

§3097.4. Ground Water Resources Commission; membership; powers and responsibilities

A. The Ground Water Resources Commission is hereby created and shall be composed of the following members:

- (1) The governor or his designee.
- (2) The commissioner of conservation or his designee.
- (3) The commissioner of agriculture and forestry or his designee.
- (4) The secretary of the Department of Economic Development or his designee.
- (5) The secretary of the Department of Environmental Quality or his designee.
- (6) The secretary of the Department of Health and Hospitals or his designee.
- (7) The secretary of the Department of Wildlife and Fisheries or his designee.
- (8) The secretary of the Department of Transportation and Development or his designee.
- (9) The director of the Governor's Office of Coastal Activities or his designee.
- (10) One member appointed by the governor, who is a geologist or an engineer with expertise in ground water resource management.
- (11) One member appointed by the governor from a list of four nominations submitted jointly by the Louisiana Chemical Association, the Louisiana Mid-Continent Oil & Gas Association, the Louisiana Association of Business and Industry, and the Louisiana Pulp & Paper Association.
- (12) One member appointed by the governor from a list of three names nominated by the Louisiana Farm Bureau.
- (13) One member appointed by the governor from a list of three nominations submitted by the Police Jury Association of Louisiana.
- (14) One member appointed by the governor from a list of three nominations submitted by the Louisiana Municipal Association.
- (15) One member appointed by the governor from a list of three nominations submitted by the Sparta Groundwater Conservation District Board of Commissioners.
- (16) One member appointed by the governor from a list of three nominations submitted by the board of commissioners of the Capital Area Groundwater Conservation District.
- (17) One member appointed by the governor who resides or works in the geographical area of the state underlain by the Chicot aquifer.
- (18) One member appointed by the governor from a list of three nominations submitted by the Louisiana Landowners Association.
- (19) One member appointed by the governor from a list of three names submitted by the Louisiana Wildlife Federation, Coalition to Restore Coastal Louisiana, and the League of Women Voters.

B. The appointed members of the commission shall serve four-year terms except for the initial term, in which the governor shall designate the terms of office so that three members shall serve a one-year term, three members shall serve a two-year term, and four members shall serve a three-year term. No appointed member shall serve more than two consecutive terms. In case of a vacancy, the governor shall appoint a replacement to fill the unexpired term. Appointed members shall not be compensated for their services, except the commissioner may promulgate rules and regulations to provide for travel expenses. Appointed members shall be considered as such, and not elected, for the purposes of R.S. 42:1102 et seq.

C. The governor or his designee shall serve as chairman of the commission. The commission shall meet at least twice per calendar year, but may meet more often as necessary.

D. The commission shall have the authority to do the following:

- (1) Review and approve or reject any orders of the commissioner placing restrictions on wells upon petition by the owner of the affected well or proposed well or any owner of a well in the same aquifer which may be adversely impacted by the well in question. In reviewing such decisions the

commissioner shall not serve as a voting member of the commission. The order of the commissioner shall be rejected only if the commission concludes, after a review of the record, that a reasonable factual basis does not exist for the commissioner's decision. Rejected orders shall be returned to the commissioner for reconsideration. An order that has been returned to the commissioner twice shall be considered a final decision and eligible for judicial review pursuant to R.S. 38:3097.5.

(2) Review rules and regulations proposed by the commissioner pursuant to the proper administration and enforcement of this Chapter.

(3) Continue the development, in cooperation with the commissioner, of a statewide ground water resource management program that shall include but not be limited to evaluation of the state's ground water resources including current and projected demands; development of a water use conservation program; study of alternatives to ground water use, such as surface water to include treatment and transmission system, and reclaimed water; incentives for conservation; use of alternative technologies; and education and conservation programs. The plan should stress conservation as the primary mechanism for the protection of the state's ground water resources. The commission shall also hold public hearings and consult with local governmental entities in the development of this program.

(4) Review the contingency plan developed by the commissioner to respond to a ground water emergency.

(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.

(6) At their discretion, attend all public meetings called by the commissioner pursuant to his power and duties in this Chapter.

Acts 2003, No. 49, §2, eff. July 1, 2003; Acts 2006, No. 30, §1.

§3097.7. Ground Water Management Advisory Task Force

A. A comprehensive ground water management program must continue to be developed and implemented. To that end, there is hereby created a Ground Water Management Advisory Task Force with membership as follows:

- (1) A person representing the office of the governor appointed by the governor.
- (2) The president of the Louisiana Senate or his designee.
- (3) The speaker of the Louisiana House of Representatives or his designee.
- (4) The chair of the Senate Committee on Natural Resources or his designee.
- (5) The chair of the Senate Committee on Environmental Quality or his designee.
- (6) The chair of the House Committee on Natural Resources and Environment or his designee.
- (7) The district engineer of the United States Army Corps of Engineers, New Orleans District, or his designee.
- (8) The Louisiana State Conservationist, USDA Natural Resources Conservation Service or his designee.
- (9) The chancellor of the Louisiana State University Agricultural Center or his designee.
- (10) The executive director of the State Soil and Water Conservation Commission or his designee.
- (11) The director of the United States Geological Survey, Louisiana Water Science Center or his designee.
- (12) The director of the Louisiana Geological Survey or his designee.
- (13) The executive director of the Louisiana Wildlife Federation or his designee.
- (14) The president of the Louisiana Farm Bureau Federation or his designee.
- (15) The president of the Louisiana Chemical Association or his designee.
- (16) The executive director of the Coalition to Restore Coastal Louisiana or his designee.
- (17) The president of the Louisiana Rice Growers Association or his designee.
- (18) The executive director of Louisiana Mid-Continent Oil and Gas Association or his designee.
- (19) The president of the Louisiana Cotton and Grain Association or his designee.
- (20) One representative of the Capital Area Groundwater Conservation District.
- (21) One representative of the Sparta Groundwater Conservation District.
- (22) The executive director of the Louisiana Forestry Association or his designee.
- (23) One representative of the Sabine River Authority.
- (24) The president of the American Sugar Cane League or his designee.
- (25) One representative of the Red River Compact Commission.
- (26) The executive director of the Lake Pontchartrain Basin Foundation or his designee.
- (27) The executive director of the Barataria-Terrebonne National Estuary Program or his designee.
- (28) The president of the Louisiana Crawfish Farmers Association or his designee.
- (29) The chairman of the Louisiana Pulp and Paper Association or his designee.
- (30) A representative of the Louisiana Engineering Society who is a registered engineer with water resources management experience.
- (31) A representative from Louisiana State University, Department of Geology and Geophysics.
- (32) A representative from the University of Louisiana at Lafayette, Department of Geology.
- (33) A representative of the Association of Electric Utilities.
- (34) A representative of the League of Women Voters.
- (35) A representative of the Citizens for a Clean Environment.
- (36) A representative of the Louisiana Oil and Gas Association.
- (37) A representative from the Louisiana State University at Shreveport, Red River Watershed

Management Initiative.

(38) A representative of the New Orleans Sewerage and Water Board.

(39) One representative of the Louisiana Rural Water Association.

(40) The president of the Louisiana Soybean Association or his designee.

(41) The president of the Louisiana Cattlemen Association or his designee.

(42) A representative of the Louisiana Ground Water Association.

(43) The dean of the Southern University College of Agriculture, Family, and Consumer Science or his designee.

(44) A representative of the Irrigation Association.

B. The Ground Water Management Advisory Task Force shall assist the commissioner of conservation and the Ground Water Resource Commission in continuing to develop a statewide ground water resource management program. Such ground water management program shall include but not be limited to evaluation of the state's ground water resources including current and projected demands on the aquifers of the state; development of a water use conservation program; study of alternatives to ground water use, such as surface water to include treatment and transmission system, and reclaimed water; incentives for conservation; use of alternative technologies; and education and conservation programs. The plan should stress conservation as the primary mechanism for the protection of the state's ground water resources.

C.(1) Fifteen members of the task force shall constitute a quorum. A quorum being present, the favorable vote of at least ten members of the task force or a simple majority of the total membership present, whichever is greater, shall be required for the commission to take action on any matter.

(2) The task force shall meet at least once per year, or more frequently as necessary. The task force shall report to the commissioner and the commission periodically on the activities and progress of the task force on continuing to develop the comprehensive ground water management program.

Acts 2011, No. 301, §2.