

# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy  
November 29, 2018

## Slurrrp

Tired of stories about rising seas and global peril? Same here, which is why we are delighted—yet somewhat perplexed—by the mystery of the [disappearing sea water](#). It seems that there is a hole in the bottom of the ocean and that the ocean is disappearing into it. Okay, that is overly simplistic. More accurately, according to a paper in the journal [Nature](#), there are places where one tectonic plate dives under another and takes sea water with it, but no one knows where it goes or what happens to it. Well, almost no one. [Jules Verne](#) had ideas, and you may recall a [paper in 2014](#) positing vast subterranean reservoirs some 400-600 km down which might figure in this somewhere. If you have ideas, we suggest that you write a grant proposal to the National Science Foundation or, in the alternative, bring them up at a family dinner. [Everyone will appreciate it](#).

## **4<sup>th</sup> National Climate Assessment Blues Fest**

Anyone hoping that the climate change news would get better under President Trump will be disappointed to see the [4<sup>th</sup> Annual Climate Assessment](#) that was just released under the auspices of the U.S. Global Change Research Program, an initiative that encompasses 13 federal departments and agencies (i.e. the Executive Branch sans the White House). The news is not good. In essence, things are going to get hotter, drier, wetter, and stormier. Seas are going to rise more and faster, and the economic impacts are going to be dire. Unless one chooses not to believe it, like a certain [resident of 1600 Pennsylvania Ave.](#) (at least regarding the economic implications). For our home turf in [coastal Louisiana](#), the stakes for picking up the pace of coastal restoration, relocation and/or adaption work have gotten higher, but, even with much vaunted changes to federal emergency response and water infrastructure law and policy, the [pace of scale and speed of change is out of scale to levels of action](#).

## **Bearing the Burdens of Water Management**

[Baby, its cold outside](#) but that doesn't mean you should hunker down and stay home. Water law and planning know no seasons and there are events and public hearings you might want to check out. Perhaps none more important than those coming up in [Maui](#) where [public hearings will be starting soon](#) as they update [the island's 20 year water plan](#). We are sure that these meetings will be [beneficial](#) to all regardless of where you are from.

## **Wetlands**

Wetlands are the [Rodney Dangerfield of ecosystems, they just can't get no respect](#). Or maybe they are just misunderstood.

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:**

[Coastal Law CLE](#)

March 14 & 15, 2019

New Orleans, LA

**Tulane Environmental Law Summit**

March 22 & 23, 2019

New Orleans, LA

## **Water jobs:**

[Water Policy Analyst](#)

Oregon Water Resources Department  
Salem, OR

[Values of Water Program Manager](#)

US Water Alliance

Oakland, CA or Washington, DC

[Urban Water Finance Manager](#)

World Resources Institute

Washington, DC

[Fellow, Water Justice Clinic](#)

UC Davis

Davis, CA

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Whatever the reason, they may be on a path to a lot less protection—and a lot more litigation—in Michigan. The reason is a proposed bill in the state Senate that would [raise the regulatory threshold from 5 acres to 10 acres, a change that some estimate would remove half a million acres of wetlands](#) from regulatory protection. In most states this would be less of an issue since federal agencies would still have regulatory say under the Clean Water Act. But maybe not in Michigan where federal regulatory role has been delegated to the state (a distinction it shares only with New Jersey). Which brings us to the litigation piece. Part of the deal when the feds delegated the program to the state was that Michigan would not offer a lesser level of protection. On its face, it sure seems arguable that the deregulation of hundreds of thousands of acres of wetlands does not square with federal law. We appreciate that wetlands are complex things and that people often have very different notions of what one is (though in the science realm there is a pretty strong consensus) so calm discourse and rational compromise are not always the order of the day. But if more people [took the time to know more about wetlands](#), maybe we would take better care of them so they can take better care of us.