the cases was there better consideration of

environmental perspectives in the final agreement. In a similar large study in the U. S. the authors conclude collaborative institutions are expensive to implement and maintain. They, take as long as four years to get up and running. Success of watersheds is highly dependent on a happy convergence that turns out to be pretty rare. There must be enough resources, sufficient scientific and technical expertise, and leadership, all coming together.

- **Markets and Privatization** For twenty years the mainstream water resources community has argued that water rates should be higher. And, water should be transferred through markets from rural sectors to cities and other high value uses. Water markets take a variety of forms and **actual experience has been enormously varied**. Unquestionably, market transfers have worked well in many places. In others, like the San Luis Valley in Colorado, they arouse great resistance **Markets do not work well unless accompanied by strong governmental supervision that oversees agreements and protects equity and environmental values**. Private enterprise and many public private partnerships simply do not, and probably can not, provide the open public forums where value questions can be discussed. Whether and how water related cultures can be protected, how the poor who cannot pay full cost of service should be treated, and how present and future needs should be balanced require discourses in trusted venues.
- **Human Rights to Water:** While not endorsed by water professionals to the same extent as geographically based management, pp and mkts, there is a strong international movement to declare water as a basic human right. Such a provision is in the South African Constitution and is a part of the European water framework. While moving in the right direction, this idea is not easily implemented. How much water should be set aside to support human life? Does that amount cover only household uses, or should it also cover enough water to support economic activity and enterprises? Who is to pay for infrastructure and maintenance to deliver water to the poor? Should some amount of water be free for everyone, even those who can afford to pay? How does the notion of human rights to water square with the need for incentives for water conservation?

To summarize: proposed universal remedies are not solutions but instead entry points to political processes that involve value conflicts.

Multiple meanings of water and associated prescriptions

- Product & property: infrastructure and property rights
- Natural element: ecological services
- Economic good: markets and transfers
- Equity and fairness: human rights and community protection.

Universal remedies fail in part because they attempt to gloss over what are some fundamental differences in attitudes and perspectives about water that divide the water community and separate water professionals from other citizens. Multiple meanings emerging historically are carried over today, one layered upon another, sometimes compatible but more often in competition. These **multiple meanings** or ways of knowing are alluded to in introduction to

Reflections on Water (Blatter and Ingram) Each meaning favors some constituents over others. In other words, there are winners and losers.

- Water as a **product** of natural and engineered delivery systems. Also water as a product is an engine for economic development of Arid Lands. Steve Reynold’s vision, large-scale infrastructure—making the deserts bloom. Water product now serves not so much agriculture as urban boom.
- Water as place- based **natural element**. Water as **embedded in ecology** and its properties are particular to place-temperature, turbidity, chemical composition all signature of particular setting. To change anything is to diminish ecological services. This perspective is often articulated by environmental groups and embraced by ecologists and life scientists.
- Water as an **economic good, commodity or economic value**. Economists and others are critical of the private uses of public funding involved in big water delivery projects—Benefit/cost analysis showed many projects not justified. Water should be priced like other property, making it available through markets so that water could flow to its highest economic uses. This perspective is troubling to a number of New Mexico’s indigenous peoples. An Utton Center Report of a Conference held in 2005 is especially informative on this topic. One spokesperson from the Navajo Nation said, “ In mainstream society we try to take ownership of those things that sustain life. The elders are saying that we’re working against the laws of nature, the law of life you can not own these things” Another speaker from the National Environmental Tribal Council said, The idea of ownership is a problem for me. You want to start there—and I can not even get there”.
- **Water as a community value**. The community value of water is associated with the old Western adage that in a desert, life and community welfare depends on water. The notion of public welfare is associated with water, and that community well being trumps the rights of individual water rights holders was brought to the Southwest by the Spanish. It is embedded in the ancient acequia system here in New Mexico. It also has historical roots in the famous Owens Valley episode where the injustice of Los Angeles’s water grab from its agricultural neighbor festered for more than half a century. The community value of water is endorsed by practically every area of origin in water transfers, including the Elephant Butte Irrigation District in its struggle with the City of El Paso. Communities that have water have a chance for a future; those who lose their rights are done for.

Value differences such as those that underlie many water issues must be dealt with through politics.

Bringing politics back in

- Capturing the agenda; changing the image
- Engaging equity, community, place
- Creating symbols and sustainability indicators
- Networked social movements
- Empowering multiple ways of knowing

Water resources and political power are inextricably connected. Clearly, politics must take its rightful place as part of water resources research, analysis and prescription. The notion that water is too important for politics is a recipe for elite domination of this issue area or placing it on the backburner of governmental and societal agendas.

- ***Capturing the Agenda:*** The contemporary discourse of water resources reform is often bloodless and politically tone deaf. There is little in the process oriented discussions that rally support around concrete actions that might involve real change in human behavior or sacrifice. Reoccurring crises that would seem to raise water higher on the public agenda for action, but sufficient interest does not grow and is not sustained. Why not is an essential research and management question.
 - **Water flows through nearly everything, and it can provide a very accurate barometer of unsustainable practice.** Opportunities to draw clear linkages between water management, food and energy shortage, risks of extreme weather events, wildfires, disappearance of species, the spread of invasive organisms and many other clearly connected problems are not exploited
 - **Water touches the emotions and evokes sympathetic responses** far more easily that does carbon, methane, and other greenhouse gasses. Yet water fails to get the level of attention necessary for innovative change. **Researchers and practitioners in climate change have been more effective than the water community in conveying the seriousness of the problem and the closeness of the relationship between human choices and environmental sustainability.** More effort needs to be put into the development of intuitively logical and understandable signals of the extent to which human actions are worsening the state of the planet's waters.
- ***Engaging Equity, Community and Sense of Place:*** Individuals and groups can be moved to change behavior or take action by impulses and motivations that **are beyond simple self-interest**. Analysis of water politics in the past has tended to focus on struggles among different user groups to attain particularized advantages. But, issues of **identity, moral grounding, and fairness can be more persuasive than appeals to self interested rationality in changing orientations and allegiances.** The collective “sense of we” animates and mobilizes people cognitively, emotionally, and even morally to take common action. Powerful forces can emerge to change governance of water resources. Such clout comes from shared experience of loss of opportunity, security, and control over water resources in particular places and contexts.
- **Mobilization of public support is critical to meaningful change in water resources politics and management.** Appealing to equity, community and a sense of place can be influential in rallying people against dams, water transfers, privatization, and what are perceived to be **inequitable** rate increases. This kind of energy needs to infuse the broader water resources community. People with widely different interests in far-flung places are responding similarly to feelings of **risk and insecurity over their separation from the real action in water resources.** The water research and practice community needs to orient itself positively with social movements with great potential to change the politics of water.

Design & prescribe for context

- Well designed solutions embrace multiple facets of water.
- Supplying what is missing in contexts is critical.
- Policy designs and institutions require continual vigilance.

As I have emphasized Water has a number of **facets** that can be more or less important depending on the context: product; ecological element, economic value or equity concern. **Standardized solutions often embrace only one facet of water.** Where a particular perspective is important but being slighted by governing arrangements in a context, a reform that supplies that perspective may be quite helpful.

In situations of **excessive bureaucratic control, participatory designs with greater transparency and public participation are appropriate.** However, transparency and openness are not by themselves useful in contexts of great economic and social inequity where the resources necessary to participate are out of reach to the disenfranchised. Other outreach strategies and capacity building are required. **Markets and privatization may well spur necessary innovation in contexts where entrenched public bureaucracy are slow and inefficient, and where powerful interests have captured public subsidies.** But, markets hardly make up for lack of long term focus on water sustainability and intergenerational equity. **Emotional appeals to conscientious stewardship of irreplaceable ecological and social water services can spur the development of social movements and change public priorities. But, moral reasoning seldom can overcome the economic signal to waste cheap or free water.**

A contextual approach also suggests that there are **no policy designs or institutions that once put in place can just run on their own without continual vigilance against the emergence of dominant, narrow perspectives that excludes all others. While there is little hope for panaceas, there are continually relevant questions and concerns**

Conclusion

- No universal remedies exist.
- Politics is inevitable and not replaceable by collaboration and participation.
- Big change requires new symbols & mobilization.
- Context is more important than purity of approaches.

There simply are no universal remedies for good water governance. In the words of one analyst “water sector appears to be littered with well-intentioned and rationalistic reforms that have failed to fully appraise the context of their implementation”. Even when policy designs fit and work well in a particular context, continual readjustments are likely to be necessary to deal with both emerging problems of a changing and increasingly variable climate, and shifts among contending values.

Politics is inevitable and can not be designed out by elaborative participatory and collaborative processes. Only by raising the visibility of water on the public agenda, and mobilizing public support can revitalizing water governance occur.