

# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy  
February 17, 2016

## Be There or Be Square: Tulane Environmental Law Summit XXI

It's time again to pack up the babies and grab the old ladies and head to that event that headlines New Orleans' calendar between Mardi Gras and Jazz Fest. No it's not [Brother Love's Travelling Salvation Show](#). Even better, it's the [21<sup>st</sup> Annual Tulane Environmental Law Summit](#). For two fabulous days, February 19 and 20, you can meet, greet, and learn from a stunning array of speakers, panels, and attendees. If the sessions and [keynoters](#) Vicki Arroyo and Hilary Tompkins are not incentive enough consider this: It is free. Of course if you are a lawyer looking for Continuing Legal Education there is a modest charge, but when isn't there? So make plans now to be there. You will be glad you did. We even promise to notice the bored look in your eye when we get a little too excited to talk water with you.

## Forget About it Jake, Its Hoboken

Water makes people think and act in puzzling ways, and not just in [Chinatown](#). But when nature whacks communities you can count on three things. People will not like it, not one little bit. People will demand action. And some people will not like the planned actions, not one little bit. Case in point, [Hoboken, NJ](#) (don't click on that one. We're warning you.).

Hoboken took [lots of water](#) in Superstorm Sandy and with rising seas the prospect for future flooding only goes up. City leaders responded by bringing in international experts to help them develop a [new-fangled resilience based approach](#) to managing water. The plan was rewarded with a [\\$230 million grant](#) from the federal government. Things were rolling then they started rocking when some locals got better-acquainted with one aspect of the plan, namely a wall that would from a water resistant perimeter to protect much of the city. And [they didn't like it](#), not one little bit. How big a wall? That's not clear. Would the waters just be deflected somewhere else? At some point probably. Will the risk of flooding be higher without some sort of wall/berm? Almost certainly. Is there a lesson here? At the least it is a reminder of the difference between planning and doing. Getting public attention is a whole lot easier to get when the implementation money shows up. Or when the flood waters return, which they will. Good luck, Hoboken.

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:

### [Tulane Environmental Law Summit](#)

New Orleans, LA

February 19-20, 2016

### [Center for Natural Resource Economics & Policy](#)

New Orleans, LA

March 20-22, 2016

### [River Rally](#)

Mobile, AL

May 20-23, 2016

### [State of the Coast 2016](#)

New Orleans, LA

June 1-3, 2016

### [Summit on Coastal and Estuarine Restoration](#)

New Orleans, LA

December 10-15, 2016

## Water jobs:

### [Clean Water Advocate](#)

Environment America

### [Staff Attorney](#)

Tennessee Clean Water Network

Knoxville, TN

### [Assistant Water Program Leader](#)

Forest Service

Washington, D.C.

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## Whoa Nelly! Court Puts Breaks on Use of BP Funds for Hotel

Once upon a time Alabama's Gulf State Park had a lodge where families could stay when frolicking in the Gulf. But Hurricane Ivan blew it away in 2004. Once upon another time oil and other stuff from the infamous *Deepwater Horizon* spill oiled beaches, birds and sea life along the 'Bama coast. So when the State of Alabama got a check from BP to begin funding the restoration of the natural resources and public amenities that it has hurt with its oil, Alabama, supported by the Natural Resource Damage Assessment trustees (Gulf States and Federal agencies) who had the final say, decided the thing to do was to build a new hotel and convention facility with that money. Since there had been no hotel and since the birds and fish didn't seem to need one either, this raised some eyebrows.

Eventually, the Gulf Restoration Network filed federal law suit challenging the trustees' decision to all the funds to be used that way, at least without actually considering other ideas that might have actually done something for the natural resources damaged by the spill. Now a Federal District Court has [agreed](#) with GRN and has ordered the state and the trustees back to the drawing board. Undaunted, Cooper Shattuck, a spokesperson for the hotel project, is reported as saying, "While we are disappointed with Judge Butler's decision, it will not impede our progress at the park. There are other funds available for the continued work on the lodge that do not include tax payer dollars." So maybe now families can stay in air-conditioned comfort at a new lodge and enjoy the benefits that come from BP dollars actually being used to improve the health of the Gulf. Sometimes the world works in wonderful ways.