

LOUISIANA WATER RESOURCES COMMISSION

MANAGEMENT RECOMMENDATIONS STATUS UPDATE, JANUARY 2014

ABSTRACT:

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 staffing agency for the Commission, provided a report on progress towards implementing these recommendations in June 2013. The below checklist provides a further status update for consideration.

Note: A “completed” stamp indicates that substantive action has been taken to complete a recommendation fully or in large part, while an “in progress” stamp means that work towards meeting a recommendation is on-going. Recommendations lacking a “completed” or “in progress” stamp remain pending for reasons specified in the supporting paragraph.

1 – MONITORING

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

Although this originally was slated as a recommendation for legislative action, the Department of Natural Resources (DNR) secured funding for such a network through the Federal Petroleum Violation Escrow Account and established a partnership with the United States Geological Survey (USGS) to develop the program. The water level and chloride level network wells are in place around the state and producing data. The network of additional water quality wells is being finalized. However, program funding is temporary and will expire on June 30, 2015.

B. 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 this originally was slated as a recommendation for legislative action, DNR utilized a portion of the above mentioned funds to develop a partnership with the Louisiana Geological Survey to meet this recommendation. Four new gauging stations have been established, while the existing network has been updated and is producing data. However, program funding is temporary and will expire on June 30, 2015.

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

The Office of Conservation is coordinating efforts with USGS to review, evaluate, and make assessments of past and present water level and water quality data to provide action towards this recommendation.

D. Develop and implement an aquifer sustainability grading and prioritization ranking system

The Office of Conservation is coordinating efforts with USGS to create an easy-to-comprehend grading and prioritization ranking system based upon past and present assessments of water level and water quality data.

2 – AUDITING

- A. Continue to improve implementation of statewide water well notification compliance audit procedures**

New notification regulations have been approved and compliance audit procedures have been revised to meet this recommendation.

- B. Focus resources on consolidating water well registration and notification database information**

Staff and funding availability continue to limit work towards the implementation of this recommendation. No timeframe for completion is available at present.

3 – EDUCATION

- A. 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 government and non-profit resources to meet this recommendation. The agency is pursuing the creation and distribution of a state science teacher survey on water resources education during calendar year 2014, in addition to continuing its developmental work with relevant partners, including the Department of Education.

- B. Seek partnerships and improvements to web-based education and outreach efforts**

The Office of Conservation continues to develop these opportunities through peer-to-peer discussions with government agencies and non-profit organizations as part of its wider education initiative. Conservation already has expanded its own web-based offerings, adding general education and curriculum-specific materials to the DNR web site in March 2013 as part of the ongoing "Water-Wise in BR" public awareness campaign in East Baton Rouge Parish. Further, in September 2013, the agency's South Caddo Parish web pages underwent an extensive re-development as part of the public outreach effort in those areas of South Caddo covered by a Ground Water Emergency Order.

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

The Office of Conservation continues to work with local governments and regional bodies where applicable to assist in the development of effective measures, including, to date, the Capital Area Groundwater Conservation District, Sparta Groundwater Conservation District, and Caddo Parish.

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

The Office of Conservation developed a parish contact list and issued letters via e-mail in January 2014 that provided information about the expanded aquifer monitoring network, relevant state government contacts, water well registration efforts, and available educational opportunities. Assessment of this program is on-going.

4 – REGISTRATION

- A. **Revise water well installation notification and evaluation regulations**

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

- B. **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**

DNR has implemented major technological efficiencies, including updating the SONRIS system to allow for more specific/refined searches and the easy manipulation and export of data results. The GIS program likewise has been updated with new features to enhance data accessibility and ease data manipulation via file exportation to programs such as MS Excel. Office of Conservation and DNR Information Technology (IT) staff continue to evaluate the feasibility of integrating the water well driller and well owner databases.

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

The Office of Conservation requested comments and suggestions from parish-level contacts in January 2014 letter, and also provided recommendations for possible legislative action on a proposed outreach program in the June 2013 Water Resources Commission update. The agency anticipates implementation of additional outreach efforts within calendar year 2014.

5 – EVALUATION

- A. Update water well notification evaluation procedure to document water level drawdown assessments

The revised procedures are in effect.

- B. 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

Rather than revise Water Well Notification Form GWR-01, the Office of Conservation implemented mandatory alternative water sourcing disclosure requirements for evaluation on a case-by-case basis where notices of intended groundwater use (Form GWR-01) submitted to the agency indicate the existence of real or potential groundwater sustainability issues.

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

The Office of Conservation is evaluating potential improvements with available agency and IT staff; action towards implementing this recommendation is expected within calendar year 2014.

6 – INCENTIVES

A. Investigate feasible and effective ways to provide conservation incentives

Remains a work-in-progress; the Office of Conservation will continue to evaluate relevant programs, such as the NRCS stewardship program, and provide information for consideration and possible action.

B. Evaluate capital outlay policies and procedures to promote alternative water source use in areas where sustainability is challenged

For legislative action. This evaluation currently is proposed for inclusion within the scope of services for the development of a state water management plan.

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

For legislative action. HB2 of 2012 included language requiring local government compliance with any DNR master meter regulations, if applicable. DNR will evaluate its authority and the feasibility of proposing such regulations and any others that similarly would promote "conservation education, public outreach, water production reporting, and unaccounted for water loss abatement," as encouraged by the Water Resources Commission.

D. Evaluate linking tax credit and abatement policy to water conservation and alternative source use

For legislative action. This evaluation currently is proposed for inclusion within the scope of services for the development of a state water management plan.

E. Evaluate fiscal policy to reward high volume groundwater users to switch to surface water

For legislative action. This evaluation currently is proposed for inclusion within the scope of services for the development of a state water management plan.

7 – ENFORCEMENT

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

DNR supports the concepts embodied in the beneficial environmental projects program of the Department of Environmental Quality (DEQ) and recently utilized this program to gain additional funding for expanded groundwater awareness and education efforts in East Baton Rouge Parish for 2014. A review of program opportunities, including potential scope, organization, and funding is on-going.

8 – EMERGENCIES

Investigate coverage of groundwater emergencies by GOHSEP

The Office of Conservation amended its Ground Water Emergency Response Contingency Plan to include notification of GOHSEP for response coordination purposes.

9 – COLLABORATION

A. Implement an annual, multi-agency stakeholders' conference

In keeping with the spirit of this recommendation, the Office of Conservation held a one-day workshop for the Water Resources Commission in October 2013 to review the development process for a state water management plan. The agency is committed to holding additional workshops as needed within budget limits. Current allocations will not support a large conference with its associated costs, including venue rental, catering, and travel, without the institution of offsetting registration or attendance fees.

B. Require water conservation districts to file annual reports

Act 790 of 2012 mandated the filing of such reports. DNR received reports in 2013 from the Capital Area Groundwater Conservation District and Sparta Groundwater Conservation District. The agency is reviewing the legislation to evaluate scope and intent, and to ensure full compliance among all authorities required under its language to submit reports.

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

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 currently is at work on this report.

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

DNR provided recommendations for potential legislative action in the June 2013 Water Resources Commission update, including expanding the authority of the Commission to review such sales in an advisory capacity.

10 – GOVERNANCE

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

This recommendation currently is proposed for inclusion within the scope of services for the development of a state water management plan.

- B. Affirm authority of local governments to protect public supply wells

***For legislative action.** DNR has requested that DEQ assist in the coordination of any proposed action.*

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

The Office of Conservation has conducted a survey of oil and gas operators engaged in shale hydraulic fracture stimulation operations for input on potential regulatory action. The survey results will be evaluated to determine if any suggested regulatory changes are both within the agency’s statutory authority and feasible as proposed amendments to current fluids recovery, recycling, and re-use regulations.

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

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 currently is at work on this report.

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

DNR provided recommendations for potential legislative action in the June 2013 Water Resources Commission update, including expanding the authority of the Commission to review such sales in an advisory capacity.

F. Extend the sunset of Act 955 of 2010

***For legislative action.** Act 261 of 2012 extended the provisions of Act 955 through 2014.*

G. Add surface water responsibilities to the Ground Water Resources Commission

***For legislative action.** Act 471 of 2012 implemented this recommendation.*

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

DNR has requested that DEQ guide this process. This recommendation also currently is proposed for inclusion within the scope of services for the development of a state water management plan.