Groundwater Regulation in Texas and Michigan

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As a Great Lakes state, Michigan has always made water management and policy a priority. However, a newfound importance has been placed on water policy in the 21st century. With reports suggesting a looming water shortage within the next two decades, states like Michigan have had to take a closer look at their resources (Broad, 2005). Between 2006 and 2009, Michigan passed a host of bills to redefine water law in the state and prepare itself for the future. Although many believe that the new laws do not go far enough, the state is far more prepared than others, such as Texas, which define groundwater as the property of the landowner and have no comprehensive legislation to govern its use.

Water rights in the Eastern United States have typically been governed by the Doctrine of Riparian Rights (which states that the owner of land abutting a water source has rights to the water, so long as his use doesn't interfere with other landowners') or the Rule of Capture (which states that the first person to "capture" the resource has absolute rights to it) (Kaplowitz, 2007, p. 3). These laws functioned well enough during the United States' early history, but as large corporations have begun extracting groundwater for bottling and water shortages loom in many parts of the world, jurisdictions have had to rethink their water laws.

History in Michigan

Prior to 2006, Michigan's water was governed by the 1976 Michigan Safe Drinking Water Act (Wyant, 2011) and parts of the 1994 Natural Resources and Environmental Protection Act, which were aimed at regulating drinking water pollution, the Great Lakes, and aquifers. There were significant gaps in the legislation, however, including the export of fresh water to other states in the form of bottled water. Faced with increased extraction and outcry from citi-

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