

MINUTES

CAPITAL AREA GROUND WATER CONSERVATION COMMISSION

July 3, 2017

I. Call to Order

The Capital Area Ground Water Conservation Commission met for a regular meeting at 9:30 a.m. on July 3, 2017 in the U.S. Geological Survey's auditorium at 3535 S. Sherwood Forest Blvd., Suite 120, Baton Rouge, Louisiana. The meeting was called to order by the Chairman, Mr. Barry Huggins.

II. Roll Call

The following members were present: William Daniel, Henry Davis, Barry Huggins, John Jennings, Amelia Kent, Jeff Miller, Nelson Morvant, Matthew Reonas, Jens Rummler, Ryan Scardina, Thomas Stephens, Todd Talbot, and Mark Walton. The following members were absent: Johan Forsman and Julius Metz.

Others attending the meeting were: Anthony Duplechin and Shawn Scallan, Capital Area Ground Water Conservation District; Lana Venable, ExxonMobil; Roy Waggenpack, Owen & White; Candice Rodgers, Louisiana Attorney General's Office; Steve Hardy, The Advocate; Tony Goff, Thornton, Musso & Bellemin; Lindsay Goudey and Zack Spivey, Sparta Ground Water Commission; Dennis McGehee, Baton Rouge Water Company; Joey Hebert, Georgia Pacific; and Russel Honore, Green Army.

III. Minutes

Mr. Jennings made a motion that the minutes of the March 21, 2017 meeting be approved. Mr. Walton seconded this motion. The minutes were approved and passed unanimously.

IV. Report from the Administrative Committee

At the request of the Chairman, Barry Huggins, Mr. Stephens reported on the meeting that was held June 22, 2017 at 8:30 a.m. Following is a summary of items discussed at the meeting and further discussion and action at the regular Commission meeting on July 3, 2017 at 9:30 a.m.

- Copies of the Financial Conditions as of May 31, 2017 were distributed for review and comment.
- The Administrative Committee discussed amending the budget for 2016-2017. All items considered for amending were under the budgeted amount; therefore the budget did not need to be amended.
- The Administrative Committee discussed the proposed budget for fiscal year 2017-2018. Mr. Reonas asked if the Commission is required by law to have performance evaluations for the staff. Mr. Reonas also inquired about the administrative assistant's job title and pay. Mr. Huggins requested that Mr. Stephens check on this and report back at the next Administrative Committee meeting. (It was noted after the meeting by Candice Rodgers, Attorney General's Office, that the discussion of a specific employee's job duties and/or pay that the Commission should be in Executive Session. However, when discussing pay generally, as in the overall salary budget, it is acceptable for the Commission to remain in general session.)

Mr. Reonas asked for an explanation on the on-line bill payment system. Mr. Duplechin stated that this system would enable the user to go online enter their usage and pay their fee. Mr. Reonas also inquired about the line item, Meeting and Associated Expenses.

Mr. Daniel made a motion to accept the budget for 2017-2018. Mr. Walton seconded this motion. The vote was yes-12 members, no- 0 and abstain – 1. The motion passed.

- Mr. Stephens reported that Mr. Vorhoff, Attorney General's office, filed a claim last month on the Commission's behalf. The amount of the claim is \$5,064.29. Mr. Huggins questioned Mr. Vorhoff, AG's office, if the Commission has the authority to suspend a user's permit if they do not pay their water well pumpage fees. Mr. Vorhoff stated that he will research the issue and report to the Commission.
- The Administrative Committee discussed data collection and report preparation issues. In light of House Bill 689, Mr. Huggins stated that he thinks a questionnaire needs to be developed to send out to permit holders asking all of the pertinent questions that the Commission will have to answer to fulfill their obligations under Act 425. Mr. Huggins asked the Director to start working on the questionnaire.
- Mr. Huggins presented a proposed public comment policy to the Administrative Committee. Mr. Daniel made a motion to amend the proposed public comment policy to strike the word "stand," in the 6th paragraph, and in the 7th paragraph to place a period after the word "subject" and strike "however this time limit may be extended at the discretion of the Commission Chair". Mr. Jennings added that the word "desired" in the first paragraph be changed to "desires". Mr. Talbot seconded the motion. The motion passed unanimously. Mr. Reonas then made a motion that the board accept the amended public comment policy. Mr. Jennings seconded the motion. The motion passed unanimously.
- The Administrative Committee discussed a possible "new member orientation policy. Mr. Huggins reported that he would like to see the Commission develop some sort of handout to give new board members with the Commission's history, current projects, rules and regulations, etc. It was suggested that in the future the Commission add to the committee meeting agendas, orientation for new members.
- Mr. Stephens stated that the Committee considered recommending a new policy regarding the composition of sub-committees to the full Commission.
- Mr. Stephens reported that the Committee discussed the EPA Water Infrastructure Finance & Innovation Act (WIFA) grant. Mr. Duplechin stated that applying for this loan would be premature at this point.
- The Administrative Committee discussed updating the 2014 Management Plan. Mr. Duplechin stated that he will begin updating the management plan.

V. Report from the Technical Committee

The report of the Technical Committee was made by Nelson Morvant. Minutes of the meeting were distributed (attached). Following is a summary of topics discussed at the meeting on June 22, 2017 further discussion and action at the regular Commission meeting on July 3, 2017.

- Commissioner Walton reported that the Ad-hoc group might want to look at an alternate site for drilling the "test well" (the current site being considered is near the EBR Lift Station on S. Acadian Thruway.)
- Mark Walton reviewed the most recent pumping from the 1,500-ft and 2,000-ft sands. All pumpage was within mandated limits.
- An update was given on the USGS project, "Development and Maintenance of a Computer Model to Simulate Groundwater Flow and Saltwater Encroachment in the Baton Rouge Sands, Louisiana".
- An update was given for the Board of Regents ITRS Project "Conjunctive Management of Baton Rouge Multi-Aquifer System for Saltwater Intrusion Mitigation".
- Mr. Roy Waggenspack of Owen & White discussed progress with the contract for public bid preparation entitled "2,000-ft sand Chloride Monitoring Well."

VI. Genesis and Overview of the Management Plan for the Southern Hills Aquifer System and the Summary Plan for the “1,500-foot” and “2,000-foot” Sands

Mr. Walton gave a presentation on the Management Plan for the Southern Hills Aquifer System and the Summary Plan for the “1,500-foot” and “2,000-foot” Sand. Mr. Walton stated that this plan does two things: Puts a limit of production on both sands and reduces production for the “2,000-foot” sand. Mr. Walton stated that as the USGS models more sands that the Commission will modify the plan as needed.

Mr. Walton also gave a presentation on the Plan for Management of the Southern Hills Aquifer System in the Baton Rouge Area, which was approved by the Commission on April 8, 2014. As the USGS completes the model for each sand a management plan like the plan for the “1,500-foot” and “2,000-foot” sands will be completed as needed.

VII. Director’s Report

Mr. Duplechin reported that he has continued to work with Owen & White in getting an agreement in place to assist the Commission in preparation of a bid package including design, bidding and construction support for installation of the first test hole. He continued working on collection of unpaid fees and penalties from East West Copolymer. The Director executed two contracts with the Attorney General’s office. He reported that he attended several legislative hearing on House Bills 535 and 689 by Representative Marcelle. He stated that he attended the Ground Water Management District’s Association (GMDA) meeting that was held in Albuquerque in May. Mr. Duplechin reported that he will be coordinating the next GMDA meeting which will be held in Baton Rouge the week of January 15th.

VIII. Chairman’s Report

Mr. Huggins reported that he testified before the legislature on House Bill 689. He along with the Director went to Ruston to meet with the Sparta Commission. Mr. Huggins stated that he plans to get in touch with Representative Garrett Graves, Senator Bill Cassidy and Senator John Kennedy to discuss the Commission’s plans for saltwater encroachment. He stated that House Bill 689 was passed and signed by the Governor. The bill prohibits the Commission from having an Ad-hoc group. He stated that the only committees that the Commission may have is standing committees. In the past a nominating committee was appointed for choosing officers. The Administrative Committee will now assume the responsibilities of the nominating committee. He continued saying that the Ad-hoc group is no longer sanctioned by the Commission in accordance with the recently passed law. The Chairman then appointed a Planning & Specification Subcommittee to the Technical Committee. Mr. Huggins appointed the following members to this subcommittee: Nelson Morvant, Mark Walton, Tom Stephens and William Daniel.

IX. Other Business

Mr. Walton referred to the Louisiana Administrative Code, public works section, Title 56, paragraph 329. Mr. Walton stated that the way the rules and regulations have been amended is that they don’t prevent communication between sands/aquifers. He said that the rules originally stated if a casing penetrated more than one water bearing sand, that it be cemented from the top of the bottom sand to the surface. He stated that the rules need to be amended to go back to the original in order to protect our aquifers. Mr. Reonas stated that Mr. Walton can work up his comments and send them to the Office of Conservation. Mr. Walton stated that he first wants to protect the Commission’s district. Mr. Walton stated that the Commission can adopt rules and regulations by having them published. Mr. Huggins recommended that the Planning and Specification Subcommittee review this and make a recommendation.

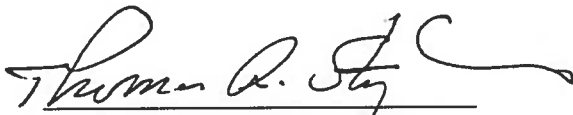
X. Public Comment

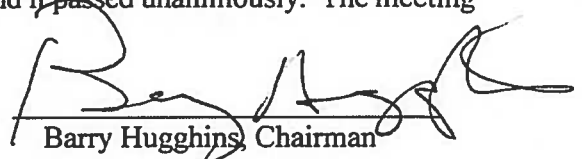
Mr. Zach Spivey, Sparta Commission, thanked the Commission for inviting them to the meeting. Mr. Spivey stated that they are dealing with one aquifer in north Louisiana and that this Commission is dealing with many. He stated that the Sparta aquifer goes from Webb Parish to Memphis, Tennessee with much of it in Arkansas. He stated that one of the biggest users is Union County Arkansas and that they have done many things to help their Commission. Mr. Spivey stated that they have to preserve their Sparta along with working with industry. He invited the Commission members to come to a Sparta Commission meeting.

Mr. Honore stated that the Green Army needs to move forward with a legislative agenda because laws are going to have to be changed. He stated that the Green Army can't get the things that they need to have done now with the restrictions in the law. He stated that we've been doing scavenger wells since 75 and Article 9 of the constitution of this state says that every decision that every Commission and every legislature and every law makes must put the protection of the people above anything else, anything that's for profit or anything that's for commercial use. The safety of the protection of the people come first. And I think this thing with protecting our water should be the highest priority. A voice for the people of Louisiana as far as our legislature and we will work with you on the legislative agenda. Mr. Honore stated that there are some of these things that he thinks we can work together and others not such as taking industry off of the aquifer.

XI. Adjournment

There being no further business before the Commission, Mr. Reonas made a motion that the meeting be adjourned. Mr. Walton seconded this motion and it passed unanimously. The meeting was adjourned at 12:06 p.m.


Thomas Stephens, Treasurer


Barry Huggins, Chairman