

Bobby Kennedy Jr., Tick Segerblom ride to rescue the Colorado River

November 28, 2018



"You show me a polluter and I'll show you a subsidy," Bobby Kennedy Jr. explained. Photo: Dana Gentry

The lawmaker who led the effort to legalize weed in Nevada has a new challenge that may prove more daunting – saving the Colorado River.

To do so, Clark County commissioner-elect Tick Segerblom will have to confront two behemoths – wasteful water users (both corporate and personal) and climate change.

Segerblom is the program director of Las Vegas Water Defenders, an offshoot of the Waterkeeper Alliance, an organization founded in New York and led by Robert Kennedy Jr., who joined Segerblom in Las Vegas where they

addressed environmental activists and lawmakers about the water emergency facing Southern Nevada and the more than 40 million people who rely on the Colorado River.

“We have a situation where the reservoirs are about to go empty,” says John Weisheit of Moab, Utah, a member of the Waterkeeper Alliance who has served as the Colorado Riverkeeper since 2002. “There are two reasons that’s happening. One is more consumption. The balance of supply and demand is offset. We’re using more water than the river supplies, which is why the reservoirs are going empty.”

“What makes it worse is the effects of climate change,” adds Weisheit, who says the unregulated inflow to Lake Powell has been above average in only four of the last 19 years – the lowest period since the lake’s creation in 1963. In 2018, the unregulated inflow to Lake Powell was only 43 percent of average, the third driest year on record.

“The only reason we still have water is because of these storage units but now they’re nearly empty and may never be refilled,” warns Weisheit. “So we don’t have the guarantees the generations of the past had.”

Is Southern Nevada, a manufactured oasis in the desert, a sustainable community?

“It is right now,” says Weisheit. “But there’s not going to be a sustainable community anywhere on the Colorado River in the future.”

Before you pack up the house and pull up stakes – it may not be too late to actually do something.

“We need to adjust the Colorado River Compact,” says Weisheit, who says the assumptions made in the 1922 agreement are flatly wrong. “We need to listen to nature instead of trying to conquer nature so that we can make it into the future.”

Easier said than done against the backdrop of a presidential administration intent on drowning out nature's warnings, not to mention a century of wrangling over the river among states in the Colorado River Basin.

Bobby Kennedy Jr., who inherited his father's visage as well as his name, appears undaunted by the challenge.

Since 1984, Kennedy has served as attorney for the Waterkeeper Alliance, an organization mobilized in the mid-sixties to "reclaim the Hudson River from its commercial polluters."

"These weren't radicals. They weren't militants," he says of the Alliance's founders. "These were people whose patriotism was rooted in the bedrock of our country, but that night they started talking about violence because they saw something that they thought they owned, which was the abundance of these waterways and the purity of those waters and those fisheries their parents had exploited for generations. It was being robbed from them by large corporate entities over which they had no control. They went to the regulators, the Corp of Engineers. They were given the bum's rush. They were told we can't force polluters to comply with the law."

Kennedy says an astute fisherman told the group of an antiquated provision called the 1888 River Spotters Act, which not only assessed a hefty fine to waterway polluters but offered half of the fine as a bounty to the "spotter."

The Waterkeepers Alliance used bounty money to hire Kennedy in 1984.

"Since then we've brought over 500 successful lawsuits," he says. "We've forced polluters to spend \$5.5 billion dollars remediating and restoring the river."

"This is a river that was famous for being polluted. It was a national joke. It was dead for 20 mile stretches," Kennedy tells his audience. "Today, as a result of our work, the Hudson River is an international model for ecosystem

perfection. Today it's the richest waterway in the North Atlantic. It produces more pounds of fish per acre, more biomass per gallon, than any other river in the Atlantic Ocean north of the Equator."

Kennedy says the "miraculous resurrection of the Hudson" prompted expansion of the Waterkeepers, now in 44 countries.

But can the organization work its magic on the Colorado, dwindling thanks to climate change and consumption, and dirtied by energy industry polluters?

The answer, according to Kennedy, lies in the free market — properly understood.

"We have to have true free market capitalism. Efficiency is the elimination of waste and pollution is waste. We have to properly value our national resources. It's the undervaluation of those resources that causes us to use them wastefully," says Kennedy. "In a true free market, you can't make yourself rich without making your neighbors rich, without enriching your community. What polluters do is make themselves rich by making everyone else poor. They raise standards of living for themselves by lowering quality of life for the rest of us. And they do that by escaping the disciplines of the free market."

"You show me a polluter and I'll show you a subsidy. I'll show you a Fat Cat using political clout to escape the discipline of the free market and force the public to pay his production costs. That's what all pollution is," says Kennedy, evoking memories of his father's eloquence and enthusiasm.

"This is about the people who live here, who use and enjoy the Colorado River," says Riverkeeper Weisheit. "The decisions they (policymakers) have been making since 1902 when the Reclamation Act was passed, have not been the right decisions."

Weisheit says state efforts to "develop surplus water in Lake Mead and Lake

Powell have been weak and ineffectual.”

Segerblom, who remembers riding the river through the Grand Canyon as a teenager, calls the diversion of water from the canyon “the most tragic thing in history.”

“In 1963, they closed off Glen Canyon Dam and let the water fill up Lake Powell,” he says. “They let just a thousand acre feet per second through the Grand Canyon, the lowest it’s ever been. I was one of seven people who went through the Grand Canyon that year. I was fifteen years old so I didn’t appreciate what I saw. We shut that beautiful river down and basically started destroying the Grand Canyon. If we could re-wild Grand Canyon get the river flowing again, that’s my own personal goal.”

Other goals laid out by Weisheit and Segerblom include shutting down efforts to divert water from the Colorado River Basin, forging a new compact that eliminates “the artificial separation of upper and lower basin states,” and focusing on conservation and sustainability.

“We’re not protecting the water to save the fish and birds. We’re protecting it for our own sake because we recognize that nature enriches us,” says Kennedy. “It’s also the infrastructure of our communities.”