Water Conflict: Enforcement and Dispute Mechanisms in Statewide Water Policy

Thanks to the direction of Governor Bentley and the work of the Alabama Water Agencies Working Group (AWAWG) and various water stakeholders, Alabama is in the process of developing a roadmap for a statewide water management plan in order to better manage and protect the state’s water resources. At this time, there are many different opinions among AWAWG and stakeholders as to what such a plan might look like and whether a water plan is even necessary for Alabama. One topic that causes apprehension and confusion in this discussion is water rights enforcement and dispute resolution. If Alabama moves toward a more comprehensive regulation of water uses, how will a regulatory agency enforce water permits and restrictions during water shortages, and how will disputes between competing permit holders be handled? Water stakeholders are beginning to understand that the statewide water planning process could have significant impacts on their water uses, and they are cautious about moving forward. With this presentation, I will outline the enforcement and dispute resolution methods offered by the American Society of Civil Engineers in The Regulated Riparian Model Water Code, as well as present how other riparian states have handled or avoided this issue.

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