
GROUND WATER RESOURCES COMMISSION

REPORT OF MEETING
HELD AT
BATON ROUGE, LOUISIANA
DECEMBER 18, 2008

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

GROUND WATER RESOURCES COMMISSION

Report of the meeting held by the Ground Water
Resources Commission, State of Louisiana, on
December 18, 2008, in Baton Rouge, Louisiana.

IN ATTENDANCE:

- Scott Angelle, Secretary, Dept. of Natural Resources
- James Welsh, Commissioner of Conservation
- James Burland, Various Trade Assoc. for Industry
- Jackie Loewer, Areas Underlain by Chicot Aquifer
- Eugene Owen, Louisiana Rural Water Association
- Paul Frey, Louisiana Landowners Association
- Carrie Castille, Agriculture and Forestry
- Kyle Balkum, Dept. of Wildlife and Fisheries
- Bo Bolourchi, Dept. of Transportation & Development
- Paul Miller, Dept. of Environmental Quality
- William Downs, St. Mary Land and Exploration Company
- Gene Coleman, Sparta Ground Water Conservation
- Mayor Dan Hollingsworth, Louisiana Municipal Assoc.
- Mickey Mays, Police Jury Association of Louisiana
- Blake Canfield, Staff Attorney, Conservation
- Gary Snellgrove, Environmental Div., Conservation
- Monique Edwards, Executive Counsel, DNR

Michelle S. Abadie, CCR

(225) 261-5109

1 OTHERS PRESENT:

2

3 REPRESENTING WATER RESOURCES COMMITTEE OF N. LA:

4 GARY HANSON

5 201 Pennsylvania Avenue

6 Shreveport, Louisiana

7

8 REPRESENTING UNIVERSITY OF LOUISIANA AT LAFAYETTE:

9 TIMOTHY DUEX

10 Geology Department, LSU-Lafayette

11 P.O. Box 44530

12 Lafayette, Louisiana 70504

13

14 REPRESENTING DESOTO PARISH WATER WORKS DIST. #1:

15 JOHN NEILSON

16 302 North Washington Avenue

17 Mansfield, Louisiana 71052

18

19

20

21

22

23

24

25

26

27

28

29

30

Michelle S. Abadie, CCR

(225) 261-5109

1 GROUND WATER RESOURCES COMMISSION MEETING

2 DECEMBER 18, 2008

3 * * * * *

4 SECRETARY ANGELLE:

5 I would like to go ahead and call the
6 December 18th, Ground Water Resources Commission
7 meeting to order and go ahead and welcome everyone
8 here. We will go ahead and have some formal
9 introductions in just a minute.

10 Let me say that, again, I -- as we talked about
11 last time, as we try to stand up ground water resource
12 management in the state of Louisiana and get a little
13 bit bolder and smarter about what we are trying to do
14 here, to provide transparency, we have engaged the
15 services of a court reporter so that the transcript
16 will be available. The discussion can be reproduced
17 for folks. We will put it on the internet. We believe
18 that is a good first way to go ahead and get started as
19 we try to get into the job of managing ground water
20 resources.

21 You all recall that -- several of you recall that
22 we had a meeting some months ago and began to address
23 some of the issues, and our roster was not yet
24 complete. We do now have with us here new members, and
25 so what I would like to do at this point is ask for
26 Mr. Canfield to go ahead and -- go ahead and go with a
27 roll call, and we will come back and ask for some
28 formal introductions and swearing in of those members.

29 Mr. Canfield?

30 MR. CANFIELD:

Michelle S. Abadie, CCR

(225) 261-5109

1 Thank you, Chairman. All right. Just say "aye,"
2 or "here, present," whenever I call your name.

3 Chairman Angelle?

4 SECRETARY ANGELLE:

5 Here.

6 MR. CANFIELD:

7 Commission Member Balkum?

8 MR. BALKUM:

9 Present.

10 MR. CANFIELD:

11 Commission Member Bolourchi?

12 MR. BOLOURCHI:

13 Here.

14 MR. CANFIELD:

15 Commission Member Burland?

16 MR. BURLAND:

17 Here.

18 MR. CANFIELD:

19 Commission Member Castille?

20 MS. CASTILLE:

21 Here.

22 MR. CANFIELD:

23 Commission Member Coleman?

24 MR. COLEMAN:

25 Here.

26 MR. CANFIELD:

27 Commission Member Colvin?

28 (No response.)

29 Commission Member Downs?

30 MR. DOWNS:

Michelle S. Abadie, CCR

(225) 261-5109

1 Here.

2 MR. CANFIELD:

3 Commission Member Frey?

4 (No response.)

5 Commission Member Graves?

6 MR. FREY:

7 Frey.

8 MR. CANFIELD:

9 Oh, Frey. I apologize.

10 MR. FREY:

11 Frey is here.

12 MR. CANFIELD:

13 Excuse me.

14 Commission Member Graves?

15 (No response.)

16 Commission Member Hollingsworth?

17 MR. HOLLINGSWORTH:

18 Present.

19 MR. CANFIELD:

20 Commission Member Johnston?

21 (No response.)

22 Commission Member Levine?

23 (No response.)

24 Commission Member Loewer?

25 MR. LOEWER:

26 Here.

27 MR. CANFIELD:

28 Commission Member Leggett?

29 MR. MILLER:

30 Paul Miller standing in for Hal Leggett.

1 MR. CANFIELD:

2 Commission Member Mays?

3 MR. MAYS:

4 Here.

5 MR. CANFIELD:

6 Commission Member Owen?

7 MR. OWEN:

8 Present.

9 MR. CANFIELD:

10 Commission Member Short?

11 (No response.)

12 And Commission Member Welsh?

13 MR. WELSH:

14 Here.

15 MR. CANFIELD:

16 All right. Chairman, that's everyone.

17 SECRETARY ANGELLE:

18 So we have a quorum. Thank you very much.

19 Okay. Of the six members that have been
20 appointed -- it's my understanding, we have six members
21 that have been appointed since our last time, and of
22 those six, I believe, four are here. Correct me if I
23 am wrong. We have Ms. Castille, Mr. Mays,
24 Mr. Hollingsworth, and Mr. Downs; is that correct?
25 Mr. Short or Mr. Owen are not here, correct?

26 MR. OWEN:

27 No, Owen is here.

28 SECRETARY ANGELLE:

29 Owen is here. I'm sorry. I apologize, sir.
30 Thank you very much.

Michelle S. Abadie, CCR

(225) 261-5109

1 So we have five of the six members here. Let me
2 take this time to thank you. Obviously, the pay is out
3 of this world. The retirement package is even better.
4 We do appreciate you taking the time, some of you come
5 from far distances, to be with us today, but I think it
6 goes to say that ground water management -- ground
7 water resources management in Louisiana is very, very
8 important. It is as important as any other resources
9 we have. And Louisiana is just beginning to, I think,
10 get serious about some of the issues with the ground
11 water, and it is important that we have you here.

12 Before I ask you to maybe go ahead and take a
13 public oath of office, I would like to give each and
14 every one of the new members an opportunity to tell us
15 a little bit about yourself and your interests.

16 So we'll go here, we'll start with Ms. Castille.

17 MS. CASTILLE:

18 I'm Carrie Castille with the Louisiana Department
19 of Agriculture and Forestry. I was -- recently
20 accepted a position from the LSU Ag Center over to the
21 Louisiana Department of Ag and Forestry.

22 I have a background in ground water resources, as
23 well as environmental quality, as several years ago, I
24 helped with some of the resources being dedicated from
25 the Ag Center to do some of the public outreach with
26 ground water.

27 SECRETARY ANGELLE:

28 Thank you and welcome, appreciate it.

29 Mr. Mays?

30 MR. MAYS:

Michelle S. Abadie, CCR

(225) 261-5109

1 Is my switch on?

2 SECRETARY ANGELLE:

3 Yes, sir. When you see the red light, it means
4 go. Red means go over here. I'm not sure.

5 MR. MAYS:

6 Thank you. I'm Mickey Mays. I am president of
7 the Lincoln Parish Police Jury. I am here representing
8 the Police Jury Association of Louisiana. Lifelong
9 resident of Ruston, involved in various businesses in
10 that area. I am happy to be here. I have been very
11 involved in the water situation, especially the water
12 problem that Lincoln Parish has had for many years.
13 Past president of the Wildlife Federation in Lincoln
14 Parish, and this is something that is very dear to me,
15 and I appreciate the opportunity to be here.

16 SECRETARY ANGELLE:

17 Thank you very much, appreciate you, Mr. Mays.
18 Mr. Hollingsworth?

19 MR. HOLLINGSWORTH:

20 Dan Hollingsworth, I am mayor of Ruston,
21 representing the Louisiana Municipal Association. I am
22 a lifetime broadcaster. I have spent almost 45 years
23 with my own operation in Ruston, Louisiana, and served
24 as president of the Louisiana Association of
25 Broadcasters in the past.

26 I have been very interested in the Sparta, because
27 when I moved to Ruston in 1968, the Chamber of Commerce
28 president told us that the greatest pressing problem
29 for the future of the City of Ruston was the Sparta
30 Aquifer and the fact that it was being depleted at a

Michelle S. Abadie, CCR

1 higher rate than it was being reenergized. So I am
2 pleased to be here, and hopefully, working with you and
3 working together, we can begin to find a solution to
4 some of our water problems throughout our state.

5 SECRETARY ANGELLE:

6 Very good, thank you, and I appreciate it. So, as
7 I understand it, you represent the Louisiana Municipal
8 Association from Ruston. And Mr. Mays is representing
9 the Louisiana Police Jury Association, he is from
10 Ruston. And when I was visiting with you all earlier
11 this week in Ruston, you all told me you all feel like
12 you all are left out. I tell you what, I can learn a
13 few lessons from the way that you all play it up there,
14 good job.

15 Mr. Owen?

16 MR. OWEN:

17 Eugene Owen. For many years, I have been involved
18 in ground water usage, principally through municipal
19 associations. For example, I currently serve, and have
20 for about 25 years, as chairman and CEO of Louisiana
21 Water Company, which serves the municipalities of New
22 Iberia, Crowley, Eunice, DeQuincy, LaCamp, and Mansur.
23 I also am chairman and CEO of Baton Rouge Water
24 Company, which serves about 250,000 customers in East
25 Baton Rouge Parish, and the adjoining parishes,
26 principally Ascension Parish.

27 The problems associated with wise use of ground
28 water resources, I am about 25 years behind what you
29 perceive, Mayor Hollingsworth, in Ruston, because we
30 are only now beginning to perceive the consequences of

Michelle S. Abadie, CCR

1 that in East Baton Rouge Parish.

2 SECRETARY ANGELLE:

3 Okay. Thank you for your service.

4 Mr. Downs?

5 MR. DOWNS:

6 I am Will Downs from Shreveport. I am currently
7 employed by St. Mary Land and Exploration Company.
8 They are an oil and gas exploration company, actually
9 started here in Louisiana, St. Mary Parish. I am a
10 geologist by degree. I am the exploration manager for
11 the company. I have about 27 years with oil and gas
12 exploration experience, and about three years in
13 saltwater disposal -- transportation and disposal
14 experience, so I hope I can bring some expertise to
15 this Commission.

16 SECRETARY ANGELLE:

17 Great. Thank you, again.

18 I thought it would also be a good idea for those
19 members who were here last time, so we all get to know
20 where we've come from, to maybe kind of go around and
21 just give, for the new members, a little, brief history
22 of what it is that you do and why you do it.

23 We will start over there with you, James -- Jimmy.

24 MR. BURLAND:

25 Thank you, Mr. Chairman. Jimmy Burland, I am an
26 attorney here in town, appointed by several of the
27 different trade associations for industry, the Chemical
28 Association, Mid-Continent Oil and Gas, LABI, and the
29 Louisiana Pulp and Paper Association.

30 I have been working on this issue several years,

Michelle S. Abadie, CCR

1 in association with the Advisory Task Force, and for
2 private and trade association clients with regard to
3 the Sparta and the Chico Aquifers.

4 MR. LOEWER:

5 My name is Jackie Loewer, and I fill that slot in
6 the Commission of a member who resides or works in the
7 geographical area of the state underlain by the Chicot
8 Aquifer.

9 I am a rice farmer by trade, and I am active in
10 the rice industry of Louisiana and the nation. And, as
11 you know, rice is a huge user of ground water, or
12 water, generally, but specifically ground water, and we
13 are very concerned about some of the problems that
14 could arise in the state with ground water use, and
15 that is just something that we -- our livelihood
16 depends on that, and so we are very interested in it
17 and hope we can bring that to the table.

18 SECRETARY ANGELLE:

19 Thank you for your service, Mr. Jackie.

20 Paul?

21 MR. FREY:

22 I'm Paul Frey. I represent the Louisiana
23 Landowners Association. I have been with the
24 Association approximately a year now. I previously had
25 a 34-year career with the State of Louisiana, and
26 served the State Forestry over the last 18 years of
27 those 34 years. And, of course, all of you know,
28 forestry is the great recharge area, especially for the
29 Sparta up in north Louisiana, and I look forward to
30 working on the Commission, Mr. Angelle.

Michelle S. Abadie, CCR

(225) 261-5109

1 SECRETARY ANGELLE:

2 Thank you, Mr. Frey.

3 Kyle?

4 MR. BALKUM:

5 I am Kyle Balkum. I represent the Department of
6 Wildlife and Fisheries, and I am the designee of
7 Secretary Robert Barham. I have been with the State
8 for a little over 11 years, most of my time in wetland
9 conservation and wetland mitigation banking.

10 SECRETARY ANGELLE:

11 Thank you very much.

12 MR. BOLOURCHI:

13 Good afternoon. My name is Bo Bolourchi. I
14 represent the secretary of the Department of
15 Transportation and Development.

16 I have been involved in water resources programs
17 under different titles of different stages in the past
18 25 years. I am presently director of water resources
19 programs through Department of Transportation and
20 Development, which includes the water well program and
21 safety, and reservoir development, and other programs.

22 SECRETARY ANGELLE:

23 Thank you very much.

24 Paul?

25 MR. MILLER:

26 Yes. My name is Paul Miller. I am an assistant
27 secretary within the Department of Environmental
28 Quality. I am sitting in for Dr. Hal Leggett. I have
29 about 30 years experience in environmental protection.
30 The first few years were dealing with the public water

Michelle S. Abadie, CCR

1 supply with the Department of Health and Hospitals.

2 SECRETARY ANGELLE:

3 Mr. Jim Welsh?

4 MR. WELSH:

5 Good afternoon. My name is Jim Welsh. I am the
6 Commissioner of Conservation. I have been serving as
7 Commissioner since 2002. I am a geologist by
8 profession. I have about 36 years with the Office of
9 Conservation before becoming Commissioner, so I have
10 been there, done that with Conservation, so it is a
11 pleasure to be here.

12 SECRETARY ANGELLE:

13 Thank you.

14 Mr. Gene?

15 MR. COLEMAN:

16 I'm Gene Coleman representing the Sparta
17 Groundwater Commission. I serve as its chairman and
18 one of the original Board members. And we work closely
19 with the Arkansas Group and hope to continue that
20 effort of working closely with the Arkansas Group.

21 And we are real pleased to have the Commissioners
22 and the chairman in our area visiting and talking with
23 us, and I am very, very hopeful and real encouraged
24 that we are going to make some real progress and set a
25 good example for other states, rather than being
26 behind.

27 SECRETARY ANGELLE:

28 Good. Thank you, Mr. Gene.

29 And my name is Scott Angelle. I serve as the
30 Secretary of the Louisiana Department of Natural

Michelle S. Abadie, CCR

(225) 261-5109

1 Resources, and represent Governor Jindal on this
2 Commission as the chairperson.

3 My background is petroleum land management, and by
4 my accent, you can tell that I am not from Ruston or
5 Natchitoches. I am from a little town in south
6 Louisiana called Breaux Bridge.

7 Very good. Thank you all very much. Again, I
8 think we have got a really good group here of folks
9 with good backgrounds and passion and can help us walk
10 through the issues as we develop those issues, as we
11 identify what perhaps are issues that we need to put on
12 the list to get done first and second and third, and
13 then, from there, what resources do we need to be able
14 to do that, whether they are financial resources, human
15 resources, or our ability to communicate with the
16 public and educate the public about what it is that we
17 are trying to do here.

18 I would like to go ahead and ask -- are you going
19 to -- Ms. Edwards, with my office, will go ahead and
20 swear in the new members.

21 Ms. Edwards?

22 MS. EDWARDS:

23 For those who are just joining us, would you just
24 raise your right hand, and on the oath, when I say "I,"
25 you say your name and repeat after me.

26 "I," state your name --

27 (New Commission members complied and recited the
28 following oath.)

29 MS. EDWARDS:

30 -- do solemnly swear that I will support the

Michelle S. Abadie, CCR

1 Constitution and laws of the United States and the
2 Constitution and laws of the State of Louisiana, and
3 that I will faithfully and impartially discharge and
4 perform all the duties encumbered upon me as a member
5 of the Ground Water Resource Commission, according to
6 the best of my ability and understanding, so help me
7 God.

8 You are sworn.

9 SECRETARY ANGELLE:

10 Thank you very much.

11 Okay. Item No. 2, "Rules of Order," Mr. Canfield?

12 MR. CANFIELD:

13 Thank you, Chairman. This shouldn't take too
14 long, but just briefly stated, the Ground Water
15 Resources Commission does not have any bylaws or any
16 set standard rules for specific procedural practices
17 and manner of doing business, and for that reason,
18 there's a need to adopt some rules. And I would
19 recommend that the rules we adopt be Robert's Rules of
20 Order, newly revised. It is a very commonly used and
21 respected authority on parliamentary procedure. And
22 that's really all I want to say on it.

23 SECRETARY ANGELLE:

24 Very good, very good. Any discussion? The Chair
25 would entertain a motion to adopt Robert's Rules of
26 Order.

27 Is there an edition number on there?

28 MR. CANFIELD:

29 Yes, sir. It is the 10th Edition of Robert's
30 Rules of Order, Newly Revised.

Michelle S. Abadie, CCR

(225) 261-5109

1 MR. HOLLINGSWORTH:

2 So moved.

3 SECRETARY ANGELLE:

4 Motion by Mr. Hollingsworth to adopt Robert's
5 Rules of Order, 10th Edition, as the rules of order for
6 the Louisiana Ground Water Resources Commission.

7 MR. BOLOURCHI:

8 Second.

9 SECRETARY ANGELLE:

10 Second by Mr. Bolourchi.

11 Any objections to the motion?

12 (No response.)

13 Any discussion?

14 (No response.)

15 Hearing none, that motion is adopted.

16 I would like to add an item on the agenda to make
17 the provision to elect a vice chairperson. Although
18 the statutes indicate that the Governor's
19 representative serves as chairperson, there will be
20 times that I will not be able to be in attendance
21 because of conflicts of schedule, and we shall not let
22 the business of managing the ground water resources of
23 this state go around one person's schedule, as things
24 do change from time to time. So it is appropriate for
25 us to consider an item -- a motion to extend the agenda
26 to allow for the election of a vice chairperson.

27 MR. OWEN:

28 I so move.

29 SECRETARY ANGELLE:

30 Motion by Mr. Owen.

Michelle S. Abadie, CCR

(225) 261-5109

1 MR. COLEMAN:

2 Second.

3 SECRETARY ANGELLE:

4 Second by Mr. Coleman to extend the agenda to
5 allow for the election of a vice chairperson.

6 Any objections?

7 (No response.)

8 Any discussion?

9 (No response.)

10 Hearing none, that item is adopted, and the agenda
11 is so extended.

12 Having said that, it would be proper, I have had
13 conversations with Ms. Castille. She is here in Baton
14 Rouge and has indicated a desire to serve as
15 chairperson. However, because the pay, again, is out
16 of this world, somebody may want to also serve, and we
17 certainly would -- we could open the floor for anybody
18 that would want to. I do appreciate the fact that
19 Ms. Castille has indicated a willingness to serve, but
20 anybody else, if we want to go ahead and entertain
21 motions to nominate folks for vice chairperson.

22 MR. COLEMAN:

23 I would like to nominate her for vice chairperson
24 and ask that we elect her by unanimous vote.

25 SECRETARY ANGELLE:

26 Okay. We have a motion by Mr. Coleman to nominate
27 Ms. Castille.

28 Any other nominations for vice chairperson, any
29 other nominations?

30 (No response.)

Michelle S. Abadie, CCR

(225) 261-5109

1 Okay. Now that we have a nomination, and my
2 understanding, Robert's Rules of Order do not require a
3 second on nominations. We will go ahead and put that
4 to a vote.

5 All in favor of Ms. Castille as vice chairperson,
6 signify by saying "aye."

7 (All members voted affirmatively.)

8 SECRETARY ANGELLE:

9 Any opposed?

10 (No response.)

11 Hearing none, that motion is adopted.

12 And congratulations, you have yet another duty to
13 add to your resume. We appreciate it. In fact, you
14 will likely have to chair the latter part of this
15 meeting. I think I need to get back to the Capitol
16 shortly, okay. Thank you very much.

17 Item No. 3 would be a ground water report. One of
18 the things that I wanted to start doing -- are you all
19 going to be able to --

20 MR. SNELLGROVE:

21 It's ready.

22 SECRETARY ANGELLE:

23 Okay. One of the things that I thought was very,
24 very important is that we start to begin to have some
25 data, and that we put it in some kind of form that we
26 understand, and so that we can -- you know, what policy
27 we end up deciding on as how we manage ground water
28 will be policy that we will discuss and we will debate
29 and we will work through. It should be undeniable,
30 though, that whatever it is that we decide upon should

Michelle S. Abadie, CCR

(225) 261-5109

1 be based on sound information, sound science, and it
2 should have the information whether we have, you know
3 -- do we have ten wells that were drilled in this area,
4 or somebody over here says, no, we had 20 wells. We
5 need to have accurate information. You need to know
6 what that information is. You need to be able to
7 question that information. And, you know, we need to
8 be working with our partners and our stakeholders to
9 make sure we get it in that format. So what I thought
10 would be important for us to begin with, just start --
11 to start rolling out some of the things, and then to
12 certainly asking to give us your input or what else you
13 believe ought to be part of this as we build it.

14 I know the staff, when I visited with the staff
15 about this, they were somewhat overwhelmed that, I hope
16 you don't expect us to have all of this information at
17 the first meeting. And after saying, yes, I do, we
18 ended up getting through what we could have ready today
19 and then continue to build upon it as we try to make,
20 again, the Ground Water Resources Commission the
21 epicenter of data and the decision making for the state
22 of Louisiana. Much like this department is when it
23 comes to oil and gas, we need to make sure that we have
24 that kind of information for ground water.

25 Mr. Snellgrove?

26 MR. SNELLGROVE:

27 Thank you, Chairman.

28 Okay. As the Chair stated, the goal that has been
29 established for the Ground Water Resources Commission
30 is to be the epicenter of ground water knowledge, data,

Michelle S. Abadie, CCR

1 and policy for the state of Louisiana. Pursuant to
2 that objective, one of the items that will add to this
3 knowledge, to this data, and the use of the data and
4 the statistics and everything that goes along with it,
5 will be vital statistics that we want to provide to the
6 Ground Water Commission from the Commissioner of
7 Conservation as a Ground Water Resources Report. And
8 the objective of this report will be to provide the
9 Ground Water Resources Commission with current vital
10 statistics on ground water use in Louisiana and the
11 Office of Conservation's oversight thereof.

12 The contents of the report as -- we're in the
13 process of developing this, but the contents, as we see
14 it at the moment, would be to include statistical
15 information and data that summarizes Ground Water
16 Resources Program performance indicator information,
17 DNR water well registration statistics, and Sparta
18 areas of ground water concern, ground water use data
19 statistics. So going through each one of these three
20 items, I have gone through and collected information as
21 we have it current today. Some of it will be much
22 farther along as time has allowed for our staff to get
23 into the information, and some of it is very
24 preliminary. But our objective here is to, by our next
25 meeting, have the first report finalized and ready for
26 distribution.

27 So the first item here was the performance
28 indicator, and just to give you a little idea of what a
29 performance indicator is to an agency in Louisiana, we
30 are accountable, as an agency, for the objectives of

Michelle S. Abadie, CCR

1 our department and of our agencies and programs,
2 and one of the -- we are accountable to the Division of
3 Administration and the legislature. So, in this
4 process we go through every quarter, we collect this
5 information as part of our strategic plan as an agency,
6 and part of that strategic plan includes this
7 performance indicator that captures information
8 relevant to or -- relative to the Ground Water
9 Resources Program.

10 The item of interest here that you see on the
11 screen is titled "The Percentage of New Registered
12 Ground Water Wells Acted Upon Within Thirty (30) Days."
13 Now, this particular performance indicator is new to
14 our agency, to our program. It was implemented,
15 effective July 1, 2008, which is the first quarter of
16 our fiscal year, 2008-'09. And part of the performance
17 indicator process includes an objective, and that
18 objective is that we act upon new water well
19 notifications that we receive within 30 days of receipt
20 of a form that we receive, and, you know, as required
21 by the statute. So 85 percent is our target
22 performance objective. Our first quarter of the fiscal
23 year '08-'09 percentage was 88 percent, so we met our
24 objective and goal for that quarter.

25 SECRETARY ANGELLE:

26 Mr. Snellgrove, I am just having trouble
27 understanding. Is that percentage of new registered
28 ground water well applications?

29 MR. SNELLGROVE:

30 Well, it's notification forms that we receive in

Michelle S. Abadie, CCR

1 advance of the well actually being installed. So the
2 performance indicator requires that -- well, the
3 objective data is, is that, when we get the
4 notification in through door, I mean, it's stamped in,
5 and then our -- and we've determined that it is
6 administratively and technically complete, the form
7 that is submitted, then the clock starts for us to meet
8 this objective, to -- and I am going to get to it here
9 in a bit -- what more specifically we do with the
10 information.

11 SECRETARY ANGELLE:

12 Thank you.

13 MR. SNELLGROVE:

14 Okay. So --

15 MR. WELSH:

16 Does that in any way conflict with the 60 days we
17 have on the time allowed to make a ruling and a draft
18 order --

19 MR. SNELLGROVE:

20 No, sir. It -- the statute requires that DNR,
21 when the information comes into us, make some type of
22 determination within 30 days of receipt. Some of that
23 -- one of those items may be that we need more
24 information, and so that, within 30 days, if we act
25 upon -- what this performance indicator says is that we
26 take some action within the 30 days of receipt. Now,
27 that action may be, you know, two weeks thereafter
28 receiving the information, it is technically complete,
29 administratively complete, and we don't need to
30 anything else but acknowledge the fact that we have got

Michelle S. Abadie, CCR

(225) 261-5109

1 a good form, we have evaluated it, and it shouldn't
2 pose any problems, so we send a letter out. That is
3 our action.

4 But in the event that we do need additional
5 information, then we would have met our performance
6 indicator to send out a request for additional
7 information in the form of an order.

8 MR. WELSH:

9 I got you. Thank you.

10 MR. SNELLGROVE:

11 Okay. And that leads into what I've got here on
12 the slide, which is a rundown on the DNR water well
13 registration process. And not to go, you know, real
14 deep into the statutes and what have you, but, in
15 general, this is what -- you know, this is what happens
16 for, you know -- in these notification -- in the
17 notification process.

18 First of all, identify two different types of
19 wells or well use in areas that we have that comes
20 before us that requires different action or a different
21 process.

22 First of all, the statute has exempted -- well,
23 let me back up.

24 There is different types of wells, by statute.
25 Some have been exempted from giving -- requiring that a
26 water well owner provide us notification before the
27 well is installed, and so those -- I am going to go in
28 backwards.

29 So, on the bottom of the slide, you will see that
30 the exempt wells include domestic wells, drilling rig

Michelle S. Abadie, CCR

1 supply wells, and those wells that are deemed to be, by
2 definition, replacement wells. And what happens in
3 that process is, we are required to receive -- or the
4 well owner is required to provide to us, for those
5 types of wells -- after 60 days that it has been
6 installed, or within 60 days, we are required to
7 receive registration or notification that the well has
8 been put in. So it doesn't require us to do an
9 evaluation, but we do -- we are required to receive
10 that information, and we put it into our database,
11 which is useful information to us when we evaluate
12 other types of wells.

13 And those other types of wells include, on the top
14 part of the slide, the non-exempt water wells, which
15 are industrial wells, or include industrial wells,
16 irrigation wells, and public supply wells. Included in
17 that category will also be frac water supply wells for
18 -- in the oil and gas industry.

19 SECRETARY ANGELLE:

20 I think it's important, I want to understand the
21 difference. You said frac water wells in industrial;
22 is that right?

23 MR. SNELLGROVE:

24 A frac water supply well would meet the definition
25 as -- as far as we have determined, to be an industrial
26 well, but we have determined it to have its own
27 category.

28 SECRETARY ANGELLE:

29 Okay. Well, is it -- as far as what I am seeing
30 on the screen right now, would a frac well fall into an

Michelle S. Abadie, CCR

1 industrial well category? That's a "yes" or "no."

2 MR. SNELLGROVE:

3 Yes.

4 SECRETARY ANGELLE:

5 Okay. Having said that, I want -- for purposes of
6 the Commission members to understand the difference
7 between a drilling rig supply well and a frac well.

8 MR. SNELLGROVE:

9 Okay. The difference is in the definition. And
10 for a drilling rig supply well, the statute clearly
11 defines that a drilling rig supply well is to be used
12 in conjunction with -- and this is not verbatim, right
13 out of the statute, but generally, what it says in
14 there is that a drilling rig supply well is used during
15 the drilling activity or drilling operations of an oil
16 and gas well. It is a temporary well, by nature.

17 So the difference between that and a frac water
18 supply well is that, when you get to the end of the
19 drilling process, in the hydraulic fractionation
20 process, you stimulate your well at that point, and now
21 the water that is being drawn from the supply well or
22 from the well itself, the function of the -- the use of
23 the well water has changed to the industrial category,
24 at that point.

25 SECRETARY ANGELLE:

26 And from a notification standpoint, you are
27 working and reaching out to operators to make sure that
28 they understand the difference between a drilling
29 rig -- because, by that definition, one could perhaps
30 assume that a small well being used during the drilling

Michelle S. Abadie, CCR

(225) 261-5109

1 process to furnish, if you would, just water for
2 washing purposes or whatever on -- at the rig site
3 might be an exempt well, in this particular situation,
4 when it goes from that particular purpose to being used
5 for a frac situation. You are reaching out to folks
6 and making certain that we are trying to get that data,
7 because we want that information to be part of all of
8 this data that we are trying to put together. Has that
9 been something that -- I know you indicated that you
10 were trying to reach out. Are you finding folks
11 responding in a very positive way to that?

12 MR. SNELLGROVE:

13 Yes, sir. We have implemented -- back in August,
14 we implemented a guidance statement that we provide now
15 with every drilling permit that is issued through the
16 Engineering Division with the Office of Conservation.
17 Every letter that goes out for a permit to drill is
18 getting this frac water supply memo or guidance
19 statement.

20 SECRETARY ANGELLE:

21 So when they come in and they go through another
22 division within the Office of Conservation and fill out
23 the application and are issued a permit to drill an oil
24 and gas well, you have used that process and have
25 married your guidance statement to them to make sure
26 that they are aware of this, so you are catching this
27 on the front end?

28 MR. SNELLGROVE:

29 Yes, sir.

30 SECRETARY ANGELLE:

Michelle S. Abadie, CCR

(225) 261-5109

1 Great.

2 MR. WELSH:

3 And one thing also, Mr. Secretary, we are applying
4 that to all wells in the state, not just Haynesville,
5 you know, the high-profile, but it's statewide.

6 SECRETARY ANGELLE:

7 I commend you on that to -- you know, much like I
8 would say when, you know, I would turn to my friends --
9 having spent 16 years in local government, I would turn
10 to my friends in local government, when folks come in,
11 in the building permit process, is the right time to
12 give them the information about what it is that you
13 expect of them and some of the ways that they go about
14 complying with the rules and regulations in your parish
15 or your city. I think this is the right and proper way
16 to do it and make sure that we continue to educate and
17 educate and educate, because perhaps that has not been
18 something that was a big deal. Obviously, we haven't
19 had -- prior to the Haynesville, we haven't had a whole
20 bunch of water that was used -- was originally
21 permitted under a drilling rig supply used for a
22 fracing situation. It has just kind of been a more
23 recent development, and we need to try to use all of
24 those various resources and opportunities to
25 communicate, so job well done.

26 MR. SNELLGROVE:

27 Thank you, appreciate it.

28 MS. CASTILLE:

29 I also have a question.

30 MR. SNELLGROVE:

Michelle S. Abadie, CCR

(225) 261-5109

1 Yes, ma'am.

2 MS. CASTILLE:

3 Can you define what an irrigation well is; can you
4 give me the definition?

5 MR. SNELLGROVE:

6 An irrigation well could include both for
7 agricultural purposes, as well as for ponds or just
8 farms and things of that nature.

9 MR. HOLLINGSWORTH:

10 Could I ask a question, Mr. Chairman? I'm sorry.

11 SECRETARY ANGELLE:

12 Yes, sure.

13 MR. HOLLINGSWORTH:

14 Do we have a mailing list or an e-mail address
15 list of these drillers who make up the major part of
16 the people who drill wells in this state that we can
17 notify in advance of these rules, so they don't just
18 come to you for a permit and then find out what the
19 rules are, to try to give them some advance notice?

20 SECRETARY ANGELLE:

21 You are talking about the oil and gas operators?

22 MR. HOLLINGSWORTH:

23 Yes.

24 SECRETARY ANGELLE:

25 Yes. Through our database -- it is another good
26 suggestion. Through our database, we should have,
27 obviously, a list of those companies that have
28 previously permitted wells, you know. That doesn't
29 mean we would have everyone, obviously, who may be in
30 the future, but if we can do both, I think is what you

Michelle S. Abadie, CCR

(225) 261-5109

1 are suggesting, it would be a good and wise use of that
2 information. So, from a suggestion standpoint, I don't
3 think that comes in the form of a motion, but I think,
4 again, as we look at this, I think it makes sense to
5 try to let -- you know, both through the Office of
6 Mineral Resources, which has a database, and the Office
7 of Conservation, which has a database, some of it may
8 be e-mail, some of it may not all e-mail, but again let
9 them know about this, yes, I think serves us well,
10 playing offense than playing defense.

11 MR. SNELLGROVE:

12 Okay.

13 MR. BALKUM:

14 This is Kyle. I have a quick question. The
15 difference between non-exempt and exempt wells is the
16 rationale that the exempt wells have less of a demand,
17 less of a water demand, than non-exempt?

18 MR. SNELLGROVE:

19 That is a good question. Exempt wells would be --
20 for instance, a domestic well is typically a 4-inch
21 well, which is relatively a small well, in the whole
22 scheme of things, and they don't use -- the use of
23 that, you know, is going to be significantly less than,
24 say, a 16-inch industrial well or, you know, a 16-inch
25 irrigation well, or even some of the public supply
26 wells that are serving multiple residences.

27 SECRETARY ANGELLE:

28 Has the legislature spoke to those exemptions
29 or --

30 MR. SNELLGROVE:

Michelle S. Abadie, CCR

(225) 261-5109

1 Yes, sir.

2 SECRETARY ANGELLE:

3 Is that correct?

4 MR. SNELLGROVE:

5 Yes, sir.

6 SECRETARY ANGELLE:

7 So I would say, certainly, by the volume of users,
8 the way I would -- you know, it is hard to speculate
9 what was in the mind of the legislature at the time,
10 but I certainly believe that the consistency there is
11 volume.

12 MR. SNELLGROVE:

13 Okay. All right. So, once we've gotten the
14 notification we need for these non-exempt wells, then
15 we go through a process of making a determination. We
16 evaluate the location of where the well is proposed to
17 be and the depth that it is proposed to be drilled, and
18 we look at the area around the well location to
19 determine other -- you know, if there may be any nearby
20 other registered water wells that may be adversely
21 impacted. We look at the aquifer itself that it is
22 going to be withdrawn from and the rate, and evaluate
23 this and determine whether or not there is any
24 potential for adverse impact to the aquifer itself or
25 to any nearby wells, and we make a decision based on
26 that information.

27 So one of the things that we can do is, we can --
28 in our determination process to meet, again, the goal
29 of making -- taking action within 30 days. Again,
30 we're back on -- you know, this is all under the

Michelle S. Abadie, CCR

1 statistical -- you know, performance indicator. So
2 continuing to that point, we make that decision, one
3 decision we could do is, we can restrict, on certain
4 types of wells, allowable production, spacing, or
5 require metering. If we see that there is no issues
6 that need to be further addressed, then we -- the
7 statute says we may take no action, that means that we
8 don't restrict a well or we don't put spacing
9 requirements on it or we don't require metering or any
10 additional information. And last, we can require that
11 we get additional information.

12 SECRETARY ANGELLE:

13 When did that process start?

14 MR. SNELLGROVE:

15 This dates back to, I believe, the 2000 time
16 period.

17 SECRETARY ANGELLE:

18 So prior to whenever this legislation was passed
19 that began to address ground water concerns, is it
20 accurate to say that the State of Louisiana was not --
21 I know DOTD -- maybe Bo can help me out -- was looking
22 at perhaps registering the wells that were drilled, but
23 there was no decision-making process on whether or not
24 that -- an individual well would have had any negative
25 impacts on the resource; is -- to your knowledge, is
26 that correct?

27 MR. SNELLGROVE:

28 Right. We certainly weren't involved in that.

29 SECRETARY ANGELLE:

30 Yes, the Department of Natural Resources.

Michelle S. Abadie, CCR

(225) 261-5109

1 Bo?

2 MR. BOLOURCHI:

3 What?

4 SECRETARY ANGELLE:

5 Yes. The statutory regime prior to this new
6 regime was that you were permitting the drillers, but
7 as far as whether or not if an individual well would
8 have had any negative impacts on the ground water
9 resource, there was no regulatory or statutory
10 authority prior to the changes?

11 MR. BOLOURCHI:

12 Mr. Secretary, actually, there was no permits that
13 were issued from DOTD under our program. Under the
14 statute, we have not authority to permit. It was for
15 certification through the license water well drillers.
16 In other words, there was a regulation of the water
17 well driller.

18 SECRETARY ANGELLE:

19 Right.

20 MR. BOLOURCHI:

21 Now, if you are drilling a well, you follow all
22 the rules and regs and the water is for beneficial
23 purposes, you are certainly welcome to it.

24 SECRETARY ANGELLE:

25 Got you. Thank you very much.

26 MR. SNELLGROVE:

27 We can maybe add that the Capital Area at that
28 point in time may have been capturing a permitting
29 process, is that --

30 MR. BOLOURCHI:

Michelle S. Abadie, CCR

(225) 261-5109

1 The Capital Area, to my knowledge, was the only
2 agency that had the authority in permitting a well
3 within the five-parish areas --

4 MR. SNELLGROVE:

5 -- at that time, which would have been the
6 five-parish areas of the Capital Region.

7 Okay. So that takes us through the performance
8 indicator process. So we've got one data point, and
9 what we want to do at every quarter, we are going to
10 collect another data point. So this performance
11 indicator statistic, what I see, will be kind of the
12 barometric, you know, pressure of what we do as staff
13 here and how quickly we are able or how efficiently we
14 are able to respond to notifications and getting
15 administratively and technically complete information
16 and taking that and making that determination within
17 the 30 days. So that's one of the three components of
18 the Commissioner's Ground Water Report that we are
19 considering implementing.

20 Another aspect of it, of the report, is to include
21 what I consider to be perhaps some of the most
22 important information, not to belittle any of the
23 other, certainly, but this takes us to really the --
24 you know, the nuts and bolts of what we do, or what we
25 are required to do, by statute, which is to evaluate
26 wells -- well use prior to them being installed. So
27 one of the key functions for us, as an agency, to do
28 that job well is to get the information.

29 So what we wanted to see is how well did we
30 compare with the only benchmark that we know of that is

Michelle S. Abadie, CCR

(225) 261-5109

1 out there, which is DOTD's registration. So
2 recognizing that, you know, we have a wealth of
3 information through DOTD's information out there, we
4 have compiled details and statistics and what have you,
5 and we are able to look at percentages to see how DNR
6 is -- to see how many well notifications that DOTD has
7 been informed about or registered through after their
8 wells have been installed and compare it to those that
9 they've received that we didn't receive, that we should
10 have received, 60 days in advance, before they
11 installed the well.

12 So this chart right here represents a comparison
13 of that information that was provided to the
14 legislative House during our last legislative session,
15 and the dataset includes January 1, 2005, to June 30,
16 2007. And what you basically are seeing here, in that
17 time period, is that DNR, with industrial -- I'm sorry
18 -- with public supply wells and irrigation wells, we
19 were only receiving about 37 percent of what DOTD was
20 capturing as being registered and actually drilled
21 during that time period. The industrial well users,
22 you know, although their numbers were much less, they
23 were pretty much in line, close to 100 percent, in
24 their category.

25 So this is the information that -- this is just an
26 example of what we want to provide on this report,
27 which I believe is critical information for you, as a
28 Commission, and for us, as a staff, to see where we are
29 and how effective we are when we implement changes.
30 For instance, with the passage of the statutory

Michelle S. Abadie, CCR

1 amendment that gives us enforceability, or the ability
2 to issue orders on the enforcement side, we are hoping
3 to see these numbers, this comparison, become closer to
4 90 percent or greater in all categories.

5 SECRETARY ANGELLE:

6 So if we take a look at the first slide, would --
7 you know, again, I encourage everyone to jump in with
8 their questions.

9 Would it be fair to say, or accurate again, to say
10 another way, that during the period you have identified
11 here, January 2005 to June 2007, which would be, what,
12 a 30-month period?

13 MR. SNELLGROVE:

14 Correct.

15 SECRETARY ANGELLE:

16 That, on the irrigation side, where folks were
17 required to notify, by statute, DNR of their intention
18 to have drilled a water well, that we received
19 notification of 382 of those. Yet, DOTD, through their
20 operation, through -- which is the application made by
21 the water well drillers, as opposed to the well owner,
22 they received 1,050 applications to drill irrigation
23 wells during that 30-month period of time, of which we
24 received only 382?

25 MR. SNELLGROVE:

26 Well, that is correct. What they received was
27 over 1,000 registrations of the wells actually have
28 already been completed. So their clock starts after
29 the drillers provide the information to DOTD within 30
30 days after the well has been installed.

Michelle S. Abadie, CCR

(225) 261-5109

1 SECRETARY ANGELLE:

2 Are these 1,050 the same -- is part of the
3 same 382?

4 MR. SNELLGROVE:

5 Yes. It's a comparison. During that time period,
6 this is the total of what they registered as irrigation
7 wells versus the total that we captured as irrigation
8 wells during that time period.

9 SECRETARY ANGELLE:

10 So what is the single easiest way, with
11 management, to make sure -- just using this as an
12 example -- that folks who are drilling irrigation wells
13 are, in fact, giving you proper notice?

14 MR. SNELLGROVE:

15 Well, you know, there's education, you know.
16 There's awareness. There's word of mouth, getting back
17 and going to water well drillers and asking them to --
18 and get them to help, which we have done.

19 SECRETARY ANGELLE:

20 So the water well drillers, again, are an
21 after-the-fact situation at DOTD. In other words, does
22 DOTD have a point where they then get to say, wait a
23 minute, Mr. Water Well Driller, before you move
24 forward, I need to see that you have let DNR know that
25 you are going to be drilling this well?

26 MR. SNELLGROVE:

27 Not DOTD, that is correct.

28 SECRETARY ANGELLE:

29 There is no --

30 MR. BOLOURCHI:

Michelle S. Abadie, CCR

(225) 261-5109

1 Mr. Chairman, there are two things that I think we
2 need to bring up, just so there will be no confusion.

3 The DOTD water well registration system is after
4 the fact. It is basically an inventory for us to make
5 sure, construction-wise, the well was constructed in
6 accordance to the Louisiana regulations. Yet, DNR is
7 before, in other words, more or less, is a, quote,
8 unquote, a permit application or an information
9 application.

10 Number two, as the Chairman mentioned, ours is --
11 we control it through the water well drillers, because
12 there's a licensing. They are responsible to provide
13 the registration for it. In your case, it is the
14 owner's responsibility to send that form or the permit
15 request.

16 SECRETARY ANGELLE:

17 All right. But this is a single -- to me, if you
18 are trying to manage what it is -- and we are trying to
19 get our arms around the issue, you know. It is very,
20 very important -- and we just use irrigation right
21 here. You could use any other one, but let's just use
22 irrigation, because it is the one that causes the
23 biggest concern.

24 We have to find a way to make sure that -- you
25 know, I don't want to get into overregulation, okay. I
26 come to the table being -- thinking that government is
27 regulating people to death, okay.

28 But at the same time, if we say, you have -- you
29 have to let us know, you have to let DNR know, about
30 it, okay, and folks, you know, who life is being so

Michelle S. Abadie, CCR

(225) 261-5109

1 complicated says, well, I didn't realize I had to do
2 that. Okay. Well, all right, I understand.
3 But it seems to me that we have to find a way to make
4 sure that that well is not drilled until such time that
5 the licensed water well driller would be able to say,
6 "Have you notified DNR, give me evidence that you have
7 notified DNR."

8 The reality of it all is probably 99 percent of
9 what they apply for gets approved. It's not the answer
10 -- I am not trying to get to a situation where DNR
11 would say, well, no, now that you applied for it, the
12 answer is, no. It's not that issue, as much as it is,
13 we are going to manage the resource, you obviously need
14 to know what is being withdrawn.

15 Bo?

16 MR. BOLOURCHI:

17 Mr. Chairman, I think it would be a little bit
18 easier on the staff, I'll give you my own experience.
19 It doesn't happen overnight. It took almost five
20 years. We implemented in 1986, the licensing of water
21 well drillers, and it took a lot of effort of almost
22 five years, some by telephone call, some by letter,
23 some resulted up to hearing and we would fine them
24 anywhere from \$3,000 to \$5,000.

25 SECRETARY ANGELLE:

26 Right.

27 MR. BOLOURCHI:

28 But it took some time. My suggestion is, this is
29 going to take a very long process.

30 SECRETARY ANGELLE:

Michelle S. Abadie, CCR

(225) 261-5109

1 Sure. Right. It is the observation today that
2 will stimulate the ideas from the Commission members of
3 how to solve it.

4 I'll just give you one other example that I am
5 aware of. I happen to live in the rural parts of the
6 state where I do not have a municipal sewer system,
7 okay. So when I built my home, I had to go ahead and
8 find a contractor who would install those kind of
9 systems, okay, and that person had to be licensed,
10 okay. And the person was licensed, I think, by the
11 Department of Health and Hospitals -- what you call one
12 of those systems, mechanical treatment systems. By the
13 shaking of your heads, I think you all know what it is
14 I am talking about. But before that licensed operator
15 could install that unit, I had to give him evidence
16 that, in fact, I had applied for -- with the Department
17 of Health and Hospitals, so he legally couldn't install
18 it until he had the permit, if you would, from me.
19 And, obviously, DHH wants to know where these
20 facilities are being located, and they want to know
21 about them before they are located, so they can go out
22 and inspect them before they are covered up to make
23 sure that they are installed in accordance with sound
24 principals.

25 We are going to have to find a way to close that
26 loop. Certainly, education works, and getting out to
27 the water well drillers and asking them to cooperate
28 and so forth. We want to do everything we can. I can
29 say that, from the management of the resource, I don't
30 -- this is not acceptable. I don't see how we can be

Michelle S. Abadie, CCR

1 expected to help manage the resource when we don't know
2 how much is being withdrawn and how many wells are
3 being, you know, applied for. You know, what if one of
4 those were such that you would have wanted to say "no"
5 to? What if it would have been one that you would have
6 wanted to say "no" to? Or what if would have -- you
7 wouldn't have had the opportunity to do so, and we need
8 to have that information.

9 MR. SNELLGROVE:

10 Thank you.

11 MR. HOLLINGSWORTH:

12 Mr. Chairman, could I ask another question? I
13 could not hear Mr. Bolourchi's remarks earlier.

14 Do we have any teeth in our reporting requirements
15 at all that would encourage somebody to participate?

16 SECRETARY ANGELLE:

17 I don't think we do. I don't think that --

18 Go ahead, Mr. Bolourchi.

19 MR. BOLOURCHI:

20 The question was related to DNR program or DOTD
21 program?

22 MR. HOLLINGSWORTH:

23 Well, the one -- whichever one we have.

24 MR. BOLOURCHI:

25 Right.

26 SECRETARY ANGELLE:

27 The issue, again, is, is water wells that are not
28 exempt, i.e., the ones on this chart, are being drilled
29 in Louisiana, and in some cases, by vast disparity
30 between the two agencies. Water wells that are not

Michelle S. Abadie, CCR

(225) 261-5109

1 exempt are being drilled, and the agency responsible
2 for managing the resource is not finding out about it
3 until after the fact.

4 MR. HOLLINGSWORTH:

5 Not good.

6 SECRETARY ANGELLE:

7 Okay. And it is this Ground Water Commission and
8 the exchange of these ideas in a transparent and open
9 way that will make this better, you know. There will
10 be another problem, I think, that we will find in our
11 -- it is not anybody's fault. It's just a regulatory
12 scheme that is not working, and it would -- I would
13 hope that you all would maybe come back with some ideas
14 on how we can close this. I don't have that answer
15 today.

16 I mean, you could regulate it. You could say, you
17 shall not drill a well, Mr. Water Well Driller, until
18 such time that you have documentation from the
19 Department of Natural Resources, with a permit number
20 that must be on your permit that you filed. You could
21 have some cross-checking there. Again, there may be a
22 simpler way than overregulating, if anybody has any
23 suggestions.

24 MR. OWEN:

25 Mr. Chairman, I would suggest that there are two
26 items at work here and at work simultaneously. One is
27 the fact that, as Mr. Bolourchi referenced, the water
28 well registration, it goes back about 20 -- a little
29 bit more than 20 years, and now, most people in the
30 water well drilling business learned by osmosis, rather

Michelle S. Abadie, CCR

(225) 261-5109

1 than by picking up by word of mouth, on recent changes.
2 And I think the second thing is the relative and
3 recence of this change in the law requiring DNR
4 registration in advance of construction.

5 I think the word is getting around. It just takes
6 time. And we could put more -- I think the larger
7 wells are being properly permitted and permitted in
8 advance, but I think what is happening is that you are
9 looking at smaller wells. In this case, we're
10 comparing evidence on irrigation wells. I think these
11 are small, relatively shallow wells that are being
12 drilled by farmers that may or may not represent the
13 most recent learning and -- of the regulations or
14 techniques, even.

15 SECRETARY ANGELLE:

16 Right. But when you take a look at education and
17 trying to focus it, we have -- you know, we have four
18 million people in the state.

19 How many licensed water well drillers do we have?

20 MR. BOLOURCHI:

21 Approximately 265.

22 SECRETARY ANGELLE:

23 Okay. So we have 265 folks, and we know that, for
24 the most part, the wells cannot be drilled without one
25 of those 265 participating, okay, and it would seem
26 like, if we could work with those 265 in an
27 extraordinary way -- because right now, they're not
28 doing anything wrong. Those 265 are not doing anything
29 wrong. They are filing their paperwork, as so they
30 should, as the law requires them.

Michelle S. Abadie, CCR

(225) 261-5109

1 The reality of it is, is the well owner is not
2 doing what the well owner needs to do, and that's not
3 because well owners don't want to do the right thing.
4 It is just because it's -- you know, maybe I didn't
5 know about it. How many times we know that -- you
6 know, we -- well, I didn't realize that I had to get
7 that formed filled out?

8 So do we try to educate a portion of that four
9 million people, or do we try to squeeze it down to this
10 265, and say, you shall not drill that well until such
11 time that you -- that DNR has provided that
12 information.

13 MR. BOLOURCHI:

14 Mr. Chairman, there's roughly 1,100 -- 1,200 wells
15 now, if we add it up. The total number of wells
16 drilled roughly is 10,000.

17 SECRETARY ANGELLE:

18 Right.

19 MR. BOLOURCHI:

20 The reason I am bringing that up, this is a small
21 portion of it.

22 SECRETARY ANGELLE:

23 Right.

24 MR. BOLOURCHI:

25 But the important part of --

26 SECRETARY ANGELLE:

27 Right.

28 MR. BOLOURCHI:

29 I think the law that is written to try to regulate
30 everything, from a well 15 feet deep to one 2,800 feet,

Michelle S. Abadie, CCR

1 from a 2-inch to 24-inch. In my opinion, this needs to
2 be discussed. Is it really necessary --

3 SECRETARY ANGELLE:

4 But the 10,000 that you are talking about,
5 obviously, includes a lot of the exempt wells?

6 MR. BOLOURCHI:

7 Domestic wells, monitoring wells, everything.

8 SECRETARY ANGELLE:

9 Yes, right. And I'll use for purposes of this
10 conversation, from my standpoint, I am not too
11 concerned today about the exempt wells, okay. Because
12 those, by grouping, seem to be low-volume type wells.
13 Now, these wells may be low-volume wells too, but they
14 are not exempt, okay. And we have a duty to come up
15 with regulation and -- to make sure that we can tell
16 the legislature and the people of Louisiana that, you
17 know -- where do good ideas come from to bring to the
18 legislature? They come from Task Forces like this that
19 are meeting throughout the state on these kind of
20 issues.

21 I think, you know, while you are right in terms of
22 the number, I grant you that, that is correct, but that
23 may make up such a small portion of the use that would
24 again be consistent with the legislature.

25 MR. LOEWER:

26 Mr. Chairman?

27 SECRETARY ANGELLE:

28 Yes.

29 MR. LOEWER:

30 You had mentioned earlier that one of your, seems

Michelle S. Abadie, CCR

1 to be, somewhat frustrations is trying to get your arms
2 around the problem.

3 SECRETARY ANGELLE:

4 Right.

5 MR. LOEWER:

6 And I think that is a concern we all have, but we
7 each come from a little different area, and we know our
8 area somewhat, but we don't know everybody else's. And
9 it just seems -- as the discussion has progressed, it
10 seems to be that there are some jurisdictions involved
11 that some of us may not be clear on, between the DOTD
12 and the Natural Resources and the Department of
13 Conservation, and even this Commission. And if we
14 could get a sense that -- we get some information on,
15 what is the policy now? They always say, when you're
16 starting out, the first order of business is to
17 accurately define reality, and I think that's what you
18 are doing. In other words, where are we right now, not
19 what was the law, what is it right now?

20 SECRETARY ANGELLE:

21 Right.

22 MR. LOEWER:

23 It would be good to have a step-by-step procedure
24 for when people -- any one of these exempt or
25 non-exempt water wells, what is the step-by-step
26 procedure that -- in layman's language, not in the
27 bill, not in the law, but in just layman's language,
28 what is required, what is expected of people, who has
29 that jurisdiction, and that doesn't mean necessarily
30 regulatory, but in reporting and registry of the

Michelle S. Abadie, CCR

(225) 261-5109

1 different ones, and what's their responsibility? And
2 then what is our responsibility; are we just a Task
3 Force or hearing board, or do we have some authority?
4 And the laws is very vague on -- of where we see
5 ourselves here.

6 SECRETARY ANGELLE:

7 Right. Let me say that, that's really good
8 advice. Perhaps the Powerpoint that we used at the
9 last meeting might be something that we would again
10 make available and kind of went through it.

11 Just in a nutshell, I would say this much. The
12 authority to regulate the resource, I think, clearly
13 rests with the Commissioner. The Commissioner of
14 Conservation has that authority. It is our job,
15 however, to help -- to answer your question, the last
16 one first, and then we'll go from there -- to help
17 provide those areas with the critical ground water
18 designations and the ground water areas of shortage.

19 But more than that, more than that, I would say
20 that, as far as I am concerned, I am looking to provide
21 -- I am looking for this group to provide leadership on
22 the resource until such time that somebody tells me
23 that I have gone too far, okay. And so I am not going
24 to be worried about checking off any box. I am going
25 to make sure I don't do anything that impedes upon the
26 authority of other folks.

27 But I suspect that the reason that most people
28 have been picked to be on this Commission is because
29 you have demonstrated an ability to provide leadership
30 in the areas that you provide it, and I hope you do the

Michelle S. Abadie, CCR

1 same here. I am not coming to a meeting, personally,
2 from my standpoint, just to operate in a very, very,
3 very narrow area, because I have got better and wiser
4 use of my time to do that, and I think everybody here
5 does, as well.

6 So I would say, let us be the think-tank for the
7 people of Louisiana on ground water resources, and
8 let's reach out to some of the other areas, like, you
9 know, the Capital Area that has been there, done that,
10 and the Sparta area that has provided some leadership,
11 and see what we can do. And, you know, when somebody
12 says, hey, you have gone too far, well, maybe we'll
13 convene, and we will back down.

14 Again, in terms of who does what and when it
15 happens, let me try to answer that question. Anybody
16 who is non-exempt, is required to give us a 60-day
17 notice, give us a 60-day notice, of their intent to
18 drill a well, okay. During that 60-day notice, we have
19 a performance indicator that says, within 30 days, we
20 will act upon 85 percent of those applications.

21 Is that right, Mr. Snellgrove?

22 MR. SNELLGROVE:

23 That is our performance indicator, yes.

24 SECRETARY ANGELLE:

25 Performance indicator. That is a self-imposed
26 rule that we try to achieve, but, nonetheless, by 60
27 days, we have to say "yes," "no," or whatever to that
28 request.

29 Once that is met, or perhaps that doesn't even
30 have to be met, that same landowner or well owner who

Michelle S. Abadie, CCR

1 is giving us -- who is putting us on notice can also be
2 contracting with one of 265 licensed folks to drill
3 that non-exempt well, and once drilled, that driller
4 only has to put DOTD on notice, or provide maybe
5 drawings --

6 MR. BOLOURCHI:

7 Registration --

8 SECRETARY ANGELLE:

9 -- registration form to show what he's done.

10 And therein lies, you know -- again, is it a big
11 deal, is the resource in trouble, if it is a 1,000
12 wells and 382 wells? I don't want to overreact to it,
13 but I would say, if we have the -- have some authority
14 and some responsibility to manage, part of it is
15 knowing -- if we looked at it as a patient, you know, I
16 have got to know what the pulse is, I have got to know
17 what the heart rate is, I have got to know what all
18 those other issues are. I can't not have the
19 information and expect to do a good job, and that is
20 what I think we have.

21 If you all feel like this is not a big deal, we
22 can move on to something else.

23 MR. COLEMAN:

24 I think it is a big deal, and -- in other words,
25 if we try to make recommendations to the Commissioner
26 for his consideration and to the people for their
27 consideration, it needs to be with adequate data. And
28 if we are not getting adequate data, we need to find
29 some method or encourage some legislation that would
30 bring about that in a minimally intrusive way.

Michelle S. Abadie, CCR

(225) 261-5109

1 MR. HOLLINGSWORTH:

2 I think the progress you have made has been
3 tremendous. I think it is a good idea to keep up with
4 it, certainly. And I am new to this Board, so there is
5 a lot I don't know at this point.

6 SECRETARY ANGELLE:

7 That would be all of us, I think.

8 MR. HOLLINGSWORTH:

9 I don't know how you manage any resource if you
10 don't know what you've got, and I think you would have
11 to start with that. Because I would think that we
12 would also be charged with the idea of doing
13 projections of where these different aquifers and water
14 sources are at any given time, and how can you do that
15 if your information and your input -- if you know it is
16 growing at a 10 percent rate or a 20 percent rate, that
17 is helpful in making those projections. Without them,
18 you can't make one, so --

19 SECRETARY ANGELLE:

20 Right.

21 MR. FREY:

22 Mr. Chairman?

23 SECRETARY ANGELLE:

24 Paul?

25 MR. FREY:

26 While we are talking about data and what we have
27 and what we don't have, what about wells that are on
28 the books but no longer in service? You know, a farmer
29 decides he is not going to farm anymore, he has an
30 irrigation well in place, it hasn't been drawn from in

Michelle S. Abadie, CCR

1 a year or two years, do you have that information; is
2 that in a database?

3 SECRETARY ANGELLE:

4 The information that it was once, you know, an
5 active well, whether or not -- I would again look to
6 the staff, but I would doubt very seriously if we are
7 getting that kind of information.

8 MR. FREY:

9 It is no longer drawing down from a -- whatever
10 aquifer it tapped into, so if you are looking at the --
11 you know, if we want to really have good data, we need
12 to look at all of it.

13 SECRETARY ANGELLE:

14 The issue there, however, is -- it's a little bit
15 more difficult, because that would require the general
16 public to be able to report that information, as
17 opposed to simply the 265 water well drillers in the
18 situation I described. Certainly, I agree that we want
19 the best data, but that would require each individual
20 person to be able to help us with that.

21 Again, I know we need to move on, but suffice it
22 to say that there is a lot of activity that we are
23 going to have to get our arms around. Any ideas would
24 be appreciated.

25 Yes, sir?

26 MR. COLEMAN:

27 One other thing is, is one of the things we have
28 brought into it, as you all are aware of, there are a
29 lot of wells that don't even have a meter on them, and
30 you can only just guesstimate or estimate what the

1 pumpage might based on its potential capacity, and
2 then, again, you would have to know how many hours it
3 operates and et cetera, and so the absence of meters is
4 an issue, also.

5 SECRETARY ANGELLE:

6 Very good.

7 Mr. Snellgrove?

8 MR. SNELLGROVE:

9 Okay.

10 SECRETARY ANGELLE:

11 Let me just finish by saying that I would
12 encourage the DOTD and DNR staffs to get together --
13 and I know that we already have had a couple of really
14 good meetings -- to see how we can shrink this number,
15 if there is any real easy ways, sending out information
16 to the water well drillers, asking for their
17 cooperation, everything that we can do short of
18 changing law, is what we ought to try first.

19 MR. BOLOURCHI:

20 Mr. Chairman, may I reply to Mr. Frey?

21 SECRETARY ANGELLE:

22 Yes.

23 MR. BOLOURCHI:

24 Mr. Frey, our statute and rules and regulations
25 that was passed in 1972 specifically refers to
26 construction standards for drilling a well and
27 construction procedures for plugging a well, so that's
28 in place. Our database has 180,000 wells that will
29 include, not all of them, but most abandoned wells.

30 And just for your information, in the calendar

Michelle S. Abadie, CCR

(225) 261-5109

1 year 2007, there was a total of 1,892 wells plugged by
2 the Commissioner. In 2006, there were 1,648, and in
3 2005, it was 1,724 wells. So there are -- that is not
4 100 percent, because there is no way you can get 100
5 percent. But I think a lot of people, farmers,
6 industrial, public supply, domestic, they are wary.
7 They know that an abandoned well can cause
8 contamination of the aquifer.

9 And there's a bit of difference between what our
10 statute says and what we do, versus the DNR. In my
11 opinion, we are in construction and plugging standards,
12 making sure that the well is not contaminating the
13 surface water.

14 A good example, Katrina, Katrina in southeast
15 Louisiana, all those -- in North Shore, all those
16 damaged homes, in that area, most of the wells are
17 domestic, 4-inch domestic wells. Everyone thought 100
18 percent is destroyed, ground water contaminated. Well,
19 the Department of Health through EPA through DHH ran a
20 test on 1,100 wells. The total contaminated well
21 bacteria was only 10 percent. By chlorination, 50
22 percent immediately came on line. So this is
23 effective.

24 The way I see this thing, we are in the
25 construction inventory business, not in water
26 management, that is not part of the statute that we
27 have. But the DNR statute does have wording and
28 authorization for managing the resource. That's the
29 difference.

30 Jackie, that's just that simple. We are not --

Michelle S. Abadie, CCR

1 DOTD regulation statute does not have anything as far
2 as managing the water.

3 Now, recently, in 2005, that responsibility is in
4 the statute for DNR. Now, one question is, what did we
5 do before 2005? Well, we did the best we could, by
6 consensus, by discussing with the people sitting around
7 the table trying to resolve the issues.

8 SECRETARY ANGELLE:

9 Thank you, sir.

10 MR. SNELLGROVE:

11 Yes, sir, okay. Back to the stats, we were on DNR
12 water well registration statistics. This is a piece of
13 what we had done in the past. Here is an example of
14 what we have recently done, but it is preliminary.
15 This graph here is going to depict the registration as
16 required post-installation or after a well has been
17 installed. DNR also requires -- it is also required
18 that DNR receive from well owners information or a
19 registration on wells that have been drilled, like
20 domestic wells, like drilling rig supply wells, the
21 exempt wells, we still capture that data. We're still
22 required -- it is still required to get this
23 information in the form of a form.

24 So it comes in, and this graph here shows by each
25 -- semi-annually, since January of 2007 up to June of
26 2008, you know, three different data points for the
27 domestic and rig supply. And as you can see, you know,
28 it is less than 10 percent of what we have received
29 that we know that DOTD has received as far as the
30 registration. So that is the reality of what is

Michelle S. Abadie, CCR

1 happening with the exempt wells and what is required
2 that we receive, and I think the graph is pretty
3 self-explanatory.

4 SECRETARY ANGELLE:

5 So the folks that you are getting information
6 from -- let's take a typical, domestic user, where
7 right now, according to your records, if I'm looking at
8 the last bullet on the blue line, on slide No. 7, it's
9 right about 5 percent?

10 MR. SNELLGROVE:

11 Yes. The blue line would be the domestic user,
12 and -- well, that's correct, that would be right around
13 5 percent.

14 SECRETARY ANGELLE:

15 And that's a post --

16 MR. SNELLGROVE:

17 Yes, sir.

18 SECRETARY ANGELLE:

19 How does a well owner, domestic well owner, know
20 he needs to do this?

21 MR. SNELLGROVE:

22 He's a run-and-done type of guy. I mean, we
23 educate -- we send information out. Chances are,
24 obviously, he is not getting the message.

25 SECRETARY ANGELLE:

26 Okay. Let me say this much. I am the chairman of
27 the Louisiana Ground Water Commission. I am probably
28 in the most-informed percentile of the people about
29 this, and I did not know that we were requiring this.
30 I have got to tell you that I don't think that Farmer

Michelle S. Abadie, CCR

1 Brown or -- no, this is not Farmer Brown. This is just
2 a guy who has a small well. He doesn't even know he
3 needs to do this.

4 MR. SNELLGROVE:

5 It's a homeowner.

6 SECRETARY ANGELLE:

7 It's a homeowner, okay. Can't we ask -- isn't
8 this the same thing? That domestic well was probably
9 drilled by one of those 265 licensed drillers. Can't
10 we ask the licensed drillers -- can't we come up with a
11 form, and can't we give it to the licensed drillers,
12 and once they interact with that homeowner, can't we
13 ask them to say, hey, you need to get this form, within
14 X amount of days, to the Department of Natural
15 Resources?

16 MR. SNELLGROVE:

17 Yes, sir. We have done that. And I understand,
18 you know, prior to my involvement here, that there has
19 been several campaigns to educate the driller that this
20 information needs to be provided, the form needs to be
21 provided, to the well owner. So it is a case where the
22 well -- the driller -- you know, in good faith, I
23 believe the majority of the drillers are doing this.

24 SECRETARY ANGELLE:

25 Right. They can't make the homeowner fill out --

26 MR. SNELLGROVE:

27 They can't make them sign the document. They
28 can't make them submit it, so --

29 But if the burden is on the driller, as it is with
30 DOTD's regulations, or especially in the case of

Michelle S. Abadie, CCR

(225) 261-5109

1 post-installation, if nothing else is changed, if that,
2 alone, was changed, then there would be no -- there
3 would be -- of course, it's a duplication of effort,
4 but -- it would be a duplication of effort. I think,
5 you know, if one is going to get it -- we are basically
6 capturing the same information.

7 SECRETARY ANGELLE:

8 So, on the post-installation notification right
9 here, the drillers have to let DOTD know about this?

10 MR. SNELLGROVE:

11 Correct.

12 SECRETARY ANGELLE:

13 And these are not ones that you would be making a
14 decision on; this is just information?

15 MR. SNELLGROVE:

16 Yes, sir.

17 SECRETARY ANGELLE:

18 Then why is it important; why don't you grab the
19 information that DOTD has and call it a good day?

20 MR. SNELLGROVE:

21 I don't disagree with that, but the statute says
22 that we are required to receive that information from
23 the well owner.

24 SECRETARY ANGELLE:

25 Okay.

26 MR. SNELLGROVE:

27 So an amendment would need to change that.

28 SECRETARY ANGELLE:

29 We need to work on that. Because if it is not
30 something that you are making a decision on, and it is

1 information that the driller has to supply to DOTD and
2 they are, then you just need to be able to download
3 that information and you would then have it.

4 MR. BOLOURCHI:

5 Mr. Chairman, that is the best thing I have heard
6 in two years and seven months.

7 SECRETARY ANGELLE:

8 We are just getting started, Bo.

9 MR. BOLOURCHI:

10 I think that is a step forward. And I think we
11 need to be reminded, a domestic well is a private well
12 on private property for private use, and there is such
13 thing as property rights.

14 SECRETARY ANGELLE:

15 Yes. We don't want to make it too burdensome. If
16 the information is being furnished to a government
17 agency, then we need to change the law on that part.

18 On the first part, we need to information prior to
19 making a decision.

20 MR. BOLOURCHI:

21 Mr. Chairman, I used to carry all the data on a
22 monthly basis on a silver platter to the Office of
23 Conservation. Now we do it electronically. I don't
24 have to do that, the same thing with DEQ, DHH, and
25 U.S.G.S.

26 Mr. Chairman, one other point, I don't think we
27 need to get on the back of drillers. They are doing
28 what they are supposed to be doing. They are doing
29 what the law requires. I hate for us to go back and
30 tell them, no, you are going to have to do this

Michelle S. Abadie, CCR

(225) 261-5109

1 additional work. The law says that is the owner's
2 responsibility. In fact, if you are passing penalties
3 or some law, under the statute that, if they don't
4 register, there's a penalty for it.

5 SECRETARY ANGELLE:

6 Look, I will say this much. There is not a person
7 in here that wants to put anything on anybody's back,
8 and you can start with me, okay. I don't want to put
9 anything on anybody's back, but we have to find a way
10 to manage the resource.

11 I appreciate those comments.

12 Go ahead.

13 MR. SNELLGROVE:

14 Okay. So that's the situation as current as we
15 can get it with the data that we have for the
16 post-installation notifications.

17 And here is the information to couple back with
18 the previous slide from January '05 to June 30, '07, to
19 now extending that semi-annually up to June of 2008,
20 for industrial, irrigation, or public supply well
21 users.

22 Again, what we are seeing here is a slight trend
23 upward, with the exception in the case of industrial.
24 It almost looked like they went backwards. Then, all
25 of sudden, they -- you know, they are back on track.
26 But you have to understand that industrial users, it
27 doesn't take much to skew the data, because there's not
28 a lot of industrial wells that get drilled. So if you
29 have 20 -- 20 data points, and you've got, you know, a
30 difference of three, then, you know, right off the bat,

Michelle S. Abadie, CCR

1 you have 25 percent.

2 But this data is preliminary. I want to make sure
3 you all understand that. But what we do see,
4 generally, right now is somewhat of a trend upward for
5 the irrigation and public supply users, but they are
6 still not where they were in the 2005 to 2007 time
7 period at 35 percent. So they are still -- although
8 increasing, they are still below where we were, even
9 back then. So we have got a problem, and that is what
10 these graphs are trying to illustrate is that, you
11 know, we are just not where we need to be.

12 MR. OWEN:

13 Mr. Snellgrove, would your data distinguish
14 between, say, a public supply -- there's a discrepancy
15 on the previous graph between prior and
16 post-notification. Would your data distinguish between
17 a replacement well, and would it -- or could possibly
18 some of the explanation for that discrepancy include
19 replacement wells in the case of public supply?

20 MR. SNELLGROVE:

21 Well --

22 MR. OWEN:

23 I understand that replacement wells are exempt.

24 MR. SNELLGROVE:

25 They are, correct.

26 MR. OWEN:

27 So that it required only post-notification.

28 MR. SNELLGROVE:

29 That's correct. They would not have shown up in
30 our data, as far as DNR.

Michelle S. Abadie, CCR

(225) 261-5109

1 MR. OWEN:

2 Well, the question goes to whether or not the
3 discrepancy between the two bars is partially explained
4 by this difference in -- in the classification of
5 replacement wells?

6 MR. SNELLGROVE:

7 Well, if that was the case, that DOTD had gotten a
8 registered well -- it was a replacement well?

9 MR. OWEN:

10 Yes.

11 MR. SNELLGROVE:

12 The mere fact remains, we didn't get notification,
13 either way.

14 MR. OWEN:

15 But you are not required to get advanced
16 notification, as I understand it.

17 MR. SNELLGROVE:

18 Correct. We will have to look into that.

19 MR. BOLOURCHI:

20 Gene -- may I respond?

21 SECRETARY ANGELLE:

22 Yes.

23 MR. BOLOURCHI:

24 I think probably the discrepancy is not on large,
25 public supply wells, community supply. It is probably
26 on the small, non-community public supply wells, 4-inch
27 wells. That would be my guess.

28 MR. SNELLGROVE:

29 And I believe the data that we reviewed supports
30 that, also.

1 MR. BOLOURCHI:

2 The non-community public supply, which is really a
3 little bigger than 3-inch domestic wells.

4 MR. OWEN:

5 Right.

6 MR. SNELLGROVE:

7 The smaller community users, residential bundled
8 into one supplier, that's -- but it would have to be --
9 maybe in part, some of it, but we will look into it.
10 We will look into it. Thank you.

11 Okay. Moving on to the third aspect, or the third
12 part, of the Commissioner's Ground Water Resources
13 Report would be the data that is required to be
14 collected in the areas of ground water concern, in the
15 Sparta Aquifer.

16 I am going to bounce to this other slide real
17 quick, just for illustrative purposes, then I'll go
18 back. But this slide here shows where those three
19 areas of ground water concern in the Sparta Aquifer are
20 located. They are -- if you look to east, the Monroe
21 area of ground water concern; traveling westward on 20,
22 the Ruston area of ground water concern; and then south
23 to the Jonesboro-Hodge.

24 So the Order, filing an application and public
25 hearings and what have you, back in 2003, I believe, is
26 when the process may have started. But, regardless,
27 the Conservation Order was issued, the Area of Ground
28 Water Concern 1-05, effective August 15, 2005. In that
29 Order, the Order required that all non-domestic wells
30 that are located in these areas of ground water concern

Michelle S. Abadie, CCR

(225) 261-5109

1 provide to our agency data, monthly data, of water use,
2 that is coming from each of the individual wells.

3 So, since 2005, August of 2005, we'll say probably
4 September, we have been collecting this information,
5 and we have put it into a database.

6 SECRETARY ANGELLE:

7 How did you identify the non-domestic wells in
8 that area?

9 MR. SNELLGROVE:

10 The non-domestic wells, I believe, would have been
11 determined by reviewing the DOTD database to determine
12 which wells, you know, by their categories, didn't fall
13 into that -- the domestic status.

14 SECRETARY ANGELLE:

15 Do you know how many that is in this particular
16 area?

17 MR. SNELLGROVE:

18 This is, of the three, the least amount of
19 information that we have, but I do have some
20 information on the total numbers.

21 Okay. What we have for all three areas, total,
22 was 213 wells, okay, not necessarily well owners, a
23 well owner may have multiple wells.

24 But those wells of interest to us, those wells
25 that are impacted by this Order that require reporting
26 to us, totals at this time, based on the current review
27 of the DOTD database, 213.

28 SECRETARY ANGELLE:

29 Okay. Thank you.

30 MR. SNELLGROVE:

Michelle S. Abadie, CCR

(225) 261-5109

1 Yes, sir. In November of 2008, we began a
2 compliance audit of information that was provided,
3 reviewing again, currently, DOTD's database to see
4 if -- you know, where we stand, who is reporting, who
5 is not reporting. Those who are not reporting, we --
6 you know, we're utilizing our statutory authority now
7 to enforce.

8 And we've sent out notices of violation to those
9 who we know have not been reporting, and we are in the
10 process of getting responses. And then we'll make
11 determinations as to whether or not the wells have
12 already been plugged, which, if they were, they should
13 have been reported accordingly. So we are going to --
14 we are in the process of shoring up this data. We are
15 going through an audit, and in the end, we are going to
16 go through a lot of enforcement actions to get where we
17 need to be, to get those who are required to report to
18 report.

19 We are going through a process of looking at what
20 has been reported and going through a data validation
21 process. In some cases, you know, data was being
22 reported where we didn't have a unit, and so we don't
23 know if it was, you know, gallons per day or the whole
24 month or what have you.

25 So we want this data and we want the reporter --
26 the monthly reports to contain data that we can look at
27 statistical trends on these three areas of ground water
28 concern over time to see what is happening. It is
29 either going to be some state of equilibrium or
30 trending up or down, I mean. But we don't know that

Michelle S. Abadie, CCR

(225) 261-5109

1 right now with the data we have, because the data that
2 we have is not in a form that is going to give what we
3 believe to be very accurate and reliable information,
4 and we don't want to put information out there that we
5 can't support with some level of confidence. And I
6 would say that, in this particular case, it is going to
7 have to be a high level of confidence, from the staff's
8 perspective.

9 So we are going through -- again, we are going
10 through this data, and we are working with it and we
11 are going to get it up to a level where we -- we are
12 going to get it to where we are going to be able to
13 produce these statistics and trends.

14 I would like to say that I believe -- I would like
15 to say that would have something to report in March, at
16 our next meeting, but this is a very aggressive task at
17 the moment, and, you know, we're hopeful, but we'll do
18 the best that we can to get something out. I believe
19 that we will be able to report probably some of the
20 information from probably the bigger users, the bigger
21 ground water users, out there, because we believe we
22 have that -- you know, we have some good data. I mean,
23 it is not all not usable, so we will separate out what
24 is and what isn't, and then we can provide you some
25 statistics.

26 SECRETARY ANGELLE:

27 Do you have that data broken down?

28 MR. SNELLGROVE:

29 Yes, sir.

30 SECRETARY ANGELLE:

Michelle S. Abadie, CCR

(225) 261-5109

1 I know there are three different areas of ground
2 water concern. You talked about 213 non-domestic
3 wells. Is that 213 broken down by those three
4 different areas?

5 MR. SNELLGROVE:

6 It is broken down by each individual area. It is
7 broken down by the well type, public supply versus
8 industrial versus irrigation. You know, we can split
9 this data in all kinds of ways, and the beauty of it
10 is, it is all in our database, so we can -- we can sort
11 in query.

12 One thing I wanted to say, it's a good point that
13 I overlooked. The information that we were looking at
14 on this post-installation notification statistics, we
15 talked about water well drillers, we talked about a lot
16 of things, and what we wanted to do but I didn't give
17 you here is what I fully intend to give is a much more
18 comprehensive look at this data. Not only will it be
19 broken out simplistically into percentages of how much
20 we are getting, but it will be broken out by water well
21 driller. You know, we will be able to see what water
22 well drillers have drilled wells that that well owner
23 has provided us notifications for and those who have
24 drilled wells that we are not getting notifications.
25 We will be able to identify who maybe we can go solicit
26 better help with, you know.

27 In addition to that, we are going to look at it by
28 parish by parish. So I will be able to tell, in the
29 Chicot area, you know, with irrigation wells, by
30 driller, what percentage and who and just exactly is

Michelle S. Abadie, CCR

1 going on.

2 And we have got this data right now, you know, in
3 a format that I haven't personally reviewed to
4 validate, but it's there. We have got it, and we are
5 close to getting a complete package on this particular
6 set of statistics, again, which I believe to be just
7 the fundamental -- the fundamental statistics that
8 tells us where we are at, you know. So it is going to
9 be further broken down than what you have seen here in
10 that regard.

11 MR. MAYS:

12 Mr. Chairman, just a few questions, approximately
13 out of that 213, what percentage are you currently
14 getting reports on now? And just a clarification, do
15 you think that it will be the first quarter of '09
16 before -- that's what your date is, the first quarter
17 of '09, to be able to compile this data?

18 MR. SNELLGROVE:

19 We are compiling it now.

20 MR. MAYS:

21 It will be complete then?

22 MR. SNELLGROVE:

23 Yes, sir. Well, what I hope to have, by then, is,
24 hopefully, I will be able to tell you the final results,
25 but we are going to have to do a lot to get there. I
26 mean, we have got to go get that data --

27 Your first question is, is how many? Out of 213
28 of all of the areas of ground water concern, 72 wells
29 are reporting, 141 are not. Now, of the 72 that are
30 reporting -- of the 213, I would say, the 72 are

Michelle S. Abadie, CCR

(225) 261-5109

1 probably your biggest, biggest companies out there, you
2 know, the biggest wells, biggest users.

3 The 141, we already know that that involves a lot
4 of drilling and supply wells that are out there, and we
5 have sent out -- up to date, I think we have sent out
6 17 notices of violation to oil and gas operators that
7 are in those areas of ground water concern that have
8 not reported to us, okay.

9 So we are going to continue to do this, and, you
10 know -- all of them have responded, by the way. Now we
11 have to go through what they have provided to us and
12 determine, you know, who needs to get in compliance
13 with DOTD, if they have a plugged and abandoned well.
14 If they haven't, they need to give me a form. I need
15 to know where that well is and then we start reporting.
16 So we are in the process of streamlining this monthly
17 reporting requirement and getting what we need to get
18 to the end point.

19 MR. HOLLINGSWORTH:

20 Can I ask you a further question? How big of a
21 geographical area do these areas of concern encompass,
22 exactly; are they just the part that looks red on the
23 map, or --

24 MR. SNELLGROVE:

25 Yes, sir. I know that map is small and what have
26 you, but those are the areas of ground water concern.
27 They encompass several section, township, and ranges.
28 I don't have them offhand, but perhaps the Commissioner
29 could shed some light on the geographical --

30 SECRETARY ANGELLE:

Michelle S. Abadie, CCR

(225) 261-5109

1 What I would suggest is, perhaps you could provide
2 by e-mail to the Commission members the detailed, you
3 know -- by the -- on the square miles and/or acreage,
4 or whatever would be the appropriate metrics so that we
5 could understand each one.

6 And do each one of them have a name, or is there a
7 number?

8 MR. SNELLGROVE:

9 There is a name, the Monroe area of ground water
10 concern, the Ruston, and the Jonesboro-Hodge.

11 SECRETARY ANGELLE:

12 Thank you.

13 MR. SNELLGROVE:

14 And the Order itself actually contains the
15 section, township, and range information. It has a
16 geophysical -- geographical description.

17 SECRETARY ANGELLE:

18 Get that broken down for us in terms of acreage in
19 the Order.

20 MR. SNELLGROVE:

21 Okay.

22 MR. HOLLINGSWORTH:

23 Mr. Chairman, if you will give me a list of those
24 in our area, we will do what we can through the
25 newspaper and the media there to try to encourage our
26 people to report, because we need that information and
27 you need that information.

28 MR. SNELLGROVE:

29 Absolutely.

30 MR. WELSH:

1 This map is an interactive map. It has got layers
2 you can bring down. You can blow it up. You can get
3 down well within a section, identify a well, the
4 history of the well. It is just amazing.

5 SECRETARY ANGELLE:

6 Yes. I think that's a good idea, Mr. Mayor. We
7 can get that information to you, and you could help,
8 you know -- now, we obviously want to do it in a way
9 that I know that we will all be, you know -- be
10 respectful, and so we would ask -- you know, we need to
11 make sure we are doing it in conjunction with some kind
12 of procedure.

13 MR. COLEMAN:

14 Mr. Chairman, I wanted to ask Gary, my
15 understanding was, there was maybe only one or two
16 large users that haven't been responding to you, is
17 that not true, as far as the concern areas?

18 MR. SNELLGROVE:

19 I believe that there is one, in particular, that I
20 am aware of, and they will be, you know, receiving
21 enforcement action from our agency when we get to that
22 point, and we will see what kind of response we get.

23 SECRETARY ANGELLE:

24 All very good progress.

25 MR. COLEMAN:

26 Sir?

27 SECRETARY ANGELLE:

28 I said, it's all very good progress that we are
29 getting down and going through the process.

30 MR. COLEMAN:

Michelle S. Abadie, CCR

(225) 261-5109

1 Through the Sparta Commission, we have tried to
2 encourage this also through each one of our members
3 which represent each parish and the municipalities, and
4 so, combined with efforts like he's suggesting, I think
5 we will continue to make progress, even with that one.

6 MR. SNELLGROVE:

7 Okay. I think that concludes this portion of the
8 Ground Water Resources Commissioner's Report.

9 And at this point in time, I would ask
10 Mr. Secretary, or the Chair, to acknowledge Blake
11 Canfield.

12 SECRETARY ANGELLE:

13 Okay. Very good, that will be Item No. 4; is that
14 correct -- yes, and other different items under Item 3.

15 MR. SNELLGROVE:

16 It's 4.

17 SECRETARY ANGELLE:

18 All right, very well. Again, just as a summary,
19 we would ask that the -- again, not in the form of a
20 motion, just kind of informal, that we will be working
21 towards looking at -- working -- reaching out to the
22 drillers in a cooperative, businesslike manner to see
23 what kind of assistance we can get. We expect a report
24 back from you next month -- or next meeting, I should
25 say, on that, and in addition, any kind of
26 opportunities working with DOTD through any kind of way
27 to close that gap, if there's any, you know, innovative
28 ideas, we would certainly want to see it.

29 I think we also talked about Mr. Hollingsworth
30 having suggested letting the historical oil and gas

Michelle S. Abadie, CCR

1 operators know about the need to comply with that early
2 registration, and perhaps just review the minutes to
3 see if there's anything else.

4 I appreciate it. Good report. This is the kind
5 of information that I think we need. We need it
6 deeper. We need it wider. We need it more robust, you
7 know. Over a period of time, we will get the kind of
8 vital statistics that we need to be able to help manage
9 the patient. Good job.

10 Item No. 4 is the Ground Water Management Advisory
11 Task Force. Mr. Canfield?

12 MR. CANFIELD:

13 Thank you, Chair. Just very briefly, Section 5 of
14 Act 49 of 2003, which is the enabling statute of both
15 the Commissioner's authority under ground water and the
16 Ground Water Resources Commission, created the Ground
17 Water Management Advisory Task Force. My
18 understanding, the Task Force has not met in at least a
19 couple of years, and maybe longer. We are trying to --
20 well, let me go back a step, sorry.

21 The Advisory Task Force is empowered to assist the
22 Commissioner of Conservation and the Ground Water
23 Resources Commission with the continued development to
24 lay ground water management program.

25 That being said, we need to, first, determine how
26 many members are still active, still wish to be active,
27 in this. We have sent out letters relatively recently
28 to the member organizations and the ex-officio members
29 that are listed in this Act to try to get membership
30 information, so that, through that, maybe we could help

Michelle S. Abadie, CCR

1 facilitate them getting back together and meeting. We
2 have already received a couple of responses, but the
3 letter was just recently sent out, so we are looking
4 forward to, maybe next meeting, having some more
5 information to give you as to the response of many of
6 the Advisory Task Force members.

7 SECRETARY ANGELLE:

8 Could you give me an example of a few of the
9 stakeholder groups that the legislation says shall be,
10 you know, a part of this group?

11 MR. CANFIELD:

12 Yes, sir. Unfortunately, I don't have the
13 statute, and I may not quote exactly right, but,
14 generally speaking, I do believe there was a spot for
15 League of Women Voters, for -- there's maybe a spot for
16 LOGA or LIOGA, however it was listed on there.

17 SECRETARY ANGELLE:

18 Okay. I'm sorry. There is a copy that has been
19 put in our packet.

20 MR. CANFIELD:

21 Excellent.

22 SECRETARY ANGELLE:

23 And, Members of the Commission, if you, in your
24 package, would see there, again -- like, for instance,
25 line No. 10, Mr. Coleman is the representative with the
26 Sparta Groundwater Conservation District -- the
27 Cattleman's Association, and the Soybean Association,
28 LSU Department of Geology, Chemical Association, so on
29 and so forth, and this is just another group. This
30 particular group is an advisory group, much like the

Michelle S. Abadie, CCR

1 Governor's Advisory Council on Coastal Restoration
2 serves to advise and perhaps bring up, you know,
3 opportunities to discuss things.

4 So has this particular group, to your knowledge,
5 ever been seated?

6 MR. CANFIELD:

7 I am not exactly certain. The list that's in
8 there, I believe, is our best guess on the last -- I
9 guess, it's the last official list that we had, or the
10 -- our closest approximation of that. But that group,
11 my understanding is, used to meet along with the Ground
12 Water Resources Commission, and from what I understand,
13 it has been at least a couple of years, but it was
14 prior to my time with the Office.

15 SECRETARY ANGELLE:

16 Again, as we try to stand up this effort, let's go
17 ahead and get letters out -- I think you already said
18 you have -- and then let me know, and we will go ahead
19 and schedule an appropriate place and time for this
20 group to get together. And I'm assuming that a lot of
21 the things that are being presented to that group,
22 will, of course, be presented to this group today, and
23 then we will get their feedback.

24 MR. CANFIELD:

25 Absolutely.

26 MR. COLEMAN:

27 Mr. Chairman?

28 SECRETARY ANGELLE:

29 Yes, sir?

30 MR. COLEMAN:

1 I have been replaced on that Commission by Olivia
2 McDonald, who is with us today. She's here, and so we
3 will give you her name and address.

4 MR. CANFIELD:

5 Thank you.

6 SECRETARY ANGELLE:

7 Thank you very much, Mr. Coleman.

8 So you sent out letters to all 49 member
9 organizations asking for them to provide us -- so we
10 can try to stand this up -- the names so we can get
11 started.

12 MR. CANFIELD:

13 Correct.

14 SECRETARY ANGELLE:

15 Good enough, thank you. Good job.

16 MR. CANFIELD:

17 And then, real quickly, this is an update of the
18 topic that we had discussed I believe at the previous
19 meeting, which is essentially a Ground Water Rule
20 Amendment. For anybody that is a new member who
21 doesn't have that, just let me know, and I will be more
22 than happy to e-mail you the notice of intent.

23 And just very briefly, the notice of intent was
24 published in the November issue of the State Register,
25 and the public hearing, as of right now, is scheduled
26 to take place at 9:00 a.m., on December 29, 2008, the
27 Monday after Christmas. I know everybody will enjoy
28 that wonderful time. And the public comment period
29 will be open for approximately -- or for a week after
30 the hearing, so January 5, 2009, at the close of

Michelle S. Abadie, CCR

(225) 261-5109

1 business.

2 And that's really all that we have to report at
3 this time on the ground water --

4 SECRETARY ANGELLE:

5 So we took care of Item No. 5; is that correct?

6 MR. CANFIELD:

7 Yes, sir.

8 SECRETARY ANGELLE:

9 Okay, very good.

10 Before we go into Item No. 6, I just need to make
11 an announcement. I need to get back to the Capitol,
12 and so I am going to ask Vice Chairlady Castille to
13 take my place.

14 I do want to acknowledge, however, there is a copy
15 of a resolution in our package we received from the
16 DeSoto Parish Police Jury, wherein, they have requested
17 that we put them on notice when we -- it says, okay,
18 "any and all water wells permitted," and I think that
19 is appropriate. I think that we ought to expand that,
20 and I think we ought to just -- again, for purposes of
21 conversation, I'll just put it on the table. We ought
22 to have a point of contact with all 64 parishes, and
23 perhaps maybe in the capital area, maybe not the
24 parish, but the capital area. And I just think, as a
25 matter of communication, we ought to -- when we are
26 doing what it is that we're doing, we are notifying
27 folks, we ought to send an e-mail to that contact to
28 let every parish know of every water well that we know
29 of so they can do what it is that they need to do with
30 that. Because, sometimes, that might be something that

Michelle S. Abadie, CCR

(225) 261-5109

1 catches a building permit problem that would have gone
2 undetected. So I think, as much as we can do to share
3 that information, we can get our IT people to set it up
4 to where we can just get an e-mail out to -- you know,
5 every parish has some general e-mail. I think we ought
6 to try to do that, okay, very good.

7 Again, I want to apologize for my need to get
8 across the street. We do have some important business
9 over there. I do think that we are making much
10 progress, and I look forward to seeing you all again in
11 March. As I understand, we will be in north Louisiana.

12 And I, on behalf of my family, would like to take
13 the opportunity to wish each and every one of you a
14 very Merry Christmas and a Happy New Year. Thank you
15 all very much.

16 MS. CASTILLE:

17 Okay. Well, let's go ahead and move down to Item
18 No. 6, "Haynesville Shale Update," please.

19 MR. SNELLGROVE:

20 Okay. Gary Snellgrove. Thank you, Vice Chair.
21 What we have put together is a quick discussion on the
22 Haynesville Shale, and I believe Commissioner Welsh is
23 also going to say some things about it.

24 Please, Commissioner, at any time, jump in. I'm
25 going to go ahead and start.

26 And it starts off with where we have been
27 receiving complaints over time. We have had areas in
28 Caddo Parish and -- the south Caddo and the northern
29 part of DeSoto Parish, the Keatchie area, Grand Cane,
30 Smyrna, Longstreet, and Keithville have been the areas

Michelle S. Abadie, CCR

1 where we have received, to date, up to ten different
2 inquiries or complaints. Most of the complaints are
3 about the Carrizo-Wilcox, or the Wilcox formation, in
4 that area, and those areas experiencing drawdown, such
5 that it is impacting water well owners, requiring them
6 to go deeper, to move their pumps down.

7 So, with this information that we have received,
8 during this -- say, from June, I believe, until
9 present, these ten complaints or inquiries, we have
10 sent out inspectors to these areas on two different
11 occasions. And on one occasion, it led to some
12 compliance action for the Keatchie Water System over
13 there due to, you know -- just to violations of
14 notifying us of their well and what have you.
15 So the latest was the Longstreet area, we -- just
16 Monday of this week, we had an inspector go out and
17 respond to an inquiry of water use in that area. So he
18 went out and took some GPS locations and what have you,
19 and that investigation is still under review. We
20 haven't had the opportunity, at this point in time, to
21 really sit down with that information and put it into
22 our computer and go through the GIS system and what
23 have you to really get into it, but we will and we will
24 conclude that.

25 The Haynesville Shale, of course, is the hot topic
26 because of the oil and gas operations in that area, the
27 drilling activity that has taken place, and has taken
28 place in the recent past, and, of course, everyone
29 knows or are probably aware of the fact that these
30 wells are going into a shale formation that requires

Michelle S. Abadie, CCR

(225) 261-5109

1 hydraulic fracturing, which uses large volumes of water
2 to do so.

3 One of the concerns that -- general concerns we
4 received is tapping into the Carrizo-Wilcox aquifer
5 system for using water for those purposes, for fracture
6 stimulation. And, you know, the numbers that we are
7 hearing, that's being reported to us, in this process
8 for horizontal fracing versus vertical fracing is in
9 the order of around 2 million gallons, 2.2 million
10 gallons, of water to do one horizontal frac. So the
11 concerns that were expressed and that we have
12 investigated and we went through the process led us --
13 or led the Commissioner to issue a ground water use
14 advisory, which encouraged alternative sources of
15 water, other than the Carrizo-Wilcox, for using and for
16 hydraulic fracturing operations at these drilling
17 locations.

18 So leading -- to follow up to that advisory, the
19 staff has begun a process of surveying existing oil and
20 gas operators that are out in the areas of the
21 Haynesville Shale, and we are going through a process
22 of doing a survey and trying to determine, you know,
23 where are they getting their water resources in their
24 drilling process and, more importantly, in their
25 stimulation process, in their fractionation process.
26 And that survey is ongoing. It was implemented a
27 couple of weeks back, and it is kind of a moving
28 target, because every week, we get updates and there is
29 new wells being drilled and some of those going to
30 production and what have you, so it is kind of an

Michelle S. Abadie, CCR

(225) 261-5109

1 evolving process. But we have received, I believe --
2 out of 27 operators that were contacted, we have
3 received, I believe, around 18 responses, and so this
4 information will be -- and we believe it would be
5 important for us to understand or get a handle on a
6 more -- just put a little bit more science to it as to
7 really what is taking place out there, just going to
8 the users and finding out just exactly where are the
9 water resources that they are using.

10 Commissioner?

11 MR. WELSH:

12 The only thing I would have to add is, we have
13 pretty much determined that the aquifer of choice so
14 far, the Carrizo-Wilcox aquifer, is really not suited
15 for high volumes of water to be withdrawn for fracing.
16 It's just the nature of the aquifer. That is fine for
17 small, domestic users of water, but it seems to be
18 lacking somewhat in its ability to produce enough water
19 for the fracing operations.

20 In fact, we issued a ground water advisory for the
21 Haynesville area, that, basically, we steer strongly to
22 surface water areas that companies should look at. We
23 found an aquifer called the Red River Alluvial Aquifer
24 right along the Red River. It is a highly-mineralized
25 aquifer. It is a high-yield aquifer, not really good
26 to drink, but it is plenty fresh, and we don't see any
27 reason why that particular aquifer would not be an
28 excellent aquifer for fracing the high volumes that are
29 required. It is virtually an inexhaustible supply of
30 water, very high-yield aquifer.

Michelle S. Abadie, CCR

(225) 261-5109

1 We do know the companies are looking at this,
2 looking at the Red River. They are looking at Toledo
3 Bend.

4 If you will see on the slide up there, the little,
5 yellow or gold areas to the south in DeSoto Parish,
6 those are the two lignite mines up there that mine, I
7 don't know, five million tons a year of lignite. The
8 lignite down there is contained in the -- or they have
9 to dewater the alluvial aquifer before they get to the
10 lignite. You can't operate with under-the-ground
11 water. So the companies are discharging somewhere
12 around a million gallons a day into the Red River, and
13 it doesn't make a lot of sense to ask for them not to
14 really investigate using that water for their fracing.
15 I mean, that would be a great thing, in Conservation's
16 eyes, for that to happen, so we are encouraging that a
17 lot.

18 But, as you can see, the little, green areas,
19 those are basically about 210, 640-acre units, that is
20 where the development is in the Haynesville Shale right
21 now. So we met with the Sparta Commission earlier, a
22 few days ago, and they were mostly interested in -- has
23 any of this development -- is this development using
24 Sparta water? Well, the answer was, no, because they
25 are not over into that area, yet.

26 The companies are drilling what they believe to be
27 the core area, the best area, or whatever term you want
28 to apply to it, of the Haynesville Shale, and,
29 obviously, that area will expand north, south, east,
30 and west to some point, and the productive area will

Michelle S. Abadie, CCR

(225) 261-5109

1 stop somewhere. We don't know where that area is, but
2 we believe the core area has been identified now.

3 So I could answer more questions about the
4 Haynesville, if you have any, but I think Gary covered,
5 you know, the ground water aspects of it and the
6 problems pretty well.

7 MR. OWEN:

8 I would like to ask one question. What is the
9 depth at which this fracing is taking place,
10 ordinarily?

11 MR. WELSH:

12 For the Haynesville?

13 MR. OWEN:

14 Yes.

15 MR. WELSH:

16 The Haynesville Shale occurs about 11,000 feet.
17 The way it is developed, a vertical well is drilled and
18 then it is kicked out horizontally for another maybe
19 4,000 or 5,000 feet, and the horizontal area is what is
20 being fraced to produce the Haynesville Shale.

21 MR. OWEN:

22 It seems like a good use, that Red River Aquifer,
23 it is too thick to drink and too thin to plow, I
24 understand.

25 MR. WELSH:

26 The Red River Aquifer?

27 MR. OWEN:

28 Yes.

29 MR. WELSH:

30 We think it is a pretty good aquifer.

Michelle S. Abadie, CCR

(225) 261-5109

1 But the thing right now is that it's not
2 particularly close to the operations, and, you know,
3 that's where the -- the number crunching comes in.
4 They have to haul the water or do a pipeline or
5 something over to the active area right now and that is
6 in -- we have suggested that -- there are only a half a
7 dozen or so companies that are, you know, big players
8 up there that could hopefully work some kind of a
9 system, you know, for all companies to use the same
10 ground water source maybe or Red River source or
11 something. It just seems like this development is in
12 its infancy, the way we see it, and it would be a good
13 opportunity for everybody to get on the same sheet of
14 music right now to solve this problem.

15 MR. MAYS:

16 Commissioner, on the fracing, itself, is any water
17 -- can you use any water for a frac like that, or is
18 there any limitations? I mean, is it any type of
19 wastewater, and then, of course, the question is, if
20 you used any type of water like that, would there be
21 any contamination problems, or is the depth so deep
22 that you don't stand any contamination problems?

23 MR. WELSH:

24 Well, the main criteria, as I understand, the
25 water needs to be fairly fresh. Saltwater is not good
26 for fracing. They are looking at alternative sources,
27 in lieu of ground water. Treated wastewater is being
28 considered, yes, it is.

29 MR. COLEMAN:

30 I think one of the problems with saltwater, of

Michelle S. Abadie, CCR

1 course, is what it does to the equipment, you know,
2 that they use. The saltwater passing through erodes
3 and corrodes and eats the equipment up, and it makes it
4 very expensive from a maintaining equipment standpoint
5 to use the saltwater.

6 MR. HOLLINGSWORTH:

7 Commissioner, if I might add another thing, I --
8 and you have problem heard a lot of that. We have had
9 calls at City, and Mr. Mays says the Police Jury has
10 had a lot of calls, of concern of property owners where
11 gas and oil drilling is going on, that there are a lot
12 of uncapped wells and problems like that, that are not
13 being reported, so there is some concern about that. I
14 don't know whether it is happening in the Haynesville
15 or not, but I know there has been some in our area.

16 MR. WELSH:

17 Is it just oilfield operations, in general?

18 MR. MAYS:

19 Well, I don't know if all of it is oilfield
20 related or there is just old wells that -- it is mainly
21 the rural water system, they guys that work on that
22 will say, there's just an abandoned well out here or a
23 pipe, and we have a concern that there is some
24 contamination coming in from that. It doesn't appear
25 to be capped or anything and so that's -- that covers
26 an agenda item I was hoping to add to the meeting when
27 we had it up in Ruston and then be able to advertise
28 any of the --

29 MR. WELSH:

30 I would like to know very much more specifics on

Michelle S. Abadie, CCR

1 that, you know. We will handle that. I will get with
2 you and if you can provide some specific information, I
3 will sure pass that on.

4 MR. MAYS:

5 Okay.

6 MR. WELSH:

7 Thank you.

8 MS. CASTILLE:

9 Okay. Let's move on to Item No. 7 on the agenda,
10 the Ruston-West Monroe meeting.

11 Mr. Snellgrove?

12 MR. SNELLGROVE:

13 Thank you, Vice.

14 Yes, on this, just briefly recapping, we have
15 coordinated with the Ruston newspaper up there, the
16 *Ruston Leader*, I believe it is --

17 MR. HOLLINGSWORTH:

18 *Ruston Daily Leader*.

19 MR. SNELLGROVE:

20 -- *Ruston Daily Leader* coordinated a meeting, inviting
21 the Secretary and the Commissioner and various staff
22 from some of the agencies to come up to north Louisiana
23 to visit with those who have experiences with these
24 different projects that were either in the planning
25 stage or have been implemented to look at ground water
26 use in the Sparta and, well, means to find alternative
27 ways of managing this water, if you will, with some of
28 these -- by finding either alternative resources or
29 utilizing surface water more than what they may have
30 been in the past. So we went up there Monday and

Michelle S. Abadie, CCR

(225) 261-5109

1 Tuesday and had a really good experience up there,
2 where we -- where, personally, I, you know, learned a
3 lot from their experiences, and we are here to share
4 some of that with the Commission.

5 First of all, the U.S.G.S. was there, Mr. Ben
6 McGee, and he provided kind of an update on the Sparta
7 Aquifer and its conditions currently. And the thing
8 that stands out in my mind the most about that meeting
9 was -- about his presentation was that daily use, that
10 is out of balance, if you will, for the Sparta, as a
11 whole. And I believe that the -- the number is 18
12 million gallons per day is being withdrawn that is not
13 being recharged, so there is a negative, if you will,
14 impact on the aquifer, and so that leads into some of
15 these other efforts.

16 Of course, with that being a known fact in the
17 Sparta area, the folks up there have begun education
18 processes and conservation efforts to get the word out
19 for consumers and users of the ground water to
20 conserve, turn the faucet off when you are brushing
21 your teeth, and, you know, we have video out there that
22 goes through this process.

23 There is also some effort, I believe, with
24 Louisiana Tech to go out and send folks out to put
25 water conservation messages at public supply places,
26 like restaurants, you know, various industry, or areas
27 where folks are using ground water to remind them to
28 conserve. So we had presentations on that information.

29 They also provided information to us about
30 Louisiana Tech's efforts to create a reservoir to use

Michelle S. Abadie, CCR

1 for non-potable purposes at their campus and their
2 facility. We went to Squire Creek, which is a golf
3 course area that the owner of that has created a
4 reservoir, and he is actively using rainwater that has
5 collected in the reservoir for non-potable purposes,
6 for watering his greens, at a tremendous savings to the
7 Sparta Aquifer.

8 We also sat in a conversation or a discussion with
9 the Lincoln-Union Parish Water Initiative that is being
10 funded to study, I believe, the possibility of
11 transporting, via pipeline, water from some of the
12 nearby natural lakes --

13 MR. COLEMAN:

14 Lake Darbonne.

15 MR. SNELLGROVE:

16 -- Lake Darbonne, and so that is something that is
17 being investigated and studied to look at if there are
18 any -- or to what effect would it have on draw-down in
19 Lake Darbonne, and as I appreciate what we were taught
20 is it is very negligible. Lake Darbonne is, I believe,
21 a man-made reservoir, or lake, and it has a weir
22 system, if you will, and the majority of the time of
23 the year, the water is flowing over the weir, so the
24 impact is just very negligible. I know Mr. Coleman can
25 certainly share much more information about it, but
26 these are the things that I picked up out of it and
27 wanted to share.

28 West Monroe and the Graphic Packaging "Waste Water
29 Reuse Project," is -- the mayor, and he came in and had
30 some staff, and they explained that they have completed

Michelle S. Abadie, CCR

1 -- their lymph scale and kind of a prototype
2 demonstration, if you will, of how they can take
3 wastewater from other wastewater treatment units in the
4 West Monroe area and clean it to such a standard to
5 meet the criteria, EPA criteria, and I guess some with
6 DHH, so it could be used to replace Sparta Aquifer
7 water in their packaging-manufacturing process. So
8 this, I believe, is going to come to a total -- if the
9 project gets fully up and implemented, it could lead up
10 to a ten million gallon per day reduction of ground
11 water use from the Sparta Aquifer.

12 And the final information that was presented to us
13 of -- you know, I think it was the Union County's
14 experience in Arkansas with their project to help
15 reduce their dependence upon the Sparta Aquifer. And,
16 in a nutshell there, what they were able to achieve,
17 basically, on a voluntary effort, you know, with their
18 district, similar to what Mr. Coleman's group is doing
19 under the Sparta Aquifer, kind of a similar set up,
20 they were able to -- of course, over time and many
21 hurdles, they were able to initiate funding and take it
22 from -- you know, to completion, a project that pipes
23 fresh water from the Ouachita River down into Eldorado,
24 the city, and use this water to service the industry in
25 that area, several different industries, Monsanto, I
26 believe, is one. I can't remember all the different
27 users out there, but there were several large,
28 industrial users out there that now are using -- not
29 only needing to utilize -- I think Lion was another
30 one, Petroleum -- and that no longer needed to use

Michelle S. Abadie, CCR

(225) 261-5109

1 Sparta Aquifer water in their process, which is -- and
2 tire related and things of that nature, large consumers
3 of water, and now they're taking that water through the
4 Ouachita River through their cleaning process and what
5 have you, so...

6 Mr. Coleman?

7 MR. COLEMAN:

8 We were real pleased to have -- we were excited
9 and pleased to have Commissioner Welsh and the Chairman
10 and others, Mr. Bolourchi, and et cetera, to come up
11 and visit with us and share ideas with us and discuss
12 things. We may not be making as much progress as we
13 would like, certainly, but we are making some progress.

14 And I think a kind of quick synopsis of the
15 situation is, is the Aquifer, we feel like, can
16 naturally generate about 58 million gallons per day.
17 We are currently using about 72 million gallons per
18 day. And, of course, if you continue to do that, we
19 will continue to have a -- generally about a one-foot
20 fall per year, you know, in the whole area up there,
21 and it is more severe in the areas that have been
22 deemed by the Commissioner as areas of concern, you
23 know.

24 And so we are doing what we can. We welcome any
25 and all ideas and thoughts about what we can do, in
26 addition to what we are doing. Of course, the group
27 from Arkansas, the activities that they have done, they
28 are now having about a three-foot recharge in the area,
29 where they are gaining three feet. But, of course,
30 about ten years ago, they were told they had to reduce

Michelle S. Abadie, CCR

1 their consumption of Sparta water by about 72 percent,
2 that is a lot. And we are almost to the point to where
3 that it may take close to a 50-percent reduction in our
4 use in order for the Sparta, not to just stabilize, but
5 to begin to recharge itself.

6 Our primary -- one real concern is simply that,
7 each year that we don't fix it, we are doing some
8 permanent, irreversible damage to the Sparta Aquifer we
9 know, because we -- in other words, never recover
10 completely from the abuse that it is experiencing at
11 the present time.

12 So we are really enthused in the fact that
13 everybody is giving attention to it, and I guess us
14 three north Louisiana guys here, we are, I think, all
15 on -- of one accord, right? And so we appreciate the
16 concern and effort and the fact that we are getting to
17 the point to where that we are getting into something
18 beyond talk, we are getting into some management stuff.
19 And so I think we all need to be enthused about this,
20 so that we can begin to, not just follow, but to lead,
21 in resolving some of these issues in a constructive
22 way.

23 MS. CASTILLE:

24 Are there any other questions for Mr. Snellgrove?

25 (No response.)

26 Okay. We are going to have a brief comment
27 period. We would like to restrict the individual
28 comments for about two minutes.

29 If you do, please, come up to the chair and the
30 microphone, and state your name and also who you are

Michelle S. Abadie, CCR

1 affiliated with for the record, please.

2 MR. HANSON:

3 I am Gary Hanson, original member of the Ground
4 Water Task Force, and I am glad to hear that we are
5 bringing this Task Force back, because I do think that
6 is really the think-tank that has been working on this
7 for a long time. I am the lone ranger and was for a
8 long time. I am glad to look around and see a lot of
9 Yankees up there from north Louisiana, and we need it.
10 We have got some real issues, dealing with the
11 Haynesville Shale, in particular. But we do have a
12 group up there, the Water Resources Committee of
13 Northwest Louisiana, which we started after I left here
14 from our Task Force, about the time that the Act was
15 completed.

16 We have been working pretty hard to deal in these
17 issues of ground water and surface water. One of the
18 things I tried to push on the Commission was, could we,
19 please, include surface water? That hasn't been done,
20 and it is probably not going to be done, but we were
21 mainly a surface water user up there until we started
22 getting the Haynesville wells coming in. And that is a
23 big problem. We have brought two other people here
24 from Caddo Parish and from DeSoto Parish, particularly
25 DeSoto Parish is experiencing worse issues with the
26 Carrizo-Wilcox.

27 We are also working closely with the industry up
28 there. I am glad to see an industry representative for
29 the oil and gas industry from north Louisiana on the
30 Commission.

Michelle S. Abadie, CCR

(225) 261-5109

1 And I believe we are headed in the right direction
2 as far as communicating and learning how we can use
3 this play, which is a developing play, from a
4 technological standpoint. Keep in mind, it is a source
5 issue. It is also a disposal issue. The -- water is
6 coming back, and we are taking a lot of water also from
7 the aquifer.

8 A lot of companies are starting -- several
9 companies are starting to move over and use the Red
10 River, use the alluvial. I appreciate Commissioner
11 Welsh sending out those memos encouraging the operators
12 to do that. We need to do more of it, because we still
13 got some issues on the Carrizo that we have definitely
14 got to work with.

15 I am hoping you can come up to Shreveport and meet
16 up there, meet with us, too.

17 Thank you very much.

18 MR. NEILSON:

19 Madam Chairman and Members of the Commission,
20 thank you all for holding this meeting down here. I
21 think it has been very informative.

22 My name is John Neilson. I am the administrator
23 of Water Works District No. 1 in DeSoto Parish. I hold
24 a Level IV -- certification of water, and that is the
25 highest level that the State puts out through the
26 Office of Public Health. As Water Works District 1, we
27 are a parishwide water system. We oversee the needs of
28 water in all of DeSoto Parish, with the exception of
29 Mansfield.

30 With the advent of the Haynesville Shale, several

Michelle S. Abadie, CCR

1 things have come to mind in the depletion of the ground
2 water, and I just want to kind of go over those things
3 real briefly for you.

4 In DeSoto Parish, we use approximately
5 two-and-a-half billion gallons of water per year, both
6 ground water and surface water, for our domestic
7 supply, that's everything that DeSoto Parish uses. The
8 drilling in the Haynesville Shale next year, if it is
9 what they say it will be, has a potential to require
10 that much or more simply for the drilling. It is a
11 vast amount of water that is going to be used in DeSoto
12 Parish next year.

13 We have basically three areas of concern. We
14 believe -- and I appreciate the investigator coming
15 down to DeSoto Parish Monday and looking at some of
16 these things. We believe that some of the rig supply
17 wells are becoming frac supply wells. We believe that
18 a lot of the frac supply wells are not permitted. I
19 noticed that, on your presentation, there was 100
20 percent. I would be interested in knowing how many of
21 those wells -- how many -- what was the total number on
22 those industrial wells, you know, what was the total
23 number that was on there? There were probably -- I can
24 probably take you where there were 20 drilled in DeSoto
25 Parish alone last year. Some of this is just
26 oversight.

27 It is really a regulatory maze when someone goes
28 to drill and permit a water well. You have to get a
29 permit from the DOTD, but then you have to get a
30 registration from DNR. And a lot of times, they don't

Michelle S. Abadie, CCR

(225) 261-5109

1 know what to do, and so a lot of it just ignorance, and
2 "ignorance" is not a bad word. Ignorance just means
3 you don't know something, but you can learn, and so I
4 think a lot of that is there.

5 The penalties, what does it cost if someone fails
6 to register a water well? It can cost up to -- by
7 statute, up to \$50. What does it cost if you fail to
8 permit a well? It can cost up to \$200. So I think
9 that is something that needs to be looked at by this
10 Commission is maybe putting a little teeth into the
11 enforcement issue and maybe get some more people out in
12 the field to do some enforcement on that.

13 The third issue that has come to light, and it is
14 kind of a gray area, and I don't know what the solution
15 to it is, but we have some individual landowners that
16 are selling water from their lakes, existing lakes
17 and/or new lakes that are built. And that sold water,
18 they certainly have the right to sell it, but once that
19 water is gone out of the lake, then they have to
20 replenish it, and wells are being drilled to replenish
21 that water. And I am not sure those are being
22 permitted, and it is kind of a gray area, as I
23 understand it, in the permitting process, and I think
24 this Commission needs to look at that with a magnifying
25 glass and try to get a conclusion on that.

26 But I think that, you know, a lot of progress has
27 been made. And we would appreciate the notification
28 that my Jury sent up, and I would appreciate that very
29 much, but it is one thing to be notified of the wells
30 that are drilled and permitted and everything, and that

Michelle S. Abadie, CCR

(225) 261-5109

1 is good. The other thing is, how many wells are being
2 drilled that are not permitted, and I think that is
3 what we need to look at.

4 Thank you all very much for your time.

5 MS. CASTILLE:

6 Are there any other public comments?

7 MR. DUEX:

8 Commissioner and Members of the Commission, my
9 name is Tim Duex, from the University of
10 Louisiana-Lafayette geology department. I have served
11 as a member of the Task Force since 2001, and I would
12 like to seek clarification of the rules for creating
13 regional stakeholder bodies. I noticed from the last
14 meeting there were some notes. The reason I ask this
15 is because we have a local group in the Lafayette area
16 and the Chicot Aquifer area that has applied for
17 regional status at some point.

18 To recap the history, we applied in June of 2004,
19 to seek status as what we call the "Chicot Aquifer
20 Stakeholders Group." We had several meetings that
21 fall, and they were attended by over 50 people.
22 The rules evidently weren't completely established at
23 that point. In spring of 2005, the guidelines were
24 submitted and rules were being clarified, and, of
25 course, we had some problems in the fall of 2005.

26 In July of 2006, Don Broussard of the Lafayette
27 Utility Systems and myself resubmitted our application
28 to seek recognition -- to seek formal recognition as a
29 group, and I have a copy of that letter and the
30 objectives that we have established for the Chicot

Michelle S. Abadie, CCR

(225) 261-5109

1 Aquifer Stakeholders Group, and I would submit that to
2 the Commission and seek recognition as a regional
3 stakeholder group.

4 MS. CASTILLE:

5 Thank you. Any other public comments?

6 (No response.)

7 Okay. Thank you. The next meeting of the Ground
8 Water Resources Commission will be held on March 5th.
9 I believe Mr. Coleman has made some arrangements?

10 MR. COLEMAN:

11 Yes, ma'am. The Commissioner had asked me to make
12 arrangements and -- for a north Louisiana site, and the
13 site that was selected was Minden, Louisiana, and it
14 will be at the Minden City Hall in the Minden Council
15 Chambers, and a time that was established, if it is
16 acceptable, would be 1 o'clock.

17 MS. CASTILLE:

18 Okay. So that's the Minden City Hall in the
19 Minden Council Chambers at 1:00 p.m., on March 5th.

20 MR. COLEMAN:

21 That's on Broadway Street. We can furnish you all
22 a map, so if you need to --

23 MS. CASTILLE:

24 Okay.

25 MR. MAYS:

26 Ms. Chair, Madam Chair, can I ask a question?
27 Do we meet on a quarterly basis or is it a particular
28 week, or do we have a calendar for '09?

29 MS. CASTILLE:

30 It is my understanding that we meet semi-annually.

Michelle S. Abadie, CCR

(225) 261-5109

1 MR. MAYS:

2 Semi-annually?

3 MS. CASTILLE:

4 Yes.

5 MR. MAYS:

6 Okay.

7 MS. CASTILLE:

8 So it is my understanding that the Commission
9 meets semi-annually, and the Task Force meets every
10 quarter.

11 MR. COLEMAN:

12 Madam Chairman, it was brought to my attention
13 that the Municipal Association, I think, has a meeting
14 in Monroe that same week, and, of course, we have some
15 mayors, the particular one sitting next to me, that,
16 you know, will have a conflict with that, but I guess
17 we will have conflicts whenever we try to meet.

18 The other thing that had been mentioned was that
19 we normally meet at 1 o'clock, as we did today. There
20 had been some discussion about whether or not it would
21 be better to meet at 11 o'clock. I don't have a
22 preference, you know. It is strictly -- and if that --
23 you know, if there is a different time than at
24 1 o'clock is what the Chairman and you all decide,
25 well, I can certainly see if -- I believe that would be
26 clear.

27 MR. HOLLINGSWORTH:

28 Ms. Chairman and Chairman, I am the one that
29 suggested to Mr. Angelle that, if we had this at
30 11 o'clock in the morning, for those who have to drive

Michelle S. Abadie, CCR

1 so far from north Louisiana, we could come and go in
2 one day without driving at a bad time of day.
3 Conversely, the same thing applies to the ones of you
4 who live in south Louisiana driving to north Louisiana,
5 we thought that would be more convenient and
6 time-saving for you, if we had a time that would work
7 for both of us, provided it didn't create any hardship
8 on anyone. Some of you may not wish to stay overnight.
9 It is just like we like to get back to our same bed
10 every night.

11 MS. CASTILLE:

12 I can fully understand. We might want to go ahead
13 and send out an e-mail like that asking the wishes of
14 the Commissioners to see what they would prefer.

15 MR. COLEMAN:

16 If you all let me know, I don't think that will be
17 a problem changing as far as the meeting place is
18 concerned, availability.

19 MS. CASTILLE:

20 Okay. We will go ahead and send out an e-mail
21 asking people's preferences.

22 MR. COLEMAN:

23 Thank you.

24 MS. CASTILLE:

25 All right. We will go ahead and adjourn this
26 meeting of the Ground Water Resources Commission.

27

28

29

30

CERTIFICATE

I, MICHELLE S. ABADIE, Certified Court Reporter, do hereby certify that the foregoing meeting was heard before Chairman Scott Angelle and Vice Chairman, Carrie Castille, on December 18, 2008, in the Department of Natural Resources Hearing Room, Baton Rouge, Louisiana; that I did report the proceedings thereof the Ground Water Commission meeting; that the foregoing pages, numbered 1 through 98, inclusive, constitute a true and correct transcript of the proceedings thereof.

MICHELLE S. ABADIE, CCR #24032
CERTIFIED COURT REPORTER

Michelle S. Abadie, CCR

(225) 261-5109