

SOME MILESTONES IN LOUISIANA WATER LAW & SPARTA ADDRESS

Louisiana still lacks, in 2007, a legislatively-mandated state water policy and water conservation tools with which to manage the State's water resources, but some progress toward water resources management has been made..

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2001

GROUND WATER MANAGEMENT ACT 446 from Senate Bill No. 965. This bill creates the Water Management Commission and the Water Management Advisory Task Force to being the process of developing a statewide comprehensive Water Management Plan.

Advisory Task Force to the Groundwater Management Commission-lwvla Representation

UP-DATE ON COMMISSION AND TASK FORCE WORK:

The 2001 regular session of the state legislature enacted SB 446. This bill established the Groundwater Management Commission for two years, authorized the creation of critical groundwater areas in the state, expanded well registration requirements, and instructed the Commission to study and recommend permanent water

management statutes to the 2003 legislative session.

To assist the Commission, the Governor, by executive order, established an Advisory Task Force consisting of representation from numerous stakeholders in water policy for the state. The Department of Natural Resources, Water Division, was instructed to provide staff support for the Commission and Task Force. In addition, a consulting firm was hired to collect all available water use data for Louisiana, research the legal framework, report on other states' water use plans, and make recommendations. Karen Gautreaux, from the Governor's Office, is the chairperson for both the Commission and the Task Force.

The State League's representatives to the Task Force are Ann L. Pettit and Linda M. Walker.

In the 20 months the Commission, Task Force and consultants have been working; the assigned tasks have been accomplished. The Commission has established interim rules on critical groundwater areas and received the first request from the Sparta Groundwater Commission in northern Louisiana to designate certain parishes, and parts of others, as critical groundwater areas and to ultimately manage groundwater withdrawal in that area when and where necessary. The process for registering new water wells prior to drilling is now in place. Over 640 new wells have been registered in the past year. Concurrently, the Department of Transportation has continued the practice of registering certain types of wells after drilling. The consultants, C.H. Fenstermaker, of Lafayette, have submitted 3 volumes of studies and recommendations. After hearing testimony, studying the consultants' reports, and much discussion the Task Force has submitted recommendations for permanent water policy legislation to the Commission in two stages.

The Commission has held 17 meetings and the Task Force has held 18 meetings, with numerous subcommittee meetings since beginning its work. In an exemplary example of cooperation and dedication, the various factions on the Task Force came to consensus on many significant issues and attendance has remained high. Each interest group felt they have something to gain by having permanent management statutes in place administered by the state.

Linda, assisted by Ann, has been chairing the Outreach subcommittee. The Outreach subcommittee has been responsible for the publication of brochures, reports to the media and submission of a long-term public education program to be incorporated into legislation. Currently, the subcommittee is planning briefings for each of the four legislative committees that are responsible for the final legislation.

2002

'STATEWIDE WATER MANAGEMENT PROGRAM: A PLAN FOR IMPLEMENTATION' by: Louisiana Ground Water Management Commission, Ground Water Management Advisory Task Force, and Commissioner of Conservation to Louisiana Legislature. **Executive Summary:** Act No. 446 of the 2001 Regular Session of the Louisiana Legislature established the Ground Water Management Commission in the Office of the Governor and assigned the Office of Conservation within the Louisiana Department of Natural Resources to serve as staff for the Commission. The Act also created a Ground Water Management Advisory Task Force to advise the Ground Water Management Commission, provided for the adoption of rules and regulations for the determination of critical ground water areas, authorized the limitation of access to ground water sources in those critical areas, and provided for response to emergency situations. In addition, it required development of a plan for implementation of a statewide ground water management system.

In order to make the most of available resources, the Ground Water Management Commission, through the Office of Conservation, contracted with C.H. Fenstermaker and Associates (consultant) for assistance in developing the statewide water management plan...In this implementation plan, it is recommended that

- the delineation of subterranean waters as a mineral be affirmed;
- a statewide Water Management Commission (commission) be created;
- a new division in the Office of Conservation (agency) be created to serve as staff for that commission;
- the state be divided into regions to be managed by the division;

- the duties of the new division be identified. Registration or permitting of water wells is recommended, as are definitions for areas where the sustainability of ground water might be at issue.
- ground water management options be presented and a public outreach and education program be initiated
- the commission have authority to enter into agreements with other state agencies and with other states for purposes of better managing water resources.
- to ease the transition, all actions taken by the commission created by Act No. 446 of the 2001 Regular Session of the Louisiana Legislature be continued under the authority of the new commission.

There is recognition at this point in time that the proposed Water Management Commission will primarily be responsible for the management and regulation of ground water resources. There is also recognition that ground water and surface water are inseparable and, therefore, the commission must develop a coordinated plan for the joint management of the state's water resources for presentation to the legislature at a later date.

Due to time constraints the commission was unable to adequately examine the details of the legal status of subterranean water, permitting of wells, incentive programs and use of alternative sources of water. Therefore, this report recommends inclusion of these items in the water management program but does not contain specific recommendations. It is the intention of the Ground Water Management Commission to continue to investigate these issues and make recommendations to the legislature at a later date.

Implementation Recommendations. The Ground Water Management Commission will cease to exist on July 1, 2003. It is imperative that a long-range water management program for the state of Louisiana be in place to continue the functions of the Ground Water Management Commission on that date. It is recommended that legislation be prepared for consideration during the 2003 Regular Session. The Ground Water Management Commission, The Ground Water Management Advisory Task Force and the Commissioner of Conservation recommend:

1. That the legislature affirm the legal status of subterranean water as a mineral under the Mineral Code (Title 31). The Ground Water Management Commission and Advisory Task Force will continue to work on details associated with the legal status of water.

2. That a Water Management Commission be statutorily created with membership as follows: a. The Governor, or his designee b. The Commissioner of the Office of Conservation, or his designee c. The Commissioner of the Department of Agriculture and Forestry, or his designee d. The Secretary of the Department of Culture, Recreation and Tourism, or his designee e. The Secretary of the Department of Economic Development, or his designee f. The Secretary of the Department of Environmental Quality, or his designee g. The Secretary of the Department of Health and Hospitals, or his designee h. The Secretary of the Department of Transportation and Development, or his designee i. The Secretary of the Department of Wildlife and Fisheries, or his designee. The commission and/or agency shall be responsible for the promulgation of rules and regulations for the administration and management of the state's water resources to ensure their continued sustainability and shall promote public education and implementation of conservation measures.

3. That a state agency be statutorily designated to be the water management agency for the state. a. That the agency be a new Division in the Office of Conservation, Department of Natural Resources. b. That the state be divided into water management regions and regional water resource districts. The roles and responsibilities of the agency will be further defined but will generally be as outlined in the consultant's report on page 11-17 as a Type II structure. In addition, the geographical boundaries of the regions and districts will be defined by the Ground Water Management Commission and the Ground Water Management Advisory Task Force c. That the agency be responsible for water well permitting, water well registration and database management, water well driller's licensing, the water well construction and plugging standards program, the cooperative program with the Water Resources Division of the United States Geological Survey, ground water data collection and dissemination, water supply availability and use. Department of Transportation and Development personnel and funding currently assigned to these programs should be transferred to the agency. d. That the current water quality program remain

under the jurisdiction of the Department of Environmental Quality and the current public health program remain under the jurisdiction of Department of Health and Hospitals. e. That cooperative agreements be established between all appropriate state agencies to enhance management of the state's water resources and to encourage integration of all agencies' databases. f. That the Legislature provide sufficient funding for the program. g. That the agency be granted enforcement authority including the levy of civil penalties. h. That the agency provide staff services for the Water Management Commission.

4. That there be statutorily required registration or permitting of all ground water wells in the state through the agency. The Ground Water Management Commission and Advisory Task Force will continue to work on details associated with registration and permitting.

5. That areas of the state where the sustainability of ground water is at issue be defined and identified as follows: a. Sustainability means the development and use of ground water in a manner that can be maintained for the present and future time without causing unacceptable environmental, economic, social, or health consequences. b. Ground Water Emergency shall mean an unanticipated occurrence as a result of a natural force or a man-made act that causes a ground water source to become immediately unavailable for beneficial use for the foreseeable future. c. Critical Ground Water Area (CGWA) shall mean an area in which, under current usage and normal environmental conditions, sustainability of an aquifer is not being maintained due to either movement of a salt water front or water level decline, or both, resulting in unacceptable environmental, economic, social, or health impacts, or causing a serious adverse impact to an aquifer, with the area defined by the areal and temporal extent of all such impacts. d. Potential Critical Ground Water Area shall mean an area in which, under projected or proposed usage and normal environmental conditions, sustainability of an aquifer will not be maintained due to either movement of a salt water front or water level decline, or both, resulting in unacceptable environmental, economic, social, or health impacts, or causing a serious adverse impact to an aquifer, with the area defined by the areal and temporal extent of all such impacts. e. Ground Water Stress Area shall mean an area in which sustainability of an aquifer is being less than optimally maintained under current usage and normal environmental conditions, for which such non-coercive measures as use guidelines, voluntary conservation, and ground water monitoring, may be considered. Coercive regulatory controls should not be imposed in designated Ground Water Stress Areas.

6. That management options in the above areas could include, but not be limited to, voluntary or mandatory conservation measures, permit denial, or restrictions on well spacing and/or depth and amount of ground water produced.

7. That the commission and/or agency be authorized to develop and implement a public education and information strategy consistent with new legislation and with the goals of the Outreach Subcommittee of the Ground Water Management Advisory Task Force. In brief, these goals include: a. Develop plans to reach the leadership and the broader Louisiana population informing and educating them on current and future legislation, activities and plans associated with program implementation and impacts to their community. b. Identify and facilitate cooperation between existing resources for websites, newsletters, brochures and displays, and identify other needed outreach tools. c. Develop a strategy to keep the public informed of past, current and future water needs. This could include informing the public about various conservation measures and the need for information on all wells, both domestic and non-domestic, so that water users can be made aware of future developments. d. The strategy should identify target audiences and existing resources that can be utilized for the most effective and efficient outreach. Examples of resources to be utilized include: a. Louisiana universities, government, educational and professional organizations; b. Professional education associations, and other qualified entities to develop school curricula, teacher workshops, and other types of teacher resources; and c. Videos, models, and interactive CD's as well as public service announcements.

8. That data collection relative to any water use and availability be continued and enhanced.

9. That the commission and/or agency be authorized to develop an emergency water use and contingency plan in coordination with existing authorities.

10. That the commission be authorized to enter into inter-jurisdictional relationships, such as with other states, in order to better manage water resources. These agreements shall be subject to approval by the oversight committees.

11. That the commission be authorized to create advisory committees which may be composed of appropriate public agencies, representatives of user groups and the public to work with the agency and make recommendations which may include, but not be limited to, the following: a. alternative sources of water where their proposed use does not conflict with their historical use b. incentives to transfer to alternate water sources c. dis-incentives for the continued use of ground water d. use of alternative technologies to conserve water e. feasibility of enhanced recharge f. feasibility of artificial recharge g. infrastructure development to meet the state's present and future water needs h. sources of funding to meet present and future program needs

12. That the commission work in cooperation with all existing public entities whose responsibilities include the management and conservation of surface water resources to develop a plan to manage the surface waters of the state.

13. That all actions taken by the Ground Water Management Commission created by Act No. 446 of the 2001 Regular Session of the Louisiana Legislature shall be continued in effect under the jurisdiction of the commission and/or agency until such time as those actions can be reviewed by the new commission.

Public Hearings Re: Application by the Sparta Ground Water Conservation District for most of fresh water Sparta area in Louisiana to be declared a “critical groundwater area” applying scientific criteria used in Arkansas

APPLICATION BY THE SPARTA GROUND WATER CONSERVATION DISTRICT FOR “CRITICAL AREA DESIGNATION.”

2003

FINAL RECOMMENDATIONS OF TASK FORCE TO THE 2003 LEGISLATURE:

The general sense of the discussions by the Task Force (and as reflected by the Commission in drafting the legislative recommendations) revealed that water management policy for the state in the long-term must include surface water. However, that complex topic should be addressed later. A groundwater management policy that has enforcement provisions is needed, but should only address current concerns at this time. Decisions concerning actual control methods used must have local input and be determined by local conditions; statewide absolute measures would not fit each aquifer situation. All data should be accessible by all state agencies who need it, and decision-making must be based on data. According to SB 446, water use for human consumption and affecting human health and safety would have first priority and agriculture use would have priority over industry, if use control measures become necessary.

Legislative Recommendations:

Groundwater will continue to be managed by the state under existing law. The designation of subterranean waters as a fugitive mineral should be continued until such time that separate water law is developed, if needed. This means that if groundwater has not been captured and utilized by a surface property owner, then the water belongs to the state. If water use must be curtailed, the principle of correlative rights shall be utilized. Otherwise, the traditional rule of capture will apply.

--Sustainability be the goal of water management, defined as the development and use of groundwater in a manner that can be maintained for the present and future time without causing unacceptable environmental, economic, social, or health consequences.

--The recommendations include detailed definitions of Groundwater Emergency, Critical Groundwater Area, Potential Critical Groundwater Area and Groundwater Stress Area.

--A statewide Water Management Commission be created. The nine member Commission will consist of the heads of agencies with water responsibilities or their designees, including the Governor or his designee. *The Commission shall be responsible for the promulgation of rules and regulations, and management of the state's water resources to ensure their continued sustainability.* The Commission shall develop emergency water use and contingency plans and enter into inter-jurisdictional relationships. The Commission shall be authorized to create advisory committees and to implement a public education and information strategy. The Commission, with the Water Management Division, shall continue a statutorily required registration and/or permitting of all water wells in the state.

--A. *Water Management Division be established in the Office of Conservation of the Department of Natural Resources.* The office shall be divided into areas of expertise as determined by the three major aquifer systems in the state. The Division shall act as technical staff to the Water Management Commission with responsibilities for policy and rule making, planning, data management, record keeping and technical reviews of critical groundwater areas. The Division shall *assume some of the current duties of the DOTD, including well registration, licensing water well drillers, inspections, data collection and dissemination, water supply and use studies and the groundwater cooperative program with the USGS.* The Division shall have enforcement authority including the levy of civil penalties.

--Five Water Resource Districts shall be established in the state based on water source and usage patterns. Each District will have advisory committees composed of local stakeholders. Rules, recommendations, studies and management planning for each District may originate from local interests. Sufficient resources for each District shall be provided by the state.

Registration and permitting shall have three steps.

-First, a water well application before drilling will apply to all new wells except in certain exempt categories (domestic wells, replacement wells and drilling rig supply wells). If the application shows that the well will negatively impact the aquifer, the Division may place sustainability conditions on the application.

-Second, if the well is of a certain size or flow and is located in a Critical Groundwater Area, a Potential Critical Groundwater Area, a Groundwater Stress Area or in a Groundwater Emergency Area, then a permit may be required with mandatory restrictions or the application may be denied.

-Third, all wells, including exempt wells and domestic wells, must be registered within 30 days after drilling, as is now the rule.

The Administrative Procedures Act shall apply to defining the actual boundaries of the Water Resources Districts, to the rules of registration and permitting, and to the issuance of large use permits in any of the defined areas that could affect aquifer sustainability.

Submitted by: Linda M. Walker Ann L. Pettit

ACT 49 OF THE 2003 REGULAR LEGISLATIVE SESSION authorized the Office of Conservation (www.dnr.state.la.us/cons/gwater) to manage, protect, and conserve the state's groundwater resources.

Comparison of Act 446 of 2001 and Act 49 of 2003\ (Old and New Ground Water Management Acts)

Act 49 of the 2003 Louisiana legislature nullified most of Act 446 of the 2001 [R.S. 36:4(X) and R.S. 38 §3099.1-§3099.4 -- the Ground Water Management Law of 2001 Act 446] and enacted all new law: R.S. 38 §3097.1-§3097.6. Differences between the old Act 446 and the new Act 49 are informative in terms of developing Louisiana Water Law. Some of those differences are noted below.

1) PLAN FOR FUTURE. The new ACT 49 restricts planning to ground water management, not comprehensive water resource planning. Act 446 called for a Statewide Comprehensive Water Management System*; Act 49 called for a Statewide Ground Water Resource Management Program. Each Act specified that the plan must include but not be limited to specific requirements. Both Acts call for evaluation of ground water resources including

current and projected demands, but then the requirements differ for the management plans called for by the two Acts as follows:

- Act 446 calls for determining data needed to manage the state's water resources; Act 49 does not require this in a plan, but in a section apart from the plan specification section, authorizes the collection of specific data via well registration
- Act 446 calls for definition of aquifer sustainability to determine and predict critical ground water areas; Act 49 does not refer to predicting a critical area;
- Act 446 calls for development of alternatives to ground water use; Act 49 calls for development of a water use conservation program;
- Act 446 calls for development of surface water projects to meet current and future demands; incentives for conservation of surface water resources; use of alternative technologies; development of an education and conservation program; development of a program to provide mitigation for loss of ground water resources and incentives to transfer use from ground water sources to surface water sources;* Act 49 simply calls for study of alternatives to ground water use, such as surface water programs to include treatment and transmission system and reclaimed water, and education and conservation.
- Act 446 calls for development of incentives for ground to surface water use translocations;* Act 49 refers more generally to incentives for conservation;
- Act 446 calls for designating a state entity structure to manage and protect water resources; presumably Act 49 puts that structure into place.
- Act 446 makes no mention of priorities for water resource related state actions and no mention of local input into decisions; Act 49 prioritizes conservation, and requires that the commission shall also hold public hearings and consult with local governmental entities in the development of this program.

2) MANAGEMENT STRUCTURE. The new Act 49 places management, not in the Office of the Governor, but in DNR's Office of Conservation. 446: R.S. 36:4(V) The Ground Water Management Commission [9 of 15 members to be the Governor and Department Secretaries]...shall be placed within the office of the governor and shall exercise its powers, duties, functions, and responsibilities as provided by law...R.S. 38:3099.3 D. The commission shall be responsible for determination of critical ground water areas in the state's aquifers...F. The commission shall adopt and promulgate rules and regulations..The commission shall cease to exist on July 1, 2003.

Act 49: R.S. 38 §3097.4. A. The Ground Water Resources Commission [6 of 19 members are Governor and Secretaries] is hereby created...R.S. 36:802.18 The Ground Water Resources Commission placed in the office of conservation, Department of Natural Resources, by R.S. 36:359(K) shall exercise and carry out all powers, duties, functions, and responsibilities as provided by R.S. 36:802, except that the commission's powers, duties, functions, and responsibilities are in the nature of policymaking and adjudication. The commission shall continue to exercise all advising powers, duties, functions, and responsibilities provided by law.

3) REGIONAL BOARDS. The new Act 49 weakens provision for local input through local or regional boards. Act 446 provided for Local or Regional boards and required they be consulted; Act 49 provides specifically for five regional boards and does not require that they be consulted. Act 446 Section 3 "The Ground Water Management Commission is hereby authorized and encouraged to appoint or designate local or regional bodies composed of local stakeholders who are representative of current water users to function in an advisory capacity to the commissioner and the commission. Any decisions made by the commissioner or the commission which have a local impact may only be made with the advice and consultation of those local or regional bodies."

Act 49 R. S. 38 §3097.4 D(5) "The commission may direct the commissioner to promulgate rules and regulations for the appointment or designation of up to five regional bodies based on the general location of major aquifer systems and water sources of the state and composed of local stakeholders who are representative of current users. Such bodies may gather data and provide local input to the commission and the commissioner."

LOCAL INPUT INTO WATER RESOURCES MANAGEMENT UNDER NEW LAW

2003 Louisiana Legislature's Act 49:

- provides no local or regional authority over ground water matters
- appears to be restricted (at this point, as Louisiana water law develops) to ground water resources, although the language in Act 49 acknowledges and, to some extent, provides for necessary associations of ground water and surface water considerations.

While emphasizing that total ground water authority is with the state, Act 49 requires that the state seek local input (there are no provisions, however, requiring the state to respond to local input):

RS38: §3097.1 B. The legislature hereby recognizes the need for uniformity in the establishment of a comprehensive ground water management program. Therefore, **the state shall have exclusive jurisdiction over the management of ground water** and this Chapter shall supersede and preempt any rule, regulation, code, statute, or ordinance of any political subdivision or other unit of local government. However, nothing contained in this Chapter shall be construed to deny such local government the authority over siting facilities pursuant to any general land use planning or zoning or to deny soil and water conservation districts powers granted pursuant to R.S. 3:1208 [Webpage Author Note: Act 49 does not mention the effect of this legislation on the authority of "water conservation districts," a generic term used by Fenstermaker et al for watershed, lake, and levy districts (Assistance in Developing the Statewide Water Management Plan by Fenstermaker et al, 2002)]

RS 38: §3097.3. A. The commissioner, through the office of conservation, is empowered and responsible for the administration of all matters related to the management of the state's ground water resources...consistent with...protection, conservation, and replenishment..(He) shall perform these functions to the extent such functions are not specifically within the jurisdiction of other state departments or agencies. The commissioner shall seek the advice and consultation of local governmental entities on any actions or decisions which may have an impact upon those entities or residents within the entities' respective jurisdictions.

RS 38: §3097.3. C (7) [The Ground Water Management Commission, in cooperation with the Commissioner of Conservation in developing a statewide ground water resource management program] "shall also hold public hearings and consult with local governmental entities in the development of this program."

38: §3097.4. D(5) . The [Ground Water Resources] commission may direct the commissioner to promulgate rules and regulations for the appointment or designation of up to five regional bodies based on the general location of major aquifer systems and water sources of the state and composed of local stakeholders who are representative of current users. **Such bodies may gather data and provide local input** to the commission and the commissioner. **[No provision is made for local input into the composition of the regional bodies.]**

LOUISIANA GROUND WATER PROTECTION REGULATION

By order of the Office of Conservation, as of July, 2003, all owners of non-domestic (non-household) water wells, with a few exceptions, have been required to notify the office 60 days before drilling. For large volume wells and all wells within a designated critical ground water area, the Office may order allowable production, spacing, and metering. For small volume wells outside a critical area, the Office may regulate spacing.

<http://www.doa.state.la.us/osr/reg/0406/0406RUL.pdf#page=72>

DOTD requires well drillers to register new wells within 30 days *after* drilling. Chapter 13-A of Title 38 of the Louisiana Revised Statutes }}

The Department of Environmental Quality administers the Wellhead Protection Program. The aim is to protect groundwater quality. In an aquifer recharge area, rainwater that replenishes the aquifer passes most directly into the aquifer. This area may require more aggressive precautions against overpaving and potential groundwater contaminants than is true of non-recharge areas.

2004

LOUISIANA STATE CONSERVATION OFFICE ACTS ON SPARTA AQUIFER IN NORTHERN PARISHES

On July 8, 2004, the Commissioner of Conservation issued a **draft order (CGWA-1-04)** declaring Monroe-West Monroe, parts of Lincoln Parish, and Jonesboro-Hodge critical ground water areas. The issuance of the draft order followed application by the Sparta Ground Water Conservation District in 2002.

After evaluation, study and public hearings, the state Department of Natural Resources' Office of Conservation determined that in these areas: water level declines threaten the sustainability of the aquifer; unchecked declines can lead to unacceptable environmental, economic, social, or health consequences; and water conservation is necessary for the recovery of this aquifer.

The draft order calls for monthly reporting on how much water is being pumped out of non-domestic water wells. Also, should any restrictions on existing or new water wells be needed, these will be made on a case-by-case basis with ground water for human consumption and public health and safety as first priority. There are no restrictions on withdrawals at this time.

Public hearings will be held Thursday, 7 p.m. at Ruston High School Auditorium on Sept. 16, at Jackson Parish Community Center on Sept. 30, and at Ouachita Junior High on October 7.

After the hearings, the Ground Water Resources Division will continue to conduct further investigations before a final determination is made. (Press Release)

A Summary of draft order (CGWA-1-04) from Claiborne Parish:

2004 (July 8): CoC issued a draft order (CGWA-1-04) declaring Monroe-West Monroe, parts of Lincoln Parish, and Jonesboro-Hodge critical ground water areas. After evaluation of the Sparta Ground Water Conservation District's application, study and public hearings in the fall of 2004, the Office of Conservation determined that in these three areas: water level declines threaten the sustainability of the aquifer; unchecked declines can lead to unacceptable environmental, economic, social, or health consequences; and water conservation is necessary for the recovery of this aquifer. The draft order calls for, in the critical area, monthly reporting on how much water is being pumped out of non-domestic water wells. Also, should any restrictions on existing or new water wells be needed, these will be made on a case-by-case basis with ground water for human consumption and public health and safety as first priority. There are no restrictions on withdrawals included in the draft order. The Sparta Commission endorsed the draft order. The Claiborne Parish Watershed District commended it as a good start. The Jackson Parish Police Jury, by Sept. 2004 resolution, opposed the order, stating that there are many unresolved issues and unexplored solutions and a "critical area" designation would make it "difficult to sustain existing industries, impossible to recruit new ones, and create undue economic hardship upon the citizens of Jackson Parish."

2005

2005 HOUSE BILL NO. 388 BY REPRESENTATIVE FANNIN AND SENATOR KOSTELKA became **Act No. 225**. It provides for changing the wording and nullifying in 2006 or altering the Office of Conservtion's Sparta ruling. Specifically, it changes 'critical ground water area' to 'area of ground water concern' and any effect of an Office of Conservation ruling on a critical ground water area ends on July 1 2006

2005 COMMISSIONER OF CONSERVATION ORDER ISSUED, NO. AGC-1-05, effective August 15, 2005, designates portions of Ouachita, Lincoln, Jackson, and Bienville parishes as "areas of groundwater concern". The following requirements in the Order are: 1) an aggressive water conservation education program should be conducted; 2) owners of non-domestic Sparta water wells shall submit a monthly; water usage report to the Office of Conservation, including static water level readings when available; 3) alternative sources of potable water should be vigorously pursued to alleviate excess usage of Sparta groundwater

2006

2006 ACT No. 29 [HOUSE BILL NO. 368 BY REPRESENTATIVE DAMICO]. This act makes language consistent. Existing legislation made distinction between "area of groundwater concern" (area that Commissioner of Conservation may declare critical if he considers regulation necessary for its protection) and "critical area of groundwater concern" (area subject to regulation.)

2006 ACT No. 22 [HOUSE BILL NO. 65 BY REPRESENTATIVES FANNIN, MCDONALD, AND WALSWORTH] A Sparta commissioner shall not continue to discharge the duties of his office upon expiration of his term.

2006 ACT No. 367 [HOUSE BILL NO. 66 BY REPRESENTATIVES FANNIN, MCDONALD, AND WALSWORTH] Sparta Commission meetings shall rotate between the parishes of Bienville, Claiborne, Jackson, Lincoln, Ouachita, Union, Webster, and Winn.