



JOHN BEL EDWARDS  
GOVERNOR

State of Louisiana  
DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF CONSERVATION

THOMAS F. HARRIS  
SECRETARY

RICHARD P. IEYOUB  
COMMISSIONER OF CONSERVATION

August 31, 2017

Barry Huggins, Chairman  
Capital Area Ground Water Conservation Commission  
3535 South Sherwood Forest Blvd., Suite 137  
Baton Rouge, LA 70816-2255

Re: DRAFT Guidance Form and Checklist (Act 425, Groundwater Commission Reporting)



Dear Chairman Huggins:

Please find attached a DRAFT version of the proposed guidance form with checklist for the Capital Area Ground Water Conservation District as required by Act 425 of 2017. This document was prepared by the Office of Conservation with input from legislative staff, as noted in previous correspondence.

The agency will accept comments from the District and its governing board on the reporting items as listed in this document until close of business at 4:30 p.m., Friday, September 22, 2017, before moving to final promulgation of the document per direction of Act 425.

Please contact Matthew Reonas (225-342-1496, [matthew.reonas@la.gov](mailto:matthew.reonas@la.gov)) of my staff with any questions and to return any comments.

Sincerely,

  
Richard P. Ieyoub  
 Commissioner of Conservation

Cc: Anthony Duplechin

RPI; jmr



## Act 425 Guidance Form with Checklist for the Capital Area Ground Water Conservation District

### Introduction

Act 425 of 2017 mandated that on May 1 and November 1 of each year, “each ground water conservation district created by law or designated as a regional body, pursuant to R.S. 38:3097.4(D)(6), shall submit to the commissioner of conservation, the Water Resources Commission, the Water Management Advisory Task Force, the Senate Committee on Environmental Quality, and the House Committee on Natural Resources and Environment a written report detailing the district’s ground water resources and the activities and actions taken with respect to each of the district’s powers delineated by laws creating the district.” Further, Act 425 noted that these reports “shall also include but not be limited to the amount of water used for residential, commercial or industrial, or agricultural purposes, respectively; actual and projected saltwater intrusion or encroachment; and any current or projected sale of water for use outside the state, including the amount of water so sold and the price paid by each out-of-state user.”

Finally, Act 425 mandated that the Commissioner of Conservation “shall ensure submission of the semiannual reports required of the ground water conservation districts by R.S. 38:3097.8,” and “shall promulgate a form with a checklist of the pertinent information required to be included in the semi-annual report.” If the reports are not submitted in a timely fashion or do not include the pertinent information required, Act 425 authorizes the Commissioner of Conservation to require monthly submissions of reports “until he is satisfied with [their] adequacy and informative nature.”

After consultation and clarification with legislative staff as to the intent and scope of Act 425, the Office of Conservation has created the required “form with a checklist” to guide the Capital Area Ground Water Conservation Commission—as the governing board for the Capital Area Ground Water Conservation District—in the fulfillment of its legislatively-required reporting obligations. Accordingly, any comments or requests for information regarding this document shall be directed to this office. As the agency also provides staff for both the Water Resources Commission and the Water Management Advisory Task Force, the Capital Area commission may request that the Office of Conservation distribute submitted reports on its behalf to these bodies.

Version: \_\_\_\_\_

## General Instructions

The purpose of this form with checklist is to ensure proper and complete submission of all information as required under Act 425 of 2017. The requested information shall be provided in an official, written report, with each reporting item clearly identified. It may be that some items can effectively be combined into a single table, chart, spreadsheet, or other graphic; this being the case, please identify the items thus reported. If the District is unable to provide any of the requested information, an explanation or justification must be provided, subject to acceptance or rejection by the Commissioner of Conservation (attachments may be appended to the official report as needed).

The reports are to be submitted semi-annually, due on May 1<sup>st</sup> and November 1<sup>st</sup> of each year. If these reports are found to be deficient in the judgment of the Commissioner of Conservation, subsequent reports will be due on a monthly basis (every 30 days after written and/or electronic notice of such deficiency is provided to the District by the Office of Conservation) until the reports are deemed acceptable. Any extraordinary or extenuating circumstances that will delay the timely submission of a report shall be communicated to the Office of Conservation as soon as possible along with an expected date for completion.

For each report, please verify the following are provided:

- A. A list showing members and officers of the board of commissioners (“Board”) of the Capital Area Ground Water Conservation District (“CAGWCD”), including the bodies that such members represent and any changes in Board membership over the preceding six (6) months.**
- B. Copies of the agendas and minutes and/or summaries of all Board meetings and any public hearings conducted by the Board, including a list of submissions to the Board, for the preceding six (6) months.**
- C. A brief summary of the (1) scope, (2) term, and (3) cost of any cooperative agreements and/or contracts entered into by the Board over the preceding six (6) months, such agreements and/or contracts being relative to the study and/or survey of the groundwater resources in the CAGWCD, including:**
  - 1) Recommendations for conservation of groundwater resources within the CAGWCD;**
  - 2) Prevention and/or alleviation of damaging/potentially damaging groundwater level drawdowns within the CAGWCD;**
  - 3) Prevention and/or alleviation of damaging/potentially damaging land surface subsidence within the CAGWCD; and**
  - 4) Prevention and/or alleviation of damaging/potentially damaging groundwater quality degradation, including saltwater encroachment, within the CAGWCD.**

- \_\_\_D. A narrative description and status update of actual and projected saltwater intrusion/encroachment within the groundwater systems of the CAGWCD.
- \_\_\_E. A narrative description and status update of any actual and projected land surface subsidence within the CAGWCD.
- \_\_\_F. Copies of updated CAGWCD management plans and/or other strategy documents adopted by the Board relative to the study, mitigation, and/or general management of groundwater resources, saltwater intrusion, and land subsidence within the CAGWCD. *After the first report submission, such documents may be submitted once annually at the discretion of the Board.*
- \_\_\_G. A narrative summary and scientific analysis (if available) detailing the operational status and effectiveness of any structures installed within the groundwater systems of the CAGWCD to mitigate and/or otherwise manage actual and projected saltwater intrusion/encroachment.
- \_\_\_H. A brief summary of the (1) scope, (2) term, and (3) cost of scientific investigations funded in whole or in part by the Board over the preceding six (6) months, such investigations being relative to the study and/or survey of the groundwater resources in the CAGWCD, including:
- \_\_\_ 1) Recommendations for conservation of groundwater resources within the CAGWCD;
  - \_\_\_ 2) Prevention and/or alleviation of damaging/potentially damaging groundwater level drawdowns within the CAGWCD;
  - \_\_\_ 3) Prevention and/or alleviation of damaging/potentially damaging land surface subsidence within the CAGWCD; and
  - \_\_\_ 4) Prevention and/or alleviation of damaging/potentially damaging groundwater quality degradation, including saltwater encroachment, within the CAGWCD.
- \_\_\_I. A brief summary of the findings of any scientific investigations relative to the study and/or survey of groundwater resources and land subsidence in the CAGWCD released over the preceding six (6) months, such investigations having been funded in whole or in part by the Board. *Copies of abstracts and links to full reports on-line are acceptable substitutions.*
- \_\_\_J. A description of existing groundwater production limits within the CAGWCD as authorized by the Board, identifying (1) the date such limits were adopted, (2) the reason(s) for adoption of such limits, (3) the production limits by aquifer, and (4) the production limits by regulated user. *Here and hereinafter, "user" as defined by R.S. 38:3073.*
- \_\_\_K. A list of existing regulated users within the CAGWCD.

- \_\_\_ **L.** The total regulated groundwater pumping volume for each regulated user within the CAGWCD over the preceding six (6) months. *This list should show for each regulated user: (1) the total regulated groundwater pumping volume; (2) the classification by use (according to CAGWCD statutes and rules) of this pumping volume; (3) the parish location of this regulated groundwater production; and (4) the source, by aquifer(s), of this regulated groundwater production.*
- \_\_\_ **M.** The current charge or fee assessed on regulated groundwater use within the CAGWCD.
- \_\_\_ **N.** The total groundwater use assessment (fee) imposed on each regulated user over the preceding six (6) months.
- \_\_\_ **O.** A list identifying new wells registered within the CAGWCD according to its statutes and rules over the preceding six (6) months, showing for each new well: (1) its owner; (2) its classification by use; (3) its location by parish; (4) its location by aquifer; and (5) its actual and/or projected annual groundwater pumping volume.
- \_\_\_ **P.** A list identifying registered wells plugged and abandoned (P&A) according to CAGWCD statutes and rules over the preceding six (6) months, showing for each P&A well: (1) its owner; (2) its classification by use; (3) its location by parish; (4) its location by aquifer; and (5) its actual annual groundwater pumping volume.
- \_\_\_ **Q.** A summary of any out-of-state groundwater sales from the CAGWCD over the preceding six (6) months, showing: (1) vendor; (2) volumes of groundwater produced and sold; (3) parishes of production; (4) out-of-state entity or entities to which groundwater was sold; and (3) the price paid for this groundwater. *The Office of Conservation interprets the intent to be limited to out-of-state groundwater sales for the primary purpose of being a source of water for beneficial use (bulk water) and not to include groundwater utilized within the CAGWCD or the State of Louisiana in the production of manufactured goods for commercial and/or industrial use or sale, such as beverages, solvents, gasoline, or other processed items.*
- \_\_\_ **R.** A summary of volumes of groundwater pumped from within the CAGWCD during the preceding six (6) months and transported out-of-district as part of a public supply or industrial distribution system. For each regulated user thus engaged, indicate: (1) total volume of groundwater produced for out-of-district distribution; (2) parish of production; and (3) end distribution point, by parish.
- \_\_\_ **S.** A summary of volumes of groundwater used for (1) residential, (2) commercial or industrial, and (3) agricultural purposes within the CAGWCD during the preceding six (6) months. The amounts used for industrial and agricultural purposes may be estimated. *For residential volumes, the Office of Conservation will accept numbers generated utilizing standard U.S. Geological Survey formulas for individual consumption.*