Watersheds are not confined by political boundaries. Despite this reality, management decisions are made by entities with piecemeal control over the watershed as a whole. Additionally, decisions made by one governmental entity may affect the management plan of another. Indeed, in a watershed like Lapwai, where multiple governments assert jurisdiction, management becomes challenging for several reasons. Not only is there uncertainty about which government even has authority to take action, but also, uncertainty exists around the effects of one government’s management plan on the management plan of other governments.

Adaptive governance provides a means of addressing these challenges and managing water resources in the face of uncertainty. The goal of this adaptive governance is to incorporate reslience into management schemes. “Resilience is the capacity of a system to absorb disturbance and reorganize while undergoing change so as to still retain essentially the same function, structure, identity, and feedbacks . . . .”[[1]](#footnote--1) Adaptive governance achieves resiliency by making management changes in incremental steps and then monitoring the results. These results are incorporated into the next round of incremental management changes. Additionally, adaptive governance also involves management across jurisdictional and agency boundaries.

The complex jurisdictional situation in the Lapwai watershed presents challenges to adaptive governance because the presence of multiple governments asserting jurisdiction can result in missed monitoring opportunities and a lack of authority to implement management changes. Here, in the Lapwai watershed, tribal, state and local, and federal governments all have jurisdiction of different areas. If the agencies from these various governments fail to communicate the data gathered from monitoring, each agency will lack an understanding of the actual effects of its management changes. Additionally, because each entity has authority over different areas, the authority to implement management plans within the watershed may be varied. In a watershed like Lapwai, where multiple governments assert jurisdiction, an agency may lack the authority to actually implement management plans in response to changing data. This inability to implement plans results in inaction.

For example, in Lapwai, the federal government has acted in ways that affect the watershed as a whole. Under the Endangered Species Act, the Federal government listed “five Snake River salmon and steelhead runs . . . as either threatened or endangered.”[[2]](#footnote-0) Later, pursuant to the Act, the National Marine Fisheries Service designated Lapwai Creek, Sweetwater Creek, and Webb creek as critical steelhead habitat.[[3]](#footnote-1) Additionally, FEMA implements a floodplain management plan that encourages development within a floodplain. Without agency interaction, the only means to remedy this situation is through lawsuits. For example in NWF v. FEMA, NWF challenged FEMA’s management plan in the Puget Sounds on the grounds that issuing flood insurance without meeting consultation requirements violated the ESA because it jeopardized Chinook Salmon. While local or tribal governments may recognize the problems created by this scheme, they are powerless to address them.

However, the complex jurisdictional situation in the Lapwai watershed can be utilized in a positive way by recognizing how it enhances opportunities for adaptive governance. The presence of multiple governments asserting jurisdiction provides more opportunity for shared knowledge and for increased collaboration. When multiple agencies monitor and then share information about a watershed, each managing entity benefits from increased information. This increased information can result in more sophisticated management changes. Ultimately, the results of these changes are monitored by multiple agencies, culminating in more responsive adaptive management. Additionally, when agencies collaborate on management implementation strategies, they create a more resilient management structure. By allocating resources from multiple agencies to a management plan, the implementation is not dependent on any one agency. The presence of multiple agencies helps ensure that the agencies most capable of implementing plans do so and that more than one agency addresses implementation.

In assessments of the Lapwai community, interviewees have expressed their interest in such adaptive management schemes. “According to many of the interviewees, counties and the Tribe have not traditionally partnered on these issues, but several stakeholders, including county government representatives, expressed interest in seeing stronger working relationships.”[[4]](#footnote-2)

1. Walker et al. 2004. [↑](#footnote-ref--1)
2. Situational assessment, page 4. [↑](#footnote-ref-0)
3. Situational assessment, page 4. [↑](#footnote-ref-1)
4. Situational assessment, page 8 [↑](#footnote-ref-2)