

TUWaterWays

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

[August 16, 2019](#)

Taste the Rainbow!

Who knew that [Skittles](#) and [Prince](#) were trying to tell us something really important all these years. It seems that it is raining colors out there because it is [raining plastic](#). At least according to the [U.S. Geological Survey](#) which in the summer of 20174 did a survey in the Boulder-Denver corridor that found colorful microscopic bits of plastic in 90 percent the filters. The survey did not conclude anything about how plastic fibers are being accumulated or assimilated or their effects on living things. So no worries, [let's make more](#). We don't know about you but this has us more than a little worried about [what else we might be in store for, rain wise](#).

The Never Ending Story

In deciding what items to highlight in this week's TUWW we did what we always do. We [culled obvious and obscure news](#) sources, we checked with our network of water mavens, [and listened to lots of music](#) to put us in the mood. What we found were stories about troubles with [Newark NJs public water supply](#), efforts to [roll back the City of Toledo's \(OH\) Lake Erie Bill of Rights](#), the hypoxic ["dead zone" in the Gulf Mexico](#), and growing [water woes of cities in the "Global South"](#). Important and interesting stories, but, to be truthful, there is a repetitive quality to many of these that made us think maybe the story was not just the headline but what might lie behind it.

Way, way too often the tragedy of this stories is not that bad things happened but that they were preordained by laws, policies and years of intentional disinvestment in research, enforcement and infrastructure.

Take Newark as an example. Like Flint, Michigan, the spike in lead in its water supply was triggered by changes in water management that caused lead to leach from pipes into drinking water. Of course, if those pipes had not been made of lead there would be no lead to leach. So why were lead pipes used? [Because someone wanted to use them. Laws and building codes required them since lead is durable, flexible and something builders and plumbers knew how to work with](#). Oh and because the lead industry advocated for them.

Example two, the Gulf Dead Zone. It is fueled by nutrients that are in the in rivers and streams because we let them be. In 2009 EPA's Inspector General pointed out the need for enforceable nutrient standards regulation which prompted an outpouring of nothing.

In short, many of our water problems exist because collectively we have not made our business to avoid or solve them. Since many of those problems have their roots in laws and policies, no one should expect them to be solved by science and engineering alone. Laws and

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:

[Lunch & Learn: Managing Stormwater](#)

August 20, 2019; Metairie, LA

[CPRA Board Meeting](#)

August 21; Baton Rouge, LA

[LSU Science Café: Coastal Voices](#)

August 27, 2019; Baton Rouge, LA

[Bayou Bonfouca Marsh Planting](#)

September 5-7, 2019; Slidell, LA

[State of the Coast Session Proposal](#)

[Deadline](#); September 13, 2019

Water jobs:

[Consortium Administrator](#)

LUMCON; Chauvin, LA

[Deputy Director](#)

Audubon Louisiana; New Orleans, LA

[Program Coordinator](#)

The Water Collaborative; New Orleans, LA

[Research Engineer](#)

ULL Watershed Flood Center; Lafayette, LA

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policies change when people care enough to make it happen. We thought you might like to know.

From Farm to Table

Farm to table: a phrase, a philosophy, a movement. To locavores the term means the direct sourcing of foods to consumers without an intervening supply chain. To linguistic literalists the term might seem pointless since almost all the food we eat comes from a farm (with notable exceptions such as seafood and [Soylent Green](#)) and ends up on a table (with notable exception of [state fair foods on a stick](#)). Increasingly, the term could apply to water as well as food. That is because in the American West, water demand is outstripping supply, so cities are looking to farmers and ranchers for help. How could that work you ask? Simple (but not cheap or easy). Under the laws that govern water in most of the West, those who started using the water first have a priority over those who come later. That means farmers, ranchers and miners who settled the West come ahead of the cities that ballooned in the mid-Twentieth Century (so, from “[Big Country](#)” to “[Chinatown](#)”). [To get their water, western cities are buying up those water rights](#). Simple economics right? That depends on where you live. For cities, it is seen as a ticket to sustainability. For the selling farmers and ranchers, it is a pay day and maybe a ticket to Easy Street (though [they](#) still might have [to go into Tashi Station to pick up some power converters](#)). But for the farming communities, it can be worrisome since farms with less or no water can erode the economic and cultural foundations of the community. Time will tell if these limited water markets are just introducing long overdue incentives for water conservation and efficiency or are spelling the end of an era.