



TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy
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Laying Some Information on You

Nobody likes wasting money, but with it being currently in [vogue](#) to consider all sorts of expenditures of public funds as not only wasteful, but the stuff of fraud and abuse, how is a person to know where the line between bogus and legitimately beneficial is? For most mortals, the answer is that you can't be sure, which is why guidance from informed sources is something to appreciate. In case you have been wondering if coastal restoration efforts are worthwhile and deserving of public support, the folks at Restore America's Estuaries have heard you and, in response, have prepared this helpful report: [Jobs and Dollars: How Restoration Benefits Coastal Economies ~ Restore America's Estuaries](#). It probably won't unite a divided America, but if it provides some meaningful context for rational discussion, we are happy to see it.

Maybe Justice Alito was Right (At Least in St. James Parish)

Sure, the Clean Water Act's reach has been dialed back, and maybe the State of Louisiana has no generally applicable laws protecting wetlands and waters, but does that mean you can do whatever you want in the wetlands of the state? The answer to that is apparently "no," according to the Louisiana 5th Circuit Court of Appeal—if those wetlands happen to be in St. James Parish, Louisiana, where there's an ordinance restricting activities in wetlands. This all came about because [Koch Methanol](#) sought a land use permit to install an ethanol pipeline in a designated wetland in order to connect with another pipeline (not one owned by Koch) that already exists in the wetland.

The Parish land use ordinance lists a number of things that can be done in the wetlands without a rigorous "[Tier 3](#)" review, but installing pipelines is not on that list. Nonetheless, the [Parish approved the project without the Tier 3 review](#) because, after all, there was already a pipeline in the wetlands, and because, well, it didn't really think the ordinance meant to actually prohibit this sort of thing. The people in the [Rise St. James organization](#), which challenged the Parish, thought otherwise. So did the Court of Appeals, [which ruled that the Parish had failed to follow its own ordinance](#) prioritizing the protection of the wetland and that it didn't have the latitude to approve the Koch project without the "rigorous Tier 3 review". So maybe that's what Justice Alito, the author of the majority opinion in the U.S. Supreme Court's decision in *Sackett v. EPA* (which narrowed the definition of what waters and wetlands qualify as Waters of the United States under the Clean Water Act), meant when he noted that the ruling did not mean that wetlands did not deserve protection, just that state and local governments could do it. Of course, that doesn't mean they can or will, but the message from St. James Parish, Louisiana, is that it can happen. We would be remiss in not mentioning that the Court of Appeals wouldn't have had the chance to make sure the ordinance was properly interpreted and applied if [Rise](#)

[St. James](#) had not stepped up, and had they not been represented by good lawyers—in this case the students and supervising attorneys at the [Tulane Environmental Law Clinic](#).

So Long, Farewell, Auf Wiedersehen, Adieu

The end of the academic year is a bittersweet time on college campuses across the country. Here at the Institute, where we rely heavily on an amazing variety of student researchers to help us keep tabs on all things water law, it is our second Thanksgiving. The past semester flew by for many reasons but a big one is that we were just busy working with a really great team. Whatever we do well is in large measure because of our and their hard work. They work mostly behind the scenes, but we'd like to take a moment to say [thank you](#) and pull back the curtain and let them take a bow. So, [thank you and Godspeed](#) to:

- 💧 [Alex Makoid](#) – Graduating Tulane senior with majors in Environmental Studies and Communications. Oh, and did we mention Alex was on the sailing team? The love for water truly runs deep here.
- 💧 [Margaret Easley](#) – Graduating Tulane senior double majoring in Psychology and Political Science who will begin teaching this fall!
- 💧 [Naomi Hodges](#) – Graduating from Tulane Law School tomorrow with experience at both Tulane's Legislative Clinic and the Environmental Law Clinic.
- 💧 [Becca Ciarochi](#) – Rising junior at Tulane University majoring in Legal Studies in Business
- 💧 [Malai Harrington](#) – Rising junior at Tulane majoring in Earth & Environmental Sciences.
- 💧 [Lila Duarte](#) – Rising junior at Tulane double majoring in Political Economy and Environmental Studies with a minor in Native American and Indigenous Studies.
- 💧 [Navya Kolli](#) – Rising 3L at Tulane Law School and incoming Editor in Chief for Tulane's Journal of Technology & Intellectual Property.
- 💧 [Holly Haney](#) – Rising 3L at Tulane Law School with leadership positions in the Entertainment & Art Law Society and Technology & Intellectual Property Society.

Coming Up:

[State of the Coast](#)

May 20-22, 2025; New Orleans, LA

[71ST Annual Natural Resources & Energy Law Institute](#)

July 17-19, 2025; Whistler, British Columbia

Water jobs:

[Senior Natural Resources Specialist](#); University of Texas; Austin, TX

[Senior Programme Manager \[Adaptation\]](#); UN Office for Project Services;
New York, NY

[Intern, Water Policy](#); Elevate;
Chicago, IL



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 legal stewardship of water.

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