

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy
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Big Water, Big News, Part 1: Old Man Does Say Something

With all due respect to Jerome Kern, Oscar Hammerstein and, of course, Paul Robeson, [Ol' Man River](#) does keep rollin' along but he also does have something to say, and right now he is saying "make way" because there is more water coming. When you combine a river already past flood stage, new storms in the Great Plains and Ohio River with the [eve of hurricane season](#) you have the ingredients for an historic year for the Mississippi River. But not one you would want.

Since the federal government took over flood control on the Mississippi in 1928, the system has been challenged but it has never failed. But 2019 is unlike other years. They have never had to open the Bonnet Carre' spillway twice in one year. Until 2019. More than that, [it appears that the bigger spillway at Morganza will have to be opened](#) to prevent it from being overtopped and to create more room downstream. Keep in mind that Gulf storms can push water up the River, and, without more freeboard, the levees could overtop and even fail. In short, this is very serious business. Like all serious business, every benefit comes with a burden and the burden here will fall on those people, wildlife, and properties that take water so that others don't have to. That is people and wildlife in the Morganza floodway. That is the [fish, dolphins and fishers in Lake Pontchartrain and Mississippi Sound](#). We wish you all the best and we appreciate your sacrifices. But as [Washington DC struggles to gain ground on a major infrastructure program](#) we need to pay attention to what is happening on the Mississippi. This is what a major infrastructure program looks like. They are big and costly—in every sense of that word. They need to adapt to changing conditions and knowledge. They demand to be managed for clear purpose and for the long haul. And they need to be built on fairness. This what America should be looking at and learning from. And as the prospects dim yet again we need to [ask why we let it happen](#).

Big Water, Big News, Part 2: How 'bout Them Great Lakes

The Mississippi Valley is not the only place with beaucoup water this year. The Great Lakes (well, 3 out of 5) are a bit greater than they usually are thanks to rising water levels. [Lake levels in Lakes Superior, Erie and Ontario are at record levels, and Lakes Michigan and Huron are close](#). These are record levels, [not depths contrary to what some may say](#), which matters a lot to ships, boaters, and adjacent property owners. Getting to record water levels in big lakes is a longer term proposition than it is for rivers. The Great Lakes have been rising since 2013 following a very dry 15 year run. Regardless, whether it is Great Lakes or the Big River, "normal" is getting harder to find as extremes come to dominate. Maybe someone should study that. Oh wait, [they](#)

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:

[CRCL Shell-A-Bration](#)

May 24, 2019

New Orleans, LA

[Energy Smart Incentives Training](#)

May 30, 2019

New Orleans, LA

[CPRA Board Meeting](#)

June 19, 2019

Houma, LA

Water jobs:

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Organisation for Economic Co-operation and Development

Paris, France

[Senior and Associate Directors \(Policy and Government Relations\)](#)

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[did](#). Maybe a better question is, why more people aren't talking about that work as the rivers and lakes change around them. Apparently, [some things are just too inconvenient to discuss in polite company](#).

At Least the Beer is Cold and Clean

With all this talk about there being lots of water, it is still worth noting that all the water in the world won't do you much good if you can't drink it. The folks in Lake Elmo, Minnesota, have learned that, and they are trying to do something about it after several of the city's wells had to be shut down due to contamination. The contamination has been linked to chemicals produced by 3M Corporation. After several rounds of litigation, [3M and Lake Elmo have agreed to a settlement](#) that has 3M paying \$4.5 million in cash and property to the City. This comes a year after [3M agreed to pay the State of Minnesota \\$850 million](#) for similar damages.

We hope the money turns into drinkable water because in some places there isn't much money or water—at least for those on the low end of the economic ladder, even in California where access to water has been made a [human right](#). It turns out that noble proclamations don't by themselves make things better. It still takes money, will, and time. That is the most charitable explanation for why more than [300 public water utilities in California serving largely poor communities lack safe drinking water](#). Is it any wonder that some people choose beer over water? [Well, there are other reasons](#).