

Minutes of the Sparta Groundwater Conservation District Commission Special Meeting on November 14, 2011

The Sparta Groundwater Conservation District Commission met in special session on November 14, 2011 at 2:00 PM in the Lomax Hall, Lomax Drive, Louisiana Tech Univ., Ruston, Louisiana.

Commission Members Present: Billy Don Perritt, Ben Lowery, Todd Culpepper, Rick Hohlt, Ted W. McKinney, Jackie Perritt, Alice Stewart. **Also Present:** Dr. Gary Kennedy, Gary Hanson [ex-officio members]; Lindsay Gouedy [educator] Dawn Pinkston, Ronny Walker. **Commission Members Absent:** Rep. Samuel Little, Dan Morgan, Steve Lemmons, Chris Smith, George W. Rolfe, Jr., Terry Emory, John Van Bennett, Olevia McDonald, Joe Stevens, Willie Doherty. (*Attachment 2*)

Invocation, Pledge of Allegiance, Agenda Approval, Welcome, Public Comments

The meeting was officially called to order by Chairman Todd Culpepper. Billy Perritt led the invocation and Ted McKinney led the pledge of allegiance. Culpepper announced the purpose of the special session: to review and decide written comments to submit to LDNR, before the Nov. 21 deadline, relative to the 'Recommendations for a Statewide Groundwater Management Plan' of Oct. 21, 2011. (*Attachment 1*) In the absence of a quorum, those attending the meeting discussed the state recommendations and produced the following recommendations and comments to submit to LDNR:

Recommendations and Comments from Members

Attending the Sparta Ground Water Conservation District Commission Meeting on Nov. 14, 2011 on the draft 'Recommendations for a Statewide Groundwater Management Plan' of Oct. 21, 2011

Several members of the Sparta Ground Water Commission have spent many hours reviewing the 520-page document entitled 'Recommendations for a Statewide Groundwater Management Plan'. It is the view of the seven commissioners present at the November 14 Special Sparta Commission Meeting, which was called to review the new state document, that the recommendations for a management framework fall short. Fenstermaker et al, ten years ago, provided an evidence-based framework for water resource management in sufficient detail, including draft legislation, to permit constructive criticism. The draft recommendations ('Plan') before us need to go back to the drawing board for that kind of detail. The Plan's 'Conclusion' speaks only of data and, indeed, its data collection and analysis recommendations seem doable and helpful. But Plan developers have prioritized several alternatives to aquifer use without consulting local authorities and without full project descriptions or overall action plan to justify the detailed cost analysis and prioritization. Of most concern, the report lacks even a skeleton water resource management plan – "No boots-on-the-ground battalion-level detail", it was said — "Who's to decide what, when, where and how and where is the accountability plan?"

Major recommendations that we submit for careful consideration:

- I. Refine the Plan to be clearer and more accurate. "Louisiana's water management plan should be a clear, concise document with accurate supplements and sources. The facts and models referenced should come only from completed reports of reputable third parties like the U.S.G.S. hydrologist or engineering firms. Many of the facts presented in the draft Plan are inconsistent with such published information — a major concern for north Louisiana Sparta stakeholders."
- II. Collaborate in Refining the Plan. The failure of developers of the recommendations to collaborate is reflected in some poorly informed and incomplete sections. "To be successful, developers need to collaborate with water management organizations statewide, including the Sparta and Capital Area Groundwater Conservation Commissions. We request that these groups be consulted before the final Plan is released to the public, with enough time to review and make recommendations."
- III. Highlight the Need for Unambiguous Key Management Terms. "The report neither considers nor suggests any rational criteria by which a potential groundwater problem may be addressed or evaluated. The only criteria we find is either a previous finding and designation of 'area of concern' or various communications with U.S.G.S. declaring withdrawals to be unsustainable." We support creating groundwater availability models to determine 'sustainability' on state and local scales. 'Area of groundwater concern' and 'critical area of groundwater concern' need scientific definition, not to be left to the arbitrary determination of a single person. 'Large volume well' is defined in law that provides for a different definition in the Administrative Code.
- IV. Shape recommendations to better assure that decision-making is based in science, not politics or individuals, lest we continue to wander amid conflicting interests and vague ideas. "In the past, scientific data was disregarded and political influence dictated policy and redefined important definitions that make it much harder to secure much needed federal funding for surface water solutions."
- V. Provide a clear, rational time-line for action, recognizing that rewards of groundwater withdrawal are short-term but risks ("salt water intrusion, degradation of water supply and quality, or even outright failure of supply") and solutions are long-term. "We have to get to the point where the time element is longer than the next election if we are to solve the problem." Placing initiatives in Tier 2, with a time frame of 5 to 30 years, focuses attention on Tier 1 issues, though it may be feasible and important to begin acting immediately on recommendations placed in Tier 2. Consider the Sparta Commission's ten-year quest

for Capital Area Groundwater Conservation Commission status. In 2008, the Sparta Commission took an initiative very much like the Tier 2 recommendation, via a House Concurrent Study Resolution (misinformation contributed to its defeat). Need there now be a 5 to 30 years bureaucratic delay? Similarly, regional planning is placed in Tier 2, although the possibility has been stated in law for ten years.

Following the Outline for Comments in LDNR's PowerPoint presentations on Nov. 8 and 9:
REGISTRATION: No comments

EVALUATION: 1) See "III" above: Objective evaluation cannot be accomplished in the presence of ambiguous definitions in law, including "sustainability", "area of groundwater concern", "critical area of groundwater concern", and "large volume well".

2) Regulatory amendments will not change this fact.

3) Are the criteria for selecting wells for a drawdown calculation reasonable vis à vis potential impact of the drawdown and should they be the same for all aquifers?

4) We agree with static water level gradient maps integrated into SONRIS GIS.

5) We agree with asking the legislature to develop a funding program for GAMS for the Sparta and Carrizo-Wilcox aquifers.

EDUCATION: 1) An ongoing funded effective public awareness program should appropriately target all age groups from the 3rd grade through adulthood (the Sparta region offers a middle school model). An action plan is needed that includes enabling legislation (Tier 2 recommendation is needed).

2) Continuity of messages through the school years is important; a feasible action plan, taking into account the complexities of school curricula requirements, is needed.

3) A plan is needed to assure that affected groups receive notice of pertinent Office of Conservation rules and advisories.

Sparta Commissioners receive complaints that well owners are not aware that prior notification is required when changing a well use from, say, domestic to commercial.

EMERGENCIES: Learn from the Year 2011 Emergency Order for South Caddo in developing an effective emergency response plan. The Plan's recommended ad-hoc standing committee may fall short of what is needed. A repeated theme is the need to involve local people in planning and decision-making.

ENFORCEMENT: The inclusion only of a recommendation for an item on a form suggests that current enforcement is considered adequate. Those attending the Sparta meeting made no specific comments.

INCENTIVES: We agree with the incentives recommendations.

COLLABORATION: "The Planners recommend collaboration but failed to seek collaboration in developing the draft recommendations."

1) Revise recommendations for collaboration and solutions after consulting with local officials and professionals. In the case of the Sparta, Planners prioritized some solutions that have been given lower priority based on engineering studies. And some solutions that have been studied were not even mentioned, including the Union-Lincoln Regional Water Supply Initiative (piping Lake D'Arbonne water) and the City of Winnfield Potable Water Supply Reservoir on Port De Luce Project. Local collaborators might have informed the Planners, too, of the surface water alternatives, including recycling projects, that have improved and promise to further improve Sparta water levels. It makes little sense to go to the trouble of detailed cost analysis for alternatives before collaborating to understand the challenges and opportunities.

2) Move Tier 2 recommendations to Tier 1 because first steps toward establishing regional boards and providing for the Sparta Commission to have the authority of the Capital Area Groundwater Conservation Commission may be taken immediately and the matters have been recognized issues for ten years. (See "V" above). A revised Plan should include the recommendation that the Ground Water Resources Commission clearly endorse a study by the legislature of whether the Sparta Groundwater Conservation District Commission should have the status of the Capital Area Groundwater Conservation District Commission.

MONITORING: A reporting requirement for owners of large volume wells should impose the least possible burden on the well owner while accomplishing the data collection objective, perhaps tailoring frequency of reporting to the aquifer characteristics and considering cases when water use might be reliably measured without metering. Tailoring to different aquifer and seasonal agricultural characteristics is a common theme of the comments and argues for the need for regional planning with effective local input.

AUDITING: See 'Monitoring' comment above.

There being no further business, Culpepper adjourned the meeting.

William 'Todd' Culpepper, Chairman

Alice Stewart, Secretary

Note: Attachments are filed with the minutes in the Sparta Commission office.