

# TUWaterWays

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

[October 11, 2019](#)

## Well, Well, Well Where did the River Go?

The law of the [Conservation of Matter](#) tells us that the amount of water on the Earth is pretty much the same as it has always been and always will be. So what's the big deal with water conservation and management? The big deal is not how much water there is but where it is and what form it takes. There is gobs of water out there, but if it is not available to you then you have a problem. Which is one of the reasons for protecting the flows of rivers and streams and why there are laws regulating who can take and use those waters. Despite all of those efforts, rivers and streams continue to dwindle which can lead to trouble for farmers, cities, and fish and wild life (not all fish, apparently—[be on the lookout for this fellow](#)). Why?

One growing reason is that despite all of those table top-water cycle models you saw in school, streams are fed by more than rain and other streams. Often times they are fed by ground water (we call those "gaining streams". So when you increase the amount of water drawn from wells you can decrease the amount of water reaching streams. Indeed you can even suck water from those streams. We call those "losing streams". Don't take our word for this, check out what the [U.S. Geological Survey has to say](#). This is becoming a [world-wide problem](#) and one that will take more than science and engineering to solve. That is because, despite clear evidence that surface water and ground water can be connected, the laws that govern water use have a hard time grasping that. There are historical reasons for that, but suffice to say that just because our knowledge of water changes does not mean the law has to.

Water law is evolving, and the trend is toward more comprehensive approaches to water law and management, but the pace and scale of change in the legal realm lags behind. We know something about that since the Tulane Institute on Water Resources Law and Policy is working on a comprehensive model water code for Louisiana that would better meld surface and ground water. It is not easy or fast work.

## Imagine a Day Without Water or Smurfs, We Wonder if You Can

October 23, a date associated with so many important events: [Birth of the Smurfs](#), the introduction of the [revolutionary](#) Apple iPod, and of course for the past 5 years, it has also been [Imagine a Day Without Water Day](#). What is that you ask? Conceived by the [US Water Alliance](#)'s [Value of Water Campaign](#) as a way to build awareness about the importance of investing in water resources and water infrastructure, the idea behind IDWW is to get people to [plan events and programs](#) that stress how important water is to them and, one would hope, what they are ready to do to assure that water is

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:

**Audubon Louisiana Big Sit!**

October 12; [Baton Rouge, LA](#) and [Holly Beach, LA](#)

**Oyster Shell Bagging**

[October 12](#); [November 16](#); & [December 19](#); Buras, LA

**Urban Water Series [Public Lecture](#) and [Technical Master Class](#)**

October 14 & 15 (respectively)

**[Coastal Sustainability Studio Lunch N' Learn](#)**

October 15; Baton Rouge, LA

**[Conservation On Tap](#)**

October 17; Slidell, LA

**Bayou Bonfouca Marsh Restoration Plantings**

October [17](#), & [19](#); Slidell, LA

**[Louisiana Geological Survey Coastal Symposium](#)**

October 17 & 18; Baton Rouge, LA

**[LA Watershed Initiative Phase I Deadline](#)**; October 15

**[Virginia Coastal Policy Center Resilience Conference](#)**

Williamsburg, VA; November 15, 2019

### Water jobs:

**[Associate Coastal Economist](#)**

NOAA; Silver Spring, MD or Charleston, SC

**[Postdoctoral Fellowship](#)**

National Socio-Environmental Synthesis Center (SESYNC); Annapolis, Maryland

**[Director](#)**

Red River Management Institute; Shreveport, LA

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always clean and available. Of course, in many places it takes no imagination whatsoever to conceive of what it is like to live without that assurance. Not your hometown of course, since only backwards remote places struggle with water supply and infrastructure—places like [Pottstown PA](#), [Oxford MI](#), [Ft. Lauderdale FL](#), and we can't forget our favorite city, [New Orleans](#). So, maybe it is time for the public to rise up and demand better (and be willing to pay for it). If [Smurfs 2](#) (apparently [filmed on location in Kentwood, Louisiana](#)) could [raise over \\$150 million in sponsorships](#), surely there is some gas in left the tank for water. After all, given the [importance of water to the Smurfs](#), it is the least one should expect.

### **Huzzah, Take That Lead!**

As if on cue to prove that water law is a laggard and that safe water supplies must be managed for and not presumed, the US Environmental Protection Agency has announced that it will soon be releasing [new rules to deal with the problem of lead in drinking water](#). At press time the actual rules have not been released, so we can't speak to what they say, but this much we know: It will be the first overhaul of the Federal standards (first issued in 1991) for dealing with lead since 2007. It comes after, years after, the drinking water crisis in [Flint, Michigan](#) and more recent problems in [Newark, NJ raised](#) the profile of problems of aging infrastructure, misunderstood water chemistry, and intentional underinvestment in critical public resources. When one stops to think that the toxicity of lead has been known about since at least Roman times one has to wonder why we allowed it in ways that now plague us—lead in soils, homes, and water. The [reason is that lead is very useful and easy to work with and it helped make many people and communities wealthy](#). In short, it had its [defenders and apologists](#). In effect, it still must because nothing else explains the slow pace of regulating its use and remediating its presence. We've had more than forty years to stop listening to those getting rich off of poisoning people and start listening to [Steven Tyler, Joe Perry, Brad Whitford, Joey Kramer, and Tom Hamilton](#). That it's even a question is [amazing](#) and seems [crazy](#). Maybe some people need to take a [permanent vacation](#). [Dude](#).

### **So You Wanna Be A Master?**

Join the Greater New Orleans Foundation and the City of New Orleans for the Urban Water Series Technical Master Class and Public Lecture on Maintenance: Strategies for Improving Maintenance of Green Infrastructure on Monday, October 14th and 15th. The discussion will focus on techniques for improving stormwater management through the maintenance and use of stormwater control methods, with a focus on regionally specific needs and native plants. The speakers will also tackle lessons learned from past projects with operations and maintenance in mind. The technical master class will happen on Tuesday, October 15th from 8:30am-2:00pm at 919 Saint Charles Avenue and is well-suited for those in the design, planning, engineering, and construction communities. Professional credits can be earned by participants. The free public lecture will happen on Monday, October 14th from 5:30-7:00pm at 919 Saint Charles Avenue. For registration information, please go to their [site](#)!