Five questions for Douglas Kenney[1]

In the West, the need for water – and managing that need – provides a never-ending challenge.

“Few, if any, issues will be more influential in shaping the future of the West than how the region manages its scarce water supplies,” says Douglas Kenney, director of the Western Water Policy Program (WWPP) at the Getches-Wilkinson Center for Natural Resources, Energy and the Environment at CU-Boulder. “As a society, we really need to get this right, or we’ll pay the price in terms of stagnant economies and unhealthy environments.”

“Getting it right” can be a tricky business that involves pulling together expertise from dozens of disciplines, balancing the different values that people hold regarding water resources, and understanding that as water supplies get stretched thinner and thinner, the issues can get tense and political, he says.

It’s the reason he founded the WWPP in 2007. The program “has a very pragmatic focus; we try to find and highlight those solutions that best balance all the competing concerns, and that establish a foundation for further innovations down the road. I see this as an ongoing process. These Western water issues are not something that we can simply address, solve and then move on to other things.”

Kenney grew up in Colorado and attended CU as an undergrad with a major in biology. “While I never had a formal plan to end up working at CU, it is a natural fit,” he says. When a job opened up at CU’s Natural Resources Law Center (now the Getches-Wilkinson Center) in 1996, he jumped at it. He remembers that about 150 people applied for the position, and because it was based in the law school, most applicants had law degrees. “I have a Ph.D., so the argument I made at the job interview was: ‘The last thing you need here is another lawyer. I’m a “policy person”; that’s what you need.’”

His master’s degree is in natural resource policy and administration and his Ph.D. focused on renewable natural resource studies.

His interest in water began as a young boy. “A classic family road trip was to travel each summer to Iowa to visit relatives. I remember one time we were about to cross over the Missouri River, and my dad warned us kids to wake up because the bridge over the river was pretty impressive. Sure enough, when the time came, it was a pretty spectacular sight. I hadn’t seen anything like that growing up in Aurora. But what I quickly realized was that, while the rest of my family was fascinated by the bridge, it was the site of the river that gave me goosebumps.

“I’ve been hooked on rivers ever since. So while I didn’t exactly choose my profession that day, I think it was a critical point on the journey.”

His personal and professional lives don’t always wind along the same path, however. “Given my interests in rivers and natural resources, you’d think that I’d be active in rafting, fishing, camping, and so on, but I very rarely do any of those things. I don’t even ski anymore. These days, my primary hobbies are playing guitar and riding motorcycles. I plan to take a motorcycle trip soon to the canyon lands of southern Utah, in part to enjoy the breathtaking views of the Colorado River. But that will be a rare case of my personal and professional lives intersecting.”

1. We’ve been fighting over water rights (and Colorado law) for decades (including another attempt at legislation allowing rain barrels to collect precipitation). First, would rain barrels have that much of an effect downstream? Second, what types of water management changes do you think would benefit Colorado and the West?

One of the distinguishing features of Western water management is the legal regime for allocating water, and that is perhaps the area where innovation comes most slowly. The underlying premise is simple: Whoever uses water first establishes a legal right to continue to use that same volume of water every year in perpetuity. That provides users with the certainly they need to establish farms, businesses, and cities.

So when somebody proposes to allow folks in the suburbs to use rain barrels to catch and use water that otherwise

would flow downstream to be used by farms and other enterprises that predate the suburbs by a century or more, then that's seen by some as threatening the very foundation of Western water law.

As a practical matter, rain barrels probably won't have a noticeable impact on downstream flows, but that's not the point. The point is that any change to the legal regime, no matter how simple or practical it may appear, is viewed by some as a dangerous precedent. For that reason, water law reform moves very slowly. There have been some notable innovations, such as laws that allow water rights to be established to protect some "instream" uses, namely the environment, but the most striking feature of Western water law is how little it's changed in the past 150 years. If the current regime works to your benefit, then you see this as good news. But if not, then the slow pace of change can be maddening.

Water management issues are complicated. I'll just single out two related items. First, we need to really embrace the notion that the future of water management lies in reducing how much we consume, rather than simply getting more and more aggressive in our search for new supplies.

We have the ability to do things such as desalinating seawater, but if doing that costs 10 times as much money as adopting practices and technologies that result in saving (not using) an equivalent amount of water, then that's what we should be doing, right? Well, in order to make those logical economic decisions, you need to restructure how (and how much) we pay for water, and how we incentivize people to use less. If the only benefit of my using less water is that you can now use more, then I'm not interested. But if we can arrange some way to share the costs and benefits, then it makes sense.

The second item refers to the evolving relationship between urban and rural areas. In the West, the vast majority of water use is for irrigated agriculture, but most of the people are in cities. When cities want more water, they often just buy it from the farmers who hold those water rights, and that makes economic sense at a macro level. But at the micro scale, these so-called "buy and dry" purchases can crush the economies of rural areas once those farms cease operations.

What these two items have in common is that we need to be very careful about the incentives and the sideboards that we use to guide the decisions of water users. If gains for one party only come from losses inflicted on another, then that's a step backwards. Finding solutions where everyone can benefit usually requires a collaborative process where innovation is embraced rather than feared. That requires a cultural shift in water management. The good news is that we are moving in that direction, but it's really slow. Again, the rain barrel issue is a good example.

2. Why don't more local/state governments simply institute conservation rules?

It's important to note that, from a technological standpoint, conservation is not terribly difficult. Most big Western cities, for example, use the same or less water today than they did 25 years ago, and that's largely the result of things such as low-flow toilets and high-efficiency washing machines. It's not rocket science. But, again, the incentives are the key.

One problem cities run into is that the water utility is in the business of selling water; that's how they pay for dams, reservoirs, pipelines and so on. When customers use less, that decreases the risk of a water shortage, but it increases the risk that the utility doesn't generate enough revenues to pay their bills. That's a flawed incentive. The utility responds by raising rates on those very people that were successful in conserving water. That's also a bad message. When you consider how flawed the incentives are, it is truly remarkable how much progress we've made as a society in water conservation.

3. What is a current area of interest for you?

For me, there's no issue more fascinating than the Colorado River. The river is shared by seven United States states, two Mexican states, and nearly two dozen Native American tribes; roughly 40 million people rely on its water. But current patterns of use are unsustainable, especially given that this is a basin with very high population growth that has been hit unusually hard by climate change.

We either need to reform management now, or we can continue to watch the big reservoirs (Lake Powell and Lake

Mead) decline until reform is forced upon us. But one way or another, we cannot expect to consume more water from the river than Mother Nature provides each year in snow and rain.

Conceptually, this is easy to understand, but moving from those “hard truths” to actual management reforms is difficult. That’s where I focus my energies through my Colorado River Governance Initiative, and more recently, by leading a group of 10 prominent Colorado River scholars organized as the Colorado River Research Group.

4. You’ve acted as a consultant for several national and international agencies. What types of advice have you given?
[2]

One of the great ironies of my work is that it is much easier for me to have influence in reforming water management in other parts of the world than in the U.S. For example, several Asian nations (including China, Vietnam and South Korea) have asked me to explain to them how water is managed in the American West, noting both the areas of success and failure. Globally, there’s this impression that we’ve done it all in the American West when it comes to water management, so audiences worldwide are always interested in hearing our stories.

When I told officials in Vietnam that our priority system of water allocation means that, in times of shortage, those users with the oldest (most senior) rights get all of their normal supply before the newcomers (juniors) get any, they simply remarked: We couldn’t do that, as it will cause social unrest. Likewise, when I told a key Chinese official that Western water law did not until recently recognize a need to leave some water in the stream to support ecosystems, and the result is that several Western streams are sucked dry every year, he remarked, “We’ll reserve some water for the environment before we allocate the rest to farms and cities.”

Whether or not you agree with these decisions, or whether or not they were ever enacted, is not something I can comment on. I also don’t want to comment on how the flexibility in these nations to make such decisions derives, in large part, from government structures that do not provide for much public input. But it is, nonetheless, fascinating and exhilarating to have these conversations in societies where the decision-makers are free to act on those ideas that they find compelling. Decision-makers in the West rarely have that much room to innovate. In the West, good ideas are not enough; you need to figure out ways to unburden those ideas from all the decisions and actions that have piled up over the last 150 years.

5. What is a memorable event or insight you have experienced while at CU?

It’s a tremendous honor for me that I now work at the Law School in an outfit known as the Getches-Wilkinson Center, named for David Getches and Charles Wilkinson. These are two giants in the natural resources field, and two remarkable individuals. When I was still a student at the University of Arizona working on my Ph.D., I had a reason to visit the CU Law School for a meeting where I happened to run into David Getches. Much to my surprise, he invited me back to his office to talk for over an hour about water issues and about career paths. I was floored.

To this day, I am amazed and moved that he made that investment in me. Later when I started my employment at CU, I got to frequently work with both David and Charles on a variety of projects. David has since passed away, but I still have the privilege of working with Charles.

In my 20 years at CU, I’ve made it a point to frequently meet with a variety of students and prospective students, regardless of what school or field they came from, and I like to imagine that perhaps in at least one case I’ve made an impact similar to that fateful meeting with David.

Tuition waiver benefit won’t see wide expansion this year[3]

Following months of consideration, CU administration has determined that the tuition waiver benefit[4] for faculty and staff will largely remain unchanged for the 2016-17 fiscal year.

Faculty and staff governance groups this past year had intensified the call for expansion of the benefit, most notably as it applies to dependents. The only change is at CU-Boulder, where the 10 percent tuition benefit for dependents is doubling to 20 percent; that announcement came in January[5].

Further change is possible for the 2017-18 fiscal year, given that campus and system chief financial officers and chief human resources officers plan in-depth studies of the issue.

A lingering sticking point for the campuses[6]: transferability, which members of Faculty Council and Staff Council advocated for throughout the recent review of the benefit. Currently, system employees are alone in being able to choose at which campus they may use the tuition waiver. Employees at the CU Anschutz Medical Campus are limited to using the benefit at CU Denver.

The studies planned for next year will aim to more closely quantify the financial impact to each campus and system administration. They also will examine the number of CU employees with a dependent enrolled at another campus. Administrators also aim to gauge how many faculty and staff who are not currently using the benefit would choose to do so if and when changes are implemented; the studies also will consider who might take advantage of the program beyond the immediate future, such as five or 10 years out.

“We understand how important this issue is to our faculty and staff, so we are going to continue to look at ways we can improve the tuition benefit,” said Kathy Nesbitt, vice president of employee and information services.

Faculty Council Chair John McDowell informed council members of the development in an email sent earlier this week.

“While we had hoped for a more robust tuition benefit going forward, we are seeing some progress,” McDowell wrote. “The planned studies should provide more quantifiable information about the financial impact of programs and the potential for expansion.”

Nesbitt is scheduled to speak at today’s meeting of the Faculty Council, noon-3 p.m. on the fifth floor of 1800 Grant St., where the tuition waiver benefit will be a topic of discussion.

CU adds two new President’s Teaching Scholars[7]

CU has added two faculty members to the ranks of the President’s Teaching Scholars, the roster of educators who skillfully integrate teaching and research at an exceptional level.

The title signifies CU’s highest recognition of excellence in and commitment to learning and teaching, as well as active, substantial contributions to scholarly work. CU President Bruce D. Benson solicits annual nominations of faculty across the four campuses for the designation, which is a lifetime appointment.

The 2016 President’s Teaching Scholar designees are:
Jeannette Guerrasio, M.D., Associate Professor, University of Colorado School of Medicine at the Anschutz Medical Campus **Andrew Martin,** Ph.D., Professor, Department of Ecology and Evolutionary Biology, University of Colorado Boulder

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Jeannette Guerrasio is an outstanding teacher of students, residents, faculty and health professionals, sharing knowledge in classrooms as well as at University of Colorado Hospital (UCH). The director of Resident and Medical Student Remediation for both undergraduate and graduate medical education, she is an international leader in identification and remediation of struggling learners. Guerrasio developed and implemented the clinical remediation program for medical students and residents at the CU School of Medicine, and played a critical role in the development of the faculty involved in the remediation program. Her research explores understanding and early identification of at-

risk learners and remediation methods and outcomes. Her first book is widely recognized as the leading reference on remediation.

In her hospital role, Guerrasio is committed to the clinical care of hospitalized patients, with a focus on inpatient geriatrics. She has contributed to several projects at UCH to improve geriatric assessments and to decrease delirium, functional decline and urinary tract infections in this vulnerable population.

Andrew Martin is an innovative, highly effective educator who helps faculty in his department and beyond to transform teaching, encouraging experimentation with methods to better engage students. He has sponsored and led several workshops on varying teaching methods, emphasizing the need to collect and analyze data about such changes. Martin mentors graduate, undergraduate and high school students in his laboratory. He also brings his expertise into the community, leading outreach activities with teachers from the Boulder Valley School District and others.

An outstanding evolutionary biologist with a rich publication record and strong track record in acquiring grant funding, Martin's research is in the field of evolutionary genetics, working to assemble evolutionary trees that are used to test ecological and evolutionary hypotheses. These methods in turn help address conservation concerns about endangered species such as the desert pupfish and greenback cutthroat trout, providing valuable insight into the composition of microbial communities.

Tens of thousands help launch University of Colorado A Line[8]

The University of Colorado A Line drew an estimated 80,000 riders Friday and Saturday, when the Regional Transportation District's new commuter rail service between Denver's Union Station and Denver International Airport offered free rides for its debut.

On Friday, hundreds of people gathered for a ceremony where several local, state and national dignitaries cut the ribbon to officially open the 23-mile commuter rail line. The event was immediately followed by free rides on the new line, and thousands of passengers lined up to take the first trips.

The University of Colorado A Line provides accessible and reliable connections between downtown Denver, communities along Interstate 70 and Denver International Airport. The project is part of RTD's FasTracks program and continues the agency's record of opening projects on time and on budget. The University of Colorado A Line also is part of the Eagle Public-Private Partnership.

Speakers at the event included Gov. John Hickenlooper; Federal Transportation Authority Acting Administrator Carolyn Flowers; Sen. Michael Bennet; Rep. Diana DeGette; Rep. Ed Perlmutter (a CU-Boulder alumnus); Rep., Mike Coffman (a CU-Boulder alumnus); Denver Mayor Michael Hancock (a CU Denver alumnus[9]); Aurora Mayor Steve Hogan; DIA CEO Kim Day; Denver Transit Partners CEO Aaron Epstein; Fluor Corp. CEO David Seaton; RTD Board of Directors First Vice Chair Larry Hoy; and RTD General Manager and CEO Dave Genova (a CU-Boulder alumnus[10]).

CU entered into a partnership with RTD last year[11] to name the train. RTD is selling naming rights across its FasTracks project for complete lines or for stations. CU campuses and system banded together to purchase the rights to the airport line, which is expected to have the highest ridership of any FasTracks line, an estimated 10 million passengers annually.

This is the second opening in a milestone year for RTD. The Flatiron Flyer bus rapid transit service opened in January, and RTD will celebrate the start of service for the first segment of the B Line in the summer, the G Line in the fall and the R Line in late 2016.

For route and schedule information, please call RTD's Telephone Information Center at 303-299-6000 or call 303-299-6089 for the speech and hearing impaired. Visit RTD's website at www.rtd-denver.com[12].

Philanthropy propels CU forward, Benson tells donors[13]
[14]

With a grateful nod to past philanthropy that supports CU, President Bruce Benson said he believes that donors who make planned gifts to CU ensure future university priorities flourish.

“I can’t thank you enough for everything you do for the University of Colorado,” Benson told more than 200 donors at an April 21 luncheon at the Denver Botanic Gardens. “I guarantee future leaders of this university will be glad.”

The university — and donors with their generosity — can help make a difference in a long list of developing initiatives, he said, including addressing mental health challenges, cybersecurity infrastructure, hospital improvements and online education.

Benson and Vice President of CU Advancement Johnnie Ray hosted the event to honor members of the Heritage Society — donors who have committed planned gifts, which include estate bequests, real estate gifts, charitable trusts and annuities, to benefit CU.

With 90 new members this year, its roster now numbers more than 1,100 alumni, staff and friends of CU. The university stands to benefit from nearly $6 million in newly realized planned gifts and another $49 million in newly committed bequests since the start of the fiscal year on July 1, 2015. Counting all private support, donors have made gifts in excess of $247 million so far this fiscal year.

Ray told donors CU has benefited from more than $1 billion to date in estate gifts to fund the university’s endowment. That’s an extraordinary number, he said.

“But it’s not just a number that matters,” he said. “It’s what happens because of all the extraordinary advances that we make as a result of these kinds of investments. Words aren’t sufficient to express our gratitude.”

Benson said philanthropy benefiting CU is growing for one major reason, and that’s how people feel about the university. Its reputation is on the rise due to recent progress in diversity (both in student-body composition and political perspective); the growth of international student enrollment and of the university’s reputation; and of its efficient efforts (increasingly recognized by state legislators) to lower education’s costs while raising its already-high standards.

Donors see that and want to play a part in helping CU succeed, he said.

Planned giving is one of CU’s most important sources of philanthropy, allowing donors to discover and support the programs that matter to them while structuring gifts that achieve financial goals for them and the university.

For more information about planned giving to CU, call 303-541-1229 or visit cu.planmygift.org.[15]

Open Enrollment campus benefits sessions run through May 5[16]

Open Enrollment Sessions and Fairs continue through May 5, with the aim of educating faculty, staff and retirees about CU Health Plan offerings available during Open Enrollment, which ends at 5 p.m. May 13.

“We bring our benefits professionals and plan vendors to the campuses each spring for a summary of their Open Enrollment options, how to enroll, and what actions they may need to take,” says Michelle Martinez, director of Benefits and Payroll Administration within CU’s Employee Services department. “This is an incredibly valuable forum

for learning about plan features and how they can best meet each person's needs."

By enrolling in CU Health Plan's medical offerings, members are eligible to participate in wellness programs through Be Colorado, including CU Health Plan – Diabetes Prevention, Biometric Screenings, gym discounts and Move., which rewards participants for meeting activity goals with quarterly payouts. (Learn more about Be Colorado's full menu of programs at becolorado.org[17].) Plus, most medical plans cover a wide range of services – from preventive care to items such as bariatric surgery, hearing aids, acupuncture and more.
Upcoming sessions: Spanish and Laotian-language sessions Friday at CU-Boulder Monday, May 2, at CU system Tuesday, May 3, at UCCS Wednesday, May 4, at CU Anschutz Medical Campus Thursday, May 5, at CU-Boulder Benefits sessions and vendor fairs were held Tuesday at CU Denver. Faculty, staff and retirees are welcome to attend sessions on any campus if they cannot attend the session on their campus. Full session details and directions may be found on the Open Enrollment website[18].

The Open Enrollment website[19] features interactive learning games and quizzes to highlight plan features, videos and full plan details.

"Our commitment is to provide employees the necessary resources to understand their benefits options and how those options work so we can ensure a successful Open Enrollment for every CU employee and retiree," Martinez says.

Learn more about Open Enrollment at www.cu.edu/oe[19].

Tickets for Dalai Lama's visit to CU-Boulder on sale at 9 a.m. today[20]

Future plans for wages on the Boulder campus[21]

Community participants, volunteers sought for BioBlitz event[22]

Here are the top 10 can't-miss features of the 'transformed' Tivoli Quad Park[23]

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Bradley named associate vice chancellor and dean of students[26]

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Shannon Hagerman joins School of Education & Human Development[29]

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