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Responsive Public Officials and Engaged Citizens: Myth or Reality? A Case Study of Water Rights Policy in Colorado

Deserai Anderson Crow

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Abstract In the past decade nearly 20 Colorado communities have constructed kayak courses to provide recreational amenities and attract tourists. These projects were followed in some cases by applications for a new form of recreational water rights, which differs dramatically from traditional forms of water rights in Colorado. This paper investigates the role that citizens played in the legal and legislative battles that resulted in this policy change. Findings indicate that citizens demanded the construction of kayak courses across Colorado, to which local officials responded. Citizens generally were indifferent to water rights applications once kayak facilities were constructed, however. Government officials sought the water rights to protect their economic investment and their newfound tourist revenue.

Keywords Citizen participation · Water rights policy · Environmental policy · Western water law · Mobilization · Self-interest

We, as a society and as policy scholars, value citizen input into governing decisions. This paper analyzes the roles that citizens and political officials played in policy decisions in a local government context. Specifically, a case study of recreational water rights policy in Colorado illustrates the level of influence that citizens can exert over local policy decisions. Further, this study examines the role that self-interest on the part of these elected officials plays in this local policymaking venue. Literature examining the role of citizens in the policy process as well as self-interest in political decisions will first be outlined, along with the research questions asked in this study. Then, research methods and the case study setting will be outlined along with data and analysis procedures used. Finally, research findings and conclusions will be detailed.

D. A. Crow (✉)
School of Journalism and Mass Communication, University of Colorado at Boulder,
Armory Building, 1511 University Avenue 478 UCB, Boulder, CO 80309, USA
e-mail: deserai.crow@colorado.edu

Citizen participation in public policy

Political participation literature presumes that citizen participation in the political process is important. Participation in politics is essential for democracy. It is through this behavior that the choices of "who gets what, when, and how" are made (Campbell et al. 1960, p. 4). Political participation is behavior that is aimed at influencing government or governmental policies. Political participation can include basic acts such as voting as well as more complex actions such as protest, writing elected officials, or attending public meetings and providing public input (Verba and Nie 1972; Verba et al. 1995 for example). This participation by individuals generally correlates with higher levels of wealth, education, and other socioeconomic (SES) indicators. This, however, is not simply due an innately higher level of interest in politics among higher SES individuals. Higher SES individuals also tend to have the resources available to engage in participatory activities, such as knowledge, money, and group membership (Brady et al. 1995; Verba et al. 1995).

Much of this body of research also presumes, however, that this participation does not happen without external influences to mobilize participants. Much participation occurs due to mobilization by organizations, not the self-directed behavior that Verba and Nie (1972) first studied. The mobilization model states that "participation is a response to contextual cues and political opportunities structured by the individual's environment" (Leighley 1995, p. 188). Participation, "results when groups, political parties, and activists persuade citizens to take part" (Jordan and Maloney 1997, p. 119). Mobilization is "the process by which a group secures collective control over the resources needed for collective action" (Jenkins 1983, p. 532). Groups that act as mobilization forces include social, religious, political, and even professional organizations. Rosenstone and Hansen (1993) state that "the more involved people are in social life, the more likely they are to be mobilized, the more likely they are to be offered the social incentives toward activism, and the more prone they are to take part in politics" (p. 83). This is supported by findings related to individual organizational and religious membership in communities (Verba et al. 1995). In line with rational choice theory, Rosenstone and Hansen (1993) argue that "few people spontaneously take an active part in public affairs. Rather, they participate when politicians, political parties, interest groups, and activists persuade them to get involved" (p. 228). The significant lesson regarding participation among citizens is that individuals participate because someone "encourages or inspires" them to do so (p. 161).

Political decisions and self-interest in public policymaking

Politicians are generally considered to be motivated by self-interest when making policy decisions. In political decisions, policymakers are often accused of promoting their own personal self-interest over the collective interest (Stone 1997). Rational choice literature views individuals as self-interested and utility maximizing (Ostrom 1999). The basis of this theory of public choice is that political man is continually seeking ways in which he can maximize his own utility (Brennan and Buchanan 1984; Mueller 2003). Public choice scholars argue that politicians are therefore

promoting their own self-interest through their decisions related to public policy issues.

Public choice theory proposes that economic market principles can be attributed to decisions within the public domain (Buchanan and Tullock 1962). "Self-interest, broadly conceived, is recognized to be a strong motivating force in all human activity; and human action, if not bounded by ethical or moral restraints, is assumed more naturally to be directed toward the furtherance of individual or private interest" (p. 27). In this theoretical approach, not only are individuals self-interested in regard to their voting strategies (Buchanan 1988), but political leaders are as well. These politicians "are egoists as well, they will pursue private goals instead of acting as benevolent despots aiming at the public good" (Engelen 2007, p. 167). In his classic treatise, Downs (1957) shows that in a two-party democracy, political parties will shift their policy platforms over time and migrate towards moderate policies (or in his theory, the same policy) in order to capture as much of the electorate as possible. Downs writes that "parties formulate policies in order to win elections, rather than win elections in order to formulate policies" (p. 28).

Arnold (1990) argues that self-interest is importantly connected to vote choice in Congress. His study of congressional vote choice shows that elected officials calculate whether or not citizens will use information on voting against a candidate when deciding how to vote on a piece of legislation. Their concern for re-election and self-interest encourages them to refrain from voting in ways that are unpopular *and* visible. "Legislators are responsive to narrow and organized interests when they are asked to decide about issues for which the group costs and benefits are both visible and directly traceable to their actions while the general costs and benefits are less visible" (p. 267). An analysis of the U.S. constitutional ratification process demonstrates that decision makers who are insulated from or removed from their constituents will vote based upon their own self-interests, even blatant economic self-interests (McGuire and Oshfeldt 1989). These self-interested "politicians essentially are political brokers, pairing demanders and suppliers of legislation, i.e., those willing to pay most for a particular law or transfer with those who are willing to pay the least to prevent such a law or transfer" (Rowley 2008, p. 17).

Because politicians want to win elections, these politicians will propose policies that comport with the preferences of the majority of voters in their communities in order to maximize electoral success (Lemieux 2004), as Downs modeled. Because politicians are motivated to win and keep their elected offices, they rarely advocate or promote policies that would be unpopular with their constituents (Meadowcroft 2005). While these policy recommendations can at times coincide with public preferences, the heart of public choice theory states that policy choices among self-interested officials "do not coincide automatically with those of his constituents" (Barro 1973, p. 19). These self-interested decisions can act to promote special interests and derive profits from vote choice among politicians. This focus on self-interested political decisions in economic-political institutions has helped to dispel the "often naïve presupposition that political agents, unlike economic ones, are unselfish" (Witt 1992, p. 117). This does not suggest that politicians do not have personal ideological preferences. They, of course, do. Scholars argue that politicians only risk electoral loss by promoting an unpopular policy when that policy conforms to deeply held personal beliefs (Rowley 2008). It is in the face of policy competition

that social welfare is most readily advanced (Boyne 1998). As in the market model, public choice theorists argue, policy-makers in the public sector pursue their own narrow interests, but competition can redirect their attention towards the general welfare of society (Boyne 1998, p. 1). This competition drives the marketplace of ideas towards a state where social welfare is most easily advanced.

As a theory, public choice has been a goldmine for scholars hoping to model and explain the political world. Some scholars argue, however, that public choice has done little to empirically prove the predictions set forth in the theory. In the most substantial critique of public choice scholarship, Green and Shapiro (1994) argue, among other things, that scholars have not proven their assumptions in empirical settings. "Subscribing to the view that elected officials act strategically to enhance their popularity among voters qualifies one as a rational choice theorist only in the loosest sense" (p. 148). They argue that while we can all agree that many politicians are motivated by selfish interests, the theory of public choice with its specific assumptions about information, constraints, and strategic games, has not proven to be an accurate picture of the political world.

Kalt and Zupan (1984) found that these theories of self-interested politicians as "narrowly egocentric maximizers explain and predict legislative outcomes poorly" (p. 279). Rather, elected officials base their decisions on a self-defined notion of 'public interest.' "The evidence so far suggests the need for some broadening in the economic theory of politics" (p. 298). "This broadening includes 'rational altruistic-ideological promotion of self-defined notions of the public interest" (Udehn 1996, p. 73). While self-interest and pursuit of power and electoral victory can certainly explain some political behavior, it cannot alone account for policy decisions. Politicians additionally seek adulation, media attention, and electoral mandates (Green and Shapiro 1994; Udehn 1996).

Some recent studies have also shown that self-interest alone cannot account for voting decisions by policymakers. Instead, it is necessary to understand ideological preferences in addition to the traditional reliance on rational self-interest since many elected officials retain an emotional or ideological dedication to democratic governance on some level (Bowler et al. 2006). Stoker (1992) articulates the pitfalls of defining self-interest narrowly or broadly. She argues that the definition of self-interest influences the findings regarding such self-interest. If we consider anything that a person values to be related to self-interest, as she says rational and social choice theorists have, then almost any political decision can be categorized as such. While these actions may be categorized as self-interested, they may not be considered selfish if they promote community welfare as well. If, on the other hand, we define self-interest more narrowly, there is more room in this theory for altruistic political actions.

While there is little debate over whether politicians are motivated to seek electoral victory by pursuing policies that help them retain office, there is much room for debate as to whether these individuals are motivated primarily or singularly by self-interest. Caplan (2007) states that "the analogy between voting and shopping is false: *Democracy is a commons, not a market.* Individual voters do not "buy" policies with votes. Rather, they toss their vote into a big common pool. The social outcome depends on the pool's average content" (p. 206). With this in mind, the study presented here will not attempt to put policy behavior in a rational choice box.

Rather, it will attempt to understand the motivations of political actors broadly, but will consider whether there is evidence to support a self-interest argument.

The literature presented above indicates that (1) citizens do not participate in governing decisions unless they are mobilized to do so, and (2) elected officials may be guided by self-interest, but this does not appear to fully account for their decisions. Because citizen participation is presumed to be important and desirable for democratic governance, this research study asks the question, *what is the role of citizens in the process of policy change in local government policy decisions?* Based on the self-interest model of political decision making, this research also asks the question, *what motivates politicians when making policy decisions in the process of policy change in local governance?* These two research questions related to citizen influence in the policy process and policy decisions on the part of elected officials will be examined using a case study research method, as described in the following section.

Research methods

A case study of recreational water rights in Colorado

To answer the two research questions asked above, this study uses a broad case study under which there is an opportunity to conduct a comparative case study research project. In Colorado, beginning in 1998, 12 communities applied for a new and innovative form of water rights, the recreational in-channel diversion (RICD). This new form of water rights allows Colorado communities to keep water in the river for non-consumptive boating purposes such as kayaking and whitewater rafting. This water right differs significantly from the traditional consumptive water rights permitted under the prior appropriation water rights regime in Colorado.

Due to the differences, potential difficulties of managing this new form of water right, and the entrenched political perspectives that most water rights users and managers hold, the RICD water right proved to be highly controversial (Crow 2008). Golden, Colorado was the first community that applied for such a water right in its modern form. Golden's legal case, along with three others, wound its way to the Colorado Supreme Court due to opposition from traditional water users and state agencies in Colorado. The Colorado General Assembly introduced legislation on three separate occasions to define, limit, and codify this new water right (Colorado Senate Bills 216 [2001]; 62 [2005]; 37 [2006]). The story of the recreational in-channel water right in Colorado is now largely settled, but the local cases of policy change within each community that has applied for a RICD water right prove to be excellent for the analysis of policy influences in local policy processes.

For the purposes of this study, the process of policy change that is examined is the point in time during which a local community decides to apply for a RICD water right. Once a community has decided to file an application for such a water right, the case is largely subservient to legal precedent, statutory regulation, and constitutional language. Additionally, all RICD applications filed among these communities were approved. The significant policy decision, therefore, is whether the community decided to apply for the water right. This process wherein a community decides

whether to file a RICD application is difficult and fraught with uncertainty and expense. As the table below illustrates, Colorado communities spent significant amounts of money in applying for these water rights and building the required infrastructure to support the water right. This is not, therefore, a trivial or certain decision for these Colorado communities (Table 1).

Comparative case study design

The case study protocol used in this research involves a comparative case study design wherein communities that have chosen to apply for recreational water rights are compared to those communities that have chosen not to do so. Within each community, data were gathered from multiple sources to form the basis of the case study analysis. An in-depth case narrative of each case was then compiled in order to analyze single-case influences on community policy processes. These cases were then compared in a cross-case analysis to determine the variables and influences that were important across RICD communities.

A case study "investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident"(Yin 2003, p. 13). Because this study attempts to understand what Yin describes as complex social phenomena, case study method is the most appropriate and allows understanding of the complete process of policy change within a community. Since "quantification produces precision" but also loses

Table 1 Costs of recreational water rights

Community name	Kayak course costs ($)[a]	RICD costs ($)	Total costs ($)
Golden	350,000	160,000	510,000
Vail	150,000	300,820	450,820
Breckenridge	300,000	185,000	485,000
Longmont	486,000	46,750	532,750
Pueblo	300,000	400,000	700,000
Gunnison	250,000	600,000	850,000
Steamboat Springs	42,400	750,000	792,400
Chaffee County	500,000	250,000	750,000
Silverthorne	450,000	50,000	500,000
Durango	600,000	300,000	900,000
Avon	560,000	208,000	768,000
Carbondale	550,000	70,000	620,000
Mean	378,200	276,714	654,914
Median	400,00	229,000	660,000

[a] In some cases the costs associated with constructing kayak courses include estimated budget allocations provided by case study communities

accuracy in cases of great complexity (King et al. 1994, p. 44), qualitative data are more appropriate for the study proposed here.

To avoid selecting on the dependent variable (King et al. 1994), which in this case is a community's decision to apply for recreational water rights, it was important to include both policy adopters as well as non-adopters in this case study design. All communities that have applied for a RICD water right as of 2007 were included in this study. Additionally, a list of all Colorado communities that have built or have plans to build a kayak course was created. These kayak courses are required in order for communities to apply for recreational water rights, so it is a necessary precondition for this policy study. Of these communities, those that have not applied for a RICD were included as non-adopters in this study. A total of 18 communities were studied to inform this research. Twelve adopter communities and six non-adopter communities, as detailed below, have been studied.

This table shows that these case study communities do not differ dramatically from Colorado's population demographics. These communities have similar demographic data as the state of Colorado. The communities are not wealthier, despite having recreational leisure lifestyles as a predominant component of the community make-up. The adopter communities are slightly younger and all case study communities are slightly less affluent than Colorado. This does not, however, consider the second-homeowners who are significant portions of some of these community populations and will be discussed later.

Within each community, three sources of data were used to build case studies. First, 75 in-depth interviews were conducted with participants in the local policy decision to apply for a RICD water right as well as statewide water experts in Colorado. Interview subjects included all participants in the RICD policy process in Colorado communities. While in some cases this means that the subjects reflect only elite experiences rather than the perspectives of average citizens, this is necessary in order to analyze the policy process at work within each community. If citizens were not involved, they were not relevant to promoting policy change and were therefore not important to this study. If citizens were involved, they were interviewed for this study. It was most important for the purposes of this study to create an accurate picture of community processes rather than demographic representation. Note that because many of these interview subjects were involved in leisure lifestyle activities such as kayaking, this does not mean that they were wealthier than the average citizen. Many of the community members who use the kayak facilities within these communities work in the service sector, but value recreation and live in these communities in order to participate in recreational activities. As illustrated in Table 2, populations of RICD communities are younger on average than Colorado's population, largely because of the recreation lifestyle provided by these communities.

The 75 interviews were transcribed precisely and coded for analysis. Legal and legislative documentation of the decision process and the legal process were also analyzed in each case study community. Finally, mass media data were gathered from each community's local newspaper from 1 year prior to the RICD application through the conclusion of the community's legal case. These data were then

Table 2 Case study communities

Community	River basin	Study category	% White residents	% College educated	Median age	Median household income
Golden	South Platte	Adopter	90.7	46.3	32.8	49,115
Vail	Colorado	Adopter	94.1	60.9	31.9	56,680
Breckenridge	Colorado	Adopter	95.6	55.5	29.4	43,937
Longmont	South Platte	Adopter	84.8	31.3	34	51,174
Pueblo	Arkansas	Adopter	76.2	16.8	36.5	29,650
Gunnison	Gunnison	Adopter	93.5	38.5	23.7	25,768
Steamboat Springs	Yampa	Adopter	96.9	52.2	32.4	54,647
Silverthorne	Colorado	Adopter	82.2	33.7	30.3	58,839
Chaffee County	Arkansas	Adopter	90.9	24.3	41.8	34,368
Avon	Colorado	Adopter	72.5	38.9	28.6	56,921
Durango	San Juan/Dolores	Adopter	86.8	43	29.2	34,892
Carbondale	Colorado	Adopter	84.3	27.2	30.9	52,429
Mean			87.4	39.1	31.8	45,702
Median			88.8	38.7	31.4	50,145
Std. dev.			7.4	12.7	4.3	11,140
Denver	South Platte	Non-Adopter	65.3	34.5	33.1	39,500
Boulder	South Platte	Non-Adopter	88.3	66.9	29	44,748
Fort Collins	South Platte	Non-Adopter	89.6	48.4	28.2	44,459
Lyons	South Platte	Non-Adopter	92.5	37.1	37.5	50,764
Glenwood Springs	Colorado	Non-Adopter	90.4	33.1	36.2	43,934
Palisade	Colorado	Non-Adopter	93.9	19.2	39.5	27,739
Mean			86.7	39.9	33.9	41,857
Median			90	35.8	34.7	44,197
Std. dev.			9.7	14.8	4.2	7,114

Colorado demographic data: % white=90.3%; % college educated=39.68; median age=34.4; median household income=$50,105

analyzed to determine participants in each community, important issues within each community, and the influences on policy change.

Data analysis procedures

To manage the volumes of qualitative data that result from in-depth interviews with 75 subjects, analysis was conducted using NVivo software. Each interview subject was assigned a code, which is used each time a quote from that subject is used in this write-up. The alphabetical code describing the subject's categorical affiliation along

with a number comprise the interview subject code. For example, local elected officials are coded as EL. These subjects are assigned codes EL-01 through EL-07[1].

Data analysis was performed using a detailed coding procedure. Codes were created for organizing raw data according to conceptual elements from literature as well as emerging categories from the data (Weston et al. 2001). This use of literature to form the broad categorical codes to initiate data coding helps to narrow the range of possible data categories from an infinite number to a manageable few. It also allows the researcher to maintain a focus on the concepts that drove the statement of research questions. For example, the literature that informed this research study clearly indicated that both citizen influence and elected officials' self-interest may be important to understanding how policy change happened in local communities. It is important in qualitative research to remain open to emergent categories or themes in the data (Strauss and Corbin 1998; Weston et al. 2001). Because of this, the data drove specific codes and categories as coding was conducted. For example, beyond the basic codes related to citizens and elected officials, codes were created related to citizen input in policy decisions and citizen input in kayak course construction, based on what was learned from interview data.

The goal of these coding procedures is to reduce the amount of text to that which is relevant to the research questions asked in the study. Having broken down the text into the most relevant components, the researcher begins to notice patterns in the data. This analysis of the data is what illuminates patterns and an understanding of the processes at work in the complex case setting. From first noticing patterns, the researcher then sorts through data to understand overarching themes that emerge from the coded data (Auerbach and Silverstein 2003). These coding processes are conducted to provide analytic tools for handling masses of raw data; promote consideration of alternative meanings of phenomena; be systematic and creative at the same time; and identify, develop, and relate the concepts that that emerge from the data (Strauss and Corbin 1998). These coding and analysis procedures were employed in this study with the help of NVivo software. NVivo does not analyze or code the data for the researcher, but is a tool used to organize and order data in order for patterns among data to be explicated clearly. To code data in NVivo, text of interviews, media sources, and legal and political documents were entered into the software program. These data were then organized and coded in a line-by-line method that links statements made to interview subject names and conceptual categories.

By breaking down the data into their basic concepts and frames, it is possible to detect patterns in the data and determine how citizens are involved in the policy process in Colorado communities and how elected officials are motivated to make policy decisions. It is further possible to compare individual cases to recognize patterns to answer research questions across all cases. In this study, codes were created correspondingly across communities, which allowed for a comparison across all communities categorically. This categorical comparison makes it possible to

[1] Codes for interview subjects: EL = Local elected official; ES = State elected official; CW = Colorado Water Conservation Board employee; CO = Other state agency employee; LR = Local recreation interest; WA = Water attorney; LW = Local water provider; WP = Other water provider; ER = Environmental or recreation interest; RE = Recreation engineer.

establish links among communities and processes and to develop an understanding of policy change *within* and *across* communities.

Two important analytical processes are used in this research study. First, a within-case analysis involving a detailed case summary for each community was conducted (Eisenhardt 1989). These case analyses are primarily descriptive in nature but "they are central to the generation of insight" because they aid in the management of huge volumes of data (p. 540). The goal of these case narratives is to explain the complex policy process within a single community (Miles and Huberman 1994). These stories draw on the data that were systematically categorized using the coding procedures outlined above to create a narrative of the policy process within each RICD community as well as the details of that process.

Second, a cross-case search for patterns is conducted based on the within-case analyses. Using a mixed strategy approach, as described by Miles and Huberman (1994), each case study was written up using a narrative and tabular format, using a standard set of variables. These cases were then "stacked" by creating meta-matrices, which permits a systematic comparison across cases. The cross-case analysis method is used in this research study to determine common patterns and linkages across communities in order to form the basis of research findings (Bourgeois and Eisenhardt 1988; Eisenhardt 1989). This second stage of data analysis in qualitative research is especially important as it relates to pattern spotting and data displays (Miles and Huberman 1984). Miles and Huberman argue that by using data reduction techniques like coding, it is possible to then display qualitative data in such a way as to make it understandable and accessible. This is vital to developing an understanding of the common patterns of policy influence among RICD communities.

Research findings

Unengaged citizens and altruistic government officials?

The focus on external influences of political participation, or mobilization of participation, as outlined in the literature review, is important in the context of RICD policy change within Colorado communities because, as interview subjects stated, water law and policy is a complex and boring process for the average citizen.

> Water rights for people that even deal with them are pretty obscure. [LG-09]
>
> It's sort of one of those water rights things which seems to be abstract and boring. [LR-05]

Individuals, therefore, may be unlikely to participate without efforts to encourage them to do so. This section will analyze whether citizens have been involved in the process of policy change in Colorado communities and if so, what the nature of that participation was.

The first issue that must be addressed when analyzing whether citizens were involved in community processes of policy change in RICD water rights is whether communities made an effort to inform their citizens and seek input into the decision process. Without this information availability, it can be presumed, based upon

Table 3 Effort to make citizens aware or involved in RICD decision

Community	Citizen notice/input
Golden	No
Vail	No
Breckenridge	No
Longmont	No
Pueblo	City council meetings
Gunnison	Yes
Steamboat Springs	Yes
Chaffee County	Yes
Silverthorne	City council meetings
Durango	Yes
Avon	City council meetings
Carbondale	City council meetings

research that indicates that individuals are unlikely to participate even when information is available, that without such informational advantages, participation levels would undoubtedly be low. The table below shows that four adopter communities specifically did not attempt to make citizens aware of the issue of RICD water rights. Four other communities did so, but only through the minimal process of city council meetings and public notice therein. Finally, four communities actively attempted to involve citizens in the policy process (Table 3).

The next important consideration is whether these attempts to solicit citizen participation and input by some RICD communities resulted in the desired participation and input.

The activities and influence of citizens in case study communities were not directly related to the process of policy change with regard to RICD water rights in the majority of RICD communities. The influence of these individuals was primarily limited to the process of policy change with regard to decisions to build the recreational amenities upon which RICD water rights are based.

> We had a local paddler club in town that were advocating boating and doing some sort of a boating course. [LG-12]

> We were approached by a group of boaters. [LG-01]

> The recreational community was very supportive of the whitewater park and were frustrated about the length of time that it took us to come together to actually do it. [LG-05]

> The rec[reation] community demonstrated how much support there was for a whitewater park. [LG-05]

> The boating community has been talking about it. [EL-06]

> The angling community… they were adversaries in the early process. [LR-05]

There were three exceptions to this rule. First, in Durango, a local river task force lobbied the City to apply for a recreational water right.

> They had expressed an interest in… protecting flows in the river for recreation and so we began to explore and talk about it. [LG-19]

In Chaffee County, a similar river-oriented community non-profit advocated for the recreational water right after building the kayak course.

> It was the Arkansas River Trust. [LW-07]

> The initial proponents of it were the Arkansas River Trust. [LR-01]

Finally, in Steamboat Springs, the recreation community members advocated for the RICD application, but did not initiate the idea.

> The recreation and environmental community and the city was largely supportive of it. [CW-01]

> Sort of an activist group of people that were interested in it and I think the rest of the people were probably ambivalent. [LW-09]

In the majority of communities where citizens were involved in the process of policy change, these people were significant to the policy change related to building the recreational infrastructure upon which the water right was based. The case studies demonstrate significant citizen group involvement in ten RICD communities. In seven of these communities, the citizens were primarily or only involved in promoting the construction of whitewater parks.

The same is true within non-adopter communities. Within the six non-adopter communities studied, three clearly saw citizen advocacy on behalf of the whitewater park plans. In none of these communities did citizens advocate applying for an RICD water right.

> There was a group of citizens, avid kayakers specifically, who were interested in building a whitewater park. [LG-10]

> They approached us with… the desire to see if the city could come up with funding for it. [LG-11]

These citizens, both in RICD communities and non-adopter communities, largely advocated directly for the community to provide an amenity that would benefit them, but did not continue to do so for the more nebulous benefit of the water right.

While it may seem strange in our age of sunshine laws and values supporting open governance that two-thirds of RICD communities either did not attempt to inform citizens or did so only at minimal levels, as outline above, this may be closely related to the field of water rights and the technical nature of this policy area. Additionally, since water rights based on prior appropriation place value on the timing of a water right claim, some argued that public involvement was not desirable.

> You typically don't have a public discussion about a water right filing because you tell everybody we're going to file… there would have been a just a rush to the courthouse. [LG-13]

> The specific question of the RICD was considered more of a technical detail. [EL-04]

Presumably water rights are similar in this respect to many other technical environmental policy decisions made within local governments. This may indicate that a lack of citizen input may be pervasive across environmental policy issues beyond RICD water rights, but where technical or complicated information is seen as beyond the scope of individual cognitive capacity and where these policies are seen as details in which citizens would not be interested.

The next question that needs to be addressed in order to understand the extent to which citizens were involved in the process related to recreational water rights is whether, based on the public notice (or lack of public notice), citizens chose to participate in the policy process.

> They wanted the course, they wanted to go boating. They had the course, they were boating. Securing the future of the water, that's something that isn't really real to them. [LG-09]

> There were remarkably few kayakers… who showed up at these meetings. [LW-04]

> I don't know… other than the boating community if there was a… large public outcry for this. [LG-21]

> There wasn't a lot of discussion about the RICD filing. [LG-13]

While levels of citizen participation differ somewhat among RICD communities, absolute levels of citizen participation appear to be quite low in recreational water rights policy processes. This suggests that citizens do not have the ability, or do not assume roles that would give them the ability, to influence policy change with regard to technical issues such as water rights. Whether this citizen apathy is a result of ambivalence, ignorance, or general political apathy is beyond the scope of this research project, but is an important and potentially significant issue of investigation. Due to the involvement on the part of citizens in a limited segment of the policy process, that of promoting whitewater park construction, these findings suggest a limited influence on the part of citizens if they self-select to only be involved in part of the policy process. Due to the evidence from three RICD cases where citizens were influential in supporting RICD water rights, it appears that this lack of policy influence is more likely attributable to citizens self-selecting a non-influential position in RICD policy matters, rather than a general inability to influence policy decisions in such matters.

The varying perspectives presented in the literature review with regard to self-interest in the political process are considered next in the context of RICD community decision makers in Colorado. It is important to note when considering this research question that six of the twelve RICD communities have significant second-homeowner populations. A study of northwest Colorado counties, using addresses where property tax notices were sent as a proxy measure for whether homes were considered primary or secondary residences, showed that 60% of homes in this area of the state are second homes (Venturoni 2004). In this study, counties

Table 4 Adopter case tourist-sector demographics

Community	% Employed in service sector	% Seasonal housing
Golden	11.5	0.4
Vail	24	53.6
Breckenridge	29.1	68.1
Longmont	13	0.3
Pueblo	19.3	2
Gunnison	22.2	2.4
Steamboat Springs	18.6	19
Silverthorne	15.3	23.3
Chaffee County	21.6	15.9
Avon	23.6	20.5
Durango	22.6	1.7
Carbondale	19.4	1.2
Mean	20	17.4
Median	20.5	9.2

including five RICD communities (Breckenridge, Silverthorne, Vail, Avon, and Carbondale) were included. Six RICD communities have significant second-homeowner populations, as illustrated in the table below. Steamboat Springs, although not included in the second-homeowner study referenced above, can be presumed to have similar characteristics as the five communities included, since it also shares demographic and second-homeowner statistics that indicate resort influences present unique concerns for some communities (Table 4).

Only 5.6% of second-homeowners surveyed in this second-homeowner study are registered to vote in the communities where they own a second home. These second-homeowners are also consistently older, wealthier, and better educated than residents of these counties. There is clearly a significant gap in the demographics of residents and non-residents within these communities. According to survey results contained in this study, however, out of 15 categories of policy issues of importance to survey respondents, residents and second-homeowners only differed significantly on five of the measures (with second-homeowners placing a higher priority on recreational opportunities and transportation infrastructure and residents placing a higher priority on the local economy, health care, and education systems). These findings are important to consider when addressing self-interest and vote maximizing behavior of politicians in RICD communities. It is local residents who vote, are less wealthy, and value recreational opportunities less than their second-homeowner counterparts.

To determine the motivations behind RICD applications in case study communities, interview subjects directly involved in local policy decisions were asked why the community applied for the water right, their personal motivations for supporting or opposing the application, and the benefits that they expect to gain from the water right. The table below focuses on the reasons that RICD water rights applications were filed across all RICD communities. Aggregate data show that the

Table 5 Reasons for water right application across all cases

Reason	Times mentioned	Significant quotes
Economic benefits of kayak course	79	"The economic aspect… became a fairly strong theme during the discussions." [LR-05]
Protect kayak course/ protect investment	57	"They wanted to ensure that there's an adequate essentially permanent supply of water for the whitewater park." [LR-05]
Protect the river/provide instream flows	34	"There was a big concern about maintaining flows in the river." [LG-12]
Provide recreational amenity	30	"Their intentions are strictly to meet a local demand for a high quality recreational experience that they hope also brings other economic benefits to their community." [WA-07]
Prevent transbasin diversions/ prevent upstream development	29	"There were corollary reasons… like it would help in staving off challenges from a transmountain diversion." [LG-17]
Have a seat at the table	6	"We should have a seat at the table when water decisions are made." [LR-02]
Dilution flows	6	"Even if it has another useful beneficial effect like diluting your wastewater flows… that doesn't undermine the benefit of it as a kayak course." [WA-03]
Community identity	3	"[The kayak course] really does help us maintain ourselves as a community." [LG-09]
Control the river	3	"It gave us some control." [LW-11]

potential economic benefits of whitewater courses and the protection of those courses are the primary reasons for community applications for RICD water rights. Additionally important were the facts that the courses provide recreational amenities and that the RICD rights can help prevent water diversions and protect instream flows in these communities. These data tell a story of communities that view themselves as either economically or socially dependent on whitewater recreation and the river resource, as well as communities that perceive long-term or immediate threats to that resource. In early cases as well as later cases, the economic benefits of the courses were the most important reasons for applying for RICD water rights (Table 5).

The aggregate data show that many communities want to provide recreational amenities to their citizens based on a social connection to the resource. Finally, these data also illustrate that many of these RICD communities view transmountain diversions[2], upstream development, or the maintenance of instream flows to be significant local water issues and important reasons for undertaking the application for an RICD water right.

[2] These are diversions of substantial amounts of water from native river basins to other water-short river basins, primarily near major population centers in Colorado. This is a highly controversial topic among water users, water managers, and Colorado communities.

Interview subjects classified as state water policy experts (separate from those involved within RICD communities) were also asked their perception regarding the reasons why Colorado communities have applied for recreational in-channel water rights. These perceptions differ from those presented by internal participants in the process of policy change. Far more of these subjects ascribed negative motivations related directly to self-interest for RICD applications such as wanting control of the river, wanting to prevent transmountain diversions, and wanting to prevent development (Table 6). Thirty-nine percent of statewide water experts listed negative motivations for RICD water rights applications, while only 14% of community participants listed negative motivations for RICD water rights applications in the table above. Community decision makers cited economic development within their communities, protection of the community's investment in the whitewater course, and protection of instream flows as the most important reasons for RICD application.

This difference between the perceptions of external water policy experts and community decision makers presents a challenge to the assertion that political decisions are made based upon self-interest as the state water experts argued. While community decision makers argue that their decisions were based upon the well-being of their communities, some would argue that this is also a self-interested motivation. If these decision makers made decisions that promote community benefits, these decisions may gain decision makers significant electoral support, which is a self-interest benefit of an otherwise altruistic decision.

In at least half of these communities, however, significant portions of residents are not registered to vote in the community. This would suggest that the electoral self-interest argument may be less persuasive in these RICD communities than might

Table 6 Reasons for RICD application—perceptions among statewide water experts

Reason for RICD	Number of mentions	Significant quotes
Prevent transbasin diversions/ prevent development	11	"Some of the RICDs were being used as a way… to prevent future diversions of water out of the basin." [CO-04]
Protect the river/instream flows	9	"There aren't that many tools available to us to protect stream flows. RICDs are sort of a surrogate for that." [ER-04]
Protect kayak course/protect investment	8	"Once a community wants one of these things, they want to protect their investment by having a water right for it." [WA-03]
Economic impact of kayaking	8	"More and more cities are now seeing them as an amenity to drawing people to their community for summer recreation and improving the local economy." [CO-05]
Control of river	8	"The way people have fashioned these RICDs are not necessarily for recreation, but for control of the stream." [CO-03]
Provide recreation	5	"We've frankly seen an explosion in water-based recreation throughout the West." [WP-01]

be the case in other communities. This is especially true if taking into consideration survey results described above wherein second-homeowners actually placed a higher policy priority on recreational opportunities in resort communities than residents did. While this does not provide a definitive answer with regard to the role that self-interest plays in the process of policy change in RICD water rights policy, it at least casts reasonable doubt on the proposition that political decisions are primarily based on self-interest in the case of RICD water rights. At the same time, although electoral gains may not be seen directly by passing policies that tourists and second-homeowners prefer, by promoting the local economy through attracting these non-voters, local voter-residents may see economic gains and may therefore reward elected officials by retaining them in office.

Under rational choice theory, politicians who are trying to promote policies to win electoral office would over time shift to moderate policy positions in order to capture the largest portion of the electorate (Downs 1957). This was not true for RICDs, which were roundly viewed as a liberal, environmental, or recreationally motivated policy by non-supporters. This suggests that while politicians state that they attempted to improve local economies, they did not attempt to do so by selecting or promoting moderate policies. Not only is rational choice theory difficult to use in the context of local politics because elections are often non-partisan, but it is also difficult to use when the ideological position of the policies is not clear. While some argue that RICDs are a liberal policy, others may argue that they do not address environmental concerns enough due to the fact that communities have to build kayak structures in the stream channel to qualify for the water rights, which can have adverse effects on the natural resource.

Additionally, in rational choice theory we would expect to see politicians trade votes to attempt to gain electoral advantage. Politicians also often logroll their policies into large comprehensive policies in order to gain as much support from a broad coalition of the electorate as possible. Neither of these situations appears to have played out in RICD policy in Colorado. RICD supporters state that this was an issue that they personally supported and one that would promote economic development in their communities. It is too specific of a policy to conform to the definitions laid out in public choice descriptions of logrolling and it is unclear that elected officials traded votes on RICD policy to gain electoral advantage. For these reasons, the evidence does not present a convincing picture of policy decisions made based upon electoral self-interest in RICD policy.

It is clear, based upon the data presented above, that citizen participation was evident only among certain segments of the case study communities- recreation and kayaking interests. It is also evident that local decision makers chose RICDs without the input of large segments of their communities. This may lead the reader to wonder whether these RICD water rights favored elites. This research does not indicate that there is a connection between the SES of an individual and their influence over RICD policy decisions. Rather, it appears that citizens who chose to participate were influential. Their choice of participation appears related to their interest in the recreational activity provided by the amenity, rather than their status as a policy or economic elite. Additionally, many of these case study communities rely on tourism revenue for their economic stability. In these cases, even very low SES individuals would benefit from a project, like these kayak courses, that intends to draw increased

tourism revenue to the local community. For these two reasons, it appears that elite status within the local community does not drive influence or participation among citizens.

Conclusions

As demonstrated by the data presented in this paper, citizens chose to become involved in the local policy process in the case of RICD water rights in Colorado primarily as it concerned the recreational infrastructure associated with kayak course construction and development. Citizen input was not actively solicited in most case study communities and citizens did not participate in the policy process related to the decision to apply for recreational water rights. Elected officials appear to have made policy decisions about recreational water rights in the absence of citizen input, but not necessarily in line with a personal self-interest motivation. This presents a quandary for researchers who have long argued that self-interest drives political decisions. Perhaps the suggestion above of a community benefit that leads to an electoral self-interest motivation holds true. These decision makers may have focused on providing recreational amenities and legal protections to support the local economy and community recreational opportunities and may therefore have derived electoral support from their constituents; or perhaps these officials simply saw an opportunity for a policy that would benefit their communities.

This research provides a new perspective on citizen and elected official influence in policy decisions. By focusing on local community decisions, it provides not only a new case study approach to the questions presented herein, but it also produces new and uncommon findings, specifically with regard to the motivations of elected officials. Perhaps citizens are not as apathetic as researchers think. Based on these research findings, their lack of political involvement may result from a lack of understanding of the importance or relevance of policy issues, or simply attitudes that policy decisions do not affect them. For practitioners and government officials, these research findings highlight the importance of communicating with citizens about the importance and relevance of local policy decisions. Reaching out to citizens may be necessary to promoting their involvement and input in the policy process.

With regard to elected officials and their motivations, this study presents an uncommon view of policy decisions. While this research does not have the ability to determine why these motivations may be different in the 12 Colorado communities studied here than in previous studies, it provides an indication of a necessary area of research inquiry into the personal motivations of elected officials. Further research may help us to understand these motivations to a greater degree and may shed light on the reasons that elected officials in Colorado RICD communities may not have been primarily concerned with their own economic or political self-interest when making policy decisions, when it has long been argued that elected officials do not make altruistic policy decisions.

This study is a preliminary study and the findings presented here are limited by several factors. A single comparative case provided a great deal of depth and the opportunity for comparison across communities, but within a single policy case. It does not allow the research to be generalized to all local communities or policy

settings. The communities studied here involved one case of a recreation-related natural resource policy. These communities may differ from others based on income, lifestyle, community economic motivations, or other traits. By expanding this research to other policy sectors within and beyond environmental policy and to a greater number of cases beyond Colorado, these research findings can be strengthened and explained further. Finally, it would help to combine case research with a citizen survey in future studies in order to answer the questions raised regarding the reasons for citizen apathy in RICD water rights in Colorado communities.

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Deserai Anderson Crow is an Assistant Professor at the University of Colorado at Boulder in the School of Journalism and Mass Communication where she is also Associate Director of the Center for Environmental Journalism. Her research interests include citizen participation and other influences in environmental policy. She earned her doctorate (2008) from Duke University's Nicholas School of the Environment and Earth Sciences.