

# TUWaterWays

Water News and More from the Tulane Institute on Water Resources  
Law & Policy  
May 31, 2019

## [A River Runs Through It—and Sometimes Over It: Mississippi and Missouri River Floods Continue](#)

Just a note to remind our readers that historic levels of flooding continue on the Missouri and Mississippi Rivers. Depending on where you live, you may or may not know that. If you have water in your yard or street, you don't need us to remind you. If you live in the flood plain of those rivers and are still dry, it is probably because somebody built and maintained a levee for you. Don't take that for granted. If you live in some other part of the country where you have your own news to follow, just know that one way or another this means something to you.

## [Dead Again...and Again](#)

[Here it goes again](#). With high nutrient levels and warming waters, experts are forecasting the chronic "Dead Zone" in the Gulf could grow even larger. Old news you say? After all, the hypoxia problem in the Gulf of Mexico has been a constant topic of discussion—and inaction—for years. Wrong Gulf, though. This time we are talking about the Arabian Gulf, located some [7,700 miles East of Arabi](#), Louisiana. It turns out things are in poor and worsening shape there too according to a [piece published in Nature Middle East](#). The prevailing driver of woe there appears to be warming temperatures that reduce the oxygen levels of the water rather than pollution for our local Gulf. Speaking of which, the [forecast for the Gulf of Mexico is for a large hypoxic zone this summer](#) due in large part to the nutrient loads and high volume of Mississippi River flows.

## [It's Gold Jerry, \(Brown\) Gold!](#)

[When life gives you lemons](#), make lemonade; and when it gives you wastewater, sell it to parched Westerners. That is how the mayor of Herrin, Illinois, sees it anyway. Touched by the impacts of drought on places like Salton Sea, CA, the mayor also sees the opportunity to touch some new sources of revenue. [The idea is to ship about 3 million gallons of brown water \(treated wastewater\) per week to California, Utah, and Arizona and get several hundred thousand dollars a year in return](#)—presumably in addition to saving the compliance costs of returning the wastewater to flowing streams. Hats off to Mayor Frattini for some out of the box thinking and for making the point that all water has value. But before mayors everywhere start jumping on board, they should check to see just what legal rights they have to peddle water, even if it is just treated sewage. The answer to that depends on state law, though not every state has had to think it through. Arizona has, and it concluded that treated effluent was not owned by the City but rather by the State.

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:

[Edgar Veillon Conservation Leadership Corps application deadline](#)

May 31, 2019

[City of New Orleans Edward Wisner Grant Donation application deadline](#)

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[LA Watershed Initiative Interstate Summit](#)

June 12, 2019, Bossier City, LA

[Bayou Bonfouca Marsh Restoration Planting](#)

June 14, 2019, Lacombe, LA

[Stormwater Management Lunch & Learn](#)

June 18, 2019, New Orleans, LA

## Water jobs:

[Mystic River Urban Waters Federal Partnership Ambassador](#)

Groundwork USA, Somerville, MA

[Director of Water and Agricultural Programs](#)

The Nature Conservancy, Topeka, KS

[Environmental Analyst \(Drinking Water Specialist\)](#)

New England Interstate Water Pollution Control Commission (NEIWPCC)

Various locations, NY

[U.S. nationals: Drinking Water Policy and Data Analysis](#)

U.S. EPA, Washington, DC

[Healthy Watersheds Program Manager](#)

Puget Soundkeeper, Seattle, WA

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But since the State had not chosen to exercise its rights, the cities of Phoenix and Tolleson could sell their brown water (Check it out at [Arizona Public Service, Co. v Long](#)). Of course, if everybody did this, then the amount of water left in streams might be very noticeably lower- which might turn a perfectly acceptable way of disposing with wastewater into an unreasonable one.