

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy
July 3, 2019

Happy Birthday [America the beautiful](#), but Don't Go Near the Water

[Hey baby, it's the 4th of July](#) and it's time to pack up your kin and a picnic and [head to the beach](#) for [a party](#) where you can bake on the sand and scream at the kids to not let their toes touch the water. Wait, what was that? Well if you are headed to the Gulf of Mexico be ready for lots of beach closures due to fears of contamination that can lead to a bunch of bodily woes (such as rashes, diarrhea, and vomiting) and in [some cases death](#). Oh, and don't even think of eating seafood from those waters. Advisories and closures are going up from Florida to Texas and with it, understandably, questions about just what is causing all of this and what can be done about it. [Many fingers are being pointed at the massive amounts of Mississippi River water that are being shunted into Lake Pontchartrain through the Bonnet Carré Spillway](#) as part of the nation's flood protection system (which is doing that part of its job perfectly).

Are the spillway and freshwater the culprits? There certainly is a lot of river water and there is no question that it displaces fisheries and stresses fish, dolphins and people who make their livings off the water. But, the history of beach closures, the River and the estuaries of the Gulf suggest that there could be more to the picture. First, spillway or not, huge river flows are hitting the Gulf as they always have. Indeed, there was a natural crevasse (aka levee break) near Bonnet Carré in 1871 that was not closed until 1883, so occasional slugs of river water are not new. Second, the beach closures and advisories [range from Florida to Texas](#) making it hard to blame the River for it all. Third, the [frequency and severity of closures along the Gulf has been increasing in recent years regardless of whether the spillway was open](#). Fourth, maybe the problem is not just too much fresh water but too much polluted water—including the contaminants and hyper-nutrient loads now found in the Mississippi and other streams. Finally, the role [warming seas can play in fostering bacterial and algae growth](#) can be a contributing factor to the changes we are seeing in the Gulf.

This much is certain: there is no keeping the Mississippi River out of the Gulf, and there is little prospect of not operating spillways like the Bonnet Carré when they are needed to protect lives, communities and assets vital to the nation's economy. Since those are certainties, what are the possibilities? First and foremost, why not get serious about reducing pollution nutrient levels in our rivers and streams? A starting point could be to get [EPA's Mississippi River/Gulf of Mexico Hypoxia Task Force](#) to actually find ways of reducing hypoxia. Or maybe replace it with a Mississippi River/Gulf of Mexico Hypoxia Reduction Task Force. That would have to start with Louisiana demanding it. Since the Task Force was created in 1997 the nutrient

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:

[Governor's Advisory Commission Meetings](#)
July 8th and 10th, 2019; Baton Rouge, LA

[CPRA Board Meeting](#)
July 17, 2019; Baton Rouge, LA

[National Marine Educators Conference](#)
July 22-25, 2019; Durham, NH

[LA Wildlife & Fisheries Commission Meeting](#)
August 1, 2019; Baton Rouge, LA

[Impacts of Oil Spills on Underdog Species](#)
August 13, 2019; Lacombe, LA

Water jobs:

[NEPA Advocate](#)
EarthJustice
Washington, DC

[Postdoctoral Scholar](#)
University of California, Irvine
Irvine, CA

[Post-Graduate Fellow](#)
Virginia Coastal Policy Center
Williamsburg, VA

[Senior Environmental Specialist](#)
The World Bank; Washington, DC

[Research Associate](#)
George Washington University
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loads in the River and the hypoxic zone off the mouth of the River have actually increased. At the end of the day, things won't get better unless people make them get better. For Louisiana the stakes could not be higher. Her well-being and future depend on how the River is used, whether to avoid flooding or to save what can be saved of her coast. That will require a river that is fit to use and that people believe is fit to use. This summer is proving that neither can be presumed.

The Lion, the Witch and the Drinking Fountain

When the going gets tough, the tough get thirsty, which explains why the Pentagon has (reportedly) 685 drinking fountains. Of all those fountains, one stands out above the rest, a *fountain* among fountains. What makes it so special that it is celebrated with a plaque and is the subject of an [inordinate amount of discussion and speculation?](#) Apparently nothing other than it is purple. Really. [Purple](#). The fascination with nonconformity is nothing new as questions about the hows and whys of the purple enigma have been raised repeatedly in the past, at least in [2016](#), and [2008](#). Does it link to another purple drinking fountain in the Kremlin, or possibly [Narnia?](#) No answers yet but there are legends linked to it. According to the plaque, its "waters bring enlightenment" to those who drink from it, and it stands outside the Air Force Council room as a "testament to war-fighting common sense." Which explains why the fountain is disconnected and kept behind a Plexiglas wall. This isn't the only strange water news coming out of DC this week: [Water Bar DC is slated open on July 4](#). We knew water was powerful but had no idea how powerful.

What the Hail is Going On?

This summer has seen freaky heatwaves, floods, and record water levels in the Mississippi River, but nothing has been freakier than the [flood that hit Guadalajara Mexico this week](#)—a flood not from rain but from ice. That's right, ice in the form of hail covered parts of the otherwise sizzling city under 3 feet of frozen water. If that were not enough, all that ice turns into torrents of water when the sun comes back out and temperatures climb back into the 90s (Fahrenheit; mid 30s Celsius). To be sure, this is not an everyday event, but it does demonstrate the challenges facing water and hazards managers who are having to adjust to their efforts to unprecedented risk scenarios. Or as Governor Enrique Alfaro Ramirez [tweeted](#), "Hail more than a meter high and we wonder if climate change exists." It will take more than one hail storm to prove that point, but it is increasingly clear that change is afoot and pressure is mounting to act to deal with it.

From the Halls of Montezuma(ish) to the Shores of Tripoli

Massive hail storms in Mexico are rare and note-worthy freaks of nature but half way around the globe the water news from Libya is sadly common place and clearly the work of human hands. In case you missed it—which could easily have happened in the face of bigger news on the [Taylor Swift](#) and [World Cup](#) fronts—water supply is becoming a bigger and bigger problem in the fractious North African country. [Conflict between competing regimes in Eastern and Western Libya, looting and the general decline of public services since the collapse of the Col. Muammar Ghaddafi government eight years ago now has much of the country facing daily water shortages.](#) Not so long ago, aggressive desalination and aquifer pumping provided a reasonably secure supply of water across Libya, but no more. As a result the complex array of pipelines, wells and water treatment plants has largely collapsed leaving many communities, including the capital city of Tripoli, effectively without a water supply—and what remains is often too contaminated to drink. That all of this can happen in an oil rich nation that should have the capacity to do better is telling. Indeed, that oil is one of the reasons for those water woes since factions fighting over control of the oil sap resources away from public works and often actually destroy water infrastructure in order exert leverage over their opponents. If it were not for the efforts of the United Nations to supply water the situation would be far worse. Water note: anytime you are depending on the UN as your water supply, you and yours are in real trouble.