

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy
April 29, 2022

[Stand Back Water Utilities!](#)

The days of Louisiana's water utilities operating with limited oversight seem to be ending. A bill to bring [New Orleans' Sewerage and Water Board](#) under the direct [oversight of the City Council](#) cleared the Louisiana House on Wednesday and is headed to the Senate. Apparently, council members had endured too many complaints from NOLA residents about billing issues and finally said "[we're not gonna take it!](#)" (Of course, Entergy New Orleans is under the direct oversight of the City Council, and no one ever has any complaints about them.)

In Baton Rouge, the Capital Area Ground Water Conservation Commission took a major step in implementing its plan for a new groundwater well metering system. [Back in February](#), the Commission used its emergency rulemaking authority to further a requirement that groundwater well operators report extraction rates using uniform metering technology. The Baton Rouge Water Co. made it [a legal matter](#), suing the Commission over the use of the emergency rulemaking process and the effectiveness of the proposed meters. Despite the challenge, last Friday the Commission [voted to raise groundwater extraction rates](#) from \$20 to \$65 per million gallons. This increase will fund the installation of the new metering system. Although customers may be wary of the rate increase, it's unlikely that it will significantly impact individual bills as [customers primarily pay for the cost of building and maintaining infrastructure](#), not the extraction or the water itself.

[There's A Drought Out West, Didn't Cha Know?](#)

Nowhere out West is sitting pretty when it comes to water, but we have to admit one state has had a particularly rough week. Arizona has never been water-rich, but with the unprecedented drought plaguing the West, [things have only been getting worse](#). A lot of this can be attributed to the fact that Arizona is the downstream riparian to severely parched surface water systems, including the Colorado River. Just last week, seven Colorado River basin states, including Arizona, agreed to a [significantly reduced output from Lake Powell](#) for the next [trip around the sun](#). Additionally, the federal government also agreed to [give away](#) 162 billion gallons of water from the Flaming Gorge Reservoir in Wyoming and Utah to Lake Powell. These compromises are all in an effort to keep water levels at Lake Powell high enough to supply Glen Canyon Dam's power-generating turbines.

Although, all the attention on Lake Powell does mean [less water for downstream Lake Mead](#). This week, Lake Mead fell to 1,055 feet, exposing the original intake valve that has been consistently submerged since 1971. If Lake Mead falls another 5 feet, it would

The **Tulane Institute on Water Resources Law and Policy** is a program of the Tulane University Law School.

The Institute is dedicated to fostering a greater appreciation and understanding of the vital role that water plays in our society and of the importance of the legal and policy framework that shapes the uses and legal stewardship of water.

Coming Up:

[Send us your events!](#)

Water jobs:

[Sportsmen Outreach coordinator](#); National Wildlife Federation; New Orleans, LA

[Lead Technology and Innovation Programs](#); Environmental Law Institute; Washington, DC

[Fellowship for Climate Change and Environmental Professionals](#); Atlas Corps; USA

[Policy Officer on Climate Risks and Adaptation Policies](#); Institute for Sustainable Development and International Relations; Paris, France

[Colorado Water Center Associate Director](#); Colorado State University; Fort Collins, CO

Expert@ en Derecho Ambiental; American Bar Association; [Honduras](#), [El Salvador](#), and [Guatemala](#)

[Legislative Analyst, Coastal and Flood Resilience](#); Environmental Defense Fund; Washington, DC

[Manager, Resilient Fisheries Policy](#); Environmental Defense Fund; Remote

[Environmental Justice Coordinator](#); VAYLA; New Orleans, LA

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trigger a Tier 2 shortage in Arizona, increasing cutbacks from 18% to 21%.

All that to say, the surface water situation is not looking bright for Arizona. But at least it has groundwater to rely on, right? Don't be so sure. Arizona already gets about 40% of its water supply from groundwater and that number's likely to increase as surface water resources are more and more unreliable with each passing day. But a growing concern seems to be: what if that groundwater becomes polluted or depleted? While the state regulates the quality and use of some wells, this regulation doesn't extend to private wells. The consequence is that about [1/3 of private wells exceed human health based pollution standards](#). Additionally, while [other Westerners are facing unprecedented, mandated cutbacks](#), there's nothing to stop private well owners in rural Arizona from withdrawing as much groundwater as they desire. And while you might think [sputtering faucets](#) would be enough for local landowners to self-regulate, [you'd be wrong](#). Besides, it's not only local landowners to blame for over-pumping, but also out-of-state farming companies attracted by the lack of regulation. A [bill expanding groundwater regulations](#) was giving some rural Arizonans hope, but it's looking like it [may not go the distance this legislative session](#). In conclusion, if you're heading to Arizona, we hope you're [prepared](#). And if you're already in Arizona, we hope you're a [kangaroo rat](#).

[Gimme Some More Climate Change Songs!](#)

We're still on the hunt for songs for our next [themed playlist](#). We've gotten a few suggestions for climate change songs, but we need more! So keep your ears open at Jazz Fest for any songs you think fit the bill and send 'em over to cdalbom@tulane.edu. Maybe they're your favorites, maybe they're your least favorites—either way, he'll listen to them all!