

# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy  
March 11, 2022

## [People Will Come](#)

A few weeks ago, [we talked about the NOAA report](#) that painted a grim portrait of sea level rise. Well, not long after, the IPCC added [salt](#) to the wound with their Sixth Assessment Report, warning that it's not only water from below that we should be concerned about, it's also water from above. Is your [eco-anxiety](#) skyrocketing? Ours, too. The report predicts a higher probability of major hurricanes that will, in combination with rising sea levels, [devastate coastal communities](#), causing problems in all facets of life—and have an especially hard impact on poor people—[no, not you, Elon Musk](#). If you were looking for an example, you needn't have waited long. [Australia](#) is experiencing some of the worst flooding in history caused by severe storms. [The Mississippi River rose to 11.4 feet](#) last week, which isn't enough to require opening the spillway—the magic number there is 17 feet. However, it was enough to trigger inspections around the levees and delay subsurface projects within 1,500 feet of the levees. As far as river levels go, this isn't very out of the ordinary, but it's a reminder of how all parts of our lives revolve around water—[including our pockets](#). No wonder Louisiana is [losing people](#). This all sounds bad, and some of it is. But come now, it's not all [doom and gloom](#). If you're going to be in a Gulf state, Louisiana isn't the worst place to be. The state has been dealing with climate change for years and with, let's say, “water abundance” for even longer. There's a state [Coastal Master Plan](#), a [Hazard Mitigation Plan](#) for New Orleans, and now a [Climate Action Plan](#) for the state. Still, we just can't keep going the [same speed ahead](#). Of course, plans are one thing, but it's another thing entirely to implement them effectively—it's very much a holistic problem that needs to be addressed accordingly. Just [ask Miami](#). This is a sink or swim moment (almost literally), and to be an attractive and viable option for growth, Louisiana needs to show that it's aware of the climate risks and is tackling them.

Whatever solutions there are will need a significant amount of funding, it's true, but money will have to be spent either way. Whether it is spent on building better infrastructure in anticipation of inevitable environmental ([and animal](#)) challenges or on recovery efforts to rebuild and [resettle people](#) away from the coast is up to us. [We all know how well relief funding is handled](#). Flooding is happening either way, and it makes sense to prepare, because there's no promise that we'll be preserved as well as the [Endurance](#). This is where the next part of the IPCC report comes in. It's scheduled to be published in April and will focus on mitigation and what countries can (and should) do to lessen the damage that will be caused by climate change.

Part of building towards the future means investing in it, even when it seems like no one wants it. But if you build it, they will come.

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 legal stewardship of water.

## Coming Up:

[Tulane Environmental Law Summit](#), March 11-12

[SLU Summit for Water](#), March 22-23

[ABA SEER 51<sup>st</sup> Spring Conference](#), April 6 - 8

[Coastal Law in Louisiana \(CLE\)](#), April 21- 22

## Water jobs:

[Senior Research Fellow](#), Tulane Institute on Water Resources Law & Policy; New Orleans, LA

[Ocean and Coastal Law Fellow](#), National Sea Grant Law Center; Oxford MS

[Western Water Policy Specialist](#), The Nature Conservancy; flexible within the Western US

[Water Justice Specialist](#), Bayou City Waterkeeper, Houston, TX

[Sustainability/ESG Director](#), PwC; multiple locations

[Research Associate](#), University of New Orleans; New Orleans, LA

[Research Associate 1](#), University of Louisiana Lafayette; Lafayette, LA

[Organizing Representative](#), Sierra Club; New Orleans, LA

[Advocacy Director](#), Coalition to Restore Coastal Louisiana; New Orleans, LA

[Policy Advisor, Mississippi River Basin Floodplain](#), The Nature Conservancy; LA, MS, AR, TN, or KY

[Attorney](#), California State Water Resources Control Board; Sacramento, CA

[Associate Attorney, Oceans Program](#), Earthjustice; Seattle, WA

[Sportsmen Outreach Coordinator](#); National Wildlife Federation; New Orleans, LA

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

[tulanewater.org](http://tulanewater.org)

TWITTER: [@TulaneWaterLaw](#)

In the meantime, get some [damn fine](#) (or at least reasonable) [flood insurance](#). Also, you might want to squeeze in your trip to [Disney World sooner rather than later](#).

### **Michigan's Water Worries Continue**

One of the drawbacks of being a “[water-rich](#)” state is that it also makes you rich in water-related controversies. While the Attorney General is trying to deal with the consequences of [privatized dams](#), Michigan lawmakers are trying to find ways to protect groundwater from excess withdrawals, including by [water-bottling](#), [price-fixing](#), [cookie-making](#) companies. When Nestle Waters North America bought Blue Briton Brands a few years ago, the sale also came with a controversial permit that allowed them to extract 400 gallons-per-minute (576,000 gallons daily) from their White Springs well. The company eventually decided to [return the permit](#)—presumably it wasn't worth the fuss. Some legislators are [drafting bills to restrict groundwater withdrawals](#) for bottled water. The bills are expected to expand the Public Trust Doctrine to groundwater and specifically include bottled-water companies under those regulations. Not to brag, but... [Louisiana](#) is ahead of the game on that. Self-pat on the back aside, it's always good to see the Public Trust Doctrine being embraced and used to more of its potential. It sounds like the perfect time to invest in a [reusable water bottle](#).

### **[Hot Fun in the Summittime](#)**

Today's the day! The highlight of the New Orleans social calendar is upon us once again. That's right, it's time for [the 27<sup>th</sup> Annual Tulane Environmental Law & Policy Summit](#)! Panels will be held all day today and tomorrow (March 11 and 12), attendance will be virtual, CLEs will be available, and Governor John Bel Edwards is slated to give a keynote address. That address will be the in-person cherry on the sessions' virtual sundae! Get your best summiting gear ready now!