

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy
April 13, 2018

ADD 10X Water Summit conference

When it comes to water stewardship, watersheds are the [cool kids](#). One can barely swing a cat without hitting a watershed conference, dispute, plan or proposal. Yup, that's where the action is. Until now.

Instead of thinking of water in terms of hydrology why not in terms of highways, Interstate 10 to be specific? That is just what the planners of the [10X Water Summit](#) are doing, and for good reason. The simple fact is the recent emphasis on watershed scale thinking (which is a very, very good idea) is anything but the norm. Historically, water rights and management have been approached from the property use side with little to no systemic thinking. And when there was not enough water to develop your property, the [savvy](#) and [politically connected](#) would find a way of taking water from somewhere else, watershed's be damned (or [dammed](#), as the case may be).

That really has not changed. So the 10X Water Summit aims to bring the states and communities from the Gulf South (and those who want to learn from them) to talk water before the talk turns ugly. Some of those states have lots of water, some have little. All of them have lots of water sometimes and way too little at other times and one way or the other they are connected by water even if not by a watershed.

Caution: This could lead to dangerous thinking.

Spoiler Alert: Institute Director Mark Davis will be one of the speakers.

A New Test for the Great Lakes Compact

Back in 1998 a plan to allow the export of jillions (Ed. note: this is not a real number) of gallons of Great Lakes water triggered an outcry that led to the adoption of the [Great Lakes Compact](#) and what appeared to be stringent restrictions on the use of Great Lakes waters outside the Great Lakes watershed. But watershed boundaries don't always fit with political and property boundaries so what happens when a boundary straddles the watershed line. [We might find out soon based on an application filed by City of Racine, WI](#). The Compact allows straddling communities and counties to obtain permission to use lake water, but the bar is not the same for all. If a community (city/town) straddles the line, the home state's governor can approve the use, however if that community is not in the watershed but its home county is, permission has to come from all Great Lakes states governors, as the city of Waukesha, WI had to do in 2016 for public water supply purposes. Racine is in a similar position to Waukesha, but instead of public supply, it wants water for the benefit of a

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 stewardship of water.

Coming up:

[36th ABA Water Law Conference](#)

Orlando, Florida

April 16-18, 2018

[Book Signing: A Thirsty Land by Seamus McGraw](#)

Octavia Books; New Orleans, LA

April 19, 2018

[10X Water Summit](#)

Baton Rouge, LA

May 16 and 17, 2018

Water jobs:

[Coordinator](#)

Raise the River Coalition

Not location specific

[Water Policy Analyst](#)

Kyl Center for Water Policy

Phoenix, AZ

Tulane Institute
on Water Resources Law & Policy

6325 Freret Street, 1st Floor

New Orleans, LA 70118

504-865-5982

tulanewater.org

TWITTER: [@TulaneWaterLaw](https://twitter.com/TulaneWaterLaw)

massive industrial development by Foxconn Technologies, the Taiwanese conglomerate. (Under the Compact, Foxconn can also seek approval itself.) This may seem like inside baseball but, trust us, the entire Great Lakes family —[Canada too](#)— is watching the management of the largest single fresh water resource on the planet to see if the money will go to the water or if the water will go to the money.

Write It In, Write It Down: Windy City Voters Turn Out for Boring Water Election

How does filling a vacancy on one of the boringest, least visible agencies on the planet become a huge civics lesson and maybe a political [donnybrook](#)? To start with, set the story in Chicago, at the Metropolitan Water Reclamation District. Elections to the District are normally low key events, but when an incumbent died 3 days before the qualifying date closed last December it through the upcoming election into a blender. [With no living candidates left in the field, the only way onto the ballot was via a write in candidacy—which required at least 8,407 votes just to qualify for the November 2018 ballot.](#) Anyone who has ever sold candy door to door knows that 8,407 might as well be a million. It is a hard nut to crack, but one Cameron “Cam” Davis cracked with an [unorthodox campaign](#) that defied all convention. Davis is no stranger to water stewardship and public service in and around Chicago, but to suggest he was a household name would be a delusion not even his closest family would entertain. Yet through a grass roots campaign that led to key media and civic endorsements Cam—and water—became a thing. So much so he got more than 54,000 votes. Yay, civics! But what about that donnybrook? Days after the election, Illinois Governor Bruce Rauner appointed an interim member who the Governor is now saying should just fill out the entire unexpired term of the expired commissioner, thus skipping the 2018 election. Readers will be shocked to learn that Davis is a Democrat and Governor Rauner is a Republican. [The next stop is probably a trip to the courthouse to see who has the authority to fill the post.](#) But the winner already is Chicagoland’s water that is getting attention that it deserves but rarely ever got.

In Vino Veritas: Harvard’s Plans for a Very Dry Wine

As if to prove the point about using interstate highways to organize around water, we turn our attention to Harvard University. Yes, [that Harvard](#), the one in traditionally dampish Massachusetts. It turns out that Harvard’s endowment holds property in Santa Barbara County, California—separated roughly by the I-40, I-44, I-70 corridor where the Harvardians are carving a vineyard out of the arid Cuyama Valley. Turning water into wine is not just the stuff of miracles, but is rather the essence of wine-making. All wine comes from water, but in the Cuyama Valley that water comes from a “critically” depleted aquifer. So, the question is: [Where will that water come from and on what terms?](#) The answers to those questions could come by 2020 when the recently formed Cuyama Basin Ground Water Sustainability Agency is required to produce a plan for the sustainable management of the aquifer. So maybe there will be water for wine or not. Regardless this might be one of the driest red—even crimson--wines you ever met.