

TUWaterWays

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

[July 30, 2021](#)

Can We Talk About Water Equity?

Like [love and marriage and horses and carriages](#), water and equity fit together, right? After all, water is essential to just about everything that lives and that equity is about. But, just what does equity mean? It is not so simple since the term means [several different things](#), all of which matter when it comes to water. Sure, it refers to doing things justly and fairly. It also describes to the power of courts to remedy wrongs in ways that laws would not otherwise allow. And in the business world it refers to the value of an ownership interest—stocks are a form of equitable ownership. All of those facets of equity come into play when it comes to delivering drinking water to people—a service that doesn't come cheap. Many communities are looking at aging, inadequate water systems and wondering how to pay for their upkeep and upgrading. Raising rates - that works but can people fairly afford it (see equity definition number 1)? Why not invite [rich\(er\) people/entities to invest](#) in your utility and reap the rewards of providing water with greater managerial efficiency (equity definition 3)? That path is looking more attractive to communities and to private equity firms, especially as the possibility of new federal matching dollars looms as part of infrastructure legislation. Investor owned water utilities are nothing new and their record is mixed—just as it is for governmental run ones—but the rising understanding of the importance of water and threats to it are mixing with the need for investment and the search for new business opportunities, [fueling both boosters and skeptics](#). The reality is both camps are on to something. Underinvestment in basic water service is unfair, unjust, and a bad deal for everyone concerned. Those dollars have to come from someone, but anyone expecting a [capitalist miracle](#) with guaranteed returns and happy customers is [dreaming](#), as [Atlanta's experiment in the late 1990s teaches](#).

About that Water

It is more than private equity firms that are seeing values in waters that had been overlooked or taken for granted—and raising alarms about what they find. A [new release from Barclays](#), the global British based bank, highlights how the cost of water to the [Consumer Staples](#) (stuff people use) market is way undervalued (3 to 5 times compared to what they are accustomed to paying their water provider - a fact that might help explain the spike in investor interest). This makes them very vulnerable to water shocks. That realization is also showing up in Security and Exchange Commission [filings by public traded companies in which they disclose risk factors](#)

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:

[WHOI: Physical Oceanography Department Virtual Seminar: Subtropical Icebergs and Meltwater Routing in the Western North Atlantic](#); August 3

[AWWA: Desalination in India](#); August 17

[EJI: Environmental Justice and Corridor Projects: Case Study of a Former Mining Town in Rust Belt Kentucky](#); August 18

[Mississippi River Commission: Public Hearings Aboard the MV Mississippi](#); August 23: Caruthersville, MO; August 24: Memphis, TN; August 25: Greenville, MS; August 27: Morgan City, LA

[18th Annual EPA Drinking Water Workshop: Small System Challenges and Solutions](#); August 30-September 2

[Coastal Law in Louisiana CLE](#); October 21 & 22

Water jobs:

[Associate Attorney](#); The Wilderness Society; Denver, CO and Washington, D.C. and other locations

[Water Policy Analyst](#); Virginia Department of Environmental Quality; Richmond, VA

[Junior Environmental Analyst/Policy Analyst](#); Organization for Economic Co-operation and Development; Paris, France

[Assistant or Associate Scientist in Hydrogeology](#); The Jones Center at Ichauway; Newton, GA

[Senior Attorney, Fossil Fuels Program](#); Earthjustice; New Orleans or Texas

[Water Policy Manager](#); Conservancy of Southwest Florida; Naples, FL

[Water Policy Advisor](#); Tuvli; Washington, DC

[Senior Manager, Environmental Policy \(EMEA\)](#); Amazon; Brussels, Belgium

[Program Officer – Plastics Initiative](#); The Ocean Foundation; Washington, DC

[Associate or Staff Attorney](#); Sierra Club; multiple locations

6325 Freret Street, 1st Floor
New Orleans, LA 70118
504-865-5982

tulanewater.org

TWITTER: [@TulaneWaterLaw](#)

that could impact their businesses and investors. Of course acknowledging risk and doing something about it are not the same things but it's a start.

Hey Kid, Wanna Save New Orleans?

Who you gonna call after planners, politicians, and engineers have had their shots at keeping your city dry and come up short? Well, in New Orleans if [you are a gamer](#) then your moment may be here thanks to [Pipe Dreamin' VR: New Orleans](#) a new game coming out soon that gives players a chance to rework the City's byzantine plumbing system. We are not sure what you win but at \$14.99 it could be worth a shot. You might not even need those private equity guys to swing it. Besides, [what could go wrong?](#)

Hopi(ng) This Works

Looking back over this issue of TUWW one might think that there is only [gloom and doom](#) where water is concerned. Is there no good news, no hope? In fact there is and fittingly it could benefit the Hopi Nation and other First Nations. Senators Michael Bennet (CO) and Martin Heinrich (NM) have [introduced legislation that would provide \\$6.7 billion of federal investment in water infrastructure](#) for some of the [most underserved and marginalized communities in our nation](#). Some of the funding called for [in this bill](#) would cover projects already on the books, while some would cover plans for new ones and administration of water programs. Welcome as this news is for some, there is a long way to go before a [bill becomes law](#). Nobody knows that more than the intended beneficiaries of this one.