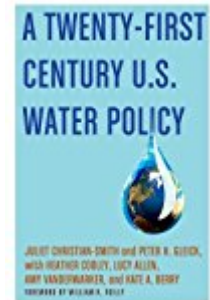


Juliet Christian-Smith, Peter H. Gleick, Heather Cooley, eds.. *A Twenty-First-Century US Water Policy*. New York: Oxford University Press, 2016. xxi + 334 pp. \$21.95, paper, ISBN 978-0-19-049087-4.



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Published on H-Water (September, 2016)

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Twenty-first-century problems require twenty-first-century solutions. That is the five-second summary of *A Twenty-First Century U.S. Water Policy*. This is an edited collection of essays by experts in the fields of climate science, environmental justice, geography, and law, several of whom work at the Pacific Institute, a nonprofit with a research focus on sustainability, environment, and social equity. A look at the institute's website quickly reveals the primacy of water-related issues in the group's mission.

Taken as a whole, the book makes a case for a "soft path" to meet America's water needs. The concept becomes murky and confusing at times, but the "soft path" is meant to refer to a new way of managing water resources that differs from the large, centralized infrastructures and traditional technologies that currently define water provision in the United States--what the authors refer to as the "hard path." As they argue in the introduction, we need to recognize that the goods and services normally associated with water use can be met in

several ways other than the model laid down in the nineteenth and early twentieth centuries.

As Peter Gleick notes in the first chapter, those traditional models of use simply will not work in the near future. Although the nation is well endowed with water, the "stocks" and "flows" of that water vary greatly according to region, and they are increasingly running up against what Gleick dubs "peak water constraints." These constraints include prolonged drought and depleted aquifers, as well as the potential "loss of ecological services greater than the value provided by using that water," what Gleick calls "*peak ecological water*" (p. 10). The kind of constraints he outlines are very different from typical notions of water scarcity as a function of increased demand based on rising population. In reality, Gleick says, increased population has not generated more absolute demand, thanks to greater technological efficiency, regulatory disincentives to water use, and America's transition toward a service-based rather than production-based economy. It seems that the decimation of

American manufacturing is good for conserving water. Gleick's main point is that if absolute demand is not the problem, then more dams, reservoirs, and conduits are probably not the answer. He leaves it at that for the time being, reserving the last chapter of the book for putting forth possible solutions to US water policy and management.

Juliet Christian-Smith and Lucy Allen likewise highlight several problematic issues while leaving prescriptive solutions to be handled in later chapters. Christian-Smith and Allen focus their attention on the patchwork of federal statutes, judicial decisions, and administrative agencies that currently manage the nation's water resources. Their account of numerous federal laws, administrative units, and thirty or so funding agencies related to water clearly establishes the fractured incoherence of US water policy. Added to this incoherence, they point out that the federal role is also rather limited when it comes to water management. Water access and distribution is primarily the jurisdiction of state and local governments. This simple fact has tremendous consequences for water use. For instance, in western states the laws regarding water access are based on the rule of *prior appropriation* (the first to utilize a water source has primary rights to that water over other users). That legal structure works as a disincentive for appropriators to practice water conservation. Citing more comprehensive water policies adopted in recent decades by South Africa, Australia, the European Union (EU), and Russia, the authors call for a similarly more unified water policy in the United States. Here they may overstate their case, though, as the EU water policy is so vaguely written that its interpretation and application across the member nations is wildly inconsistent and certainly not unified.

These first two chapters lay the foundation upon which the rest of the book is built. Many of the subsequent chapters go on to address specific water-related problems that occur with the mate-

rial and legal context put forth in the essays by Gleick, Christian-Smith, and Allen. Some chapters are far more compelling than others. Amy Vanderwarker's assessment of "Water and Environmental Justice," for example, ties in nicely with Gleick's point about the inadequacy of looking only at the amount of water available. When communities in poverty, which are also often communities of color, face disproportional exposure to polluted water sources and less access to basic water infrastructures, *availability* becomes a somewhat meaningless metric.

There is not a whole lot in the prescriptive solutions offered in the individual chapters or in the conclusion that is new to anyone remotely familiar with water issues in the United States. Most of the strategies the authors advocate fall under the category of more holistic planning and execution. Making environmental justice more central to water resource planning, developing a more coherent set of laws, streamlining administrative agencies, increasing the attention and funding for water resource study, integrating surface and drinking water regulations, and taking the effects of global climate change into consideration as part of the decision-making process for resource management are all good steps, even if they are fairly simple and somewhat obvious. More troubling, some of the authors' solutions are not that different from the very corporate interests who have sought profit from the inescapable human need for water. For example, tiered pricing structures that recognize the various uses for water (drinking versus bathing, waste disposal, etc.) is something the bottled water industry advocated back in the late 1970s. They lobbied, unsuccessfully, to convince lawmakers that there was no need to treat all water to the standard of drinking water since only a very small percentage of it was used for that purpose.^[1] Local governments could then adjust prices for various uses, and if they did not want to absorb the cost of treating water for drinking, they could always contract out the provision of drinking water to the bottled water in-

dustry. Bottlers would also likely applaud these authors' call for the decentralization of water resource management (a logically inconsistent strategy given the authors' advocacy for a greater federal role in water policy). After all, local pricing jurisdiction has allowed corporations like Nestlé to prey upon cash-strapped towns, promising jobs for access to water resources at well below the prices paid by residential or other commercial consumers.

Aside from the contradictory logic of calling for greater federal control and simultaneously advocating decentralization of water management and allocation, there are other problematic oversights in the book. While noting that agriculture places the greatest demand on our water resources, the authors never consider related policies or consumer behaviors that incentivize overproduction of certain crops. For instance, how much of US agricultural output is directed to animal feed for a nation that consumes meat at a shockingly high rate compared with the rest of the world? How much corn is produced not for direct consumption, but rather to be broken down into derivatives used in everything from soft drink syrups to drywall? Addressing these issues as matters of policy, though, would require fundamental questions about a political economy that subjects all resources to a market rationale.

Therein lies the greatest fault with this book. The "soft path" described here lacks any forceful assertion that policy should perhaps reflect a commitment to holding water access as a fundamental human right (it is mentioned in passing in one of the chapters, but the sentiment does not inform the solutions presented in that chapter in any meaningful way). Instead, the authors concede the terms of water policy to the ubiquitous rationales of efficiency and markets. Such an approach to water resource management is more than soft, it is impotent.

Note

[1]. Donald L. Porth, "Consumer Perception and Choice of Drinking Water Quality: Excerpt from the National Conference on Drinking Water Policy Problems," *Bottled Water Reporter* 18, no. 2 (April 1978): 12; and International Bottled Water Association, "Dual Water Systems," *Bottled Water Reporter* 18, no. 4 (June 1978): 20.

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Citation: Sam Duncan. Review of Christian-Smith, Juliet; Gleick, Peter H.; Cooley, Heather, eds. *A Twenty-First-Century US Water Policy*. H-Water, H-Net Reviews. September, 2016.

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