

MEMORANDUM OF UNDERSTANDING AND INTERAGENCY TRANSFER AGREEMENT
BETWEEN
LOUISIANA DEPARTMENT OF NATURAL RESOURCES
OFFICE OF CONSERVATION
AND
CAPITAL AREA GROUNDWATER CONSERVATION COMMISSION

APRIL 3, 2013

WHEREAS, the Louisiana Department of Natural Resources (DNR), through its offices and officers, is responsible for the conservation, management, and development of water, minerals, and other such natural resources of the state, including groundwater (LSA-R.S. 36:351), and,

WHEREAS, the Louisiana Department of Natural Resources, Office of Conservation (DNR/OC) is empowered and responsible for the administration of all matters related to the management of the state's groundwater resources by providing for the most advantageous use of the resource consistent with the protection, conservation, and replenishment thereof (LSA-R.S. 38:3097.3), and,

WHEREAS, Capital Area Groundwater Conservation District (District), composed of the parishes of East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge and West Feliciana, was established to provide for the efficient administration, conservation, orderly development and supplementation of groundwater resources throughout the District (LSA-R.S. 38:3097), and,

WHEREAS, the Capital Area Groundwater Conservation Commission (CAGWCC), through its board of commissioners (board), shall administer the affairs of the District (LSA-R.S. 38:3072), and,

WHEREAS, the CAGWCC board shall work with the commissioner of conservation in his responsibilities to do all things necessary to prevent waste of groundwater resources, and to prevent or alleviate damaging or potentially damaging subsidence of the land surface caused by withdrawal of groundwater within the district. In conjunction with the commissioner of conservation, the board shall have the authority to do, as required, those groundwater management actions enumerated 1 – 24 in LSA-R.S. 38:3076.A (LSA-R.S. 3076), and,

WHEREAS, DNR, DNR/OC and CAGWCC have, within respective groundwater resources management jurisdictions, collectively developed and maintained professional and productive working relationships.

WHEREAS, pursuant to all findings of fact above, DNR, DNR/OC and CAGWCC hereby acknowledge the management efficiencies, cost savings, and mutually beneficial advantages of cross-agency sharing and utilization of management, technical, outreach and external communications staff.

THEREFORE, the following MEMORANDUM OF UNDERSTANDING (MOU) and INTERAGENCY TRANSFER AGREEMENT (IAT) is hereby adopted in the best interest of the public to maximize timely, efficient and prudent use of available resources for all matters involving management of sustainability of the Southern Hill aquifer system underlying the City of Baton Rouge and surrounding areas.

The chairman of CAGWCC, Secretary of DNR, and Commissioner of Conservation hereby declare that this MOU shall apply to all groundwater management matters under consideration by the CAGWCC, where, by favorable vote, CAGWCC requests assistance of DNR or DNR/OC staff under the terms and conditions of the IAT.


INTERAGENCY TRANSFER AGREEMENT

DNR and DNR/OC shall provide management, technical and public relations assistance consistent with available staff expertise and experience at the request of the chair of the CAGWCC on behalf of, and at the will of the CAGWCC. Said request shall clearly define the scope of services and deliverables and shall be within the jurisdictional authority of DNR or DNR/OC. Upon receipt of the request for services as well as a cost estimate, and not later than 15 days of receipt, the Secretary or Commissioner shall notify the CAGWCC chair in writing to confirm acceptance of the work request or provide a plausible explanation as to why the request cannot be fulfilled. CAGWCC shall reimburse DNR or DNR/OC for staff time and material costs necessary to meet the scope of services and deliverables of each request submitted under this MOU and IAT.



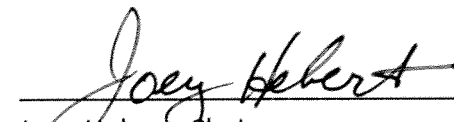
Stephen Chustz, Secretary
Department of Natural Resources

Date 4/4/13



James H. Welsh, Commissioner
Office of Conservation

Date 4/3/13



Joey Hebert, Chairman
Capital Area Groundwater Conservation Commission

Date 4/8/13