



## James Eklund

*Of Counsel, Denver, Colorado*

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### Practice Focus

- Environmental, Safety & Health
- Public Policy
- State Attorneys General

### Education

- Harvard University, John F Kennedy School of Government, Senior Executives in State & Local Government Program, 2016
- University of Denver Sturm College of Law, J.D., 2003
- Stanford University, B.A., 1998

### Admissions

- Colorado, 2003

James Eklund utilizes his background as Colorado's lead water official to advise a range of private and public entities on environmental, public policy, regulatory and legislative matters. He has significant experience in public infrastructure projects from both the public and private perspectives. James works with sovereign governments, multistate authorities, state agencies, and private interests to deliver critical water infrastructure projects and policy.

James continues to serve as Colorado's principal representative on the Colorado River, which supplies water to 33 million people in seven states and two countries in a basin that, if counted as its own country, would be the world's fifth largest. Appointed to this position by Colorado's Governor, he is responsible for setting and executing Colorado's negotiation strategy with six other states, Mexico, the US Congress and several federal agencies.

In his extensive career in public service, James set the water policy for the Headwater State (18 downstream states and Mexico receive water that starts in Colorado) and served as legal counsel to Colorado Governor John Hickenlooper. As Director of the Colorado Water Conservation Board, James was the architect of Colorado's first strategic water plan and is regularly consulted in implementing what has become the "gold standard" of water plans in the Western US. His agency also served as the lender-of-choice to Colorado water projects through a revolving loan fund that deploys an average of US\$100 million per year and has approximately US\$1 billion in assets and investments. During his tenure as director, James focused on innovation in water policy, project finance, data and management.

In 2013, Colorado witnessed record flooding, drought and wildfire, all in an 18-month period. James helped lead Colorado's state response to each with his agency administering a multimillion-dollar (US) FEMA flood response program (including US\$2 million for LiDAR mapping, estimated US\$45 million floodplain mapping, and US\$65 million National Flood Insurance Program).

He previously served as senior deputy legal counsel to Colorado Governor John Hickenlooper, where he monitored the state's public-private partnership on a major turnpike that runs from Denver to Boulder. This concessionaire agreement for a managed lane is widely referenced in US P3 discussions and James was the Governor's "eyes and ears" on the RFP, selection and award process.

Prior to serving the Governor, James was an Assistant Attorney General working on natural resources issues. He is a fifth generation Coloradan

from the Western Slope of Colorado, where his parents operate the ranch homesteaded by his great, great grandparents in 1888.

## MEDIA

- “Colorado, Western states finalize landmark drought plan to voluntarily use less Colorado River water,” *Denver Post*, March 19, 2019.
- “To Finish Drought Plan, Colorado River Water Managers Ask Congress for Approval,” *KRCC*, March 20, 2019.
- “Wednesday Newscast,” *KRCC*, March 20, 2019.
- “Reclamation drought plan would nix environmental reviews,” *E&E News*, March 13, 2019.
- “Colorado River Drought Deal on the Line as Deadline Looms,” *Bloomberg BNA Energy & Environment Report*, January 30, 2019.
- “Arizona lawmakers under pressure to approve seven-state Colorado River drought plan before federal deadline,” *The Colorado Sun*, January 11, 2019.
- “Trump’s rule a wild card for Western water supplies,” *E&E News*, December 26, 2018.
- “As Colorado River Stakeholders Draft a Drought Plan, the Margin for Error in Managing Water Supplies Narrows,” Water Education Foundation, December 20, 2018.
- “When In Drought: States Take On Urgent Negotiations To Avoid Colorado River Crisis,” NPR, October 14, 2018.
- “Southwest states release Colorado River drought plan; SNWA board to vote in November,” *The Nevada Independent*, October 12, 2018.
- “As Colorado River Basin reservoirs drop to near-record low levels, possibility of unprecedented water shortage declaration rises,” *The Denver Post*, August 16, 2018.
- “Hickenlooper’s legacy of water,” *Colorado Politics*, June 19, 2018.
- “Arizona district contrite over water remarks,” *The Daily Sentinel*, May 2, 2018.
- “Western Water Managers Meet to Relieve Colorado River Tension” KUNC, May 1, 2018.
- “Big Challenges for Colorado River States That Want to Conserve Water,” *Water Deeply*, April 30, 2018.
- “Colorado River Water Fight Brewing Between Arizona, Upstream States,” Bloomberg, April 23, 2018.
- “Is a Water War Brewing on the Colorado River?” H2O Radio, April 20, 2018.

- “Colorado and three states accuse Arizona of manipulating Colorado River supply and demand,” *The Denver Post*, April 18, 2018.
- “Feud erupts between utility, US states over Colorado River,” Associated Press, *U.S. News & World Report*, April 18, 2018.
- “State Colorado River Managers Cry Foul Over Arizona’s Attempted Water Shuffle,” Colorado Public Radio, April 18, 2018.
- “5 cities with big problems look for answers,” E&E News, February 1, 2018.
- “Water storage levels up at Lake Powell and Lake Mead, but snowpack low,” *The Colorado Springs Gazette*, January 7, 2018.

### PUBLICATIONS AND SPEAKING ENGAGEMENTS

- Presenter, “Colorado River Basin’s Drought Plan,” Infrastructure Committee of the Denver Metro Chamber of Commerce, Denver, Colorado, January 18, 2019.
- Presenter, “Water As a Business Risk...and Market Opportunity,” Colorado Governors Fellowship, Denver, Colorado, January 10, 2019.
- Presenter, “Upper River Contingency Plan,” Colorado River Water Users Association, Las Vegas, December 12-14, 2018.
- Attendee, Roundtable Dinner on Prioritizing Water Management, The Atlantic Water Summit, New York City, November 28, 2018.
- Presenter, “Water in the Western US,” Impact Denver, Denver, Colorado, November 8, 2019.
- Presenter, “Colorado River Markets,” Valuation of Water Rights in Colorado, Denver, Colorado, October 3 - 5, 2018.
- Presenter, “Drought Contingency Planning for the Upper and Lower Basins,” Upper Colorado River Commission, Midway, Utah, July 30-31, 2018.
- Presenter, “Big River Issues,” Club 20 and Colorado River Water Conservation District Meeting, July 27, 2018.
- Co-author, “Water Transfer Options: Alternative Transfer Mechanisms to Meet Changing Demands,” *The Water Report*, June 2018.
- Panelist on the Nestle Waters North America Delegation, “Water Conservation for the 21st Century Business,” Aspen Ideas Festival, Aspen, Colorado, June 21 - 30, 2018.
- Moderator/Panelist, “Dry Weather: Triggering Sharing Agreements on the Colorado River,” American Water Works Association’s 2018 Annual Conference & Exposition: Innovating the Future of Water, Las Vegas, Nevada, June 11-14, 2018.

- Presenter, 2018 Aspen-Nicholas Water Forum, Washington DC, May 30, 2018.
- Panelist, “Understanding Leading Indicators and Trends In Water P3s,” Water P3 Water Summit, San Diego, CA, April 3-4, 2018.
- Project Review Panelist, Colorado River Project Advisory Panel, Project Hyperion February Workshop, Hollywood, Florida, February 20-22, 2018.
- Presenter, “The Upward Track for Water P3’s,” The Public-Private Partnership Federal Conference, Washington DC, November 29-30, 2017.
- Presenter, “Alternative Transfer Mechanisms in the Western US,” Colorado Counties, Inc., Colorado Springs, CO, November 27-30, 2017.
- Presenter, “Water: Creating the Solutions, Now,” CG/LA Infrastructure, 9th North America Infrastructure Leadership Forum, San Francisco, CA, October 25-27, 2017.
- Keynote, “Water in the West and Globally,” Metro Denver Chamber of Commerce Leadership Foundation, Denver, CO, October 12, 2017.
- Presenter, “A National Perspective on Water Reuse,” Florida Water Forum, Orlando, FL, September 21-22, 2017.
- Presenter, “Colorado Water Briefing,” Building a Better Colorado Executive Committee, Colorado Springs, CO, August 21, 2017.
- Presenter, “Water Stewardship in the West and Globally,” Colorado Farm Bureau Elite Leadership Class, Denver, CO, August 8, 2017.
- Presenter, “Implementing Colorado’s Water Plan,” Metro Denver Chamber of Commerce Access Denver Program, Denver, CO, August 4, 2017.
- Moderator/Presenter, “Water Stewardship on the Colorado River,” HydroVision International, Denver, CO, June 27-30, 2017.
- Presenter, “The Water-Agriculture Nexus,” National Potato Council, Denver, CO, June 28, 2017.
- Keynote, “Implementing Colorado’s Water Plan,” 12th Annual Hydrologic Sciences Symposium, Boulder, CO, April 6-7, 2017.