

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy
November 1, 2016

Remember the Maine!

Or at least a [trial](#) in Maine that is about to begin unless something changes real soon. That is because Maine is where Ralph Lancaster, the Special Master appointed by the United States Supreme Court, is about to conduct a trial over the flows of the Apalachicola River, a river shared by Florida and Georgia (with some input from Alabama's Chattahoochee River to boot). Florida has long contended that Georgia use (over use it says) of the River's flows is starving the Apalachicola Bay estuary and triggering the collapse of its fisheries and [tourism](#) which are big drivers of the region's economy and natural heritage. Georgia of course says it is doing no such thing and that the Bay's woes come from any number of other things, including Florida's own mismanagement of its fisheries. With [so much at stake](#), so much conflicting evidence, and so many competing interests (Atlanta's growth v oystering just to begin with) this figures to be a wild ride and one that leaves one or both states ruing the day they let things get this far, at least so said Special Master Lancaster in a recent effort to get the states to find a way to settle their differences. These fights turn on equity more than law so outcomes are hard to predict. The only metric we have found so far is a very unscientific one based on YouTube downloads of [Apalachicola v Georgia](#) (on My Mind) and it would suggest that the Special Master might be on to something. For a more detailed understanding of the case, check out the [SCOTUSblog](#).

[You Is Kind, You Is Smart, You Is Important](#)

We here in Louisiana already know how important the Gulf is, not only to us but to the entire country. But, just in case we didn't, the Feds have decided to remind us. As RESTORE dollars are beginning to translate into actual projects, [USDA](#) and the [Council on Environmental Quality](#) have renewed their commitment to working collaboratively with Gulf Coast states on coastal restoration. And an even bigger pat on the back came from the folks at EPA, who awarded a [\\$14.6 million dollar grant](#) to fund clean water projects in Louisiana, specifically focused on wastewater and sewage. This is a great opportunity for Louisiana communities to proactively

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:

[CPEX 2016 Louisiana Smart Growth Summit](#)

Baton Rouge, LA

November 1-2, 2016

[The 19th Annual Conference on Litigating Takings Challenges to Land Use and Environmental Regulations](#)

New Orleans, LA

November 4, 2016

[RAE/The Coastal Society Summit on Coastal and Estuarine Restoration](#)

New Orleans, LA

December 10-15, 2016

Water jobs:

[Water Program Senior Research Associate](#)

The Pacific Institute

Oakland, CA

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prioritize what our future looks like to us. Stay tuned in the coming weeks and months as we see these plans turn into reality.

Mni Wiconi, Water is Life.

As the highly contested Dakota Access Pipeline approaches the Missouri River, the protester's urgency to stop the pipeline has increased. The protestors, calling themselves "[water protectors](#)", have been fighting against the construction of the pipeline for quite some time now. Many see this as the last chance to stop the pipeline, [which has already proceeded across Sicangu Lakota tribe burial grounds](#). The Standing Rock Sioux, the tribe whose reservation the pipeline is crossing, are encouraging US policy makers and others to [think of future generations](#), while oil and gas see this as the most logical path for a needed resource that will create jobs. In recent days, the protests have turned violent, with as many as 147 arrests and accusations of police brutality, while many North Dakotans find the protests [more disruptive than productive](#). Whichever side you fall on, it is clear that this struggle is turning into a salient symbol of what future indigenous rights and climate change activism will look like.

Lead in the Water, Pt. 2

Pittsburgh has been making headlines recently, and it's not for their [dazzling skyline](#). In a major "whoops", the private company, Veolia ([the same company managing New Orleans](#)), managing the city's water resources has increased the lead levels in the water over the last 12 years to nearly 1.5 times the legal limit. [Water is coming out brown, murky, and costing much more than it used to](#). As should be expected, people are not happy. Sources are noting that improperly treated wastewater from fracking is playing a major part in contaminating the drinking water. Given that a recent [report](#) found that only 23% of North Americans know that [one in ten individuals is affected by unsafe drinking water](#), this should open some eyes. Pittsburgh appears to be considering legal action against Veolia, who did not inform the state of this condition in a timely manner.