

# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy  
May 20, 2022

## [Send Me the Bill](#)

H.R. 7776, the “[Water Resources Development Act of 2022](#)” (WRDA) made its way to the House Transportation and Infrastructure Committee this week. [Opening remarks](#) are already up for your enjoyment! The [WRDA bill](#) contains provisions that would enhance maintenance of the infrastructure surrounding the Great Lakes, address flooding, prioritize coastal management, and elevate some of the Army Corps of Engineers’ levee authorities. Elevate. Levees. Flood. [Get it?](#) It’s one of two similar bills dealing with water resources management (our specialty!); the other being the “Shoreline Health Oversight, Restoration, Resilience, and Enhancement (SHORRE) Act.” However, there are some differences between the two versions. The House draft doesn’t require the creation of an advisory committee that includes tribal and economically disadvantaged communities, and it authorizes more feasibility studies than the Senate bill.

Back at home, Governor Edwards signed [several bills](#) that came from the 2022 Legislative Session. A huge chunk of these concern environmental issues, such as SB 245, which provides for the Orphan Well Program, SB 27, which reincorporates the Department of Environmental Quality, and SB 270, which addresses the retainment and removal of invasive fish species. The session isn’t over, though. There will be plenty more coming out of Baton Rouge in coming weeks. [Stay frosty.](#)

## [Here Come the Heat Waves](#)

It’s the third week of May and for plenty of the tropical and subtropical Northern Hemisphere that means heat. Even [Jazz Fest weekend temperatures](#) were record-breaking. Thankfully, water and shade were easily accessible, which provided a [much-appreciated reprieve](#) from the sun.

However, not everyone in the world can be so lucky, and rising temperatures plus water scarcity are a recipe for disaster. In Rajasthan, India, where the topography is a mix of inhabitable desert to the northwest of the Aravalli Mountain range and more fertile, forested regions to the southwest, heat waves are a common thing. While the state has an arid climate to begin with, which means temps are either [blazing hot or freezing cold](#) and can regularly reach 113 degrees Fahrenheit, climate change is exacerbating the harsh conditions of life there. For residents in the Pali district, there’s only one water source—[trains](#) that deliver water supplied from [surface water \(in-state and out of state\) and groundwater](#) to areas that don’t have a direct water line to their homes.

Actually, India, as a whole is experiencing water stress. Comprising 18% of the human population and 15% of the world’s livestock, the

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.

## Coming Up:

*Got some events? Send them our way!*

## Water jobs:

[Sportsmen Outreach Coordinator](#); National Wildlife Federation; New Orleans, LA

[Lead Technology and Innovation Programs](#); Environmental Law Institute; Washington, DC

[Fellowship for Climate Change and Environmental Professionals](#); Atlas Corps; USA

[Colorado Water Center Associate Director](#); Colorado State University; Fort Collins, CO

Expert@ en Derecho Ambiental; American Bar Association; [Honduras](#), [El Salvador](#), and [Guatemala](#)

[Legislative Analyst, Coastal and Flood Resilience](#); Environmental Defense Fund; Washington, DC

[Manager, Resilient Fisheries Policy](#); Environmental Defense Fund; Remote

[Associate Attorney](#); Sher Edling LLP; San Francisco, CA

[Legal and Policy Intern](#); the Water Institute of the Gulf; Baton Rouge, LA

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country has only 4% of the Earth's freshwater. Demand drastically outpaces supply, and we all by now know the consequences of that. This issue is exacerbated by the lack of water resources regulation in the country and infrastructure to make drinking water more available. Really, though, that's easier said than done. Similar to the U.S., India uses a sort of federalism, in which there is a Union government and state and local governments. Water management is a state subject (similar to state police powers), which means their regulations can't extend beyond their borders. This creates difficulties, as the climate and resources vary across different regions and different states had different priorities when it comes to their water strategies. So, while one area bakes, the other might be [flooding](#). Sound familiar?

This would be fine if water was stagnant and respected political boundaries, but we all know that's not the case. Water flows where it will, without consideration of human-drawn lines, and the way water is managed in one region can affect a region hundreds of miles away. [Just ask Colorado and Nebraska](#). Not to mention [the rest of the Western United States](#). Taking this as a [sign of the times](#), the Indian government has [proposed a National Water Policy](#) to coordinate planning, management and water use with a national perspective. It's pretty reminiscent of what Louisiana is trying to do with the [Watershed Initiative](#), which by the way, is currently making its way through the Senate as [SB 414](#). Let's hope for success on both fronts.

### **This Water is Juuust Right**

Louisiana is not what it used to be 50, 75, 100 years ago. But then again, neither are most of us. Maybe we've [lost some weight](#). Maybe we've [gotten a little shorter](#). Or even changed [what we put into our bodies](#). The state's coast has altered over the decades, and with it so have its ecosystems. It's just not the same [as it was](#). Saltwater intrusion over time modifies the species of animals that live in what used to be freshwater. Consider oysters, for example. The Goldilocks of bivalves. They [adore](#) cool, brackish water. If the water is too warm, they die; if the salinity is too low, development is inhibited; but if the salinity is too high, they get diseases. Because of the eroding coast and intruding saltwater from the Gulf, oysters are currently found in areas closer to the Barataria Basin than they were prior to construction of the levees along the Mississippi River. However, because the Mid-Barataria Diversion Project would release freshwater into the basin, depositing sediment and creating wetlands, the oyster habitats would be pushed out farther. Needless to say, this was a concern for fishermen [when the news came out](#), and it's a concern now. So, does that mean we can say goodbye to these demanding delicacies? Not if ULL and LSU have anything to say about it. The [University of Louisiana at Lafayette is heading a research initiative](#) to improve oysters' capabilities to survive in low-salinity environments. They'll be studying the oyster life cycle as the oysters are exposed to induced stressors, and then selectively breeding the ones that are able to grow in unfavorable conditions. Being able to grow oysters that can survive in adverse conditions could be a game-changer. Not only would it mitigate some of the negative impacts of the Mid-Barataria project, it'll build up the oyster population, which helps filter the water and build habitats for other marine species.

### **[Gimme Some More Climate Change Songs!](#)**

We're still on the hunt for songs for our next [themed playlist](#). We've gotten a few suggestions for climate change songs, but we need more! So keep your ears open for any songs you think fit the bill and send 'em over to [cdalbom@tulane.edu](mailto:cdalbom@tulane.edu). Maybe they're your favorites, maybe they're your least favorites—either way, he'll listen to them all! Even the new Harry Styles album.