

Chapter 11 Highlights

1. To achieve a water allocation that is more just, sustainable, and efficient, we need to re-allocate some water towards tribal, environmental, and urban users. Ultimately, this means that the water footprint of agriculture will have to shrink, especially in water-scarce basins, but this transition must be gradual and must consider the needs of farmers and farm workers.
2. Within prior appropriation systems, water markets can increase efficiency by shifting water to more valuable uses. But markets in water come with significant problems, including externalities and transaction costs; appropriate regulation can help alleviate these problems.
3. As urban water scarcity increases, water re-allocation from agricultural to urban uses is increasingly common. These transfers can be carried out through markets, decrees, or negotiations. Negotiated agreements between cities and farmers are a good option for shifting some water to urban centers, while avoiding “*buy and dry*” and ensuring the continuing viability of rural communities.
4. Methods for quantifying environmental flow requirements—meant to protect natural flow regimes—range in their ease of implementation and the level of protection that they provide.
5. There are many types of policy instruments being used to return water to the environment, including: *reserved rights*, appropriation of *instream flow rights*, the *public trust doctrine*, *rights-of-nature* laws, and others.
6. Tribal reserved rights are a powerful tool for remedying historical inequities in water use, but many tribes still have not had their water rights recognized and quantified through legal proceedings or negotiated settlements.
7. WaterBack demands more than water re-allocation; it requires changes in governance to allow tribes more water management authority and to incorporate indigenous voices and values into basin-level organizations. In some cases, tribes are being named as legal guardians of rivers or are suing on behalf of culturally-important aquatic species.
8. State-level water governance typically involves a complex network of agencies and relationships among local, county, state, federal, and non-governmental actors.
9. In response to changes in water supply and demand, states are actively engaging in water planning processes. These planning processes take different forms in different states, but share some common threads.
10. Interstate water management seems to work best when states form *river-basin organizations* around issues of common concern (ranging from flooding to environmental protection), rather than when the federal government imposes top-down river-basin planning.