

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy
March 8, 2016

Berta Cáceres Risked Everything in the Name of Water

Famed environmental activist and last year's winner of the [Goldman Environmental Prize](#), Berta Cáceres was [killed in her Honduran home last week](#). She was murdered for opposing mines and dams slated to be built on the Gualcarque River, a river sacred to the Lenca people, who were not consulted prior to the approval of the project and would have lost access to water, food, and medicine had it been completed. She died for protecting a human right to water. Honduras is [still reeling](#), but [Berta is not alone](#). Ten months ago, she informed CNN that ten other activists from her organization alone, [The Council of Indigenous Peoples of Honduras](#), have been killed with impunity. The Honduran government has condemned the killing and vows to bring the perpetrator to justice, but the public believes not enough has been done, that the government has allowed ([or ordered](#)) such things to continue to happen. In fact, Honduras was the most [deadly country](#) for environmental activists last year.

It is easy for those of us working in the inherently safe world of water policy here in the U.S. to forget the dangers that our counterparts around the world face on a daily basis. As water becomes scarcer and populations continue to grow, these dangers will only become amplified. Water is power, and as long as that power abides, lives will hang in the balance. For this reason it is imperative that we stand in solidarity with Berta and all those fighting to protect our most precious resource.

The United States and Drinking Water Have Some Trust Issues

Following the Flint Water Crisis, most Americans are looking at their drinking water a little closer. A recent [Associated Press poll](#) indicates that just under half of Americans are highly confident in their tap water. Further, less than 4 in 10 Americans living in a household with an income of \$50,000 or less are very confident in the safety of their tap water. Shocking to none, most Americans feel that the problems in Flint are indicative of a widespread problem, rather than an isolated incident. However, forty percent of those surveyed do not think that more federal involvement is needed to ensure safe drinking water. Those that do believe that more federal involvement is needed tend to be low income minorities living in urban areas.

"But don't worry!" says the federal and local government

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:

[Center for Natural Resource Economics & Policy](#)

New Orleans, LA

March 20-22, 2016

[River Rally](#)

Mobile, AL

May 20-23, 2016

[State of the Coast 2016](#)

New Orleans, LA

June 1-3, 2016

[Summit on Coastal and Estuarine Restoration](#)

New Orleans, LA

December 10-15, 2016

Water jobs:

[Clean Water Advocate](#)

Environment America

[Staff Attorney](#)

Tennessee Clean Water Network

Knoxville, TN

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in Worcester, Massachusetts and the rest of the Northeast. According to them, their good water sources will prevent a Flint-esque crisis from fouling drinking water in those tiny states. Officials at [a water forum in Worcester](#) last week assured those in attendance that their water comes from 10 reservoirs (that are admittedly acidic) surrounded by forests and protected lands. This combined with the fact that their water infrastructure was built with iron rather than lead pipes surely means that water in Worcester is safe. And be sure to run water for 30 seconds before using it. And federal investment is severely lacking. But don't worry, the city spends \$4 to \$6 million a year on replacing old pipes. And here in Louisiana, in St. Joseph, that [brown water coming out of your taps](#), its fine. Drink up. See, [don't worry!](#)

Moral of the story is that perhaps Americans have good reason to be skeptical of their drinking water and perhaps the government, whether local or federal, should consider allocating more to aging water infrastructure.

Water without Scalia

The Supreme Court will hear its [first environmental case](#) since Scalia's death this month. The case, *U.S. Army Corps of Engineers v. Hawkes Co. Inc.*, challenges the Corps ruling that a Minnesota peat mine's proposed expansion is in a wetland regulated under the Clean Water Act. The Court will also likely hear arguments on WOTUS in the near future. Both cases center on the extent of federal regulation over water bodies. The plurality opinion in [Rapanos](#), one of the most prominent water cases, was penned by Scalia, a skeptic of broad interpretation of the CWA ([RIP Mr. Rapanos](#)). However, the infamous *Rapanos* case arguably made federal regulation [even murkier](#), hence the newly clarified (somewhat) WOTUS rule. With the departure of the conservative justice, it is unclear how environmental cases will fair with SCOTUS, but they may swing in the environment's favor, especially if President Obama is able to nominate a possible replacement. With the Clean Power Plan stayed, and WOTUS gearing up for a likely trip to the Court, SCOTUS will have a lot to say about Obama's environmental legacy, and without Scalia, no one can really say what will happen, but hopefully forthcoming opinions aren't [turtles all the way down](#).

And Now This:

Here is a [cool bug](#) that kind of walks on water. With a bunch of bad news this in this week's TUWaterWays, at least water creatures are cool.