



TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law & Policy

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Are You Ready to Be [Blown Away](#)?

We don't mean to wind you up so much, but this renewable energy transition is the latest thing [blowing in the wind](#). As the federal government focuses its attention on breathtaking wind turbines on the Outer Continent Shelf, Louisiana doesn't want to be left behind in the offshore wind supply chain. Now, if you don't know exactly what all wind energy entails, you're not alone – current Louisiana law doesn't quite yet understand it either. Though you can find a working federal framework for the regulation of wind energy, it wouldn't apply for turbines placed within 3-miles of the state shoreline – That's [all Louisiana](#) waters.

But it will take longer than a few lines in a newsletter for us to explain the whole regulatory framework behind this and its water resource implications. Instead, you can read all about it in our latest paper, a joint publication with National Wildlife Federation! [Offshore Wind in Louisiana Waters: Legal Framework for Environmental Review](#) highlights the applicable federal and state statutes, regulations, and gaps in the complicated regime that is offshore wind in Louisiana waters. It will knock the wind out of you.

What do you get when you mix a drought, a heatwave, and a water shortage?

For years now, [Mexico City, the biggest city in North America](#), has been fighting a water crisis with no foreseeable solution, which has only worsened in the last months. [the reservoirs behind 40% of the country's dams are below 20% capacity](#), forcing the city of almost 9 million people to truck in water to alleviate the scarcity. As if that's not enough, the capital city is facing record high temperatures reaching 104 to 113 degrees in some places, aggravating the megadrought they've already been living in. Unsurprisingly, many protests have broken out over the unfair priority of consumption, including [police superiors](#) taking most, if not all, the water in the precincts and [higher social classes](#) using restricted privatized lakes and dams for only themselves.

As the ever-pressing question of “who deserves the water?” continues to shine a spotlight in Mexico's government, another unescapable issue is right on its heels: Mexico's water debt to the US. Some years ago, in 1944 to be exact, the US and Mexico signed the [Treaty on the Utilization of Water of the Colorado and Tijuana Rivers and of the Rio Grande](#) where, for this specific case, Mexico is obligated to provide 350,000 acre-feet of water from Rio Grande (aka Rio Bravo) tributaries on the Mexican side to the US per year, for a cycle of 5 years. But, as seen above, Mexico is going through kind of a rough water patch, which has resulted in the country sending just over [384,000 acre-foot in almost 4 years](#). This 5-year cycle, and the data recovered showing that Mexico has not been able to fully satisfy their end of the bargain for some decades now, simply demonstrates that maybe it's time for the governments to take another look at the 80-year-old treaty instead of trying to achieve the impossible.

Because of this, Texas representatives have asked the House of Representatives and the Senate to [withhold payments](#) to Mexico until more consistent deliveries are made to the United States (but remember, the Treaty never mentioned that water deliveries have to be consistent, never mind that they don't actually have the water to deliver). We [know that you know that they know](#) that Mexico can't just [make water appear](#), but counties in South Texas, who heavily depend on Mexico's water deliveries, have also been recently subjected to [extreme drought causing economic](#)

[shutdowns](#) and dangerous living conditions. Rather than [try to place blame on one country or another for the lack of water](#), maybe it's time for a bigger conversation about fast-paced changes, and the necessary adjustments to old policies and habits needed to live in a newer, drier reality.

Throwing Money Down the Drain, Literally

On Thursday, the Louisiana House of Representatives [unanimously approved SB305](#), a measure that would give the Sewerage and Water Board control over New Orleans' drainage systems by taking away such responsibility from the Department of Public Works under City Hall. Unlike its popularity in the House, [not everyone is a fan of this bill](#), and they're asking some well-founded questions, like "who's going to pay for all of this? Where is the funding coming from? What will happen to homeowners' insurance?" Sorry, that last one isn't related to this (or isn't it?), but it is a question that keeps coming up. Anyway, the bill will be [discussed in the Senate](#) and hopefully [exactly where the money](#) is going to come from will be made clear. Hopefully.

As troubled as drainage in New Orleans is, the responsibility for the sewage of the city might be an even greater burden. There are so many dangers and issues that come with rising sea levels and increased flood risk that some of them are simply overlooked or ignored until they actually happen. New research has shown that as sea levels rise, the South faces yet another risk: [drowning septic systems](#). According to [EPA, about 20% of households nationwide](#) rely on small septic systems. Many communities across the Southeastern US depend on them as their main sewage infrastructure. Places like [North Carolina](#), Georgia, and, [closer to home, St. Tammany Parish, Louisiana](#) are already facing these challenges. Besides the environmental and health implications that will result when septic systems overflow, this also means exponentially expensive repairs, not just for the local governments, but for homeowners as well (see, the insurance question wasn't totally irrelevant), some even estimating the cost to be around \$15,000 or more each depending on how fast the groundwater continues to rise.

Coming Up:

[CRCLecture – Analysis of Drought Events in the Lower Miss. Riv with Dr. Ehab Meselhe; Porgy's Seafood Market, New Orleans; June 26, 2024](#)

[LDENR Natural Resources Steering Committee Public Hearing; Baton Rouge, LA; June 18, 2024](#)

Water jobs:

[Multiple Positions; Coalition to Restore Coastal Louisiana; New Orleans, LA](#)

[Hazard Mitigation Specialist, Senior; City of New Orleans; New Orleans, LA](#)

[Staff Attorney; Atchafalaya Basinkeeper; Remote w/in LA](#)



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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