

TUWaterWays

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

[January 28, 2021](#)

[We're Hiring!](#)

The Tulane Institute on Water Resources Law & Policy is in the market for our next postgraduate research fellow to start in August 2021! If you're a recent (2020) or upcoming law school graduate this spring (JD or LLM), you could be a part of the team who writes this remarkable newsletter (among other things). By the time the position starts, we'll hopefully be back in Chateau d'Eau and up to our armpits in office coffee, Tulane Tuesday giveaways, morning bagels, puzzled reactions to mid-20th-Century-pop-culture references, and long, rousing discussions of water law and policy! If you're interested in the position (and who wouldn't be?), check out this job posting and send your resume on in before February 19th!

[And the Mississippi, They Say, Grew Three Sizes That Day](#)

Okay, maybe not; but it will be getting an extra few feet. The Army Corps of Engineers has finalized the agreement for additional funding to deepen the Mississippi River channel, a plan that got [authorized in 2020](#). It aims to increase the river's depth to 50 feet to allow the modern and larger "[New Panamax](#)" and "Post Panamax" vessels to travel along the river. Those vessels are larger and have twice the maximum cargo capacity as Panamax cargo ships. The project is estimated to cost \$237.7 million; Louisiana is covering over \$100 million and the federal government is picking up the rest. With a [large chunk of change](#) already approved, the Corps started the project last year, but the [about \\$46 million of federal funding didn't manage to pass the bureaucratic red tape until last week](#). Authorities expect that this change will reduce the costs of cargo transportation and create jobs for the shipping and maritime industry. Of course, all of that depends on those giant ships actually showing up at ports like those on the Mississippi. The competition for that business is intense and, just like not every airport that dreams of being hub actually becomes one, not every port city will be host those behemoths. As for all of the dredged material, the is plan for it to be used to build new wetlands in the Delta National Wildlife Refuge and the Pass-a-Loutre Wildlife Management Area (or as much of it as a cost-benefit analysis will allow).

[The Pearl Darter is Just Trying to Stay Alive](#)

Long ago, in a river not so far away, lived [a tiny, snub-nosed, wide-eyed fish](#) that spent its time munching on insects and crustaceans. The Pearl darter's original home was the Pearl River, which provided the environment it needs to live and breed. But that was a half-century ago, and the creation of reservoirs and dams have blocked these small creatures from reaching their spawning areas upstream. They're not

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:

[American Water Works Association: Final Lead and Copper Rule Revisions – What it Means for Water Systems](#); January 28

[National Wetlands Day](#); February 5

[CRCL and Louisiana Sea Grant: Shell-A-Bration](#); February 5

[Food Life Cycle: Effectiveness of Food Scrap Recycling Mandates & Landfill Bans](#); February 10

[Cost-Benefit Analysis and the Environment](#); February 17

[CPRA Virtual Draft FY 2022 Annual Plan](#) – Southwest LA; February 22

[CPRA Virtual Draft FY 2022 Annual Plan](#) – Southcentral LA; February 23

[ELI: PFAS and Public Health: Covid-19, Vaccines, and Environmental Justice](#); February 23

[EPA Small Systems Webinar: Lead and Copper](#); February 23

[CPRA Virtual Draft FY 2022 Annual Plan](#) – Southeast LA; February 24

Water jobs:

[Manager, Conserving Marine Life in the U.S.](#); Pew Charitable Trusts; Washington, D.C.

[Associate Attorney](#); Earthjustice; Seattle, WA

[Assistant Director](#); Virginia Coastal Policy Center, William & Mary Law School; Williamsburg, VA

[Director of Conservation](#); The Nature Conservancy; TX

[Watershed Restoration Specialist](#); McKenzie Watershed Alliance; Springfield, OR

[Legal Counsel](#); Arizona Department of Water Resources; Phoenix, AZ

[Senior Staff Attorney](#); San Francisco Baykeeper; San Francisco, CA

[Water Policy Fellow](#); Berkeley Law Center for Law, Energy & the Environment; Berkeley, CA

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the only ones hitting a wall. The Pearl darter became a candidate for Endangered Species listing in 1999 and was [finally listed in 2017](#). Usually, when a species gets listed, the U.S. Fish and Wildlife Service begins conservation efforts; this often includes habitat protection. But all of that didn't happen here, because the Service has been relatively quiet during the previous administration. For our protagonist-fish, that inaction has been [harmful to its survival](#). Now limited to areas in the Pascagoula River Basin, where it faces pollution from urban and municipal runoff, the species is on its last fin. You mean to tell us that fish trapped in polluted waters are in danger of extinction? [Inconceivable!](#) It's no tower guarded by a fire-breathing dragon, but it has a pretty similar effect. Never fear, the Center of Biological Diversity is coming to the rescue! Or trying to. As a way to force the U.S. Fish and Wildlife Service into action, the center is [planning to sue](#) the agency for its failure to designate critical habitat for the endangered fish. However, it could withdraw the lawsuit if the agency acts under the Biden administration to protect the species and ensure that the darter [keeps swimming](#).

Who Says Water and Technology Don't Mix?

Water quality sampling is one of the ways researchers monitor coastal waters to ensure the health and safety of the public. However, budgetary and accessibility limitations often make it infeasible to check the waters on a consistent and routine basis. Thankfully, this might no longer be necessary. According to a new [Stanford study](#), combining frequent sampling over the span of only two days with environmental data and machine learning methods can help scientists accurately forecast water quality. The folks at Stanford collected water samples at 10-minute intervals over one or two days at several beaches. They also simultaneously collected meteorological and oceanographic data and then dumped all this information into a schmancy-fancy computer model that then put out predictions of fecal indicator bacteria (FIB) concentrations for those beaches. And get this: the predictions were accurate. Even better news, the framework code used to train this computer model is [publicly available](#). With different data inputs, these computers could potentially predict other contaminants, such as harmful algae, nutrients, and metals.

And Now, An Announcement from Our Friends at the Tulane Environmental & Energy Law Society

"We are so excited that the Tulane's 26th Annual Environmental Law & Policy Summit is just about a month out! This year, the Summit's panels focus on themes of environmental justice as it relates to the legal and policy realm. After the turbulent events of 2020, it is crucial these themes be addressed. We hope you will join us this February 26th and 27th to engage in discussions on topics ranging from environmental refugees, food and agricultural justice, and current legal changes in environmental regulations. All are welcome, and cost to all attendees is free! CLE credit will be available for many of the panels."

A detailed schedule of the Summit and registration for attendance will open in early February. If you have any questions, do not hesitate to reach out to Haley Gentry, Director of this year's summit, at hgentry@tulane.edu."

Three words: Count us in! We always find the Summit to be a treasure trove of information and excitement and wouldn't dream of missing it. Things are a little different this time. The event will be virtual, but it's not the destination that matters—[it's the friends we make along the way](#). And with that, we hope to see your faces onscreen!