

LOUISIANA WATER RESOURCES COMMISSION

UPDATE ON MANAGEMENT RECOMMENDATIONS JANUARY 2015

DRAFT DOCUMENT

INTRODUCTION

In its March 2012 *Interim Report to the Legislature*, the Louisiana Ground Water Resources Commission (now the Louisiana Water Resources Commission) included a comprehensive set of water resource management recommendations for implementation by either Legislative or Administrative action. The Office of Conservation, as the administrative agency for the Commission, provided a report on progress towards implementing these recommendations in June 2013 and again in January 2014. These reports are available on-line at <http://dnr.la.gov/groundwater>. This report provides a further recapitulation of work towards accomplishment of these recommendations to the extent practicable within legal and budgetary restraints.

RECOMMENDATIONS

1. MONITORING –

1a. Appropriate funding for the establishment of a statewide aquifer monitoring network

1b. Appropriate funding for the establishment of a surface water availability gauging network in areas where surface water alternatives may be necessary for groundwater sustainability

Although 1a. and 1b. originally were slated as recommendations for legislative action, the Department of Natural Resources (DNR) secured funding through the Federal Petroleum Violation Escrow Account (PVE) and established partnerships with the United States Geological Survey (USGS) to develop the aquifer monitoring network and the Louisiana Geological Survey to develop the surface water gauging network for a three-year period. Two years of data are now available.

Water level data from the DNR/USGS network is available at:
<http://groundwaterwatch.usgs.gov/LNR/StateMaps/LNR.html>.

Water level data collected by USGS from a variety of other well networks is available at: <http://nwis.waterdata.usgs.gov/la/nwis/gwlevels>.

Chloride and other water-quality data is available at:
<http://nwis.waterdata.usgs.gov/la/nwis/qwdata>.

2012 state water use data by use, parish, aquifer, and surface-water basin is available at: <http://la.water.usgs.gov/WaterUse/default.asp>.

Program funding for the monitoring networks is temporary and will expire on June 30, 2015, although some data will continue to be collected into the first

quarter of 2016. DNR has requested additional PVE funding to maintain the networks in some capacity through June 30, 2016. Based on similar past agency requests for PVE funding approvals, agency staff have a reasonable expectation that this funding request will be approved as well. Funding beyond 2016 remains an outstanding issue.

1c. Establish groundwater production reporting requirements for non-domestic well owners in areas where groundwater sustainability is not improving

See Recommendation 1d below. Additional action may be necessary based on findings of the Water Institute project.

1d. Develop and implement an aquifer sustainability grading and prioritization ranking system

The Office of Conservation is overseeing a project with the Water Institute of the Gulf (Water Institute) to create an easy-to-comprehend grading and prioritization ranking system for sustainability based upon past and present assessments of water level, water quality, and current and projected water use data. Funding is being provided through PVE and the Coastal Protection and Restoration Authority (CPRA).

2. AUDITING –

2a. Continue to improve implementation of statewide water well notification compliance audit procedures

2b. Focus resources on consolidating water well registration and notification database information

New notification regulations have been approved and compliance audit procedures have been revised to meet Recommendation 2a. FY2014 (July 2013-June 2014) showed that 480 registered wells required prior notification; Office of Conservation quarterly audits demonstrated an 86.7% compliance rate with state regulations on this issue. Compliance orders have been, and continue to be, issued to secure 100% adherence. For Recommendation 2b., Conservation staff are continuing to digitize thousands of water well records although a lack of funding and dedicated IT staff continue to limit work towards a consolidation of the DOTD and Office of Conservation water well databases.

3. EDUCATION –

3a. Seek to establish a mandatory statewide groundwater and surface water education curriculum at elementary and high grade levels

The Office of Conservation continues to explore the best means to leverage resources to meet this recommendation. The agency has developed useful partnerships and relationships with other government agencies as well as non-government organizations to further the goal of establishing an across-the-board curriculum in water resource management and sustainability. Although a mandatory curriculum is not in effect at this time, Conservation staff will continue to seek opportunities to meet the object of this recommendation.

3b. Seek partnerships and improvements to web-based education and outreach efforts

This continues to be a priority for the agency.

3c. Request local governments, where groundwater resources are in demand for public supply, to establish groundwater and surface water education and outreach measures

This continues to be a priority for the agency.

3d. Pursue partnerships with parishes to establish a single-point-of-contact for water resources education and conservation efforts at the local level

This continues to be a priority for the agency.

4. REGISTRATION –

4a. Revise water well installation notification and evaluation regulations

New well notification and evaluation regulations have been promulgated and implemented.

4b. Focus resources to implement the integration of the water well driller and well owner database management systems, improve SONRIS and GIS output capacities, and streamline on-line document evaluation and response

A lack of funding and dedicated IT staff continues to limit work towards a consolidation of the DOTD and Office of Conservation water well databases. See Recommendation 2b. above

4c. Pursue innovative ideas to encourage owner registration of currently exempt un-registered water wells

This continues to be a priority for the agency.

5. EVALUATION –

5a. Update water well notification evaluation procedure to document water level drawdown assessments

Revised procedures are in effect.

5b. Investigate revising the water well notification form (GWR-01) to include disclosure of efforts to use surface water alternatives in areas where groundwater sustainability is challenged

Revised procedures are in effect.

5c. Focus resources to improve and increase use of groundwater level and quality data through DNR SONRIS and GIS systems

See Recommendation 2b. above.

6. INCENTIVES –

6a. Investigate feasible and effective ways to provide conservation incentives

See Recommendation 1d. above. It is expected that the findings, conclusions, and recommendations of the Water Institute project may be useful in guiding future conservation incentive programs.

6b. For Legislative Action Evaluate capital outlay policies and procedures to promote alternative water source use in areas where sustainability is challenged

The Office of Conservation is not aware of any action towards accomplishment of this recommendation other than as suggested in previous studies. Also, see Recommendation 1d. above. It is expected that the findings, conclusions, and recommendations of the Water Institute project may be useful in guiding the development of such policies.

6c. Evaluate local governments' requirements for participation in the Community Water Enrichment Fund program

See Recommendation 1d. above. It is expected that the findings, conclusions, and recommendations of the Water Institute project may be useful in guiding future changes to such requirements.

6d. For Legislative Action Evaluate linking tax credit and abatement policy to water conservation and alternative source use

The Office of Conservation is not aware of any action towards accomplishment of this recommendation other than as suggested in previous studies. Also, see Recommendation 1d. above. It is expected that the findings, conclusions, and recommendations of the Water Institute project may be useful in guiding the development of such policies.

6e. For Legislative Action Evaluate fiscal policy to reward high volume groundwater users to switch to surface water

The Office of Conservation is not aware of any action towards accomplishment of this recommendation other than as suggested in previous studies. It is expected that the findings, conclusions, and recommendations of the Water Institute project may be useful in guiding the development of such policies.

7. ENFORCEMENT –

Investigate implementation of progressive enforcement techniques to aid in beneficial projects such as conservation education assistance

The Office of Conservation has reviewed such opportunities.

8. EMERGENCIES (RESPONSE COORDINATION) –

Investigate coverage of groundwater emergencies by GOHSEP and amend agency Emergency Response Contingency Plan as necessary

Evaluation completed and emergency plan amended.

9. COLLABORATION –

9a. Implement an annual, multi-agency stakeholders' conference

The Office of Conservation hosted a Water Resources Commission workshop in October 2013 but funding issues currently limit more extensive conference opportunities.

9b. Require water conservation districts to file annual reports

Recommendation implemented by legislative action.

9c. Engage legal scholars to research and explore the non-compensated consumption of surface water when used as an alternative to groundwater

9d. Engage experts to research and explore the consequences of out-of-state sales of water resources

For Recommendations 9c. and 9d., SCR 53 of 2012 requested that the Louisiana State Law Institute “study legal issues surrounding groundwater and surface water law and any needs for revisions to current law.” The Institute completed this report in early 2014 and submitted it to the Legislature for review. SR 171 of 2014 subsequently requested that the Institute create a Water Code Committee to study the different facets of water law in Louisiana and make recommendations for providing revisions to present law. This work is underway.

10. GOVERNANCE –

10a. Draft and implement regulations for the establishment of a statewide regional network of advisory panels

See Recommendation 1d above. It is expected that the findings, conclusions, and recommendations of the Water Institute project may be useful in guiding further consideration of this recommendation.

10b. For Legislative Action Affirm authority of local governments to protect public supply wells

The Office of Conservation is not aware of any action towards accomplishment of this recommendation other than as suggested in previous studies.

10c. Explore drafting new regulations for E&P waste fluids recovery, recycling, and re-use

Recommendation implemented by agency action. It is expected that the findings, conclusions, and recommendations of the Water Institute project may be useful in guiding future conservation incentive programs.

10d. Engage legal scholars to research and explore non-compensated consumption of surface water

10e. Engage experts to research and explore the consequences of out-of-state sales of water resources

For Recommendations 10c. and 10d., SCR 53 of 2012 requested that the Louisiana State Law Institute “study legal issues surrounding groundwater and surface water law and any needs for revisions to current law.” The Institute completed this report in early 2014 and submitted it to the Legislature for review. SR 171 of 2014 subsequently requested that the Institute create a Water Code Committee to study the different facets of water law in Louisiana and make recommendations for providing revisions to present law. This work is underway.

10f. For Legislative Action Extend the sunset of Act 955 of 2010

Act 261 of 2012 extended the provisions of Act 955(Surface Water Management Act) through 2014. Act 285 of 2014 extended these provisions through 2016.

10g. Add surface water responsibilities to the Ground Water Resources Commission

Recommendation implemented by legislative action

10h. Investigate developing new or improving upon existing aquifer recharge area protective measures

See Recommendation 1d. above.