Attitudes of the People Towards Water

Group #4

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Attitudes

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The History on Water

In the past, society's views on water issues have always differed. In 1773, Spaniards built a dam six miles from Mission San Diego. Almost a hundred years go by and in 1850 is where everything starts to change. Legislature begins authorizing formation of levee and reclamation districts and people are excited to know that the water is going to be distributed in away that who ever needs it most, will get more and the people who need it less, will not get as much. In 1862 and in 1864, droughts in the San Joaquin Valley devastate cattle herds and this is when the people in the valley get angry. The people in the valley know that it was not anybody's fault and nature does take its course, but they could not help but be upset. Nature does a complete 360° turn and after a rainy winter, the central valley starts wheat farming.

In 1911, California State Legislature declared that all water within California is property of the people in California. This declaration of the legislature only applied to surplus water. In 1945, state legislature creates the
State water Resource Control Board and residents of California have an optimistic look on the future. The State Water Pollution Control Board, which was established in 1949, also brings hope to the California water problems.

The State Water Resources Control Board finds that in 1985 they need to review drainage discharges especially in the central valley. They find that the San Joaquin River is being polluted from the drainage discharges. This situation brings up many differing attitudes on this problem. Some people viewed it as a disgrace. They have this water and they should be thankful but nobody is. They take the water for granted. Most people are worried about the problem but they do not want to do anything to try and help the situation. They continue to pollute the drains and as a result, the river continues to be polluted too. On the other hand, some residents in the central valley see what is going on and take a stand. They stop throwing items down the drain and try to make the rivers cleaner so it would not be looked at with such disgrace.

It has always been long said that water flowing in a natural channel is declared public water. The people of California really like that code. People's attitudes on water in California have changed. One life in general progressed, so did their attitudes and views, once it was seen as water, a clean, peaceful refreshing source of nature. Now, many people see it almost the same way yet, they take it for granted. They figure they can do something wrong and the government will clean up the mess.

Present Issues on California Water
There have been many opinions and ideas throughout the state of California on deciding who and what needs our water supply the most. Officials and state planners needed insight on whether the need is urban, environmental, or agricultural. No one still has discovered the answer. The problem is that we have too great of a desire for the water supply and not enough of it to go around.

California, especially the Central Valley, has been a predominately agricultural area for a very long time. The farmers and producers of our state's produce and other necessities believe that they deserve the water because without it, we would lose on food and goods also. This is undoubtedly true. California farmers are in great need to do their jobs as well and make the best crop available. Now how will they do that without enough water?

In heavily populated areas, such as down in southern California in Los Angeles and San Diego, people feel that our water can be best used for drinking. With so many people living in such small areas, water is definitely a huge problem there also. There is just enough water there either, so Californians must adapt by purchasing drinking water bottled to conserve.

Others residing in California believe that our water is needed for the use in environmental areas. They believe water is to be used to protect wildlife and so forth. However, most people think that this reason is not as necessary as the ones previously mentioned. In light of this, we need to remember that all issues are relevant and try to come up with the best solution to our problems with dividing our water.
Who actually has the right to our water resources in and around California? Should we continue this struggle between the northern environmental areas, the agricultural Central Valley, and the largely populated south? We still do not really know. Today the California Department of Water Resources as well as other groups is trying to solve the problem that has occurred for a very long time.

Hopefully California farmers, environmentalists, and water drinkers everywhere should try to understand this widespread problem and look to support all law makers on this issue I know that no matter the outcome of where they decide to distribute the water, there will never be a clear solution Our state is growing rapidly by the moment and there just is not enough water or resources to divide evenly between all in need.

Water Jurisdiction/ Water Rights

Who gets water, and how much do they get? This is a question to which the answer is ever changing because there are constantly court cases and disputes over the distribution and rights to water Farmers feel that they have first priority when it comes to water because without water their crops will fail, and therefore food is not produced and people do not eat. Some people feel they should have full use of water in which to water their lawns and waste water at their leisure. Others feel that water should first go to providing drinking water to all Some feel water should be used for electricity. Then there are some that think water should be sent to southern California for people there so that water usage
is not so restricted or limited. Whatever the reason or the need people think they have for water, and as long as there continues to be a water shortage, there will always be a constant struggle over water and who gets it, and how much they get.

There are many acts as well as laws that state rules and regulations for the distribution and access to water in the state of California. To state them all would be extreme, but there are a few that should be mentioned and explained because they are of high importance to California and its residence. The first of these acts is one regarding the Los Angeles Aqueduct; this authorizes municipal corporations to establish and operate public works for supplying their inhabitants with water, and from the City of Los Angeles charter (Source: rubicon.watercagov/v1cwp/apA) The California Water Plan Update. Another act that is of high importance is that of Regional and Local Water Distribution; there are more than 40 statutes under which local agencies may be organized and having many powers including that of distribution of water, there are also several special acts included as well.

The different acts and regulations are helpful with satisfying with the distribution, but even more specific are proprietary rights and public interest regulations. Both of these categories are very in depth but both need to be explained briefly because both hold a significant importance in water jurisdiction. The proprietary rights were determined by several court cases, which helped determine the character and extent of these rights. In proprietary rights there are
two sub-categories overlying rights and prescriptive rights. Overlying rights consist of four main points: 1. Overlying landowners preserve and protect their overlying water rights and retain their priority against appropriate users to the extent not limited by prescription. 2. An overlying landowner that accepts rights under a stipulated judgment is entitled to protection of the bargained-for exchange. 3. Overlying rights limited to those lands, which physically overlie a groundwater basin; land within the basin drainage area is not sufficient. 4. Overlying landowner’s use of water to support present uniform land evaluations is not subject to constitutional requirement of reasonableness. Prescriptive rights have two main points: 1. Overlying owner retains and preserves overlying right by extracting groundwater during overdraft. 2. Overlying owner's future water demand in excess amounts extracted during prescriptive period is limited by prescription (Source cerescagov/env_law/1994water).

Thus, there are a plethora of acts, regulations, and jurisdictions on water in the state of California, all of which attempt to attend to the needs of society, but it is known that no matter what measures are taken, there will always be those which are not happy with what is happening and will forever strive to change the way water is distributed, and who gets what and how much.

Farmers Attitudes

In California, the farmer's water rights take priority. The Supreme Court ruled on August 22, 2000 that farmers in California could not be forced to give up their water rights just because water is needed in the cities. The California
Supreme Court said that their 150-year-old water policy favors landowners on a first come first serve basis, therefore farmers hold most of the oldest water rights in the state.

An example of allocating water resource would be the 1996 case, where nearly 1000 farmers and other landowners signed an agreement w/ the city of Barstow and the Mojave Water Agency capping the amount of water they could use for free, and requiring them to pay for any water they use that exceeds those caps. The cities also agreed to limit their ground water use.

This part was hailed as a "wise use" water agreement, as funds paid by the farmers for extra water would buy more water from the state water project to replenish ground water supplies. But seven dairy and alfalfa farmers refused to sign the agreement, saying it violated their long-standing water rights. The farmers lost their case in lower courts, but won in an appeals court in 1998. The cities and water district took the case to high court, where they lost to the farmers.

The city and water agency argued that the state constitution requires that natural resources benefit the greatest number of users that they can support. But the court ruled that the argument ignores "the requirement that this use to be subject to the rights of those with lawful priority to the water.

The farmers "have the right to pump water from the ground underneath their respective lands for use on their lands. Those rights overlie the rights of
water claimants to the water" the court said. Even in the event of shortage, overlying users have priority over appropriative users

So, the Supreme Court decision ultimately said that the seven farmers who did not sign the pact could not be forced to submit to water caps But the farmers who did sign the pact were held to the caps and had to pay for the use of additional water However, the Bulk of California's dwindling groundwater and surface water supplies now go to support the state's $28 billion a year agricultural industry.

The following peoples response to the question asked. "Do you agree or disagree of the current water policy?"

1. Jimmy Atchison- "I completely agree with the current policy"
2. Pete Wigt- "I agree with the policy 100%"
3. Vanessa Pearson- "It doesn't matter to me."
4. Bill Berryhill- "We need our water, they shouldn't try to cut it back, therefore I agree with the current policy"
5. Frank Dennis- "Why try to hurt us, we already have a lot of work to do, so they shouldn't try to take away or limit our supply; keep it how it is"
6. Juan Castillo- "To tell you the truth, I don't even know what the full policy is, I just water my stuff and watch it grow"

Environmentalists

Environmentalists are unhappy with budget for the US Environmental Protection Agency Natural Resources Defense Council was not providing full
funding to clean up dirty sewer system overflows (water tech I). Distribution is not that clean to homes and the budget to fix this is low according to the environmentalist. This low budget can affect protections for people exposed to arsenic, radon and contaminated with toxic materials (water tech I). In August 2000, the state and federal officials signed a historic compromise to spend 86 billion to stabilize the water supply for agriculture and cities, to protect the quality of drinking water (ucdavis.edu I). Although environmentalists weren't so happy when in August also a California Supreme Court upheld a Gold Rush era law that allows landowners to pump as much water from the aquifers beneath their property as they can “put to beneficial use” (ucdavis.edu 1).

Environmentalists support their desires for strict government control of water (wetland attitudes 2). Environmentalist goals clash with economic goals. Environmentalists protect water and surroundings more (wetland attitudes 2).

Conflict Based on Property Rights

- Landowner supported their position for invasive government control for the economic cost of wetlands protections
- Landowner cited the Fifth Amendment protecting private property
- Wetland is good for habitat migrating birds
- Environmentalist desire government control to the critical role of wetlands in regulating and supporting ecological and hydrological function.
- Environmentalists argue that government empowered by constitution to protect.

Economic Barriers to Wetland Protection.

- 50 year soil and water conservation experience
- Environmentalist goals offered to clash with economic goals
- Environmentalists try to protect wetlands through land use restrictions
- 1995- Tweeten suggests agricultures in 21st century, practice conservation on soil water

Environmental Agendas: Differing Perspectives

- Farming community is concerned about soil and secondary water
- Environmentalists are concerned about pollution and underground contamination,
  Pesticide, and air pollution.
- Ag Comes from tradition that will emphasize voluntary compliance and the Incentives.

Northern California vs. Southern California

A large part of southern California's water is supplied by northern California Flood Control officials must strike a balance system between the protection of the central valley during flooding and supply of water to northern and southern California. Dam operators must determine how much water to leave in dams during the winter; too much water in the dams could mean
flooding for the central valley, too little could cause water shortage in southern California.

The following are quotes about what people think of the water issue in California (Source http://www.newsreview.com/issues/sacto12000-12-18/frontlineas11 Dec. 28, 2000)

"Water- its supply and quality- is an issue that will have profound effects on the future of this great state"

"If you total the amount of water being transferred south, northern California is experiencing the greatest drain of its water resources in history. Why should northern California pay the price for southern California's poor planning? Ironically, southern California's interests believe that northern California is responsible for their water problem; even if it destroys the northern state"

"The solutions proposed thus far by the state and federal governments have ended in lawsuits, with probably several more to come. It is time to think smart. We can do this together in an open and honest process so the entire state will benefit. We can't afford to waste any more time on politically palatable "non-solutions". We need real answers, even if they are difficult and we need them now. Time is running out.


"Restoring watersheds provides many benefit for California from ecosystem restoration, improved water quality, flood control to more reliable water supplies for people and the environment. Two years ago people in northern California
started bringing urban water districts north to tour some watershed restoration projects. The idea was to show Metropolitan Water District; now they would benefit from these projects. The idea was small surcharge on urban water bills, a few cents a month. This is thought of as a user fee. Southern California would gain from Northern California watershed improvements. Southern California would help pay for them. And also Southern California watersheds could continue their great start at restoration out of the same pot of money. This new watershed legislation would finance itself with the simple idea that everyone will benefit in some way from statewide watershed restoration. User pay. Simple statement, user pay." (Lynn Barris- Chico Examiner)


Daniel Weintraub

"The action has prompted bitter protests and civil disobedience, as farmers desperate for water have punched holes in the dikes holding back their sustenance." "Before long the government started building dams and recruiting settlers to the Klamath basin with the promise of cheap and abundant water. Overtime, the agricultural interests became supreme, and the rights of those downstream who depended on the river were ignored. Earlier this year a federal court finally stepped in and reversed those priorities. That's when the rest of the world tuned in. "What we are asking for is a real honest sharing of the water and not just business as usual, where the farmers take it all."
Gary (CSU student -23 years old)

"I think that it's good because still Southern California they cant produce their own healthy water Then it is good that Central California is able to give southern California our good water If Central California needs the water, we would hope that southern California would do the same think for us:

Steve (CSU Student-23 years old)

"I think that it's fine to transfer the water from northern California to southern California as long as we have enough water But we cannot continuously transfer the water to southern California So they have to find out more water sources. They cannot depend on northern California forever."

Christen (CSU Student-21 years old)

"I think everyone should use their own water no matter what's wrong with that. If they use our water, they should pay a fee Because I think if we needed their water, they would need us to pay as well."

In conclusion, the water issue in California is very controversial. Californians have different attitudes towards the water issue in our state. There are those who are concerned with the water issue and there are those who do not care. The farmers, environmentalist, southern Californians and northern Californians are affected by the water issue in one-way or another.
Works Cited


August 2000 <http://www.ucdavis.com>


Berryhill, Bill. Personal Interview 6 October 2001

Castillo, Juan. Personal Interview. 2 October 2001.


Dennis, Frank. Personal Interview 2 October 2001

Lovett, Chase. Personal Interview 6 October 2001

October 10, 2001 <http://www.rubicon.water.ca.gov/v/cwp/ ApA>


Wigt, Pete Personal Interview 8 October 2001