

From: Matthew Reonas
Sent: Tuesday, July 18, 2017 4:39 PM
To: 'Zack Spivey'
Cc: Lindsay Gouedy (lgouedy@latech.edu)
Subject: FW: Office of Conservation Request for Clarification and Concurrence, Act 425, Sparta Ground Water Conservation Commn.

Mr. Spivey –

Please find below the response from legislative staff to the agency's request of July 7, 2017, for clarification and/or concurrence with our interpretation of Act 425. With this legislative guidance in hand, the Office of Conservation will proceed as mandated by law (and outlined to you in the correspondence of June 9, 2017), to first draft and then "promulgate a form with a checklist of the pertinent information required to be included in the semi-annual report."

If I can answer any questions, please let me know.

Kind regards,

MR

Matthew Reonas, Ph.D.
Louisiana Office of Conservation
(225) 342-1496

From: McCloud, Tyler [mailto:McCloudT@legis.la.gov]
Sent: Wednesday, July 12, 2017 1:31 PM
To: Matthew Reonas
Cc: King, Su; Lee, McHenry
Subject: RE: Office of Conservation Request for Clarification and Concurrence, Act 425, Sparta Ground Water Conservation Commn.

Matthew:

Below is our collective response to the July 7, 2017, letter from the Commissioner. Will this email response suffice, or would you rather a formal letter I received? Also, if you would like to discuss this further, please do not hesitate to call me.

Thank you for the opportunity to comment on your office's implementation Act No. 425 of the 2017 R.S. While these comments are not intended to offer a legal opinion, I do hope they aid you in carrying out your responsibilities under the Act.

We generally concur in the listed items 1 through 5 in your letter date July 7, 2017. After discussion, we believe the intent of R.S. 30:3097.8(C) is not to potentially eliminate matters to be reported on if the Commissioner determined them not pertinent. Rather, the intent is that the Commissioner could add reportable matters he deemed pertinent in addition to those statutorily required. With that in mind, we suggest combining items 3 and 4 into the following:

"The Commissioner is required by Act No. 425 to promulgate a checklist of the information to be provided by the district. The checklist shall include the items required in the report by R.S. 30:3097.8(A), including the activities and actions taken on each of the district's powers, and any other information deemed pertinent by the Commissioner."

Drafting the checklist for the Sparta Commission from the perspective of the suggestion above, we suggest the checklist in item 5 also include each of the delineated powers found in R.S. 30:38:3087.136. below. H, i, and j are statutorily required of all districts and are added for clarity.

- a. Members and officers of the board of commissioners of the Sparta Ground Water District, including the bodies that such members represent, and changes in membership since the last report.
- b. Copies of agendas, minutes or summaries, and submissions to the board for any regular board meetings or for any public hearings held by the board.
- c. A description of any studies or surveys of the groundwater resources in the district during the period covered by the report, including recommendations for the conservation and preservation of groundwater resources resulting from the studies or surveys.
- d. A list, including the terms and scope, of any contracts or cooperative agreements entered into over the period covered by the report.
- e. An accounting of the receipt and expenditure of funds from any source, public or private for the period covered by the report.
- f. Personnel and consultants hired over the period covered by the report.
- g. Any recommendations the board would like to make to the commissioner of conservation and the Water Resources Commission on matters that impact water resources within the board's jurisdiction.
- h. Amount of water used for residential, commercial or industrial, or agricultural purposes.
- i. Actual and projected saltwater intrusion or encroachment.
- j. Any current or projected sale of water for use outside of the state, including the amount of water so sold and the price paid by each out-of-state user.

Tyler S. McCloud
Senior Attorney
Louisiana House of Representatives
Committee on Natural Resources and Environment
(225) 342-6126