

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy
February 13, 2013

Gulf Coast Ecosystem Restoration Council Meetings: Coming to a Gulf Coast State Near You

A week after releasing their “proposed plan,” the Gulf Coast Ecosystem Restoration Council has [released](#) the dates and times of a series of public meetings. The meetings are designed to collect ideas from the public for the Comprehensive Plan that the RESTORE Act directs the Council to create and administer. The Comprehensive Plan will establish the Gulf-wide strategy for spending 30% of the funds directed to the Gulf by the RESTORE Act (“Pot 2”). The meetings will be held from February 19 to February 28 at various locations across the Gulf Coast.

Mayor Landrieu and New Orleans Water Board Disagree on Shape of Reformed Water Board

When New Orleans City Council approved double-digit rate increases to fund rehabilitating the city’s ailing pipe system, they did so under the condition of Water Board [reformation](#). Now, Mayor Landrieu has made his reform proposal, a proposal that echoes Bureau of Governmental Research recommendations, but the Water Board itself is looking to step back from some of the reform measures and have publicly reprimanded an employee for attempting to integrate the two visions for the reworked Board into a single proposal. [Disputed](#) reforms include the number of Board members and education and/or credential requirements for Board members.

Idea Village and Greater New Orleans Foundation Announce Finalists for 2013 Water Challenge.

Congratulations to the [finalists](#) for the 2013 Water Challenge. These water entrepreneurs are still in the running for up to \$50,000 seed funding to help solve costal problems in Southeast Louisiana. The finalists will pitch on March 18, Water Challenge day during New Orleans Entrepreneur Week.

Bogalusa Paper Mill Admits to Killing More than 500,000 fish in the Pearl River in 2011.

International Paper subsidiary Temple Inland dumped “black liquor” into the Pearl River, sucking all of the oxygen out of the river for dozens of miles and killing the River’s fish and mussels. The company has [pled guilty](#) to a misdemeanor Clean Water Act violation and a misdemeanor violation of killing wildlife in a national refuge. Although more than half a million fish died in the Pearl, the company will only be fined for the approximately 1,000 fish that died in the confines of the Bogue Chitto National Wildlife refuge.

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:

[February 22-23, 2013](#)

18th Annual Tulane Environmental Summit
New Orleans, LA

[February 27-28, 2013](#)

America’s Wetland Foundation
“Big River Moves”
Chicago, IL

[March 1, 2013](#)

Great Lakes Natural Resource Governance
Robert H. McKinney School of Law
Indiana University
Indianapolis, IN

[March 7-9, 2013](#)

“Building Resiliency Workshop IV: Adapting to Uncertainty”
New Orleans, LA

[March 24-26, 2013](#)

Center for Natural Resources and Economic Policy (CNREP)
“CNREP 2013: Challenges of Natural Resources and Economic Policy”
New Orleans, LA

[May 10, 2013](#)

Coalition to Restore Coastal Louisiana’s Coastal Stewardship Award Banquet
Baton Rouge, LA

[June 6-7, 2013](#)

American Bar Association’s 31st Annual Water Law Conference
Las Vegas, NV

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American Water Resource Infrastructure Slammed by “The Economist” and Army Corps of Engineers Slammed by Garret Graves

“The Economist” turned its eye towards American ports and inland waterways, deriding the US for not properly maintaining water-based infrastructure. Although we agree that our waterways’ infrastructure is in need of major investments, an example used by the [article](#) is hugely off-base. The lock on the New Orleans Industrial Canal is denounced as an “anarchism” that would have been replaced or updated were it not for “lawsuits.” It ignores the fact that the replacement lock authorized in 1998 would have also failed to service modern ships – especially those expected after the forthcoming Panama Canal expansion.

Also this week, Chair of Louisiana’s Coastal Protection and Restoration Authority, Garret Graves, told the Senate Environment and Public Works Committee that the Corps is a “[complete disaster](#)” and that the 1,900 square miles of Louisiana coastal wetlands lost is “largely as a result of Corps actions.” While Corps projects have undoubtedly played a role in coastal wetland loss by disconnecting the Mississippi River from its delta, Graves’ statement ignores the role of the oil and gas industry as well as the fact that those Corps actions he refers to were approved, if not requested, by Louisiana and that the state, in turn, historically fought any efforts to mitigate wetlands loss from Corps actions.

Finally, the Congressional Research Service has outlined the water resource issues facing the current Congress. The [report](#) discusses the Corps of Engineers, the attempts to create a Water Resource Development Act (WRDA) without violating Congress’ ban on earmarks, and anticipated funding issues.


Impacts of America’s Great River Continue to Draw Attention

This winter’s drought, low water levels, and oil spills on the Mississippi River continue to draw attention to the River’s role as an economic asset, a highway and as a unifier for the Mississippi River Basin states. [National Geographic](#) has analyzed the cost to the economy of restricted shipping on the River this winter. On the other hand, writer [Dean Klinkenberg](#) has examined the cost to the economy of maintaining the River for shipping.

With this heightened attention on the River, in both houses of Congress, Mississippi River [caucuses](#) are being formed. Senators Blunt and Harkin have formed a Mississippi River Caucus. In the House, reps Lukenmeyer, Richmond, Davis, and Peterson are forming a Mississippi River Valley and Tributaries Caucus. The House caucus will include the tributaries of the Mississippi – an area encompassing 250 legislative districts.

Reminder: the Tulane Environmental Law Summit is Fast Approaching

The 18th annual, student-run Summit is February 22 & 23. Multiple panels will highlight current water issues and feature members of the Tulane Institute on Water Resources Law & Policy. Also, lawyers, remember that CLE credits are available – including professionalism and ethics. Information can be found [here](#).



18TH ANNUAL
TULANE
SUMMIT ON
ENVIRONMENTAL
LAW & POLICY

KEYNOTE SPEAKER:
YVON CHOUINARD

FOUNDER OF PATAGONIA

FEBRUARY 22-23 2013
TULANE LAW SCHOOL, WEINMANN HALL
NEW ORLEANS, LOUISIANA

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