

# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy  
November 25, 2013

## Gulf Coast Wetland Loss Worse than Expected

The coastal wetlands of the contiguous United States disappeared at a faster rate from 2004-2009 than from 1998-2003. The [Gulf Coast suffered the most](#), losing twice as many acres than in the previous five-year study period and accounting for seventy-one percent of the total losses observed. Louisiana took the brunt of that loss, accounting for about a third of all Gulf Coast wetland loss. The [study](#) identifies a range of culprits – including Hurricanes Katrina, Rita, and Ike; oil, gas, and silvicultural (timber farming) operations; and rural and urban development. While the Atlantic and Pacific Coasts also suffered net wetland loss, the Great Lakes watersheds experienced a net gain through wetland reestablishment. This process of converting agricultural lands back to native wetlands has proved much more effective in the Great Lakes watersheds than in coastal watersheds.

## Rio's Water Pollution Potential "Main Event" in 2016 Olympics

Severe water contamination and pollution surround the future Olympic Park and several of the competition venues for the upcoming Summer Games. With nearly seventy-percent of its sewerage going untreated, Rio must conduct a significant [clean-up before playing host](#) to some of the world's best athletes. For example, the site for marathon swimming and the triathlon recently experienced a fecal coliform bacteria spike at sixteen times the Brazilian government's satisfactory level (which is a lower standard than its U.S. counterpart). Canoes and rowboats may be paddling through dead fish from fish die-offs, which occur often in Lagoa Rodrigo de Freitas. With time running out, Rio officials are concentrating their efforts on river treatment facilities and a fleet of garbage boats, which will remove trash and fecal matter before and after reaching the bays. While the gold medal in water quality seems beyond reach, let's see if Rio is able to muster a respectable performance.

## Water in Texas: Rice Farmers Nil, High Rollers Drill

The watershed surrounding Austin is suffering from three years of historically severe drought. The two reservoirs that serve the area have been dangerously low for several years running. Last week, the Lower Colorado River Authority, which distributes water flows from two reservoirs, passed an [emergency proposal](#) that will likely leave rice farmers dry for the third year in a row. Unless enough winter rain falls to fill the

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:

**December 3, 2013**

**3<sup>rd</sup> Water Resources Commission meeting**  
LaSalle Building  
Baton Rouge, LA

**February 21-23, 2014**

**Tulane Environmental Law Summit**  
Tulane Law School  
New Orleans, LA

## Tulane Institute on Water Resources Law & Policy

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

[http://www.law.tulane.edu/tlscenters/  
waterlaw/](http://www.law.tulane.edu/tlscenters/waterlaw/)

reservoirs halfway, most of the water will go to feed Austin's municipal water supply. The Town of Eagle Lake, where rice has been grown since the 1890s, is now on the brink of collapse. "This will become permanent and be a death blow to the rice industry," said a board member from Eagle Lake.

Meanwhile, Austin officials and conservationists are turning their focus to the lawns of certain well-to-do residents, which are healthy and green despite lawn-watering restrictions. For those that can afford it, which include the likes of UT football coach Mack Brown and Texas Attorney General Greg Abbott, [dropping wells into the Edwards Aquifer](#) is the logical solution to municipal water restrictions. Under Texas's "rule of capture," landowners can pump as much groundwater as they like so long as it isn't intentionally wasteful or malicious. The Edwards Aquifer is currently unmonitored, however, causing concern over the pumping's effect on the aquifer's capacity and on nearby river flows.

### **City of New Orleans Gets Tough on Sanitation Fee Collection**

The City of New Orleans passed a [new ordinance](#) allowing the Sewerage and Water Board to shut off a customer's water service for overdue sanitation bill payments. The City currently collects eighty-six percent of its sanitation fees, and the new ordinance could raise an additional \$1.2 million in uncollected revenue. City officials are quick to point out that programs to assist the elderly, poor, and disabled will remain in place. We're just happy the new ordinance doesn't involve brass knuckles.

### **On Second Thought: Australian Government Nixes Plans for Dumping Dredge Spoils on Great Barrier Reef**

A proposed \$400 million shipping lane through the Great Barrier Reef World Heritage Area would create about 12 million cubic meters of spoils, and the Gladstone Ports Corporation supported the offshore dumping of spoils to reclaim land for expanded port facilities. However last week, the Federal Environment Minister [restricted permissible spoil sites](#) to onshore locations, in a decision that environmentalists and reef users applaud. The decision could prevent the World Heritage Committee from placing the Reef on the "in-danger" list. Still, the proposed shipping lane presents environmental concerns even if the spoils are dumped onshore. These concerns include increased suspension of sediments that block light for marine organisms and greater underwater noise that impedes marine mammals' ability to feed and communicate.

### **Will Fire Hydrants Be Forced to Comply with Lead Standards?**

In the recently published guidance document on the Reduction of Lead in Drinking Water Act, the EPA found that all fire hydrants installed on or after January 2014 must be "lead free." The EPA based its decision not to exempt fire hydrants from this standard because they are sometimes used for drinking water in emergency situations. A [bipartisan bill](#) introduced in the House would amend the law to explicitly exempt fire hydrants. The lawmakers who introduced the bill believe that the EPA's application of the law would come at a [significant cost](#) to hydrant manufacturers and municipalities while affording none of the intended health benefits. Under the current law, shower valves are already exempt, so close your mouth in there.

### **Arctic Ocean Methane Releases Doubled from Previous Estimates**

In a [new study](#) released by the University of Alaska, Fairbanks and the Russian Academy of Sciences' Far Eastern Branch, a region of the Arctic Ocean is releasing twice as much methane as scientists previously thought. As the underwater permafrost thaws, methane deposits underneath bubble up to the surface and enter the atmosphere. The methane released is estimated at about the same as that released by the Arctic tundra. Scientists, however, are unsure about how long this process has been occurring and its overall effect on climate change.

### **USGS to Reinstate Reporting on Water Use for Electric Energy Production**

Monty Python is apparently not the only act to be coming back after long hiatus. After an eighteen year lull, the U.S. Geological Survey will resume "[reporting the amount of water consumed](#) in the production of thermoelectric power." Most of the water consumption occurs in either in the form of evaporation during the cooling process or as a byproduct in the production of electricity. While only a small percentage of water is actually consumed in the process, the sheer volume used makes the [consumption significant](#). However of greater significance hydrologists is the "updated method for estimating evaporation from surface water downstream." No word on whether all of this signals a reawakening of the Ministry of Funny Walks.