

# Legal Handles for Wise Water Use

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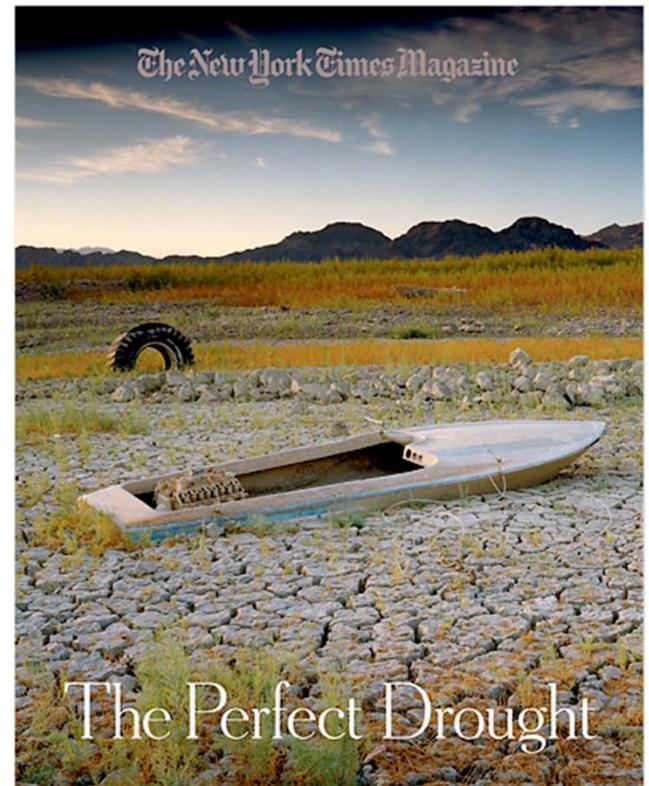
# Overview

- Land-water legal divide
- Water-conscious land-use planning
- Community-conscious water planning
- Key policy changes
- Resources



# Why a land-water divide?

- Separate legal systems, with separate authorities
- Historical attitude: “Build it and the water will be there”
- Impacts and limits



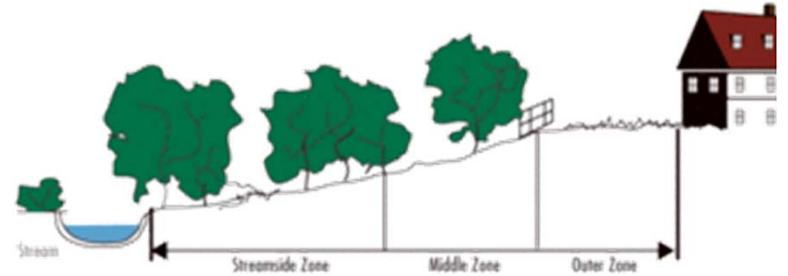
# How to connect land and water?

- Match growth to sustainable water supplies.
- Reduce demands by using what we have more efficiently.
- Develop new water supplies in harmony with larger public values—expressed through land use planning.



# Water-conscious land use planning

1. “Show me the water”
2. Limit/direct growth to match water supplies
3. Protect the source
4. Reduce water footprint through building code requirements



# Community-conscious water planning

1. Cooperative community water planning
2. Thoughtful growth projections
3. Limit and mitigate for new water uses



## Illustration #1: Colorado's basic "show me" law

- County subdivision regulations shall require subdividers to demonstrate an **adequate supply of water** for the type of subdivision proposed.
- Preliminary plan or final plat subdivision submission must show an **appropriate supply of water** for the type of subdivision proposed.





## Illustration #1, cont'd:

### Colorado's H.B. 08-1141

Gives **discretion** to local governments to turn down development if water supply is deemed “inadequate”

#### Considerations:

- Water supply requirements at build-out
- Physical source of water supply
- Projected water yield under varying hydrological conditions
- Water conservation and demand management measures
- Any other information deemed relevant



## Illustration #2:

# Santa Fe County's Sustainable Growth Plan

- Land use and development should be **consistent with** water management, environmental and hydrological capabilities and constraints.
- New development will incorporate **water conservation and reclamation measures** where appropriate, in order to maintain and improve reduced County-wide per capita water consumption.
- Protect **groundwater** as the County's secondary source of water to serve as a back-up supply
- Provide for a **sustainable** long-term water supply capable of meeting current and future needs.

# Key policy changes

- Stronger water component in growth plans
- Mitigate for impacts on finite sources
- Protect/restore source lands
- Land-water planning consistency
- Conservation mandates and incentives



# For more information:

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