

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy
November 2, 2012

Sandy Brings Climate Change to Forefront when Election Couldn't

After several months of campaigning and four debates with almost no mention of climate change, global warming charged its way into the presidential election this week. As a result of "Superstorm" Sandy's widespread devastation across the Mid-Atlantic region, it seems as though prominent American politicians may get serious about climate change. New York City Mayor Michael Bloomberg has endorsed Barack Obama in next week's election and cited the President's willingness to address climate change as a reason for the endorsement. His publication, *Bloomberg Businessweek*, has gone one step beyond with a cover stating "IT'S GLOBAL WARMING, STUPID." Anticipating backlash, editor Josh Tyrangiel tweeted ["our cover story this week may generate controversy, but only among the stupid."](#)

On a similar but less combative note, Mike Tidwell (author of *Bayou Farewell*) points out in *The Nation*, the realities of modern cities and climate change have made the oft-cited vulnerabilities of New Orleans much less unique than many want to believe. Storms are striking up and down the Atlantic coast with greater frequency and intensity and much of coastal cities' infrastructure is just as far below sea level and vulnerable to storm surge as the lowest parts of New Orleans' "bowl."

[We Are All From New Orleans Now: Climate Change, Hurricanes and the Fate of America's Coastal Cities, Mike Tidwell, The Nation, October 29, 2012](#)

[It's Global Warming, Stupid, Paul M. Barrett, Bloomberg Businessweek, November 01, 2012](#)

Sandy Shows Need for New Approach to American Infrastructure

Sandy brought nearly 15 feet of storm surge into New York Harbor. Many, such as New York Governor Andrew Cuomo and Mayor Bloomberg, have pointed out the inadequacies of the city's infrastructure to deal with conditions that are increasing in frequency. Others have likened the infrastructure issues in NYC with wider infrastructure issues plaguing the nation. The same issues that have lead the American Society of Civil Engineers to grade the county's infrastructure D.

[Hurricane Sandy: a bellwether for infrastructure investment, David Worthington, SmartPlanet.com, October 30, 2012](#)

[For Years, Warnings That It Could Happen Here, David W. Chen and Mireya Navarro, New York Times, October 30, 2012](#)

An In-Depth Look at Iowa's Role in the Dead Zone

A series of articles examines the connection between Iowa farmers and Louisiana's coast. Governors of both states acknowledge that it is possible to improve Gulf hypoxia, but neither showed interest in changing the approach that has consistently not worked for the past 70 years. Both opposed any regulations governing agricultural runoff. "There are things we all can do" said Gov. Jindal, without commenting on what those things are or what steps Louisiana is prepared to take.

[The Dead Zone, Perry Beeman, Des Moines Register](#)

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:

[December 6, 2012](#)
America's Wetland Foundation
"Big River Lives"
St. Louis, MO

[January 17, 2013](#)
America's Wetland Foundation
"Big River Provides"
Minneapolis/St. Paul, MN

[February 22-23, 2013](#)
18th Annual Tulane Environmental Summit

[February 27-28, 2013](#)
America's Wetland Foundation
"Big River Moves"
Chicago, IL

Job Opportunities:

[Lake Pontchartrain Basin Foundation](#)
New Canal Lighthouse Manager and Curator.
Deadline Nov. 12, 2012.

Please email hazel@saveourlake.org or call (504) 836-2215

[FEMA](#)

Long Term Community Recovery Program Specialist. Applications due November 7, 2012

[Job Details and Online Application](#)

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Deepwater Horizon Trial Still Coming, Just a Little Later.

Judge Barbier has postponed the trial to determine fault in the Deepwater Horizon until after the Super Bowl and Carnival season. Apparently, out of town attorneys were having trouble getting and keeping hotel reservations. All this despite a full month of rumors about an impending settlement that, given the reaction of Gulf Coast politicians, would have been a travesty of the highest order. Also, BP has reminded the world that a settlement is not a foregone conclusion.

[BP Oil-Spill Judge Postpones Trial on Fault to February, Margaret Cronin Fisk and Allen Johnson Jr., Bloomberg.com, October 26, 2012](#)

[BP says U.S. deal over oil spill fines no guarantee, Harry R. Weber, FuelFix.com, October 30, 2012.](#)

RESTORE Act Realities Starting to Sink In in Florida

Although the Florida Governor's office has little role in the handling of RESTORE Act funds for counties, Governor Scott is trying to insert his office (through the appointment of seven members) into a consortium of Florida's Gulf Coast counties. While the Governor's efforts reflect state-level tensions over the application of the RESTORE Act, Franklin County is struggling with how organize its efforts. With the Act itself giving little guidance, the County Commission, the City of Apalachicola government, and special interests are wrangling over their role in the receiving and using RESTORE Act funds.

Meanwhile, in an attempt to impact a still-nonexistent structured settlement between BP and the Department of Justice, an Alabama congressman has introduced a bill to make fines paid by Deepwater Horizon defendants ineligible for tax deductions.

[Consortium of Florida's Gulf coast counties convenes first meeting in Tallahassee, GulfFuture.org](#)

[Commissioner split over RESTORE Act plans, Lois Swoboda, Apalachicola Times, October 25, 2012](#)

[Bill to kill BP tax breaks backed by Ala. congressman and Rep. Jeff Miller, Mary Orndorff Troyan, PNJ.com, October 31, 2012](#)

New Lands Still Forming in the Delta Every Day & at Least One Local Government is Willing to Pay

Fed by a flood outlet off of the Atchafalaya River, Wax Lake Delta in St. Mary Parish has been growing since breaking through the surface in 1973. Since then, 30,000 acres of new land have been formed. Now, the West Bay Diversion has started adding land to Plaquemines Parish. Fed by the 2011 flood, new lands are providing habitat for white pelicans and stands of willows are forming Louisiana's newest forest.

Lafourche Parish has agreed to fund another diversion project off of the Mississippi River. After months of blocking funding, the Parish Council has agreed to contribute \$1 million to a project to deliver sediment to and create new lands in the Barataria basin.

[Cattle rancher crusades to save coastal project, John Snell, Fox8live.com, November 1, 2012](#)

[New land created in nearby Wax Lake Delta, Nikki Buskey, The Daily Comet, October 29, 2012](#)

[Lafourche Parish Approves Pipeline, Xerxes Wilson, Houma Today, October 29, 2012](#)

GAO Study Recommends Coordinated Management of Energy and Water

Although not often considered in tandem, energy and water are closely intertwined. Various forms of energy impact water resources: not just hydropower, but biofuel and fracked natural gas and oil, as well. Conversely, utilizing water resources depends on energy for movement and for treatment. It is time to start breaking down the walls between the silos of management of energy and of water. In fact, coordinated water management could improve management many other areas.

[Coordinated Federal Approach Needed to Better Manage Energy and Water Tradeoffs, U.S. Government Accountability Office](#)

Considering Water's Future as a Commodity

Frederick Kaufman, of CUNY, paints a bleak picture of a global water commodity market with countries' water resources privatized and Wall Street pushing a water price bubble that would spell agricultural disaster and widespread hunger.

Brian Richter, of The Nature Conservancy and the University of Virginia, counters that, barring an exponential change in the price of water, water costs too much to move great distances, water demand is easily augmented, and water is an inherently local issue.

We would only point out that there is no reason why there could not be an exponential change in the price of water and that a thriving international ice trade once transported (frozen) water around the globe

[Futures market: Wall Street's thirst for water, Frederick Kaufman, Nature, October 24, 2012](#)

[Water Privatization: Let's Cut the Hysteria, Brian Richter, NationalGeographic.com, November 1, 2012](#)