

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy
March 15, 2019

Water, Water Everywhere...

But only half gets to your sink, if you live in New Orleans that is. According to a [report](#) from a [green eyeshade](#) gang hired by the New Orleans Sewerage and Water Board, more than half of the water the utility treats and sends out never makes it to the target taps. That means more than 82 million gallons of [water goes AWOL](#). The culprit(s)? In this case, you can [round up the usual suspects—old and cracked pipes, shifting soils, and deferred maintenance—lots of deferred maintenance](#). More than half of the city's 1,500 thousand miles of pipes are over 100 years old and it asking a lot of anything to perform like their younger selves when you get to be to be 100. Age is compounded by the fact that the city is sinking, but at variable rates. Finally, there is the history of doing nothing—not much anyway—to address the situation. From spotty monitoring and record keeping to a practice of replacing pipes at a glacial pace (10 miles over the past 25 years) you see how this can happen. Of course, a big part of the reason is that pumping an excess of treated water is lot less expensive than fixing things and being efficient, and [nobody wants to pay the price](#) for maintenance, anyways. Before our nonlocal readers roll their eyes smugly at the Crescent City, just remember that [subsidence and crummy water management are more common than you may think](#). You probably just don't have 82 million gallons a day to waste.

Hope Springs Eternal--

Could deliverance be on the way for New Orleans and other places with crumbling infrastructure? Is it time for the massive investment in roads, bridges, and water? The [White House budget](#) for FY 2020 sounds mighty tempting, at least on that score. While proposing cuts to many programs the budget asks Congress to provide \$200 billion as a down payment toward an ultimate \$1.5 trillion national (not just federal) investment. The devil however is the details—or more accurately in the lack of details. The White House is leaving it up to Congress to figure out where those dollars will come from and remains unclear how—or why—state and local governments and the private sector would pony up the rest. Keep in mind, depending the kind of project one is talking about, the federal government puts only a portion of the money and someone else—looking at you state and local governments—have to raise the rest. It will be hard for Congress to come up with its \$200 billion and even harder for those nonfederal actors to find the dollars—at least according to history and [report issued by the Wharton School of Business at University of Pennsylvania](#) last year. Yes that report looked at last year's budget proposal but things are not so very different this year. So while 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 stewardship of water.

Coming up:

[Tulane Environmental Law Summit](#)
March 22-23, 2019
New Orleans, LA

Water jobs:

[Fellowship](#)
Environmental Protection Agency
Washington, DC

[Climate Policy Associate](#)
The Nature Conservancy
Arlington, VA

[Clinical Teaching Fellow](#)
UC Berkeley Environmental Law Clinic
Berkeley, CA

[Postdoctoral Researcher](#)
US Department of Agriculture
Research Triangle Park, NC

Tulane Institute
on Water Resources Law & Policy

6325 Freret Street, 1st Floor
New Orleans, LA 70118
504-865-5982

tulanewater.org

TWITTER: [@TulaneWaterLaw](https://twitter.com/TulaneWaterLaw)

President proposes and Congress (and states) disposes, anyone expecting this budget proposal to get legs soon probably supposes—[like Moses with his toeses](#)—erroneously.

Feds Crash Boston “Tea” Party

What’s the big deal? After all, isn’t [dumping stuff into Boston Harbor without permission pretty much a patriotic act](#)? If so, maybe the City of Quincy, Massachusetts just thought they were revolutionary reenactors when they dumped sewage and untreated waste water into Boston Harbor. After, who is to say exactly what is and isn’t “tea” anymore? As it turns out, the US EPA and the Department of Justice say that sewage isn’t tea and that regardless it is a [violation of the Clean Water Act](#). The discharges only went on for 9 years apparently (2009-2018) so that puts the City (and its rate/taxpayers) on the hook for \$37,500 for each day of noncompliance before November 2, 2015 and \$54,833 for each day since. Now, that is a lot of green tea.

Come One, Come All: 24th (First) Annual Tulane Environmental Law and Policy Summit

Carnival is over. Bomb cyclones are making life rotten. And the shift to Daylight Savings Time has left you tired and grumpy. Admit it, you want something to give purpose and joy to your life. Ideally something free. The students in Tulane’s Energy and Environmental Law Society have just the ticket. Come to New Orleans and Tulane Law School on March 22 and 23 for the [Annual Environmental Law and Policy Summit](#) to soak up the knowledge and companionship—at no charge!. For you lawyers, pick up some Continuing Legal Education credit in the process (for a modest charge). You won’t regret it. Did we mention that it is free?