

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy
October 20, 2012

CWPPRA Task Force Rescinds Decision to Close West Bay Sediment Diversion (MR-03)

The Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) Task Force reversed its previous decision to close the West Bay Sediment Diversion and will allow the diversion to stay open. The Task Force has also agreed to one more cycle of dredging and to use the dredged material beneficially in the West Bay receiving area. Like most diversion projects, the Plaquemines Parish project diverts water and sediment that creates and maintains approximately 9,000 acres of fresh to intermediate marsh. CWPPRA will continue to monitor the wetland benefits for the duration of the diversion project.

[West Bay Sediment Diversion \(MR-03\) Project Fact Sheet](#)

Institute Director Joins New Louisiana State Law Institute Water Committee

The Louisiana State Law Institute has formed a new Water Committee to advise the Louisiana Legislature about issues related to groundwater and surface water and how Louisiana law may need to change to better manage the state's water resources. The Committee was formed in response to a resolution passed by the Legislature in the spring of 2012. Tulane Water Institute Director Mark Davis has been appointed to serve on the Committee, which is chaired by Dian Tooley-Knoblett, a professor at Loyola Law School in New Orleans. Among the other members of the Committee is Jim Wilkins, the head of the LSU Sea Grant Legal Program. The Committee's first meeting is scheduled for November 9 at the Law Institute in Baton Rouge.

New Orleans SWB Discusses-Then Defers- Rate Hike Proposal

A rate hike increase proposed by the New Orleans Sewerage and Water Board is no secret: the past ten months have been filled with citywide public hearings. However, the SWB could not agree Wednesday on whether rates should be hiked before or after the board is reformed. As a result, [the board did not vote on the hike this past Wednesday](#) as originally planned. One of the reasons for the rate increase is to finance repairs and upgrades to the deteriorating infrastructure. However, as pointed out by public policy watchdog, [Bureau for Governmental Reporting](#), SWB has yet to demonstrate how the significant rate hike would ameliorate the dysfunctional governance structure, financial instability, and infrastructure problems. Until these issues are addressed, BGR does not recommend approving the rate hike.

[Sewerage and Water Board Sends Price Hike Plan to Mayor's Desk, Claire Galofaro, The Times Picayune, Oct. 17, 2012.](#)

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:

[October 20-25, 2012](#)

Restore America's Estuaries Conference
Tampa, FL

[November 1, 2012 6PM](#)

Screening of the Academy Award Nominated Documentary *Sun Come Up* at Peltier Auditorium, Nicholls State University

[December 6, 2012](#)

America's Wetland Foundation
"Big River Lives"
St. Louis, MO

[February 22-23, 2013](#)

18th Annual Tulane Environmental Summit

Job Opportunities:

[Lake Pontchartrain Basin Foundation](#)

New Canal Lighthouse Manager and Curator.
Deadline Nov. 12, 2012.

Please email hazel@saveourlake.org or call (504) 836-2215

[Environmental Defense Fund](#)

Director for the Mississippi River Delta Project. Posted Sept. 11, 2012

[EDF Online Application](#)

Tulane Institute
on Water Resources Law & Policy

6329 Freret Street, Suite 155G
New Orleans, LA 70118
504-865-5982

<http://www.law.tulane.edu/enlaw/>

Corps Updates Water Control Plans and Manuals for the ACF Basin

Now the latest development from the water wars over Atlanta, GA's water supply. After the United States Court of Appeals for the Eleventh Circuit held that water supply is an authorized purpose for Lake Lanier, the U.S. Army Corps of Engineers was forced to make some changes. The Corps recently released a [Federal Register Notice of Intent](#) to reopen public scoping for an additional 60 days. The Corps is in the process of updating water control plans and manuals for the Apalachicola, Chattahoochee and Flint River Basin (ACF).

[Master Water Control Manual Update Environmental Impact Statement for the Apalachicola-Chattahoochee-Flint River Basin, Oct. 12, 2012.](#)

[Task Force Agrees to Keep West Bay Project Open, Amy Wold, The Advocate, Oct. 13, 2012.](#)

NRDA or RESTORE Act? Rumors over the Direction of a (Possible) BP Settlement

The past couple of weeks have been filled with rumors over a possible BP settlement, and whether that settlement would follow the format of the RESTORE Act or channel a substantial amount into the Natural Resources Damage Assessment (NRDA). Under the latter approach Louisiana would likely be a significant financial winner though at the expense of less money passing to local governments and non environmental projects. Of course, for every winner there is a loser so there are rumors aplenty. Here are two interesting looks at current BP settlement rumor-mill.

[BP Settlement Could Remove Local Control, Nikki Buskey, Oct. 17, 2012.](#)

[Southerland: RESTORE Funds a Rare Opportunity, Tim Croft, The Star, Oct. 12, 2012.](#)

Meanwhile in Nebraska, Signs for a Long-Term Drought Continue

Climatologist Mark Svoboda confirms Nebraska is not presently facing a long-term drought, but acknowledges this is quickly changing for the worse. Technically, a drought is not considered long-term until drought conditions persist for a minimum of one year; Nebraska's clock is about to run out. Conditions include high mortality rates for trees, and drought-specific diseases for both plants and animals. But the impact is not limited to the state's natural resources. One immediate economic effect from this drought is the sprout of toxic corn. Aflatoxin, a mold that grows on corn during dry growing seasons, is a carcinogen when found in large amounts. Farmers are now forced to file insurance claims after losing entire crops to this drought-specific plague, assuming they have insurance. If conditions persist past winter, as is expected, Svoboda will be "close to calling it along a long-term drought."

[Nebraska Experiences Stark and Toxic Hangover from this Year's Record Drought, Nayantara Narayanan, E&E Climatewire, Oct. 17, 2012.](#)

Water Challenges: Water Recommendations for the President and the Common Citizen

Water availability, particularly freshwater, is an issue our nation can no longer ignore. For better or worse, this year's drought has brought this reality to the forefronts of the American conscience. At the federal level, Dr. Peter H. Gleick, co-founder and president of the Pacific Institute for Studies in Development, Environment, and Security, has written a letter to our future President containing 16 key recommendations for addressing the nation's 21st century freshwater challenges. At a personal level, Wendy Pabich, environmental scientist, founder and president of Water Futures, Inc., has also provided a step-by-step program advising individuals on ways to reduce their water use.

[16 Water Recommendations for the Next President, Peter H. Gleick, The Huffington Post, Oct. 16, 2012.](#)

[12 Ways to Reduce your Water Footprint, Wendy Pabich, The Huffington Post, Oct. 11, 2012.](#)