

# TUWaterWays

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

[February 14, 2020 \(This one goes out to all the lovers!\)](#)

## Hey Kids, Act Now. We're Hiring!

Ever wonder what it would be like to work in a real water law and policy shop? Well, stop wondering and do something about it. The Tulane Institute on Water Resources Law & Policy is in the market for our next postgraduate research fellow to start in August 2020! That's right- if you're a recent (2019) or upcoming law school graduate this spring 2020 (JD or LLM), you could be a part of the team who writes this remarkable newsletter (among other things). If you're interested in the position, check out [this job posting](#) and send your resume on in before February 15th! (Ability to quickly and confidently speak aloud the name of our institute not required.)

## State Auditor on Water Resources

When it comes to important things, the key to success is a good plan. We all need a plan- you, me, [everybody](#). And there are lots of plans out there. [Eric Cartman](#) has a plan. [Dutch Van Der Linde](#) has a plan (lots of them actually). [Scar has a plan](#), and there are even plans that [come all the way from outer space](#). There is even a plan for saving Louisiana's coast. But you know something for which there is no plan? Louisiana's water. That's right. And there should be according to a [new report from Louisiana's Legislative Auditor](#). Despite the fact that water is without a doubt the state's most important—and challenging—natural resource, the state has done little to monitor and manage it. Mostly because it is our tradition not to and because the things that usually spur water planning and management (those are not by any stretch the same things), floods and droughts, are usually short-lived and dealt with by patience and disaster relief. More planning really is needed. Indeed that is part of this Institute's reason for being. But good plans don't write and implement themselves. It has to be someone's job, and in Louisiana it isn't anyone's job, which is a fact noted in the Auditor's report. At least not yet. This Institute is working with the Louisiana State Law Institute to draft a comprehensive water code for Louisiana that could serve as the foundation for future water planning and stewardship. That work has been underway for several years and has been driven by the need to understand what roles water plays; what purposes the law should serve; who would have rights and duties under the law; and how to begin managing water without good (or even adequate) data. There are many examples to draw from, but there are no off the shelf solutions. So if you only read one audit report this year, make it this one.

[How High's the Water Momma?](#)

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:

[Derelict Crab Trap Rodeo Volunteer Day](#); February 15; Cameron Parish, LA

[SOUL Tree Planting Events](#); February 15 and 29; New Orleans, LA

[CPRA 2023 Coastal Master Plan New Project Idea Submission Deadline](#); February 14

[Watershed Game Coastal Model Pilot Workshop](#); February 18; New Orleans, LA

[Leveraging Artificial Intelligence for Disaster Prediction, Resilience, and Recovery Conference](#); February 18; New Orleans, LA

[Water Well & Pumping Technology Workshop](#); February 18; Lakewood, CA

[CPRA Board Meeting](#); February 19; Plaquemines, LA

[Groundwater Conference](#); February 19-20; Ontario, CA

[Knauss Graduate Policy Fellowship application deadline](#); February 21

[CEQ Public Hearings on NEPA Revisions](#); February 25; Washington, D.C.

[Coastal Communities Small Grant Opportunity Letter of Intent Deadline](#); February 28

[Oyster Shell Bagging](#); February 29; Buras, LA

### Water jobs:

[Senior Research Fellow](#); Tulane Institute on Water Resources Law & Policy; New Orleans, LA

[Attorney](#); State Water Resources Control Board's Office of Chief Counsel; Sacramento, CA

[Clinical Fellow](#); Emmett Environmental Law & Policy Clinic at Harvard Law School; Cambridge, MA

[Governor's Fellows Program in Louisiana Government](#); Various Cabinet-level agencies; Baton Rouge, LA

[Ocean Innovations Fellow](#); World Economic Forum & Stanford University; San Francisco & Stanford, CA

[International Ocean Wildlife Attorney](#); Earthjustice; San Francisco, CA or Washington, DC

**Tulane Institute**  
on Water Resources Law & Policy

6325 Freret Street, 1<sup>st</sup> Floor  
New Orleans, LA 70118  
504-865-5982

[tulanewater.org](http://tulanewater.org)

TWITTER: [@TulaneWaterLaw](#)

The Great Lakes are some kind of great. Everybody knows that they are home to 21% of the planet's fresh surface water, but not everybody knows that the amount of water in the lakes varies from time to time. Sometimes there is a lot less than "normal" and sometimes there is a lot more. [This is one of those latter times](#). If you live around the Lakes you don't need us to tell you that. Rising water levels are threatening homes, roads, and communities to the point that some are asking whether it is time to move to higher ground. And this isn't even sea level rise. Suffice to say that despite record low water levels in 2013 and projections that lower levels were in the cards due to a warming climate, the [Lakes are complex, variable things](#) that defy generalized understanding and short term management. So what can be done? Of course there is the obvious and effective list of mopping up, installing flood barriers, and elevating infrastructure. Then again, there are the [obvious but not so practical—or even currently legal—ideas like selling the "surplus" water](#) to a thirsty world. Alternatively, you can just write [songs](#) and wait for the water to go down.

### **Looking for a YUGE Deal on the Nile**

Louisiana may be a [newbie](#) when it comes to water law and management but some places have been at it for years—centuries even millennia. Surely they have it all figured out, right? Nope, it seems not. Case in point, the Nile River. For thousands of years it has been at the heart of some of the Earth's greatest and earliest societies. To have access to the river was to have access to prosperity. To control the river was to control destiny—at time at the expense of one's neighbors. And so it is today. For most of history, Egypt was the dominant power on the Nile, as evidenced by the High Aswan Dam that was completed in 1970. Egyptian dominance was not based just on engineering might but claims of legal rights based on colonial-era treaties and such. Of course, legal rights only mean something if others acknowledge them and they can be enforced. Ethiopia, Egypt's upriver neighbor, does not see things in the same light and has long planned its own series of dams, a point of contention with Egypt since it could subordinate the lower river to upper Nile. [Ethiopia is now proceeding with one of those dams, the Grand Ethiopian Renaissance Dam, which could transform agriculture and hydroelectric power production for the region—and Egypt is not happy](#). And they've got their reasons: growing populations, rising seas that will transform the Nile Delta, and changing rain and evaporation patterns will place greater and greater strain on the Nile, especially the lower Nile. Egypt wants assurances that Ethiopian dams won't injure its interests and has combined saber rattling and diplomacy to get those, but so far no deals have been struck and dam construction moves ahead. One can't help sense a [long shadow of dread](#) coming to bear. Egypt's hand may be weakening but it is hoping to draw a trump card to win the trick. Literally, a Trump card. It is looking to U.S. President Donald Trump to broker a deal. [Representatives from Egypt, Ethiopia and Sudan have been meeting in Washington DC under the watchful eyes of Secretary of State Mike Pompeo](#). The result? Too early to say. All the while, [Uganda is looking to build new Nile Dam](#) with China's help. So it goes.