



JOHN BEL EDWARDS
GOVERNOR

State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF CONSERVATION

THOMAS F. HARRIS
SECRETARY

RICHARD P. IEYOUNG
COMMISSIONER OF CONSERVATION

September 15, 2017

Zack Spivey, Chairman
Sparta Ground Water Conservation Commission
912 Goodgoin Rd.
Ruston, LA 71270

Re: Act 425 of 2017 Regular Session (Groundwater Commission Reporting)

Dear Chairman Spivey:

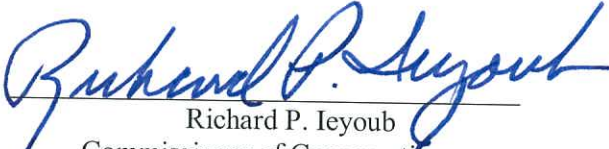
I have received your letter of September 14, 2017 expressing concern over the Office of Conservation's compliance with the implementation of Act 425 of the 2017 Regular Session as it pertains to the requirements of Louisiana Revised Statutes 49:950 et seq., the Administrative Procedure Act. To provide further clarity, I directed my staff to revisit and further research the matter. After reviewing the specific language of Act 425 and consulting once more with individuals involved in the passage of the bill along with the author, it is very clear that this law does not mandate nor provide for the utilization of the rulemaking process by the Office of Conservation in the development and issuance of the guidance form and checklist on the reporting requirements listed therein.

Further, under the statute, whether the Office of Conservation provides guidance in the form of a checklist or not, the Sparta Ground Water Conservation Commission report must be filed by November 1st. The Office of Conservation has already provided the Sparta Commission with a draft of the form with checklist and we are awaiting any substantive comments. Again, we will accept such comments until close of business at 4:30 p.m., September 22nd. We will send a finalized version of the guidance form and checklist to you in sufficient time for the November 1st report.

With all of this said, if the legislators that you met with would like to have a public meeting on this issue, as a courtesy to them, we will schedule one to address any concerns they or you may have.

Thank you for your ongoing efforts in protecting Louisiana's groundwater resources.

Sincerely,


Richard P. Ieyoub
Commissioner of Conservation

Cc: Lindsay Gouedy

RPI; jwa