

## ***MINUTES***

### ***CAPITAL AREA GROUNDWATER***

### ***CONSERVATION DISTRICT***

***April 8, 2021***

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#### **I. Call to Order**

The Capital Area Groundwater Conservation District Technical Committee met for a regular meeting at 10:00 a.m. on April 8, 2021 at the Louisiana State Capitol, House Committee Room #5, 900 N. 3<sup>rd</sup> Street, Baton Rouge, LA. The meeting was called to order by the Chairman, William Daniel.

#### **II. Roll Call**

The following members were present: Ronnie Albritton, William Daniel, Kenneth Dawson, Patrick Hobbins, Dennis McGehee, Jesse Means, Joey Normand, Matthew Reonas, Ryan Scardina, Todd Talbot, Scott Bergeron, Karen Gautreaux, Rachel Lambert, and Hays Town. The following members were absent: Mark Frey and J.A. Rummier.

Others attending the meeting included but were not limited to: Gary Beard & Miah Moore, Capital Area Groundwater Conservation District; Alyssa Dausman, The Water Institute; Hunter Odom; Marionneaux Kantrow, LLC; George Losonsky, Losonsky & Associates; and Paul Rainwater.

#### **III. Establishment of a Quorum**

A quorum was established by William Daniel.

#### **IV. Approval of Minutes of Previous Meeting**

Minutes from the previous meeting were reviewed and approved.

#### **IX. Executive Director's Report**

##### **Update on Phase II - Water Institute**

Dr. Alyssa Dausman from the Water Institute gave a presentation on updates to Phase II. Dr. Dausman discussed the need of a well metering program in order to increase our ability to make informed decisions and the model's ability to make predictions into the future. She stated that the current available information can be used for the model development led by Dr. Tsai, but that it will increase the uncertainty in predictions. She stated that the well metering is just as important as the industrial use survey.

Mr. Joey Normand asked if there was anything so far that threatens the end product and if we are on schedule. Dr. Dausman expressed that we are on schedule and actually ahead of schedule. She stated that the kind of thing that threatens the schedule includes trouble with engagement and lacking information from industrial users.

Mr. Kenneth Dawson asked Dr. Dausman to give him insight on how the information will be evaluated on the industrial users after it is gathered. He stated that any industrial user will ask for a quality of water that best benefits their process. He asked what the thought process is in evaluating that and determining a standard cross sectionally. Dr. Dausman responded that the industries will create bands of types of quality and determine how much water in each band they need to use per day. She went on to say that from there they will come up with financial options and alternative options for things like clarifying plants with different clarity options.

Mr. Scott Bergeron asks if the survey sent out is requesting historical data or for information other than what we are already asking for. Dr. Dausman responds that the following are the kinds of questions that the survey will be asking: the current supply of water, the cost, current location, has an industrial user considered alternatives, water quality requirements and preferences, and estimating future needs. Mr. Bergeron expressed concern that the response may be subjective. Dr. Dausman responds that she is hopeful that they may give good responses and that even with current data they can make projections.

Mr. William Daniel stated that Florida requires a 5 year estimate from industrial and municipal users. He went on to say that this type of request is not unheard of.

Mr. Todd Talbot asked Dr. Dausman if her team looked at the surveys sent out from Mr. Matt Reonas' office. He went on to add that we need to ask nuanced questions like what type of raw water would be needed to better determine quality needed and to increase accuracy. Mr. Talbot shared that the EPA was proposing regulations due to having trouble getting data back from projections so they had a 3rd party law firm collect all the data. Mr. Daniel, Mr. Beard, and Dr. Dausman agree that that is a great idea and Mr. Beard and Dr. Dausman said they would get together and look into implementing this same strategy. Mr. Talbot expressed that we do have the authority to require 5 year plans.

Mr. Dawson requested the information from the survey that went out to the industrial users. Dr. Dausman stated that she can send surveys to the boards and open it for comments. Mr. Daniel requested that information be sent to the board first before the public. Dr. Dausman agreed to that and stated that she would facilitate it so that the board has a few weeks to add comments.

Ms. Rachel Lambert stated that any information received from industrial users would not be subject to public record.

Mr. Matt Reonas stated that all users sent a survey responded. He went on to say that they could've asked better questions, but that his comment about the survey being incomplete was not in regards to users. Mr. Reonas also stated that he thought it would be useful for Mr. Beard, Dr. Dausman, and Friesen Nichols could sit down for individual meetings to gather information and provide it to the newer board members to bring them up to speed.

Mr. George Losonsky asked if Dr. Tsai was asked to weigh in on the cost and accuracy aspect of the metering program. Dr. Dausman responded that they discussed the necessity of data, specifically chloride data needs, water level data needs, as well as metering. She went on to say that Dr. Tsai hasn't put much into the cost associated with metering, but that he is very supportive of metering and thinks that it will improve the abilities of the model. Mr. Losonsky clarified that Dr. Tsai was not specifically asked about the cost and Dr. Dausman and Mr. Beard responded that Dr. Tsai was asked about the data and the modeling. Mr. Losonsky expressed concern that the scientist involved should also be involved in the cost benefit conversation. Dr. Dausman commented that Dr. Tsai was clear about what data is and isn't necessary and has made comments about what is not economically beneficial even though they have not specifically asked him about cost. She went on to say that he is impressively able to manage finances and balance it with research. She stressed that Dr. Tsai is considering cost even though he has not been asked for a cost analysis.

## **Public Outreach - Hometown Productions**

Mr. Beard informed the board that we are proceeding with the production and that there is a 3D animation underway.

## **Retention Schedule**

Mr. Beard began the review of the retention schedule and asked Mr. Hunter Odom, Marionneaux Kantrow to come forward for the discussion. Mr. Odom presented the amended retention schedule saying that the preliminary draft was brought before the technical committee and the following amendments were made: to extend the retention period from the state minimums to better reflect the practices of the commission, specifically the groundwater pumping retention periods. Mr. Daniel posed a question of the microfilm backup copy and Mr. Odom stated that they are working with state archives and that the microfilm copy is a historical method. Mr. Odom continued that they would be happy to amend it to a more updated method. Mr. Daniel suggested an electronic or cloud copy. Mr. Odom said that he will amend any mention of a microfilm to a digital copy. There was a motion to accept as amended by Mr. Reonas, seconded by Ms. Lambert, with no objection. The retention schedule was approved as amended.

## **Budget through February, 2021**

Hometown Productions: Mr. Beard requested that Hometown Productions be re-categorized within the budget. There was a motion by Mr. Normand, a second by Mr. Dawson, and no objection. The budget amendment was approved.

## **Legislative Audit**

Mr. Beard informed the board that the Capital Area Groundwater office has completed the majority of its field investigations and that the legislative auditor has visited the office twice in the last few weeks. He reminded the board that he drafted a response, the board approved the response, he submitted the response to the legislative auditor, and that now the office is finishing out the agreed process. Mr. Beard informed the board that the office has implemented phase II with the water institute, and that the only thing left to complete was the metering program. He informed the board that the auditor requested an investigation of those users who did not show their meters in the previous investigation. Mr. Daniel inquired about uncapped wells potentially contaminating the aquifers. He asked if they were covered. Mr. Beard informed Mr. Daniel that the uncapped wells are covered but that they are operable. Mr. Scott Bergeron added that there is a regulation in place that gives the authority to plug a well if it is abandoned and inactive. Mr. Normand stated that everyone agreed at the last meeting that the board needs a list of every well in our system with all relevant information. Mr. Reonas stated that he believes the Capital

Area has the authority to plug an abandoned and inactive well. Mr. McGehee stated that if you removed the pumping equipment from a well you cannot just leave it capped, you have to do something with it.

### **Legislative Agenda**

Mr. Beard brought House Bill 88, which involves the southern hills aquifer, and House Bill 590 to the attention of the board. Representative Marcel was not available to discuss. Mr. Beard informed the board that House Bill 88 would restrict industrial flow to 5 million gallons per day and require any pumpage greater than 1 million gallons per day be reported to the director. Mr. Beard went on to inform the board that House Bill 590 allows the board to be able to assess fees with flexibility. Mr. Beard informed the board that Capital Area Groundwater has made it to House Bill 2 for funding in priority 2 (bond sale). Mr. Beard stated that he made a request to the state of Louisiana for \$1.8 million upfront and \$3 million per year until the metering program is paid off. Mr. Beard told the board that he was informed that we were approved for priority 2 for the 1st year, and priority 5 for the following years. Ms. Lambert asked if we are limiting each facility to 5 million gallons per day and what each user's gallons per day usage. Mr. Beard confirmed and informed Ms. Lambert that he has no way of truly knowing how much water is used per day. Ms. Lambert asked if Capital Area would be given another \$10 million every 10 years for the equipment and expressed concern that we would never own the equipment. Mr. Daniel informed Ms. Lambert that the board would further discuss that issue later on in the meeting.

### **Applications for New Permits**

Mr. Beard presented the 3 permits for new wells (Honeywell, Parish Water, and Baton Rouge Water) and asked Mr. McGehee for an explanation of the request for Baton Rouge Water. Mr. McGehee explained that the requests are for additional supply wells for their system. He continued by stating that the well for Baton Rouge Water Company is on a prospective site and that the well for Parish Water Company is on an existing station. He informed the board that both wells would be in the 2400 ft sand. Mr. McGehee informed the board that through working with Dr. Tsai and Dr. Loronzo he expected the well should be in the deepest sand (2400) to prevent having to shut down the well for future drilling. Mr. Beard informed the board that the Honeywell request is for industrial use in the 2400 ft sand at a rate of 1.73 million gallons per day. Mr. Daniel entertained a motion to approve the permits. Mr. Town motioned to approve the wells, Mr. Bergeron seconded, and Mr. Daniel proceeded to request a roll call vote. Mr. Normand asked if the 3 wells were for additional supply need, not replacing another well. He stated that we needed a better analysis to aid in the process of deciding on whether or not a new well permit be approved. Mr. McGehee asked if Honeywell needed additional supply or if this well

would be a replacement. Mr. Beard informed him that it was additional. Mr. McGehee responded with concern due to the fact that they had an existing pumping station about a half a mile south of Honeywell's proposed drilling location. Mr. Ronnie Albritton asked if Honeywell was asked to come to the meeting and Mr. Beard confirmed. Mr. Albritton stated that he thought the board would only approve replacement wells for industry. Mr. Talbott responded that it was only for the 1,500 and 2,000 ft sands. Mr. Daniel suggested that in the future we require the applicant be present for the approval process. Mr. Talbott stated that he thought the new well applications went to the technical committee first and Mr. Daniel agreed. Mr. Daniel asked the board if the applications could go to technical first and then come back to the board. He asked if the board has a procedure for permit approval. Mr. Beard agreed to send the application to the technical committee first. Mr. Normand stated that in 2019 the commission passed a resolution that all well permits would be approved by the commission and that it would be better for him as a non technical person to have these applications go through the technical committee first. Mr. Reonas stated that these wells are in the review process and that his agency can't deny the installation of a well, but that parameters can be placed upon them. Mr. Reonas went on to say that that power to deny the installation does exist within the capital area groundwater conservation district. He stated that there is a lack of science in the application form for these new wells that are proposing significant amounts of water use. Mr. Reonas stated that he would like to see a more substantial permitting process. Mr. Daniel stated that he did not believe the companies would not have any modeling. Mr. Reonas responded asking how can the board move forward on approving new substantial amounts of water use without a basis of comparison. Mr. Beard stated that he would have Honeywell come before the technical committee to make a presentation. Dr. Dausman came forward and explained an analysis she is working on that simplifies water budgets for each sand or zone and what the potential effects of changing withdrawals would be. Dr. Dausman continued saying that this information could assist the board in making decisions on approving new wells. Mr. Hays suggested that more restrictions are placed on future wells and not the wells being presented. Ms. Karen Gautreaux asked if its appropriate to leak conservation's analysis process to the technical committee as part of the discussion. Mr. Reonas confirmed that would be acceptable. Ms. Gautreaux suggested additional deliberation through the technical committee before the full board votes. Mr. Normand made a substitute motion to defer the new well applications to the technical committee, it was seconded by Ms. Gaurteaux. A roll call vote ensued and the motion was approved.

### **Testing Program-Contract**

Mr. Beard presented the contract with Bonner Analytical to test chlorides to the board for approval. The motion to approve was made by Mr. Dawson, seconded by Mr. Talbot, and there was no objection. The motion was approved.

## **Metering Program**

Mr. Beard informed the board that the CAGCD has been placed on the funding program from the state. Mr. Beard explained the program for metering with Sustainability Partners. Mr. Daniel asked Mr. Jason Hewitt of Sustainability Partners to come before the committee and explain the program. Mr. Hewitt explained the program details to the commission. The board members questioned Mr. Hewitt to understand the details of the program further. The board asked Jay Simon, the engineer working with Sustainability Partners to come and give an overview and answer questions from an engineering standpoint. Mr. Simon gave a further explanation of capital and O&M costs for the metering program. Dr. Alyssa Dausman came forward at the request of the board to answer questions about Dr. Tsai's data needs. The commission continued to discuss the metering program details amongst themselves with Mr. Hewitt. Ms. Rachel Lambert motioned to defer the vote on the metering program to the admin committee for further discussion and a recommendation to the full board for the next meeting. The motion was seconded with no objection and passed.

## **Contract for USGS**

Mr. Beard informed the board that he was prepared to implement the changes that they authorized. The changes would cause an increase of expenditures with the Water Institute that would raise the cost of the yearly budget and require a change to cover the spending from the reserve fund.

## **Agreement with Cornerstone/Paul Rainwater**

Mr. Beard invited Paul Rainwater of Cornerstone Government Affairs. Mr. Rainwater introduced himself and gave his background. Mr. Beard informed the board that he will be adding Mr. Rainwater's assistance to the budget for next year for approval to get more state money.

## **X. Chairman's Report**

Mr. Daniel made a point that the commission has a lot of eyes on it. He stressed the commission's obligation to protect and preserve the aquifer. He announced Shawn Scallan's retirement and wished her the best. Mr. Daniel prompted Mr. Beard to introduce his new staff member at CAGCD, Miah Moore.

## **XI. Administrative Committee Report**

Mr. Talbott gave the administrative committee report. He announced that they elected Mr. Joey Normand as the new chairman. Mr. Normand announced the next administrative meeting and the protocol for the next meeting.

## **XII. Technical Committee Report**

Mr. Bergeron announced that the technical meeting will incorporate the discussion of the metering program. Mr. Dawson announced that at the last meeting metering and the retention schedule were discussed. Mr. Dawson informed the board that the committee elected a new chairman.

## **XIII. Member Agenda Items**

No member agenda items were discussed.

## **XIV. Old Business**

There was no old business.

## **XV. New Business**

Mr. Daniel stated that Mr. JA Rummler asked for water auditing to be added to the technical committee meeting agenda.

## **XVI. Commissioner Comments**

Mr. Normand welcomed Miah Moore to the staff and informed everyone of an email issue. Mr. Normand presented his gas and water bill to the board.

## **XVI. Announcements**

There were no announcements made.

## **XVII. Public Comment**

George Losonsky came forward and requested a re-establishment of the distribution list used by Shawn Scallan to inform the interested parties of future meetings. Mr. Daniel read a comment emailed to him from Ms. Mary Lee, Executive Director at The Lower Mississippi Riverkeeper.

## **XVIII. Adjournment**

Mr. Kenneth Dawson made a motion to adjourn. Mr. Reonas seconded the motion. There was no objection. The motion passed. The meeting was adjourned at 12:51 p.m.

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William B. Daniel IV, P.E. Chairman

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Mark Frey

Secretary/Treasurer