



# TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy  
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November 22, 2024

## A Funny Thing Happened on the Way to Reconnecting a River to its Delta...

“We are living in a historic moment, one that presents us with a stark choice: either make the bold and difficult decisions that will preserve our state’s future, or cling to the status quo and allow coastal Louisiana and its communities to wash away before our eyes.” That is from the executive summary of 2007’s *Integrated Ecosystem Restoration and Hurricane Protection: Louisiana’s Comprehensive Master Plan for a Sustainable Coast*.

Louisiana’s Legislature passed Act 8 in November 2005, creating the Coastal Protection and Restoration Authority and launching Louisiana on a trajectory to become one of the leading lights in coastal planning and projects. The [2007 Master Plan](#) was the new Authority’s first major foray into determining what would be the future of Louisiana’s coast, which was still in the early stages of a long recovery from Hurricanes Katrina and Rita. To be fair, the 2007 Plan was determining the plan for a plan. Later came the 2012 plan, which contained scores of projects designed to protect, preserve, recreate, or just plain save as much of Louisiana’s economy and culture that depend on its coast as possible. Those projects, with the input of countless public meetings, were determined by scientists (both physical and social), engineers, and planners to have the greatest impact and greatest return on investment.

That Act 8 from back in 2005 was designed to keep the coastal work, its Annual Plans, and its periodic Master Plans free from political interference. After all, making “bold and difficult decisions” isn’t often the result of political strategizing. For nearly twenty years, through the Blanco, Jindal, and Edwards administrations, Act 8 largely succeeded in that goal. And, largely shielded from political interference, from at least [2012](#) onward, the science-based decisionmaking process kept the Mid-Barataria Sediment Diversion (MBSD) as perhaps the single largest and most impactful project in that vision for saving as much of Louisiana’s coast as possible. Political headwinds started blowing against the project not long afterwards as it became clearer that, thanks to the Deepwater Horizon oil spill settlements, there might actually be money for MBSD, as a large chunk of those settlement funds were dedicated to barrier islands and river diversions. (*Aside: the CPRA has always been better at making plans for the coast than the legislature has been at funding those plans. The Deepwater Horizon settlements were a 15-year reprieve from having to do that for the legislature.*) Despite those political headwinds gathering after the settlement was approved in 2016, the project went forward because the science-based process still deemed it a worthwhile bold and difficult decision.

The first indications of the decay of the wall between politics and that process emerged in early 2023. One of the leading candidates was Lt. Governor Billy Nungesser who made a point of opposing the MBSD on the grounds that it was not kind to his home parish (it’s like a county but with better seasoning). One of the other leading candidates was Louisiana Attorney General Jeff Landry, who had not said anything about MBSD (or coastal restoration for that matter). The two candidates met, MBSD was reportedly discussed, and soon thereafter Mr. Nungesser dropped out of the race and endorsed Mr. Landry. In January of this year, Jeff Landry took office, and the project started to go off the rails almost immediately. It was held up by a pair of lawsuits, including one from Plaquemines Parish, that the Landry Administration basically chose not to respond to or act upon other than to enter into confidential “settlement” talks

with the parish. The silence and confusion about the State's intentions finally prompted the three federal agencies that had approved funding for the project to send a letter asking "[what's up?](#)" and threatening to pull back the funding.

Now, after 10 months in office, Governor Landry has finally spoken on MBSD. [He spoke to the Senate Transportation and Public Works Committee this week](#), telling them that he was [tired](#) and just wanted to move dirt, just not MBSD dirt. Presumably, after last year's groundbreaking ceremony (with a different Governor), the project was ready to move dirt, but never mind that. He didn't exactly say that the state wasn't going to go forward with the project, but he pretty much did, saying it was going to "break Louisiana's culture" and dismissing the potential hundreds of millions of dollars that the state could now be on the hook for if it abandons MBSD. What comes next is anybody's guess and partly in the hands of the legislature, but there is certainly a lot to sort out.

Why go through all this and make you read so much unfunny, turgid prose to make you learn that the governor addressed a senate committee? Because it's evidence that the celebrated, "above politics", science-based process that has been a cornerstone to Louisiana's coastal efforts may not be above political science. That might be an even bigger loss than the thousands of acres of land that were to be built or the hundreds of millions of dollars that had been dedicated to impacted residents and fishers. If that turns out to be true, much more than a single project just got sidelined.

### Questions about Meta's Physics (but not *Metaphysics*, Please)

We just can't handle Kant at the moment (but oh the things he would have to say about morals in 2024). The other big news in Louisiana this week came from the state's northeast, where [Meta is planning](#) on converting farmland into a 3.5 square mile data center (remember when computers were getting smaller, not bigger?). To go along with Meta's plan, power utility [Entergy is applying](#) to build a plant to power all those servers. [Avatars don't get legs for free](#), you know! The interplay among water, energy, emissions, politics, taxes, and jobs is a complicated one that is in the early stages of being analyzed, and this surely isn't the last time you'll hear about it in this space, but it's worth having it on your radar now.

### At Least This Here Water Institute Has a New Assistant Director!

In the summer of 2020, everyone who could work remotely was. People were starting new jobs without ever having seen their coworkers in person. One of those people was [Haley Gentry](#), who had just finished her first year of law school at Tulane. The job she was starting was as a research assistant here at this institute, and it quickly became clear that we were lucky to have her. Two years later, after taking and passing the Louisiana bar in the summer of 2022, she became a postgraduate researcher and William B. Wiener Jr. Foundation Fellow here. We are thrilled to announce that, as of this month, she has ceased to be a postgrad researcher here and is now our new Assistant Director. As you may have noticed by the several [publications](#) she has authored over the past two years, Haley is a powerhouse who brings incredible passion and knowledge to her new role that includes supervising and coordinating much of the Institute's work. As part of her ascension to the AD role, future TUWaterWays will come from her account. So, be on the lookout for that on the first Friday in December, as we will be [giving thanks](#) with friends and family next week.

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#### Coming Up:

[Lagniappe – A Giving Seafood Celebration](#)  
December 7, 2024

[Tulane Environmental Law Summit](#)  
March 28-29, 2025

[Water in Americas' Human Landscapes: Tulane Law & Policy Symposium](#)  
June 16-18, 2025

#### Water jobs:

[Water Resources Program Manager; National Wildlife Federation; Washington D.C. / Mississippi River states](#)

[River Programs Associate; River Network; Remote](#)



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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