



NRULPC Newsletter Vol. 1, Number 5

Co-Director's Report

It has been a busy time for members of the NRULPC since the last issue of the Newsletter. First, we want to extend our special thanks to Mr. Jim Burling, Esq., for traveling to Tucson to present a special and very well received webinar on Waters of the United States (WOTUS). A brief summary of the presentation is included below, along with a link to a recording of the webinar, including the question and answer period. Also in this issue is a feature about Task Force member and NRULPC leader, Dr. Jeffrey Silvertooth, Associate Dean and Director of Extension and Economic Development. In addition, we are pleased to provide the next Washington D.C. Update from our consultant, Mr. Jeff Eisenberg.

At the same time, we want to congratulate Clinic students on their excellent progress on a variety of matters. Watch for summaries of student reports in the next Newsletter. Progress is also being made on outreach to stakeholders through the development of related websites. The Natural Resource Use & Management Clinic now has a web page on the James E. Rogers College of Law website:

<https://law.arizona.edu/natural-resource-use-management-clinic> and the NRULPC website will be launched in the next few weeks. Please check out these resources and always feel free to contact us at any time with your thoughts and ideas for the NRULPC.

Best wishes,
George Ruyle and John Lacy, co-directors

Spotlight on Task Force Members



Jeffrey C. Silvertooth, Ph.D.

Associate Dean and Director, Extension & Economic Development and

Associate Director for the Arizona Experiment Station

As Associate Dean and Director, Extension & Economic Development, Dr. Silvertooth provides overall administrative leadership to University of Arizona Cooperative Extension including administrative and personnel management. As

Director, he is also responsible for the development of an effective Extension education program and all related translational and applied research programs that are dedicated to extending knowledge resources to the people of the state. The Director sits on the Executive Council of the College of Agriculture and Life Sciences. As the Associate Director for the Arizona Experiment Station (AES), Dr. Silvertooth provides leadership and managerial oversight for each of the AES sites across Arizona that are external to Tucson and Pima County. These external sites include the Safford, Yuma, and Maricopa Agricultural Centers.

Dr. Silvertooth's research program has been directed towards the development of crop production management strategies (primarily irrigated cotton, chiles, and cantaloupes) that optimize the soil-plant system agronomically and economically, with full consideration of the short- and long-term impact of inputs environmentally. This has included soil-plant relationships, and salinity and sodicity management in agricultural soils. A primary goal is to reduce the level of inputs such as pesticides, fertilizers, and irrigation water; and maintain profitability and sustainability in both the short- and long-term agricultural

production systems in the desert Southwest. He has been recognized as a Fellow for both the American Society of Agronomy and Soil Science Society of America.



Waters of the United States Webinar

An informative webinar was presented by Jim Burling, Esq., Vice President of Litigation and Principal Attorney for Property Rights, Pacific Legal Foundation, on 24 April, 2018 at the University of Arizona titled, Waters of

the United States: Evolution of a Quagmire and the Supreme Court. The presentation included a history of court rulings involving federal jurisdiction over waterways in the United States. Beginning with the *Gibbons v. Ogden* (1824) ruling that upheld federal jurisdiction over navigable waters under the Commerce Clause, Mr. Burling traced rulings from the Rivers and Harbors Act of 1899 through the Federal Water Pollution Control Act of 1948, the Wetlands and 1972 amendment and the Clean Water Act of 1977. Controversies over the definition of what constitutes a wetland and the jurisdiction of agencies such as the Army Corps of Engineers and the EPA were summarized along with key Supreme Court rulings. The presentation concluded with the 2015 publication of the Waters of the United States or WOTUS rule that vastly expanded federal jurisdiction over formerly unregulated areas and the 2017 Executive Order directing agencies to reinterpret what constitutes “navigable waters” along with plans to rescind the WOTUS rule and create a new ruling. A lively question and answer period followed the formal presentation.

Link to webinar recording: <https://arizona.hosted.panopto.com/Panopto/Pages/Viewer.aspx?id=60459d12-589a-4664-816c-a8cd012ef5c1>

Washington D.C. Update from Jeff Eisenberg

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