

TUWaterWays

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

[August 27, 2021](#)

Disaster Declarations [Here, There, and Everywhere](#)

This week, President Biden approved [seven](#) disaster declarations. Disaster declarations are becoming [more and more frequent](#)— President Trump issued so many last year (a record total of 309) that at one point every state was covered by a disaster declaration due to COVID-19. In case you've become so desensitized to seeing it in headlines that you've forgotten what it means, here's a refresher:

A disaster declaration is a formal statement that a disaster or emergency situation has overwhelmed a State, local, or Tribal government's response and recovery resources. This makes federal assistance (typically [\\$\\$\\$](#) authorized by the [Stafford Act](#)) available to aid individuals and public entities. Declarations come in two flavors: emergency and major disaster.

Emergency declarations can provide short-term federal assistance totaling less than \$5 million for any situation the President deems necessary. This week, President Biden approved emergency declarations for Rhode Island, Connecticut, New York, Vermont, and the Mashpee Wampanoag Tribe to alleviate the impacts of Tropical Storm Henri. At one point poised to become [New England's first direct hurricane in 30 years](#), Henri was ultimately downgraded to a tropical storm before making [landfall in Rhode Island](#) on Sunday with sustained winds of about 60 mph. The storm moved slowly northwest across New England, causing [billions in damage](#) and leaving more than [140,000](#) without [electricity](#).

Major declarations, on the other hand, typically provide long-term assistance in response to a natural event, such as hurricanes, earthquakes, floods, tornados, and major fires. On Tuesday, President Biden approved major disaster declarations for both Tennessee and California. In Tennessee, an unprecedented deluge resulted in [catastrophic flash flooding](#) that claimed 20 lives, touched many more (including some here) and caused [untold damage](#). Federal funding will now be available to aid individuals, local governments, and the state with everything from home repair to hazard mitigation measures. In California, the major disaster declaration covers the areas in the north of the state impacted by the Dixie Fire. The fire, which is now the second largest in California history, is [destroying towns and threatening water and power supplies](#). Federal assistance will bolster the state's response to the Dixie Fire and support affected communities.

In an aside to those specific disasters, perhaps a question worth pursuing is "are more disaster declarations needed just because climate change is creating more disasters or is it also a matter of

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:

[18th Annual EPA Drinking Water Workshop: Small System Challenges and Solutions](#); August 30-September 2

[French American Innovation Days on Physical Sciences and Engineering Solutions for the Environment \(FAID Green & Blue\)](#); September 13: Innovations in Energy; September 15: Water and the Environment; September 17: Resilience in the Built Environment

[2021 National Coastal Conference](#); September 28-October 1

[Eighth Biennial University of Florida Water Institute Symposium Abstract Deadline](#); October 6

[The Seminar Group: Coastal Law in Louisiana](#); October 21-22

Water jobs:

[Summer Associate](#) and [Associate Attorney](#); Sher Edling LLP; San Francisco, CA

[TMDL and Water Quality Improvement Lead](#); State of Washington Water Quality Program; Lacey, WA

[Program Operations Associate](#); The Ocean Foundation; Washington, DC

[Assistant or Associate Scientist in Hydrogeology](#); The Jones Center at Ichauway; Newton, GA

[Senior Attorney, Fossil Fuels Program](#); Earthjustice; New Orleans or Texas

[Water Policy Manager](#); Conservancy of Southwest Florida; Naples, FL

[Water Policy Advisor](#); Tuvli; Washington, DC

[Senior Manager, Environmental Policy \(EMEA\)](#); Amazon; Brussels, Belgium

Louisiana Bucket Brigade; [Campaign Director](#), New Orleans, LA; [Economic Development Manager](#), River Parishes, LA; [Liquefied Natural Gas Campaign Coordinator](#), Lake Charles, LA

[Staff Attorney](#); Great Rivers Environmental Law Center; St. Louis, MO

Sierra Club; [Gas Exports Campaign Representative](#), New Orleans/Gulf Coast, LA; [National Distributed Organizing Representative](#), LA/TX/DC.

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shrinking capacity of state and local resources lowering the threshold at which federal involvement is needed?"

The [Ventilator Blues](#) Prompt Water Cutbacks in Florida

Residents of Orlando, Florida have been urged to [take it easy](#) on their water consumption for the time being. However, unlike the cutbacks out West, it's not water Florida's running low on, but oxygen. As COVID-19 hospitalizations rise, the city is experiencing a [shortage of liquid oxygen](#) which it requires both to administer respiratory treatment and to [purify its water system](#). And Orlando is not alone—nearby Winter Park issued [a similar request](#) to residents and Tampa Bay officials are taking the proactive approach of [switching water treatment processes](#) until the demand from hospitals declines. Stay safe out there Floridians, and don't forget—according to the CDC, a [plunge in the pool](#) is just as good as a soak in the shower.

[Surprise, Surprise!](#) Fracking Affects Surface Water Quality

A new study has [linked fracking operations to surface water quality](#) for the very first time. The [study](#), which analyzed 11 years of data from 408 watersheds and more than 40,000 fracking wells, found small but consistent increases in barium, chlorine, and strontium levels. The concentrations remained below the levels EPA considers harmful, but still illustrate a connection that until now was unproven. Fracking has previously been linked to other natural disturbances, such as groundwater contamination, earthquakes, and of course air emissions. This study provides a foundation for future investigations with other monitoring methods and more dangerous chemicals used in fracking fluids, such as toxic forever chemicals.

We [Ain't Too Proud to Beg](#)

Please join us October 21-22 for the [Coastal Law in Louisiana seminar](#)! The seminar will offer CLE credits and explore myriad legal issues impacting the coast. **Sign up before September 2nd for an Early Bird Special discount!** [Satisfaction](#) guaranteed.