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NREM 585

April 1, 2020 (Late Submission)

Reading Activity 11: Adams 1993 Chapters 10, 11, 12

1. After reading Adams, Ch. 10, 11, 12, please:
   1. In 2-3 sentences, describe how Eastern and Western water law differ.

Western water law usually revolves around use and usufructuary rights, that is, diverting water for irrigation and other uses is permitted, but abandoning those uses can cause a permitted use to be revoked. Eastern water law is more concerned with pollution and flood control, as well as coastal and marine resources.

* 1. Identify three of the major agencies involved in water resource management in the United States. Describe their basic mission and purpose.
     1. USACE: Maintain interstate commerce and navigation (including production of natural renewable resources) and provide oversight to water management practices.
     2. Bureau of Reclamation: Plan and administer irrigation efforts including water diversion and storage, plus they own and operate many hydroelectric production facilities.
     3. Soil Conservation Service: Focus is on watershed maintenance and reduction of nonpoint source pollution by administering federal funds at the local level.
  2. What is section 404 of the Clean Water Act? Why is it particularly relevant to Iowa?

Section 404 of the CWA uses broad interpretation of “navigable waters of the US” to implement regulative authority over wetlands and other aquatic habitats that may not be considered truly navigable. This is important to Iowa because of the high water table and frequent seasonal flooding of farmland, therefore the draining or filling of wetlands for increased agricultural production is often regulated under section 404 now that the definition of navigable waters has been expanded significantly.

1. Two Interesting Things:
   1. The evolution of maritime law, ownership, and conservation of resources in the oceans was actually pretty interesting. Super glad the US fought for lots of modifications to the international maritime law treaty, then did not sign it. The quote by Tommy Koh of Singapore was perfect.
   2. Managing water may seem like a clear and direct objective, but in reality it is ambiguous and actually covers the entire landscape of the US.
2. One Question:
   1. How does the Waters of the United States policy differ from the history of water management provided in Adams?