

# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy  
December 17, 2021

## ["o Oysters, come and walk with us!"](#)

This time of year, [for some reason](#), thought around here turns to the oyster. So, how IS the oyster doing these days? Well, this little bivalve that has [played an outsized role in culture](#) in the Gulf and Atlantic coasts and literally [anchors entire ecosystems](#) is has had a challenging few years (or century), helping hands are working to boost its numbers in a wide variety of locales.

The oyster fishery in Apalachicola Bay, Florida remains shuttered. Though it would almost certainly be shut down anyways, Florida [losing at the Supreme Court](#) this spring certainly didn't help the Bay's future. However, paleontologists are looking into the Apalachicola oysters' past. It being one of the few oyster fisheries never subjected to dredging makes it the perfect place to analyze the history of the fishery going back centuries, digging down one layer of shells at a time. Hopefully what they learn about the species' past can help guide efforts to improve its future.

Elsewhere in the Gulf Coast, [huge influxes of freshwater](#) coming either downstream from inland or directly out of the sky has created some really difficult conditions in parts of Louisiana and Mississippi. But at least a diner at Superior Seafood found [an oyster with 12 pearls](#) the other day? More importantly, groups [around the country](#), including in [Mississippi](#) and [Louisiana](#), are raising little oysters and returning discarded shells to give natural oyster reefs a boost.

Additionally, a couple of formerly great centers of oyster "culture" are working to bring their populations back to sustainable levels. In [New York City](#), [11 million oysters have been reintroduced](#) to the harbor, once one of the world's richest estuaries. Local groups hope the oysters can not only serve as the keystone for a food chain that includes menhaden and humpback whales but also filter pollution runoff, especially from the untreated sewage that enters the harbor when rainfall overwhelms the city's system ([which happens not-infrequently](#)). While the oysters' cleaning prowess serves the harbor's water quality well, it means these oysters [are not for eating](#). Work is underway in both [England](#) and [Scotland](#) to bring back native oysters that were [once a staple of the British diet](#). Anybody else hungry now?

## **Columbia Riverkeeper Sues Corps of Engineers for Violating the Clean Water Act**

Like the oyster, the salmon is a keystone species of enormous importance. It cycles nutrients and calories between the ocean and forests hundreds of miles away via its trips up and down rivers to spawning grounds. So when a salmon run is destroyed or a population dies out it can have huge ramifications. One of the biggest killers of salmon over the past century have been dams that break up their

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

[Coastal Law In Louisiana \(CLE\)](#) April 21 and 22

### Water jobs:

[Associate General Counsel](#); National Wildlife Federation; Reston, VA

[Assistant General Counsel & Policy Researcher](#); The Water Institute of the Gulf; Baton Rouge, LA

Louisiana Bucket Brigade; [Campaign Director](#), New Orleans, LA; [Economic Development Manager](#), River Parishes, LA;

[Adaptation Program Director](#); Georgetown Climate Center; Washington, D.C

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

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

[Communications Specialist](#); Environmental Defense Fund; Multiple

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

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

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paths between the ocean and where they spawn. Even with innovations like [fish ladders](#) and [fish cannons](#) and [fish trucks](#), the habitat of those rivers is so highly changed they still might not be enough to preserve the salmon populations. One big difference between a flowing river and a series of reservoirs is often [the temperature of the water](#). That can especially be true if the dam is hydroelectric and uses the river water to both power and cool the turbines generating electricity. And guess what? Changing the temperature of a water body is considered pollution under the Clean Water Act. The Riverkeeper, then, is [suing the Corps](#) for [changing the water temperature and polluting the water with the oils and greases needed to run four hydroelectric dams without a permit](#). Because [this is America, Jack](#). You can't just pollute the waters willy-nilly. You need a permit for that.