

# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy  
October 20, 2015

## Multiple Pivot Points for Louisiana Water and Coast This Week

On Wednesday, October 21<sup>st</sup>, the board of the Louisiana Coastal Protection and Restoration Authority (CPRA) will [meet](#) to review the agency's studies of proposed Mississippi River diversion projects and their impacts. The board will then decide whether or not to go ahead with the projects and take them to the design and engineering stage. The diversions are the centerpiece projects of the state's 2012 Coastal Master Plan, but have also been the [most controversial](#) aspect of the plan. Given that the state has access to \$1.2 billion that can only be used on river diversions or barrier islands, and that the alternative to diversions, dredging, is [hampered](#) by high costs, temporary gains and [limited equipment](#) in the Gulf, the decision made by the CPRA board this week will indicate just how serious the state is about coastal restoration.

Also on tap this week is the primary for the Louisiana gubernatorial election (as well as other statewide and local positions). The state has used post-Katrina momentum to move the ball forward on coastal restoration and water management for these past ten years, and the next administration will [need to continue](#) the process and even accelerate it. Election Day in the state's [jungle primary](#) is Saturday, October 24. It is open to all voters, and determines who makes the runoff election between the top two candidates (or if the runoff is even necessary should one candidate get more than 50% of the votes). So, who to vote for? We won't pretend to tell you that, but we would point you towards the candidates' positions on [coastal issues](#) and note that the ability to cooperate and coordinate with other states as well as a myriad of federal entities appears to be a vital skill for both specific coastal programs like [CWPPRA](#) and all the post-*Deepwater Horizon* pots, buckets, funds, alliances, institutes, centers, and councils.

## Mississippi River System Brings Home D+ Report Card, Expects to Lose Computer Game Privileges

The America's Watershed Initiative, a basin-wide group of business leaders, politicians, environmentalists, and academics, has tallied up the Mississippi River's exams, homework, and quizzes and found the system to be just [a shade above failing](#). The group released [the System's report card](#) last week and scored both individual aspects of the system – water quality, flood protection, transportation, and

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:

[State of the Coast: Call for Abstracts and Session Proposals](#)

Open until Nov. 30, 2015

[Online Here](#)

[A Conversation with Kai Erikson](#)

October 26, 2015

Tulane University, Goldring/Woldenberg Hall II, Room 1111

Free and open to the public

## Water jobs:

[Data Analyst](#)

The Data Center  
New Orleans, LA

[James McCulloch Chair in Energy Law](#)

Tulane University Law School  
New Orleans, LA

[Restoration Programs Director, Habitat Restoration Program Coordinator, Science/Technical Director](#)

Coalition to Restore Coastal Louisiana  
Baton Rouge, LA

[Virginia Energy Attorney](#)

Southern Environmental Law Center  
Charlottesville, VA

[MRD & Natural Infrastructure Economist](#)

(Two Year Postdoc Position)

Environmental Defense Fund

Washington, DC, New York City, or Boston, MA

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more – and major sub-basins within the system. While some basins did well in some aspects (way to support fishing and hunting, Lower Mississippi River!), on the whole, the system came away with just a D+ grade. Although it is important that the poor state of the system is publicized, this news likely did not come as a shock to close observers. What may be more useful is seeing how the grades change in coming years. One of the world's great river basins shouldn't be functioning at a [Tommy Boy level](#). If its grades don't improve, the Mississippi River System may never get its gaming privileges back, and its [League of Legends](#) team might just have to move on without it. Let's at least shoot for a [C+](#) next time, eh, big guy?

### **Flint, MI, and the Need for Lead and Copper Rule Revisions**

Flint, MI has been the [center of attention](#) lately due to a spike of lead in drinking water and childhood lead poisoning cases. What many don't realize is that Flint's water utility passed its compliance testing requirements for the EPA's Lead and Copper Rule (LCR) with flying colors before this spike was revealed by researchers at Virginia Tech. There are several issues at hand, including lack of corrosion control plans, lack of regulatory oversight, and weaknesses in the EPA's Lead and Copper Rule, like those that permit the use of inadequate sampling regimes.

These issues came to the attention of Dr. Adrienne Katner at LSU Health Sciences Center while she was employed with the Louisiana Office of Public Health. The high rates of childhood lead poisoning in New Orleans and large proportion of samples with detectable lead in New Orleans drinking water led to her current research - an investigation of drinking water lead levels in the city. Her preliminary results indicate most homes in the New Orleans area exceed health-based guidelines, and that prevailing recommendations for reducing exposures may actually be inadvertently increasing exposure. She is offering free water testing to families residing in old homes (pre-1930), who drink or cook with unfiltered tap water, and who have vulnerable individuals in the home (children, pregnant women, women of child-bearing age and the elderly). She is especially interested in recruiting homes that may have lead service lines. If interested in seeing if you qualify for free water testing, contact Dr. Katner at: [leadstudy@lsuhsc.edu](mailto:leadstudy@lsuhsc.edu) or (504)568-5942.

### **It's Just a Weird Time for Dams**

They can make large amounts of energy without burning carbon. They can store water from times of plenty for times of drought and prevent regular flooding to make flood plain development more possible. Yet, they seem to have a heavy consequence on migratory species. They stop needed sediments from reaching downstream. They're costly to operate and maintain, often long after their intended purpose has run its course. When they fail, they do so spectacularly and with great consequence. So where does this leave countries and states in terms of their water policy? It's a mixed bag.

Heavy rain caused dozens of dam failures in [South Carolina](#) this month. Dams are being removed [across the United States](#). Yet, Texas has a bunch of reservoirs and wants to dedicate a large part of its [water fund](#) and [plan](#) to [building more](#). [Mississippi](#) is considering a new dam on its largest river (non-Mississippi River division). China seems to have a [fixation](#) with building massive dams that goes back millennia. Maybe, just maybe, it would have been better to just let beavers do the job they've been doing for millions of years. Some in [California](#) think so, apparently. Maybe Texas is next. Texans already display a fervent [fondness](#) for the [creature](#).