

# TUWaterWays

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

July 21, 2015

## Be There or be Square: Louisiana Governor's Race Coastal Forum Set for August 18

For a long time anyone wanting to be Governor of Louisiana has had to say saving the state's vanishing coast is important. But for the next Governor saying is going to have to be matched by some very strong doing, not to mention acknowledging that Louisiana is going to have make some hard choices about what gets saved, who sacrifices, and where the dollars to do bold things are going to come from. So where to the candidates stand on those questions? To find out, perhaps, the [Coalition to Restore Coastal Louisiana](#) and its partners are holding a [Coastal Candidates Forum](#) on August 18 at Nichols State University in Thibodaux LA. The Forum is open to the public and will be broadcast on TV and radio.

## Lake Mead Back From the Brink (But Still on the Brink of Brink)

Like a battered boxer picking himself up from the mat to beat a knock out count, [Lake Mead](#) appears likely to avoid slipping past the point of [shortage](#) this year. A strong El Niño weather system has fueled early summer storms that have improved the water outlook for the Colorado River and Lake Mead, the reservoir that is so critical to much of the Southwest and the upriver states (Colorado, Wyoming, Utah, and New Mexico). Mead hit [record low](#) levels in late June but has been [trending up since](#). It will take more than a rainy "Miracle May" to allow the West to stop singing the [Water Drought Song](#) but the respite is welcome. Readers wanting to follow the unfolding water saga of California, and by extension the Southwest, in much more detail may be interested in the new web news site [Water Deeply](#).

## On the Up and Up—Water Demand Forecast to Increase 55%

Problems lead to awareness, and awareness leads to solutions so, thanks to low flow toilets, restrictions on lawn watering, and lots of LEED certified buildings, it can't be long before the Case of the [Global Water Crisis](#) can be [closed](#), right? Probably not, for a whole host of reasons, but perhaps none bigger than the fact that global water demand is increasing and is expected to more than double by the year 2050 according to the [International Business Times](#) citing the [Global Water Forum](#). This is noteworthy for two reasons. First, since the amount of water on our sphere is not changing (indeed many currently relied on rivers and aquifers are stressed or depleted) we should expect this case to stay open for a long

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:

[18<sup>th</sup> Annual Conference on Litigating Takings Challenges to Land Use & Environmental Regs.](#)

September 25, 2015

University of Maryland School of Law  
Baltimore, MD

## [Coastal Candidates Forum](#)

August 18, 2015

4:00 P.M.

Nichols State University  
Peltier Auditorium  
Thibodaux, LA

## [Public Forum on Hypoxia in the Gulf of Mexico](#)

August 13, 2015

9 A.M till Noon

University of New Orleans

## Water jobs:

### [Southern Environmental Law Center](#)

Virginia Energy Attorney  
Charlottesville, VA

### [Attorney](#)

Community Water Center  
Sacramento, CA

# Tulane Institute

on Water Resources Law & Policy

6325 Freret Street, 1<sup>st</sup> Floor  
New Orleans, LA 70118  
504-865-5982

<http://www.law.tulane.edu/tlscenters/waterlaw/>

TWITTER: [@TulaneWaterLaw](#)

time. Second, the work cited in the Global Water Forum was posted in 2012, which says a lot about the lag between when information becomes available and when it becomes news. That is not meant as a criticism by the way. The business and climate cycles were in very different places three years ago and information that may have been interesting then has become important and essential today.

### **News You Can Use From the North: Of Trade Treaties and Water Pricing**

When the going gets tough the tough may get going but if the going gets expensive expect folks to complain about it and maybe even assert rights you hadn't thought about. Case in point, British Columbia, Canada. Like California and much of the Pacific coast, BC is in a drought. Like other places BC is looking for ways to stretch its water resources including by charging more for water, especially for commercial water users that take local water, bottle it, and sell it. Back in February, the Province passed a Water Sustainability Act that allows for higher and differentiated fees. A petition on [SumofUs.org](http://SumofUs.org) has been urging that Nestle' and other bottlers be charged a higher rate keep them from exporting BC's water. Whether that is a good idea or not we leave to the folks in BC, but the dust-up has raised an issue of broader interest, to wit: Does the [North American Free Trade Agreement](#) restrict what BC can do as a water manager? Specifically, would the increased rates make water a commodity covered by the treaty? Do exemptions for "water in its natural state" apply? And if this matters in BC mightn't it matter in the US and Mexico too? The answers seem to be [maybe/maybe not](#), maybe, and most likely. The truth is, this is [untested stuff](#) but not likely to stay untested. It appears that the general rule that when it comes to charging for our restricting use of water, it is best to treat domestic users and exporters the same and, when you can't, to have clear public interest objectives to explain it.

### **Congrats on the New Board Members, American Rivers!**

Where would be non-profit-types be without our board members? [Nowhere, mon frere](#). So, congratulations to American Rivers on their [new board members](#), Carrie Besnette Hauser, David Solomon, and Jimmy Kimmel. Who would have thought the guy who once brought the world "girls on trampolines" would turn into such an upstanding citizen? (No, we're not linking to that). Ms. Hauser has worked on expeditions in the Grand Canyon, and Mr.'s Solomon and Kimmel are both avid fly fishermen. Since it's clearly important for board members' interests to match up with the organizations they serve, any celebrities who drink water, or perhaps bathe in water are welcome to contact us at the Tulane Institute for Water Resources Law and Policy about serving on our board. We're looking in your direction, [Jay-Z](#).