

1-1-1999

Lawrence J. McDonnell, Requiem for Reclamation: From Reclamation to Sustainability

Federico Cheever

Follow this and additional works at: <https://digitalcommons.du.edu/wlr>



Part of the [Law Commons](#)

Custom Citation

Federico Cheever, Lawrence J. McDonnell, Requiem for Reclamation: From Reclamation to Sustainability, 2 U. Denv. Water L. Rev. 295 (1999)(book review).

This Book Review is brought to you for free and open access by the University of Denver Sturm College of Law at Digital Commons @ DU. It has been accepted for inclusion in Water Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.

Lawrence J. McDonnell, *Requiem for Reclamation: From Reclamation to Sustainability*

BOOK REVIEW

LAWRENCE J. McDONNELL, *REQUIEM FOR RECLAMATION: FROM RECLAMATION TO SUSTAINABILITY*, University of Colorado Press, Boulder, CO (1999); 344pp; \$34.95; ISBN 0-87-81-533-4, hardcover.

REVIEWED BY FEDERICO CHEEVER

How you look at Western water law and history depends on where you stand. Lawrence McDonnell, first and long-time director of the Natural Resources Law Center at the University of Colorado School of Law, lawyer and consultant, makes a point of standing in a great many places in his informative and compelling new book about the rise and fall of reclamation. McDonnell focuses on four Western watersheds: the Arkansas Valley in Colorado; the Grand Valley in Colorado; the Carson-Truckee Basin in Nevada; and the Yakima Basin in Washington, but his observations apply to the dozens of other troubled river valleys across the American West. He provides a snapshot of a region in transition: a place in which the old certainties of irrigated agriculture collapse under the double assault of market-driven economics and environmental values.

The histories of McDonnell's valleys are different—the people are different, the weather is different, and the mountains are in different places. However, they all have some things in common. In each case, Europeans came to the land in the second half of the nineteenth century. In each case, the Europeans came with a single compelling image of "settled country"—farmland. In each valley, the land was too dry for farming, and in each the federal government stepped in to consolidate and expand privately built irrigation systems under the rubric of "reclamation." The success of these reclamation projects varied, from famous Washington State apples in Yakima to modest alfalfa harvests in the desert of the Carson sink, but all enjoyed some success.

In *Part 1: The Lower Arkansas Valley: After the Water is Gone*, McDonnell tells the story of a culture founded on irrigated agriculture from the earliest days of settlement in Eastern Colorado. He chronicles the early history of the area and the slow expansion of irrigated agriculture from the modest fields kept near Bent's Fort to grow produce for the Santa Fe Trail through the development of ambitious private canal projects in the 1880s and the growth of the sugar beet industry. Inevitably, the federal government played its part, building bigger and better dams and reservoirs, enhancing the benefits and exacerbating the problems of irrigation agriculture.

McDonnell tells the story of the post-war boom's effect on Colorado's Front Range and the emergence of competitors for Arkansas River water. The long-standing culture of irrigation shows signs of crumbling as the water is siphoned off to Colorado's cities. The Arkansas River farmers, forced to fight off big money bids for their water while wrestling with the damage that a century of flood irrigation has wrought on their fields, face hard and unpleasant choices.

In *The Lower Arkansas Valley*, McDonnell introduces his main themes, expanded and developed in later sections. He observes the plight and nobility of the farmers who represent Western irrigated agriculture; describes the development of a unique body of Western water law; notes the long-term environmental trade-offs large scale irrigation requires; and highlights the role of politics (personal, local, and national) in water decisions, and the role of money—always, it seems, wielded by outsiders—on a valuable but cash-poor agricultural economy.

In *Part 2: The Grand Valley, Colorado: Where Fruits, Fish and Growth Collide*, McDonnell moves his inquiry to Colorado's Western Slope and again shows us the effects of politics, law, power, and money on a traditional economy of irrigated agriculture. Again, irrigation begins with private initiative, magnified and transformed by later federal government action. Here, the natural salinity of rock strata found in the valley brings the issue of environmental trade-offs into sharper relief. Well financed Colorado cities suck water out of the system through high mountain transbasin diversions.

In *The Grand Valley*, McDonnell adds a new theme, the environment, embodied in the endangered fish of the upper Colorado. The Colorado River system, best described as an isolated, relatively warm, turbid river system, developed, over thousands of years, its own unique fauna, including the Colorado Squawfish and the Razorback Sucker. Once common, these species have been driven to the brink of extinction by the changes in the river system imposed to support irrigated agriculture. While the United States Fish and Wildlife Service does everything in its power to smooth over the conflicts between fish and farmers, there is no escaping the fact that the fish will require more water to have a hope of surviving. They become just another group of scaly competitors for a scarce resource.

In *The Grand Valley*, McDonnell offers a telling observation. While exercising all of his customary diplomacy, he points out that traditional irrigation agriculture is fantastically wasteful. Generally, only a modest fraction of the water actually diverted out of the natural system ever reaches a field. Even when it does, it is often applied in wasteful ways. McDonnell suggests that much might be gained from "conservation"—efforts to make sure more water is used and less wasted.

In *Part 3: The Truckee and Carson Basins: Sharing Water in a Desert*, McDonnell ventures a little farther afield—to the eastern edge of the Sierra and one of the great sagas of Western water. The Truckee and

Carson drainages were a desert setting suitable for the greatest aspirations of the United States Bureau of Reclamation. From its earliest days, the Bureau set out to make the desert bloom. In Nevada, irrigation developed later and with more direct government assistance.

The focus of *Part 3* is the destruction of two natural systems, the Stillwater wetlands and the fisheries of Pyramid Lake. A new theme emerges—the plight of Indian peoples dependent on these wrecked systems. In 1873, the government of the United States formally established the Pyramid Lake Paiute reservation around Pyramid Lake. The area so designated was a relatively sensible scrap of the vast territory of the once nomadic Paiute reserved for their continued use. Many members of the tribe depended on the extraordinarily abundant Lohotan Cutthroat trout and Cui-ui fisheries of Pyramid Lake. Forty years later, the same federal government that set aside the reservation diverted a significant portion of the Truckee River water running into Pyramid Lake, thereby destroying both the fishery and the Indian way of life. Similar promises and similar diversions settled and starved the Paiute near the Stillwater wetlands on the Carson River. As the Reclamation Era waned, the Indians began to fight back, demanding some semblance of the natural bounty on which they had depended, becoming another set of competitors for scarce water.

In *Part 4: The Yakima Basin, Washington: Making the Old West Work*, McDonnell offers all his established themes—the history, the early private irrigation, and the transforming influence of the Bureau of Reclamation. Again we have fish in trouble, the American River Spring Run Chinook Salmon, reduced to a fraction of their historic numbers by dams along the Columbia River system. The Yakima Indians, once dependent on the abundant salmon runs, suffer from the loss of salmon caused by transforming the rivers for irrigation.

Here more than elsewhere there seems to be hope. Sophistication on the part of all the parties has led to the creation of institutions like the Yakima River Watershed Council intended, perhaps, to shepherd all of the water uses in the valley toward a new age of more sustainable water allocation. Yet the timing of this transformation remains uncertain and the shape of this new era of sustainability unclear.

McDonnell provides his four descriptions without significant editorial comment, focusing his energy on painting a picture of each valley, its people, its ditches and reservoirs, the history that brought the people and built the ditches, and the forces of change rising around them. The greatest virtue of the first four sections of *From Reclamation to Sustainability* is McDonnell's commitment to keep his inquiry at ground level, on the land and among the people who actually use water. McDonnell's descriptions are a relief from the traditional run-of-water-law scholarship which tends, too often, to ignore the specific and dwell on the general. In McDonnell's book, the reader gets a sense of the verities of irrigation agriculture: who's upstream, who's downstream; who's senior, who's junior; where the ditches run and what it means to flood a field; and what price you pay for water, what price you get for crops.

Make no mistake, McDonnell likes farmers. While he scrupulously interviews representatives of all groups interested in water allocation, he tends to see his valleys through farmers' eyes. This is no vice. Without exception, the farmers embody most of the history since irrigation began and are now the ones most threatened by change. They are the core of the old system, the front line in the century long battle to turn the West into farmland. Now that so many politicians and thinkers have abandoned that fight, farmers, carefully rendered as an abstraction, seem expendable. McDonnell presents irrigation farmers as human beings and chronicles their pain and bewilderment. He wants to see them protected; the West will not be the same without such people in it.

On the other hand, seen from the farmers' point of view, the cities who demand that they get irrigation water because they can and will pay more for it, the environmentalists who argue that water should be allocated to fish and wetlands that cannot pay a dime, and Indian nations demanding water by treaty right or historical use tend to blend together into a pack of competitors. Their arguments are distinct, but they are all strangers to the old order. For farmers, and sometimes for McDonnell, any victory for cities, environmentalists, or tribes means, first, another dry field or another neighbor moved away.

In the book's fifth and final section, *From Reclamation to Sustainability*, McDonnell distills some lessons from his four valley stories. Here the previously circumspect author presents his opinions plainly. More than many scholars, he recognizes the virtues of the old system. He respects the miracle through which the settlers of the West, and their government, took one of the great impediments to development and turned it into the great engine of growth. The dam and tunnel projects, small and vast, public and private, not only brought the water to the fields, but also employed thousands on the job site, in the planning office, and the factory. Not only did they siphon water out of Western rivers, they also siphoned money out of Washington, D.C. at a rate unmatched in other regions of the country. McDonnell also recognizes that the system involves enormous waste and environmental damage, understandable in the unsettled frontier country the old farmers remember, but unacceptable in the well-settled urban West of the next century.

So what does the future hold? More efficiency, less waste, more players, less community, more talk, more transfers, more expensive water for farmers, and probably less farming. McDonnell advocates increased definition of rights and a sense and system to the whole process. He is a reformer at heart. He has great faith in the resilience of irrigation farmers and their ability to adapt to a new world.

But it is a new world. In his Epilogue, McDonnell tells us, in no uncertain terms, that water development in the West has been worth it and that, so far, the "utilitarianism" of the water diverters has been more important than "amenity value" of keeping water in the streams. He knows the future will be different. He suspects dams will come down. At the same time, he believes that we will continue to control

the West's rivers to meet human needs. What needs, we must decide. As he puts it, "the choices we make about water matter."