

TUWaterWays

Water News and More from the Tulane Institute on Water Resources Law and Policy
November 17, 2015

Klamath Compact Stalls in Congress

In the Western United States, fighting over water is something of a tradition, and one with a rich [literary pedigree](#). We've reported before on some of these disputes, and much of the time the issues remain unresolved as representatives of various interests reach an impasse. Occasionally, however, competing water users come together and hammer out a compromise.

That appeared to be the case in the [decades-long saga](#) of the Klamath River. The Klamath Basin stretches from eastern Oregon, where ranching and farming are the dominant concerns, to the coast of northern California, where tribes like the Modoc and Yahooskin depend on salmon runs for their livelihood. In between, a series of dams provide power to the region. After years of [often bitter dispute](#), ecologists, power companies, Native American tribes, ecologists, fishermen, farmers, and ranchers finally reached an agreement over management of the basin's water resources.

The landmark [The Klamath Basin Water Recovery and Economic Restoration Act](#) is seen not only as an effective settlement for the Klamath, but as a model for watershed management in the west. Unfortunately, the compact requires authorization from a Congress that has become synonymous with [chronic inaction](#) (and an approval rating approaching [single digits](#)). Without congressional ratification, the deal will collapse by the end of the year, undoing years of negotiation. If that happens, the basin could return to the [bad old days](#).

Brazilians Frown as Mud Levels Town, Turns Water Brown

A few weeks ago, the village of Bento Rodrigues was home to about 600 people in the state of Minas Gerais, Brazil. Then, on November 5th, the town was literally wiped off the map. Two dams at the Samarco iron ore mine burst open, releasing a wave of mud and mining waste that levelled buildings and killed 20 people. The dams held back nearly 15 billion gallons of waste from one of Brazil's largest iron ore mines. In comparison, the recent Gold King mine spill in Colorado earlier this year released about [3 million gallons](#) of contaminated waste water. The mud reached the Doce River and has forced towns more than 100 miles away to [cut off their municipal water supplies](#) while the sludge passes by. The Samarco mine is a joint venture between Brazilian-owned Vale and BHP Billiton, an Australian mining giant. The Brazilian government

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

[Aqua Drinks](#)

November 19, 2015

5:30 at Pulbiq House

4528 Freret Street

[Lake Pontchartrain Basin Foundation Tree Plantings](#)

November 21, 2015

Maurepas

Water jobs:

[Clean Water Advocate](#)

Environment America

[Habitat Restoration Program Coordinator](#)

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

[Tennessee Clean Water Network Staff Attorney](#)

Knoxville, TN

Tulane Institute

on Water Resources Law & Policy

6325 Freret Street, 1st Floor

New Orleans, LA 70118

504-865-5982

<http://www.law.tulane.edu/tlscenters/waterlaw/>

TWITTER: [@TulaneWaterLaw](#)

has [vowed to levy heavy fines](#) against the companies for their role in the environmental catastrophe.

Ice Ice Maybe

[Alright stop](#), refrigerate and listen. Ice we've got now is gonna be missin'. A glacier in northern Greenland that scientists previously believed to be stable is actually melting at an accelerating pace, according to a [new report](#). Scientists relied on satellite data from international space agencies (because the glaciers can't just [tell you what they're doing](#)) to reach the bleak diagnosis that the massive Zachariaë Isstrøm glacier is shedding 5 billion tons of ice every year. From 2012 to 2015, the rate of loss tripled a result of warmer air above and warmer sea water below. Scientists report that this has set in motion a chain of events that will invariably raise sea levels. Even a string of cold winters would be unable to reverse the effects, as more of the glacier is exposed to air/water. If it completely melted, it could raise global sea levels by eighteen inches. Another glacier to the north, [Nioghalvfjerdingsfjorden](#) (pronounced Nioghalvfjerdingsfjorden), is also melting, though at a slightly slower pace. The two combined make up roughly 12% of the Greenland ice sheet, the second largest in the world behind the Antarctic. If they *both* melted, sea levels would rise a full meter (it's like a yard). It gets worse: the report's authors are concerned that other glaciers in the region not currently experiencing ice loss will soon be headed the same way. Melting glaciers may be [passé](#), but the [potential effects](#) should raise serious concerns ahead of the Paris climate talks next month.

Plaquemines Parish: Open for Business as Usual

On November 12, the Plaquemines Parish council voted to [drop 21 lawsuits](#) pending against oil and natural gas companies for damages to wetlands. The lawsuits, [filed in 2013](#), sought to require the oil companies to comply with their coastal use permits and repair the damages caused by canals dredged for oil and gas exploration and production. In lieu of repairs, the suits sought compensation for the damages caused by deteriorated wetlands. Nearly [5,500 wells](#) have been drilled in the Breton Sound area, north of the bird's foot delta. These wells are linked by a web of canals. The suits alleged that the canals contributed to degraded wetlands that leave Plaquemines' residents more exposed to storm surge and flooding. Many of the council members who originally authorized the suit are no longer in office. The current council voted 5-1 to drop the lawsuits, possibly out of concern that they had a [chilling effect on industry](#) (though it is likely that [low oil prices](#) are a significant factor as well). Oil and gas industry groups hailed the move as a signal that Plaquemines is "open for business." That may well be, but without concerted efforts to repair damaged wetlands and protect against sea level rise, if [predictions](#) prove correct, the chief business might be scuba diving.

Le Grande Tirer

The City of Montreal ended a [controversial sewage dump](#) on Sunday, three days earlier than expected. The wastewater infrastructure of the Quebecois capital was in serious need of repairs. Flushing out the system into the St. Lawrence River was, [according to officials](#), the only practical way to accomplish the fix. Citizens were understandably concerned about the move to dump 2 billion gallons (excusez-moi, huit-milliard litres) of raw sewage into the river. The Montreal City government assured residents that bacteria concentrations were comparable to levels [after heavy rains](#), though they strongly cautioned against any contact with the water while the flush was underway. [Lieutenant Frank Drebin](#), however, did not heed those warnings, as he does not speak French.