

**COMPILED QUESTIONNAIRE RESPONSES
REGARDING A PROPOSED SCOPE OF SERVICES FOR A DESIGN STRATEGY/
PLANNING FRAMEWORK FOR A STATE WATER RESOURCES MANAGEMENT PLAN**

OCTOBER 14, 2013

The below responses were compiled from returned questionnaires originally sent to members of the Water Resources Commission and Water Management Advisory Task Force.

Following action at the June 5, 2013, regular meeting of the Water Resources Commission approving a resolution requesting funding for a “comprehensive statewide water resources management plan,” a proposed scope of services for a design strategy/planning framework was developed and circulated among the membership of both groups. An accompanying questionnaire requested an evaluation of the proposed scope, including opinions on direction, goals, and the overall process.

The below responses have been sorted by general topic.

Support for Broad Outline of the Proposed Scope of Services

- Of 25 surveys returned, 23 supported the development of a planning framework as laid out in the proposed Scope of Services as an appropriate next step; only 2 checked “undecided.”
- “The scope of services appears to represent all areas of concern.”
- “The approach described seems logical and prudent in assessing the Water Resources Plan goals.”

On the Need for an Inventory of Water Resources, along with Current and Projected Demand

- “I believe strongly, regardless of the status of any major revision of Louisiana’s legal framework regarding water usage, that the correct goal of a long term water resources management plan should be establishment of a comprehensive inventory of current and future needs, as the fundamental basis of management of the development and sustainability of our state’s water resources.”
- “Establishing an inventory of water use needs, current and future, is an important part of the equation needed in order to develop a plan to sustain our water resources. In addition to knowing the demand, knowing the availability and usability of this resource is certainly a necessary part of the equation as well. The correct goal should include a determination of the current quantity and quality of our state’s water resources as well as establishing and inventory of water use needs.”

- “Long term plans for increasing the availability, quantity and quality of surface water – including identifying surface water sources, storage facilities, type, size and location and for what use. Need to determine what amount of water is currently available for major uses before we address future water use needs.”
- “Inventory existing resources and information to identify gaps of information before committing to additional resources to conduct studies. One area where more information may be needed is in identifying the surface water opportunities, rank availability, cost and potential for success based on demand, sustainability and source of need for the quality of water available.”
- “If we develop a comprehensive inventory of current and future water use needs we should have ample opportunity to provide for adequate water for a sustainable water supply for all the identified needs. However, we can’t linger too long developing a plan so adequate time will be available to implement the plan. Implementation will take much longer than the development of the management plan.”
- “Phase I – Assessment of Louisiana’s Water Budget – This phase of the Scope of Services shall investigate establishing environmental flows in Louisiana’s rivers and streams for conserving in-stream uses (both biological and recreational) and the aquatic environment. It should be noted that the TX Commission on Environmental Quality (TCEQ) could assist the Commission in developing a process for determining environmental flow requirements. TCEQ has been attempting to address such needs for the past several years.”
- “Until more information is gathered, the need for legislation/rules and the content of such will not be known.”

About the Planning Process and Framework

- “I do agree that this ‘two step’ approach to development will probably result in the most comprehensive and usable statewide water resources plan. These advantages will be offset to some degree, but not nullified, by the increased cost and increased time such a ‘two step’ approach will involve.”
- “A framework is needed to provide an orderly process to determine areas of resource management needed and to provide a structured process to address future issues. We should utilize all the resources and information currently in place, avoid duplication and [involve] individuals that have been active up to this point in time (Task Force, agencies, and organization). Much is in place, we need to get to work developing the management plan.”

- “I agree a planning framework is appropriate. It should be clear this is a framework to be built upon as more information and needs become known. The Scope of Services covers a lot of uses. This can get to be a lengthy process, which may be best considering the importance of getting it right the first time.”
- “We should move forward but building on what we have already done. We do not need to have more studies. We already have them. We have competent individuals in our state that serve on the Commission and on the Water Resources Task Force that need to come together to hammer out answers to all of our questions. We know where we have been. We know where we are. Now we need to know how best to move ahead. We need to develop the creation of regional entities to begin the discussion of moving ahead. We need to stress the importance of historic users of water resources as it relates to our state’s economic foundation. The development of a state water plan must not be created from the top down. The issues are too important to too many people for a plan to be imposed on users. We need to seriously engage all the respective user groups and move forward cooperatively together.”
- “Development of a planning framework would be appropriate and would demonstrate what areas of water resource management we need to address as we move forward. A framework could help provide some orderly process to address future issues. As much as possible we should utilize the resources, information and people we already have in place in developing a planning framework (Commn., Task Force, State and Fedl. Agencies).”
- “Will different tasks be assigned to smaller groups of the committee or will outside consultants be hired?”
- “The Task Force needs to be held accountable. Given that the TF rarely makes quorum, the Legislature needs to step in and update & revise the membership list. Once the membership is redesigned - then hold it accountable. I do not see how a Task Force can generate a statewide groundwater resources plan (#3) and an inventory of state resources (#4) if the TF meets once a year!”

Regarding Transparency and Inclusivity in the Planning Process

- “I’m sure you already know but many user groups are scared that they may be affected by any water master plan. We need to insure that we include all these groups in the information gathering and plan development process. Otherwise, they will be our most vocal critics.”
- “Again we should in this process actively engage all La. stakeholders in both the framework phase as well as the development of the statewide plan. If the framework of the ultimate plan is going to be successful the issues of concern to all stakeholders will need to be addressed in a deliberative process that addresses the technical issues involved in water resource management.”

- “All Louisiana stakeholders must be engaged in this process. The Task Force, Commn. and others’ involvement will be crucial in both the framework phase and the development of the statewide plan. This process must, to the extent possible, be a deliberative process that builds upon what has already been developed and addresses the future of Louisiana’s water resource management issues. Ultimately if this process is going to be successful and Louisiana’s water resources needs are going to be met, the issues of concern to all stakeholders will need to be addressed in a forward looking, flexible manner that allows for changes in the future that will address resource supply and demand changes over time.”
- “All stakeholders must be involved with the public which up to this point has really had no communication or opportunity to review or comment. A deliberate, transparent and open communication with all stakeholders will be necessary to have buy-in with the management plan.”

On Concerns about the Necessity of a New Study/Review/Plan

- “Do not the previous documents (the Fenstermaker report, the E&E report and the Interim Report to the Legislature) provide enough guidance that such a planning framework can be developed w/out the need to go out with another professional services contract?”
- “Here again, wouldn’t a more detailed review of the findings in the other reports be in order before spending more precious funds on another contract. Staff should be able to review existing information and develop the framework for proceeding to the next step.”
- “Haven’t we already covered this several times in the Reservoir Prioritization report, the Fenstermaker report, and the E&E report? Why is another report on water use needs necessary? What will it provide that isn’t already known? It’s important to make this clear.”
- “We have a lot of information, studies, agency and staff resources. We should utilize this as well as other information resources before doing additional studies. Again utilize the stakeholders already available on the Commn. and Task Force and pull others in on issues or topics that need additional input or information.”

On Allocations of Water Resources and a Balanced Water Budget

- “In order to conserve and properly utilize state water, the public welfare requires not only recognition of beneficial uses but also a constructive public policy regarding the preferences between these uses, such as: Domestic and municipal uses, agricultural and industrial uses, mining and recovery of minerals, hydroelectric power, navigation, recreation and pleasure, environmental/coastal restoration, other beneficial uses”

- “Apparently implicit in the requested assessment is the expectation that Louisiana’s water budget can somehow be balanced. If it cannot, is this the time to initiate or discuss prioritization of existing and future demands?”
- “Knowledge of nature and extent of existing public and private rights and duties will be essential to successfully framing and implementing any comprehensive water resources plan. In keeping with that, consideration should [be given to the] best method for resolving the conflicts that will be inevitable.”
- “Will local water budgets be established as a result of this effort?”

On the Need for Revisions to the State’s Water Law

- “Water law still needs to be better explained. We are twelve years down the road and it is still not clear how groundwater rights are granted in Louisiana.”
- “In Phase I, Question 2(b) limits the assessment of the resolution of competing demands to suggested solutions within the limits of the state’s existing legal framework. If such resolution is possible by a change in the present legal framework, why not solicit suggestions as to the nature of such change?”
- “We are uncertain whether or not the current La. legal framework regarding water usage is adequate to ensure an equitable share of water for all users, including the public, agriculture, industry, fish and wildlife, etc. If the current legal framework is not adequate to ensure an equitable share, the Commn. should at least identify those laws or barriers that restrict the State from achieving an appropriate balance between water users.”
- “The planning framework needs to recognize that it’s likely a legal revision will be required to accomplish the stated goals of a water management plan. Without reform of current water-use regulations, how do we propose to manage the resource? Short of declaring the whole state an “area of concern” or legislating statewide water commissions, what legal basis is there for attempting to control usage?”

Specific Management Issues (Infrastructure, Incentives, Conflicts)

- “There are economic considerations in addition to environment concerns about coastal restoration. If I understand correctly, the coastal restoration water use needs it for diversions of the Mississippi River water and sediment. These goals may run counter to maintaining required depths for shipping, reducing salt water intrusion via the river, etc. . . . Depending upon the location of the diversions, maritime interests such as barge fleeting, general anchorages and mid-stream cargo transfer operations could be negatively impacted.”

- “The draft addresses future demand and sustainability challenges and mentions water infrastructure development policy-making; in this we need to make sure we address conservation opportunities as well as surface water infrastructure development. We should also address conservation opportunities and potential water resource development projects as a means to help address future water use needs.”
- “1) [Include] A discussion/understanding of recharge areas for aquifers and the importance of maintaining working forest and agricultural lands. 2) Include smaller rivers (Sabine, Calcasieu, Mermentau, Vermilion, Pearl) in addressing coastal restoration water resource needs. 3) Affirmation of riparian water rights and landowner access to both surface and groundwater.”
- “I think a section considering land use practices that enhance water would be beneficial. It should be noted how best management practices in forestry and farming contribute to clean and abundant water.”
- “Rural Water feels that although the outline and framework has been established for this plan, we would like to make note of the almost 30% water loss by rural utilities in La. As we travel the state and perform water loss audits for utilities, we are constantly amazed at the number of systems that are not making the proper repairs to their infrastructure. We all know that the infrastructure in this state for both water and wastewater are decades old and need repairs. The Commn. should make sure that the utilities are doing what they are supposed to do in reference to water loss, and follow the guidelines of the plan.”

On Specific Changes to Scope of Services (Word choice, Definitions, Phrasing, Additional Emphases)

- “In general, the ‘Scope of Services’ lacks specificity and a glossary of terms complete with definitions as intended therein. For example, ‘sustainability’ may have a legal definition, yet have a different practical definition. In fact, this term may have a different meaning with reference to ground water than when used with reference to surface water reservoirs.”
- In Phase II, Question 1, the use of the term ‘strategic interface’ conveys no understandable meaning.”
- “The phrase ‘planning framework’ may connote different objectives to different responders, resulting in less than complete or comprehensive responses. The use of ‘design strategy’ in the title line of the questionnaire helps illustrate the scope and nature of the type of response solicited. Some further amplification or definition would be helpful to fully clarify the scope and objective of this request for comments.”

- “The Scope of Services (p. 1, para. 2, last sentence) mentions many water resources needs, but fails to acknowledge the necessity of water for propagation of fish and wildlife. The fish and wildlife of this state are to be managed and conserved for present and future generations. Therefore, while the Commission considers present/future human water supply needs, the needs of fish, wildlife and their supporting habitats must also be considered. Phase II – Planning and Allocation – This phase of the Scope of Services needs to also mention fish and wildlife propagation as a surface water.”
- “Do we want to include recommendation for emergencies under Phase II – Planning and Allocation?”
- “In the accompanying scope of services, Phase I, Item 2, Assess the sustainability of current and projected water usage in La.; the two groundwater conservation districts in the state (Sparta and Capital Area) should be expressly included with the other entities in regards to the comprehensive review of published data and research.”

On the Need to Review the “Regional Bodies” Management Concept

- “The original Groundwater Resources Commission directed the Office of Conservation to promulgate rules for the appointment or designation of up to five regional bodies based on the general location of major aquifer systems and water resources of the state. To my knowledge, work on this has not progressed. There are currently two “Groundwater Conservation Districts” in the State, Capital Area and Sparta. Users in the Chicot Aquifer tried for years to establish a recognized group.”
- “I would like to see a discussion of the regional stakeholder groups that were included in the original legislation that was passes in 2003 and were discussed in many meetings but with no firm plan for implementation.”