

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy

April 25, 2019 (aka [the perfect date](#))

BP spill payments are to coastal restoration what pie-eating contest winnings are to gym memberships

According to the Coastal Protection and Restoration Authority, roughly \$510 million of the money the state received in the [aftermath of the BP oil spill](#) has already been used on 7 restoration projects, with around 5.1 square miles of the coast rebuilt so far. Another \$6.8 billion will be spent on even more projects over the next 13 years, which is only a fraction of the overall \$1.272 billion (casual) that BP & Co. had to pay in criminal fines. However, in the words of [our own Mark Davis](#), this is like “paying for a gym membership by winning pie-eating contests.” (For more gems like that, follow us on [Twitter](#)). But, that may be a moot point, since some state lawmakers have [suggested lately](#) that Louisiana should, in the future, use the oil spill money on [infrastructure needs](#) instead of coastal restoration projects. The idea has been tossed around before, but it has never made it past the state House of Representatives.

And, in This Week’s Edition of Totally Unsurprising Yet Very Worrisome News, [Oceana issued a report](#) last week in which they found that oil and gas regulations in the U.S. have actually weakened in recent years, back to pre-BP spill levels. [In the immediate aftermath of the spill](#), the Obama administration created an agency to create and manage oil and gas regulation, known as the Bureau of Safety and Environmental Enforcement (BSEE). But, if there aren’t enough BSEE inspectors to go around and the caps on the monetary penalties the agency can dole out don’t provide much of a deterrent as Oceana alleges maybe it is time for a broader and more open discussion about what risks are being run. Besides, surely the current BSEE director, former Louisiana Lieutenant Governor Scott Angelle, would love to have a bit more at his disposal.

Orleans Parish School District can’t seem to get the lead out

Earlier this month, a [7th grader](#) at Homer A. Plessy Community School in the French Quarter found lead (and/or pesticides) in the school’s water using an off-the-shelf test. [Groot](#). The school, which apparently didn’t test the water for lead when it moved to the building, has now installed a filtration system that has gotten the school’s water [far below the federal standards](#).

It’s unclear if the other schools within the Orleans Parish district have lead in their water (getting [déjà vu](#) yet?). The District decided some time ago to install lead filters in all of the schools without testing. However, the installation hit several roadblocks and the District has been slow to actually install the filters. So far, 36 schools have received filters, with 45 still waiting for them.

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:

[Coastal Connections](#)

April 25, 2019

Belle Chasse, LA

[CRCL Shell-A-Bration](#)

May 24, 2019

[Hypoxia Task Force Meeting](#)

May 15-16, 2019

Baton Rouge, LA

Water jobs:

[Executive Director](#)

Greater New Orleans Water Collaborative
New Orleans, LA

[Conservation Programs Administrator](#)

The Freshwater Trust
Sacramento, CA

[Water Policy and Outreach Specialist](#)

Galveston Bay Foundation
Houston, TX

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Turning wastewater into wine. No, really.

The journal of [Ecological Economics](#) recently published an article about consumer responses to using “recycled” water to irrigate wine grapes. Recycled water is basically a polite term for highly treated wastewater, which comes from stormwater runoff, residential sewage, and industrial wastewater (never mind unless you’re sourcing your water directly from some headwaters, you’re using some element of wastewater already). Consumers are becoming more and more conscious of sustainable business practices, and the study was aimed at trying to see if consumer preference for eco-friendly products (like shirts made of [recycled water bottles](#)) extends to wine made with treated wastewater. Spoiler: it does not. Unsurprisingly, the study found that consumers “prefer not to know” that their wine is made from recycled wastewater, which is probably putting it delicately. Instead, people are most willing to buy wine if they don’t know what type of water is used to grow the grapes. The [study suggests](#) that, while using recycled water is probably the best way to irrigate wine grapes during periods of drought, which are pretty [common in California wine country](#), winemakers probably shouldn’t promote their use of recycled water.

EPA accidentally announces its intention to rollback another environmental law, as one does

The EPA recently accidentally posted a [memo](#) authorizing public comment on a proposal to make changes to how Washington defines water quality in the Evergreen State’s clean water rule. Too bad it’s not [intern season](#) yet in DC and they can’t just blame it on one of them. The memo has since been deleted, but Bloomberg Environment [did the Lord’s work](#) and was able to save a copy before it was taken down. The authorizing memo was mistakenly published on April 8th, and was [retracted by the EPA](#) on April 11th. The EPA says they are still trying to decide whether or not to actually change Washington’s rule. Allegedly. But Washington’s Department of Ecology has [already responded](#), stating that the “the state opposes any actions that would delay or prevent Washington from continuing to implement the clean water rule.” Plenty of [environmental groups](#) have expressed opposition to any changes as well.

The rule at issue is usually called the “fish consumption rule,” because the idea is that Washington’s water should be so clean that people can safely consume local fish. If you are thinking that water that clean is the bare minimum standard to which all states are held, we know someone with a [bridge they would like to sell you](#). The Obama EPA originally issued these water quality standards in 2016, and they were supposed to lower the levels of a number of toxic chemicals (including arsenic and mercury) in the water. Prior to the 2016 rule, Washington state’s water quality standards were actually based on decades old data and didn’t meet Clean Water Act criteria, and the state actually had some of the weakest water quality standards in the US.