

From: Johan Forsman [mailto:jforsman99@gmail.com]
Sent: Friday, September 22, 2017 3:48 PM
To: Richard Ieyoub
Cc: barry.hughhins@r-techusa.com; Anthony Duplechin; Matthew Reonas
Subject: Act 425 proposed reporting guidance document comments

Dear Commissioner Ieyoub:

The Capital Area Ground Water Conservation Commission (CAGWCC) is in receipt of your letter, dated August 31, 2017, including a draft version of a proposed guidance form with checklist, as prepared by the Office of Conservation, ostensibly intended for use by the Capital Area Ground Water Conservation District (CAGWCD) to meet the reporting obligations set forth in Act 425 of the 2017 Regular Session.

In my capacity as Commissioner representing Public Supply on the CAGWCC, I wish to offer the below comments and concerns on the draft guidance document with checklist.

1. Item A on the checklist: Board membership is readily available on the CAGWCC website;
2. Item B on the checklist: Approved minutes of regular CAGWCC meetings are only available after the regular meeting held in the quarter subsequent to the specific regular meeting to which the approved minutes apply;
3. Item C on the checklist: This item appears substantially similar to Item H on the checklist. Please clarify;
4. Item D on the checklist: Please clarify by what measure(s) “actual and projected saltwater intrusion/encroachment” should be reported;
5. Item H on the checklist: This item appears substantially similar to Item C on the checklist. Please clarify;
6. Item L on the checklist: Regulated pumpage data are readily available on the CAGWCC website;
7. Items O(1) through O(4) on the checklist: These items seems duplicative with the information received by the Office of Conservation directly from the licensed water well drilling contractors. Please clarify;

8. Items P(1) through P(4) on the checklist: These items seem duplicative with the information received by the Office of Conservation directly from the licensed water well drilling contractors. Please clarify;
9. Item P(5) on the checklist: This item appears not applicable as properly plugged and abandoned wells do not have current annual groundwater pumping volumes. Please clarify;
10. Item Q on the checklist: The CAGWCD records total pumpage by registered user, by well, by month, for the regulated wells in the district. The CAGWCD does not record data regarding the ultimate fate of water pumped by the regulated users;
11. Item R on the checklist: Act 425 does not provide for this reporting item. The CAGWCD records total pumpage by registered user, by well, by month, for the regulated wells in the district. The CAGWCD does not record data regarding the ultimate fate of water pumped by the regulated users;
12. Item S on the checklist: The CAGWCD records total pumpage by registered user, by well, by month, for the regulated wells in the district. The CAGWCD does not maintain data regarding the ultimate fate of water pumped by the regulated users. The usage classifications prescribed in this item do not appear to directly correspond to usage classifications in current use by the CAGWCD. Please clarify;

Due to the need for additional clarification on several items I believe the afforded comment period to be inadequate. Furthermore, the proposed guidance document with check list includes reporting items that (a) are not provided for in Act 425, (b) are not recorded by the CAGWCD, and (c) may have financial impact on the regulated users. Such items require additional review. In summary therefore it is my opinion that, in order to provide for adequate review, the promulgation of the guidance document with check list should adhere to the Louisiana Administrative Procedures Act.

I appreciate the opportunity to comment on the proposed guidance document and check list. I support the notion of a compiled report, however I caution that we remain mindful of the ultimate purpose and take the time necessary to develop a reporting template that not only satisfies the requirement but more importantly serves the purpose.

Thank you for your consideration.

Respectfully,

Johan Forsman

Commissioner, Capital Area Ground Water Conservation Commission

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