

# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy  
December 23, 2015

## New Orleans Infrastructure and Funding – It’s Feeling an Awful Lot Like “Frogurt” Right Now

New Orleans, like much of the country, is struggling under the weight of badly decaying and underfunded infrastructure ([that’s bad](#)). The city has the [Living With Water](#) plan for restructuring its approach to water management ([that’s good](#)), but that plan’s expensive and still [needs funding](#) and implementation by the city ([that’s bad](#)). However, the city just reached an agreement with the federal government for an additional [\\$1.2 billion](#) in Katrina-related disaster aid ([that’s good](#)). At this point, though, there have been no assurances (that we know of) that this money, or any [other infrastructure funds](#), will be used in accordance with the new water management plan and not in a manner that will simply renew the situation (unregulated groundwater removal and the subsidence it causes) that caused much of the infrastructure damage in the first place ([that’s bad](#)). Until we hear from City Hall exactly how these funds are going to be used, it’s hard to say whether or not they will [come with a terrible curse](#) or [a free frogurt](#).

## How Much Does Doing Nothing Cost? A Lot.

There’s plenty of work to be done outside of the cozy confines of New Orleans’ levee system, too. And not doing that work will [cost \\$133 billion](#). That’s according to a [new study](#) by the state’s Coastal Protection and Restoration Authority. The study looks at the economic cost of coastal land loss and storm surge over the next 50 years and finds another reason to fund coastal work beyond loss of coastal ecosystems and communities. Just where might this damage from storm surge take place? The National Weather Service is here to help with [an alarming new map](#). It seems as though a category 3 hurricane has the potential to push storm surge all the way to Baton Rouge and beyond – an area outside of the state’s [designated coastal zone](#).

## Groundwater! [One Way or Another](#), It’s Gonna Getcha Getcha Getcha Getcha!

Groundwater. Everyone needs it. Everyone. Even someone who gets drinking water from a stream and (improbably) eats food watered by only precipitation and irrigated surface water needs groundwater to regulate that stream flow. So, given that no one is excluded from groundwater’s importance, how are we doing with our groundwater? Well, it was once thought “[secret](#),

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:

### [Tulane Environmental Law Summit](#)

New Orleans, LA  
February 19-20, 2016

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

New Orleans, LA  
March 20-22, 2016

### [State of the Coast 2016](#)

New Orleans, LA  
June 1-3, 2016

## Water jobs:

[Clean Water Advocate](#)  
Environment America

### [Professor of the Practice/Managing Attorney](#)

Virginia Coastal Policy Center,  
William & Mary Law School  
Williamsburg, VA

### [Water Resources Campaign Coordinator](#)

National Wildlife Federation  
Washington, DC

### [Tennessee Clean Water Network Staff Attorney](#)

Knoxville, TN

# Tulane Institute

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[occult](#)” and [“unknowable,”](#) but groundwater is now well-studied and understood to be the best way to [store water](#) in the face of inconstant precipitation, and the situation is [not great!](#) Aquifers all [over the world are declining](#) due to overuse (kudos to [Union County, Arkansas and others](#) for being the exception to the rule). Unfair groundwater management in [Peru](#) has caused unrest. Groundwater across much of [Louisiana](#) is under stress and needs better management. The inability to manage groundwater across state lines has drawn [Mississippi and Tennessee](#) to the Supreme Court. There, all parties have to [load up](#) on accomplished, expensive lawyers, proving once again that everyone pays – it’s just a matter of when and to whom.

### **Dealing Coastal Flooding – Problems and a Solution(?)**

Parts of Key Largo were [under water for nearly a month](#) this fall. Everyone agrees this is a problem, but not everyone agrees on what to do about it. Unfortunately, finding a solution to the problem is, itself, a problem. Central to that problem is the National Flood Insurance Program (NFIP), administered by the Federal Emergency Management Agency (FEMA), which doesn’t actually know much about its policyholders. A new [report](#) says that the agency needs to get a baseline level of knowledge about flood insurance policy holders before it can figure out what might be the impacts of the congressionally-mandated changes it has to make to NFIP – impacts that could greatly change the character and viability of vulnerable communities like Key Largo.

Another federal agency, however, might be able to help limit coastal flooding. NOAA has [published](#) a new [study](#) on the impacts of [living shorelines](#) and their ability to increase coastal resilience while adding a carbon capture benefit at the same time.

### **The Colorado River Basin is at the Mercy of Mother Nature, but Basin States Still Have to Sort out Their Problems**

The Department of the Interior is [prepared to step in](#) and deal with water supply problems in the lower Colorado River Basin if the states can’t figure it out themselves, and those states are Arizona, [the water hog](#), Nevada, the new hub for giant [electric car companies](#), and California, the, well, [you know](#). How much can the states, or even the feds, control in the basin? Maybe not much. A new [study](#) of satellite data [shows](#) that the amount of water in storage depends much less on use than on supply, and supply in the region has always been inconsistent, but lately it’s downright horrible with a [drought that has been around since the turn of the century](#). If neither the states nor the feds figure out how to manage the basin, the face of what could be the new normal, Lake Mead could go the way of [Lake Poopo](#) or the [Aral Sea](#).

### **Happy New Year!**

This is the last TUWaterWays for 2015. We here at the Institute would just like to thank all of you for reading and for your support and feedback. Hopefully we have given you all plenty of fodder for the myriad of water-centric discussions you’ll have throughout this holiday season. If so, we ask in return only that you recommend us to any friends and colleagues who might enjoy the newsletter and then pester them until they subscribe on our website at <http://www.tulanewater.org/#!/tuwaterways/cvxo>. See you in 2016.