

## Who Owns The Water

By Rev. Darcey Laine

Who owns the water? It sounds like a rhetorical question, doesn't it. Like "Who owns the air" or "How can you hold a moonbeam in your hand." But as a culture that takes private property seriously, people know what I mean when I say that I own a little piece of land, of earth, in Santa Clara. It means that I can say who comes and who goes, I can dig it up and move it around. I can plant herbs and harvest them, and no one will challenge me about whose herbs they are. So what about the rain that falls on my land? What about the creek that flows here along the edge of our property at the church?

The water system is one of the most profound ways that we are connected one to another as living beings on this planet. We know the science of the water cycle, that the water from the glaciers melts and runs down into creeks, and then rivers, into Marshes and lakes and oceans. We know that all water exposed to air evaporates and becomes the moisture in our air, clouds, rainfall, frost and the snow that melts in the spring to feed our creeks. You look at a weather map and see the great sweeps that air makes, carrying the water that evaporated in my back yard down to Southern California or out into the mid west. And so water is a powerful metaphor for inter-connection. This is one of the reasons our annual water communion is so powerful. Once again this fall we will each pour our own portion of water into a common bowl here in this room. And once those waters mingle, the nutrients, the organisms, the toxins that were brought by each become part of the whole.

Our Unitarian Universalist Legislative Ministry has embraced Water as one of their 3 issues for the past few years. They have adopted a set of 7 principles to guide their work. The first is this:

- Water is essential for life, and holds spiritual meaning for many.

Every living being in our biosphere needs water, is in some part made of water. It is written in the Koran "We have made of water everything living." <sup>1</sup> Water is such a fundamental building block of life, that every religious tradition that endeavors to break the world into its most essential elements includes water among them. It's a powerful part of story, ritual and archetype in all cultures whether island or desert peoples.

Is water sacred to Unitarian Universalists? The theology of those in our congregation who want to speak of God, of something divine, is not usually a transcendent God who is separate from us and from the world, but a God that is in all things, that permeates us and the water and the air, that is not inseparable from the world. When our children here at church have a lesson or a chapel about their local watershed, I find myself struggling to explain what is sacred about water, why we would spend time at church thinking about it, because it is so completely ordinary. But I believe that the ordinary is sacred, and worthy of our awe and our respect. I want our children to experience joy and wonder with water, whether that comes from unlocking the scientific mysteries of water, or by running under a sprinkler. And I want them to respect water, because it cannot be separated from life --

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<sup>1</sup>The Koran (21:30)

our lives and the lives of the other beings who share this biosphere with us. I know of nothing more sacred than life.

A Second principle of water justice is that:

- Water is a public trust and part of the global commons; it should not be treated as a commodity.<sup>2</sup>

Are there some things so basic to life that they should be governed by different rules than those of private property? Like air? Like sunshine? Like water? Like our genetic code? I believe there are. The phrase that is used around this is “reclaiming the commons.” Naomi Klein, in an article by that name in the *New Left Review*,<sup>3</sup> writes that “José Bové—along with the Via Campesina, a global association of small farmers—has launched a campaign to remove food safety and agricultural products from all trade agreements, under the slogan ‘The World is Not for Sale’. They want to draw a line around the commons. Maude Barlow, director of the Council of Canadians, which has more members than most political parties in Canada, has argued that water isn’t a private good and shouldn’t be in any trade agreement.”

The World Bank doesn’t agree. The world Bank makes water privatization a condition of loans and debit relief, and encourages sale of public water utilities to private corporations. They also prefer to fund corporations rather than helping fund public utilities. Three European corporations: Veola, Suez and RW Thames now control over 70 percent of

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<sup>2</sup> Unitarian Universalist Legislative Ministry, California, “UULM-CA Water Justice Guiding Principles” [<http://www.uulmca.org/programs/water.html>]

<sup>3</sup> NAOMI KLEIN, “RECLAIMING THE COMMONS” in *New Left Review* vol 9, May-June 2001.

private water systems worldwide. Water has been removed from the “essential services” category and made a commodity available for profit.<sup>4</sup>

This is what happened in Bolivia, as John mentioned. Privatization also happened to our neighbors in Chualar, an agricultural community in Monterey County. There the California American Water Company (owned by RW Thames, one of those giants I mentioned before) bought the town’s water system in 2001. Local residents had been paying a flat rate of \$21, but now bills jumped as high as \$400 a month. Rebecca Trujilo, a local resident, reported that “All of a sudden we got a bill for over \$100. Now our wages are pretty low. We earn \$280, or at most \$300 a week. If we have to pay a bill of \$280, will that’s a week during which we can’t eat, we won’t have money to buy food”<sup>5</sup> Community members rallied, and presented community demands to the California Public Utilities Commission. As a result of this mobilization, Cal-Am went back to a flat rate, and CPUC supervised the private utility more closely with local community advocates.

This leads us to a third of the basic principles of water justice that :

- All people, including those in low-income and marginalized communities, must have meaningful input into water management decisions in their own communities.

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<sup>4</sup> UUSC, Right to Water.” [ [http://www.uusc.org/pdf/WATERfs\\_v3B\\_WEB.pdf](http://www.uusc.org/pdf/WATERfs_v3B_WEB.pdf)]

<sup>5</sup> The Environmental Justice Coalition for Water, Thirsty for Justice: A People’s Blueprint for California Water p. 50

Currently water is governed in many areas by “Special Districts” which are often controlled by real-estate developers and corporations. In some districts called “landowner districts” property owners are entitled a number of votes based on the number of acres they own. This means that while we all need water to survive, we can only participate in the democratic process if we own land, and our vote counts more depending on how much land we own. So next to the loud voices of industrial agriculture and developers, homeowners speak in a whisper and renters have no voice at all.<sup>6</sup> And what about the other beings who need water to survive? They also have no voice.

This leads me to a 4<sup>th</sup> guiding principle that:

- The health, integrity, and stability of ecosystems must be respected and preserved.

Do we believe that other beings have rights? I do. I believe that water is not only a right for humans but for all beings. We are sophisticated enough as a group here, and have lived long enough with our 7<sup>th</sup> principle to know that the decisions we make about the path of a river effect more lives than our human lives. We also know that we are not separate from the other beings with whom we share this eco-system. Our fate is inexorably intertwined with theirs. But the California Water Code’s definition of “reasonable and beneficial use” acknowledges no intrinsic worth to such beings as the Salmon of the Klamath river. Hydroelectric dams along the river block salmon from 350 miles of spawning habitat. The once abundant Klamath salmon runs have now been reduced to less than 10% of their

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<sup>6</sup> Ibid p. 47

historic size. Some species, such as coho salmon, are now in such low numbers in the Klamath River that they are listed under the Federal Endangered Species Act (ESA).<sup>7</sup> As the health of the salmon population is threatened, so is the health and viability of the Karuk tribe of Northern California who have lived in and with the Klamath Basin for thousands of years.<sup>8</sup>

A fifth of the basic principles of the Legislative Ministry's water justice work is that :

- Public control and regulatory oversight are necessary to ensure the public's interest is protected.

Let's go back to the water that falls on my yard. That doesn't have anything to do with you, does it? It's my land! In fact most of the towns we live in get some of their water from sources as distant as Hetch Hetchy or the Sacramento River Delta, and the rest comes from Ground water.<sup>9</sup>

Currently there are no statewide ground water regulations. This leads to 2 different kinds of trouble:

First, anyone can put a well on their private property- cause, hey, it's my land. But the groundwater doesn't pay attention to property lines. When we pump groundwater to irrigate a farm or to sell for bottled water, it leads to an "overdraft" of groundwater- meaning that more water is pumped out of the ground than is replenished by rainfall or runoff.<sup>10</sup> And half of all

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<sup>7</sup> THE PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS "THE STRUGGLE TO SAVE SALMON IN THE KLAMATH BASIN" <http://www.pcffa.org/klamath.htm>

<sup>8</sup> Thirsty for Justice, p. 22

<sup>9</sup> <http://www.water-ed.org/watersources/region.asp?rid=6>

<sup>10</sup> Thirsty for Justice p. 48

Californians use drinking water provided from public wells relying on that very groundwater.

Second, agricultural runoff is the major source of groundwater pollution, but is exempt from clean water regulation. Throughout the San Joaquin Valley nitrate from Chemical fertilizers, factory farming and septic systems pollute drinking water wells. The USGS found that nitrate contamination exceeds acceptable health levels in 30-40 percent of groundwater samples. The water in many wells, most of which serve low-income rural communities, is so contaminated it is unsafe for human consumption.<sup>11</sup> I won't even get into industrial pollution, I'll leave to your imagination what the water table under Oakland or Richmond contains.

This leads me to a 6<sup>th</sup> principle:

- Access to clean water for basic human needs is a fundamental human right and is essential for human health and dignity.

In “Thirsty for Justice” the Environmental Justice Coalition for Water reports that in right here in California in Tulare County, farm workers pick oranges, cherries and other fruits. They make between \$300-\$1000 a month. “None of them drink the tap water. When asked why not, they all spoke out, saying: ‘It tastes bad. It comes out of the faucet grey. It has a certain odor. It comes out of the faucet foamy. It is think, oily.’ Instead, they buy about 10 gallons of vended water a week... San Joaquin Valley farm workers always take a bottle or jug of water out to the fields with them.”<sup>12</sup> The

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<sup>11</sup> Ibid, p. 76

<sup>12</sup> Ibid, p. 73

people who can least afford it are paying twice for water- once for the water that comes out of their tap, and then again for water they can actually drink.

Now you and I are standing at the grocery store buying bottled water. And if we're buying it in the little sport-sized bottles we are paying more per gallon than we pay for gas. Companies like Nestle and Coke a Cola are buying public water rights (that's my water and your water). They are within their rights as private property owners to overdraw the ground water, emptying local wells which provide drinking water to local residents, and then selling our water back to us at seriously inflated prices, in plastic bottles that some say will make us sick if we re-use them.

So what's a thirsty citizen to do? Go back to your tap. That's what most bottled water is anyway- tap water. Reconnect yourself to the water that comes out your faucet. It's your right as a being on this earth to have access to clean drinking water. Do you have confidence in your tap water? A few minutes on-line at the EPA website could help.<sup>13</sup> Find out where it comes from. Did it travel to you from the River Delta in Sacramento? Did it come from under your neighbor's yard? Who governs it? If you don't like what you find out, remember your right to have a vote and a voice- assert and reclaim that right.

The last of the UULM guidelines is this:

- Water conservation, responsible use, and stewardship should be a top priority for all.

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<sup>13</sup> <http://www.epa.gov/safewater/dwinfo/ca.htm>

I was trying to convince my son that turning off the water while he brushed his teeth was important. I explained that if we didn't use water carefully, we might run out. Nick asks

“What happens if we run out?”

“We couldn't water our plants or swim in swimming pools”

“What happens then?”

“We couldn't take a shower or wash our dishes”

“Then what happens?”

“We could only use water for drinking”

I was glad he didn't ask what happens after that.

Water is not a commodity, it is the very substance of life, it is sacred, and it is precious. Let us study our watershed, our water cycle knowing it offers as much wisdom about sustaining life as a sacred text. Let us make sure that justice rolls down like waters, and righteousness like a mighty stream.

The UULM-CA has adopted Water as one of their 3 issues for the past few years. They have adopted these principles:

We affirm the following Guiding Principles:

- Water is essential for life, and holds spiritual meaning for many.
- Access to clean water for basic human needs is a fundamental human right and is essential for human health and dignity.
- The health, integrity, and stability of ecosystems must be respected and preserved.
- Water is a public trust and part of the global commons; it should not be treated as a commodity.
- Public control and regulatory oversight are necessary to ensure the public's interest is protected.
- All people, including those in low-income and marginalized communities, must have meaningful input into water management decisions in their own communities.
- Water conservation, responsible use, and stewardship should be a top priority for all.