

**September 16, 2017**

**Honorable Richard P Ieyoub  
Commissioner of Conservation, State of Louisiana  
P.O. Box 94275  
Baton Rouge, Louisiana 70804**

**Commissioner Ieyoub:**

**Attached, please find my comments on the proposed report guidance form your office is required to draft as per Act 425 of 2017.**

**I strongly urge that the Louisiana Administrative Procedures Act be followed in promulgating these report guidelines, including the publishing and public hearing requirements. Nothing is gained by bypassing the procedures contained in the LPA. There are several parties who are deeply interested in groundwater issues. They should have every opportunity to provide input and comment. Not providing such an opportunity will reflect badly on government in general, and Conservation in particular. Therefore, I formally request that Conservation hold a public hearing before adopting any final checklist or report guidelines.**

**Finally, I was surprised to see separate proposed checklists for the Sparta Commission versus CAGWCD. Act 425 doesn't have separate requirements for these commissions. The act's author, Rep Marcelle, stated in her testimony that the act would apply to both commissions. Given Sparta's lack of financial resources and statutory authority, "not applicable" or "no compliance resources available" would seem to be an acceptable answer for any checklist item Sparta lacks the ability to address, but that would be consistent with Act 425's requirements, whereas the legitimacy of a separate checklist is dubious, at best.**

**Thank you, and I hope my comments are helpful.**

  
**Barry Huggins, Chairman  
Capital Area Ground Water Commission**

## **Comments on Proposed Items for Office of Conservation Report Checklist**

### **Items C, D, E, F, G, O, P, Q, R, and S**

**Comment:** The inclusion of these ten (10) items as necessary elements in the required report would seem to be entirely proper and appropriate. These items contain the essential information that needs to be transmitted in any report to any oversight body.

**My only other comment on these items is that the word “permitted” be substituted for the word “registered” in items O and P. CAGWCD “permits” wells; Conservation “registers” wells. Conservation thus already has information on new wells or newly plugged and abandoned wells. It is, however, appropriate for Conservation to if any “permits” were issued or cancelled over the past six (6) months.**

**Item 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.*

**Comment:** This requirement is superfluous. This is public information, clearly given on CAGWCD’s web site. Anyone interested in any report issued by CAGWCD would already know this information. Further, Conservation has a seat on CAGWCD’s Board. If this member is doing his job, any changes in the Board’s composition will be reported to Conservation in real time. I urge you not to clutter the report with unnecessary information that’s already public and easily obtained.

**Item B.** *Copies of the agendas and minutes and/or summaries of all Board meetings an any public hearings conducted by the Board, including a list of submissions to the Board, for the preceding six (6) months.*

**Comment:** Item B is likewise superfluous. CAGWCD’s agendas and minutes are published on its web site, so my comment on this item echoes those submitted on Item A. Again, I urge you not to clutter the required report with unnecessary that’s already public and easily obtainable.

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**Item 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 degradation, including saltwater encroachment, within the CAGWCD*

**Comment:** This item is redundant; the required information has already been transmitted in the answers to Item C. The only type of “cooperative agreement” into which the Board would enter “relative to the study and/or survey of groundwater resources” would, by definition, be a “scientific investigation”. Perhaps Item C should be reworded to make it more all-encompassing, but including Item H as a separate requirement in the report checklist is redundant and unnecessary.

**Item 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.*

**Comment:** This item is redundant; the required information has already been transmitted in the answer to Item D. Any “status update” provided would, by necessity, include the findings of any known scientific investigations, regardless of the funding source, into groundwater issues in the CAGWCD.

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**Item J.** *A description of the 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.*

**Comment:** This item is redundant; the required information has already been transmitted in the answer to Item F. In addition, the word “aquifer” is a mis-nomer. The production limits adopted by the Board, and stated in the CAGWCD’s Management Plan are by strata, as in the “1500 foot sand” or the “2800 foot sand”. All of these strata are included in the same aquifer system, which is the Southern Hills Aquifer.

**Item K.** *A list of existing regulated users within the CAGWCD.*

**Comment:** This item is redundant. This information is already in the public domain by multiple means, including the CAGWCD web site and the SONRIS website operated by Louisiana DNR.

**Item L.** *The total regulated groundwater pumping volume for each regulated user within the CAGWCD over the past six (6) months.*

**Comment:** This item is redundant. This information is published on the CAGWCD’s web site.

**Item M.** *The current charge of fee assessed on regulated groundwater use within the CAGWCD*

**Comment:** This item is redundant. This information is contained in the CAGWCD’s Management Plan. All users are, by law, charged the same fee, which, at this time, is \$10 per million gallons of water pumped.

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**Item N :** *The total groundwater use assessment (fee) imposed on each regulated user over the preceding six (6) months.*

**Comment:** This item is redundant. Given that the total water volume each user has pumped is public information, shown on the CAGWCD web site, and given that all users are, by law, charged the exact same fee, which is clearly stated in CAGWCD's management plan, the calculation of the dollar amount paid over any given time period by any particular user, or by all users, for that matter, is a trivial exercise in basic mathematics, and not something on which report space should be wasted.

**Final comment:** I urge you to remove all the redundancies and make the required report as compact and succinct as possible. Doing so will not only yield a report that is more easily prepared and is also more meaningful to all oversight bodies, but it will also yield a report that is more "user friendly" and more easily readable and understandable to all interested parties and to the public in general.