

Encyclopedia of Politics of the American West

Aridity

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Many areas of the American West receive less rainfall than do other parts of the United States, and access to vital water resources is much more problematic and controversial than it is in the eastern United States. This difficulty of access has significantly impacted western economic development and prompted numerous legal and political controversies.

Water law in England and the eastern United States was based on the principle that water belonged to landowners whose lands included a river or stream. This is called riparian doctrine and is derived from the Latin word *ripa*, meaning riverbanks. As California miners settled in goldfields, they sought to divert water to individual miners with better claims than others, and the concept of “first in time, first in right” became common in mining camps. Farmers proceeded to divert water through irrigation ditches and canals. This practice would be codified by judges as they settled water disputes and by legislators in western states and would be called appropriation doctrine, meaning that the first individual to “appropriate” water for “beneficial use” possessed prior right against other appropriations. Appropriation has consequently become common practice in the West since it allows water to be transferred from its physical location to localities needing it, including landlocked cities such as Phoenix.

Congress created the Bureau of Reclamation in the 1902 Federal Reclamation Act (Pub. L. 57–161). This Interior Department agency became responsible for federal irrigation works, including dams and canals, for farmers in sixteen western states. Works construction costs were to be repaid by the farmers who were able to access this water if their lands did not exceed 160 acres. A 1920 amendment to this legislation (Pub. L. 66–147) extended water supplies to cities and power companies. Section 8 of this act required this agency to obey state water appropriation, control, distribution, and use laws, a stipulation that has created considerable political controversy and litigation in western water development.

Numerous expensive water projects have been developed to provide water access for residents of growing urban areas in the arid West. These include the Owens Valley and Mono

Lake Projects to supply water to Los Angeles, the Hetch Hetchy for San Francisco that took water from part of Yosemite National Park, the Central Valley Project supplying water to maintain this agriculturally productive California region, the Central Arizona Project to bring water from the Colorado River throughout Arizona, the Hoover Dam to supply water to seven southwestern states and Las Vegas, and the Edwards and Ogallala aquifers in Texas and other Great Plains states. Some rural communities and areas have been destroyed by water project development, as have some animal and plant species and wetlands.

Numerous court cases have been argued and decided, consequently enhancing the controversy around water projects in areas such as relieving western aridity and involving topics such as access to water, drought, economic development, environmental sustainability, and property rights. Examples include *Ivanhoe Irrigation District v. MacCracken*, 357 U.S. 275 (1958), whereby the U.S. Supreme Court held that state laws could not override federal water acreage limits, that these laws applied to Central Valley corporate farms, and that the Reclamation Bureau did not have to follow state laws in operating federal reclamation projects. Two decades later, the Supreme Court ruled in *California v. United States*, 438 U.S. 645 (1978), a case involving the New Melones Dam on California's Stanislaus River, that the Reclamation Bureau had to follow state law in federal water project operation unless state law was inconsistent with specific congressional directives. Such litigation is an intrinsic part of western aridity and water policy, and the number of court cases is likely to increase given population growth in the West, regional and national economic problems, and concern over environmental quality and climate change.

Federal and state agencies are also involved in mitigating the effects of drought on individuals and businesses through programs administered by the U.S. Department of Agriculture's Farm Service Agency, Natural Resources Conservation Service, and Risk Management Agency.

Besides engendering controversy over access to water, the West's aridity also makes it vulnerable to wildfires, which can be spread and exacerbated by high winds. Such fires have occurred regularly throughout the western United States, causing significant property and economic damage in national parks and forests; on privately owned lands; in small communities; and in portions of large metropolitan areas, including Los

Angeles, Salt Lake City, and San Diego. The 2011 La Concha fire in New Mexico, which threatened the Energy Department's Los Alamos National Laboratory, [p. 181 ↓] is the most recent example of how aridity increases vulnerability to fire.

Combating these fires involves extensive water use and collaboration among federal, state, and local government agencies under the auspices of the National Interagency Fire Center (NIFC) established in Boise, Idaho, in 1965. Federal agencies involved in NIFC, reflecting the extensive involvement of the federal government in western natural resources policy management, include the U.S. Forest Service, Bureau of Land Management, National Weather Service, Bureau of Indian Affairs, U.S. Fish and Wildlife Service, U.S. Fire Administration, military branches, state national guards, and state and local firefighting and emergency management agencies.

Distinctive western climatic features make aridity a critically important factor in this region's historical, contemporary, and future demographic, economic, environmental, and political development and evolution. Controversy over developing and husbanding western water resources and managing the effects of climate change and population and human settlement growth on this arid environment will remain an integral part of western politics. Affected individuals and organizations will bring divergent and evolving viewpoints to discussions of these issues. Such controversy will also affect political relationships within western states, between the West and other areas of the United States, and relationships between the United States and Canada and Mexico and their adjoining provinces and states.

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See also

Further Readings

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