This year marks two decades since the State Water Resources Control Board issued its landmark decision on water diversions affecting Mono Lake and its tributaries. Known as Decision 1631, it amended the Los Angeles Department of Water and Power’s water rights, setting flows for Mono Basin streams and a level of 6,392 feet for Mono Lake. It was the first decision in the state’s history to integrate the Water Code, Fish and Game Code, and the common law of public trust, to address the ecosystem effects of water diversions.

UC Berkeley School of Law’s Wheeler Institute for Water Law and Policy, joined by stakeholders in the Mono Lake Cases, convened this symposium to address several fundamental questions on this 20th anniversary of D-1631. What are the actual results of implementation of D-1631? What does the decision mean for other water rights, particularly those involving the Delta and the Central Valley? What does the future hold for the Mono Basin? How well is the water rights system working to manage conflicts between beneficial uses?

This symposium brings panelists from multiple perspectives to distill lessons learned from 20 years of concerted effort to implement the Mono Lake decisions, and from efforts elsewhere to implement environmental flows by regulators who are confronting public trust issues.
Retrospective on Mono Lake Cases and their Meaning

What motivated the Mono Lake Cases? Which of the legal, political, and physical factors drove the cases, and specifically, contributed to the innovative approaches to squaring water supply and public trust? Why were the cases a turning point in California water law?

Outlook for Mono Lake and its Creeks

What progress has been made to restore public trust uses of Mono Lake and its tributary creeks? How well have the monitoring programs worked to inform adaptive management of the flow schedules and other restoration measures? What does the future hold for the Mono Basin? How will the 2013 Settlement affect the continued implementation of D-1631?

Implications of Changes since 1994 in California’s Water Rights System

Following the Mono Lake Cases, how have the SWRCB and courts implemented this precedent in regulating other existing water rights or granting new rights? How well is the water rights system working to manage conflicts between beneficial uses?

The Future: Applying the Public Trust to the rest of California

The Mono Lake Cases involved a single water right holder controlling the affected waters. Does the precedent of these cases work effectively in the much greater scale and complexity of the Central Valley and other watersheds in the State? If so, how? Is the public trust doctrine a useful authority to address climate change and other non-stationary stressors for our aquatic ecosystems?