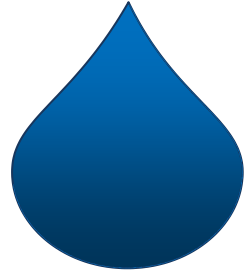


Capital Area Ground Water Conservation District



Watching out for A Treasured Earth Resource

Dedicated to the conservation, orderly development and protection of quality of ground water in the Capital Area

Volume 39, Issue 3

NEWSLETTER

1st Quarter 2014

General Honoré to Address Commission

Lieutenant General Russel L. Honoré (US Army – Retired) served as the 33rd commanding general of the U.S. First Army at Fort Gillem, Georgia. He is best known for serving as commander of Joint Task Force Katrina responsible for coordinating military relief efforts for Hurricane Katrina-affected areas across the Gulf Coast and as the 2nd Infantry Division Commander while stationed in Korea. He served until his retirement from the Army on January 11, 2008.



Baton Rouge Business Report, January 20, 2014

Recently, General Honoré has become involved in environmental issues in Louisiana. He got involved when residents of Bayou Corne asked him to speak at an event because they were frustrated with the lack of action. More recently he has become concerned about saltwater intrusion in the Baton Rouge area. He has spoken to many groups, but this is the first time he will meet with the Capital Area Groundwater Conservation Commission (CAGWCC).

General Honoré will present his concerns at the March 11, 2014 meeting of the CAGWCC's Technical Committee. The meeting will be held in the Conference Room of the US Geological Survey, 3535 S. Sherwood Forest, Ste. 120, Baton Rouge, Louisiana, 70816.

Upcoming Meetings

In addition to the Technical Committee meeting mentioned above, the regular meeting of the Board of Commissioners will be held at 9:30 a.m., Tuesday, March 18, 2013 in the same location. The Administrative Committee will meet at 8:30 a.m. on the same day in the District conference room, Suite 137, 3535 South Sherwood Forest Boulevard.

Recent Meetings

Technical Committee

The Technical Committee met on Tuesday, December 3, 2013, in the U.S. Geological Survey conference room at 3535 S. Sherwood Forest Blvd., Baton Rouge, Louisiana.

Commission Meeting Highlights

The Capital Area Ground Water Conservation Commission met at 9:30 a.m. on December 10, 2013 in the U.S. Geological Survey conference room at 3535 S. Sherwood Forest Blvd., Baton Rouge, Louisiana. The meeting was called to order by the Chairman, Mr. Joey Hebert.

The following members were present: John Adams, Trey Argrave, Dale Aucoin, Johan Forsman, Joey Hebert, Barry Huggins, John Jennings, Amelia Kent, Dennis McGehee, and Mark Walton.

Others attending the meeting were: Tony Duplechin and Shawn Scallan, Capital Area Ground Water Conservation District; John Lovelace and Jason Griffith, U.S. Geological Survey; Henry Graham, Louisiana Chemical Association; Matthew Reonas, Louisiana Department of Natural Resources; Ryan Simpson, Baton Rouge Area Chamber; Sayi Malineni, Environmental & Energy Professional; Roy Waggenspack, Owen & White; Bruce Duhe and Rafael Villanueva, Layne Christensen; Luke LeBas, Brown & Caldwell; and Dan Tomaszewski, retired USGS.

The Administrative Committee met in the Capital Area conference room earlier in the morning.

Welcome New Commissioners

Governor Bobby Jindal announced the following appointments to the Capital Area Groundwater Conservation District Board of Commissioners on Feb. 7, 2014:

- Ronnie Albritton, of Zachary, Environmental Superintendent at Georgia-Pacific, representing industrial users in the district.

- Dan Tomaszewski, of Greenwell Springs, is a retired ground water specialist for the Louisiana Water Science Center, USGS. Tomaszewski serves as a member selected from nominations submitted by the Board of Commissioners.
- Matthew Reonas, of Baton Rouge, is the Education and Marketing Representative in the Environmental Division in the Office of Conservation. Reonas serves as the designee of the Commissioner of the Office of Conservation in the Department of Natural Resources.

District Supports LSU Study Proposal

The District has sent a letter of support for a study proposal titled "Assessing Surface and Ground Water Availability under Climate Change and Uncertainty". The two Principal investigators are Frank Tsai and Juan Lorenzo.

The goal of the proposal is to look into surface water and ground water availability by coupling the surface water model and groundwater model for the area of the Southern Hills aquifer system. The result will help the CAGWCC better manage groundwater for the Capital Area.

There is no monetary commitment from the CAGWCC. The letter simply states that the CAGWCC will provide pumpage data for groundwater modeling for this project.

Baton Rouge Groundwater

Second in a series

Recently there have been several newspaper articles about water use in the Capital Area. This raises the question:

Who Owns the Water?

The answer varies from state to state and is rarely simple. The rights to ground water are governed by state statutes and case law that have evolved over the last century. Today, states

generally follow one of five "rules" in deciding "Who Owns the Water?"

The Absolute Dominion Rule permits a landowner to intercept ground water that would otherwise have been available to a neighboring water user and even to monopolize the yield of an aquifer without incurring liability. Eight states adopted or indicated a preference for the Absolute Dominion rule: Connecticut, Indiana, *Louisiana*, Maine, Massachusetts, Mississippi, Rhode Island and Texas.

The Reasonable Use Rule limits a landowner's use of water to those uses that have a reasonable relationship to the use of the overlying land. The rule is essentially the rule of absolute ownership with exceptions for wasteful and off-site use. Twenty-one states adopted or indicated a preference for the Reasonable Use rule: Alabama, Arizona, Arkansas, Delaware, Florida, Georgia, Illinois, Kentucky, Maryland, Missouri, Nebraska, New Hampshire, New York, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia and Wyoming. Four of these states adopted the Reasonable Use rule in conjunction with the Prior Appropriation rule: Arkansas, Delaware, Missouri and Wyoming. Another state, Nebraska, adopted a Reasonable Use rule in conjunction with the Correlative Rights rule.

The Correlative Use Rule maintains that the authority to allocate water is held by the courts. Owners of overlying land and non-owners or transporters have co-equal or correlative rights in the reasonable, beneficial use of ground water. A major feature of this doctrine is the concept that adjoining lands can be served by a single aquifer. Therefore, the judicial power to allocate water permits protects both the public's interest and the interests of private users. Six states adopted or indicated a preference for the Correlative Rights rule: California, Hawaii, Iowa, Minnesota, New Jersey and Vermont.

The Restatement of Torts Rule holds that a landowner who uses ground water for a beneficial purpose is not subject to liability for interference if

certain conditions are met. The water withdrawal cannot cause unreasonable harm to a neighbor by lowering the water table or reducing artesian pressure, cannot exceed a reasonable share of the total store of ground water and cannot create a direct and substantial effect on a watercourse or lake. Three states adopted or indicate a preference for the Restatement of Torts doctrine: Michigan, Ohio and Wisconsin.

Prior Appropriation Rule maintains that the first landowner to beneficially use or divert water from a water source is granted priority of right. The amount of ground water this priority, or senior, appropriator may withdraw can be limited based on reasonableness and beneficial purposes. Some states have replaced or supplemented the Prior Appropriation doctrine with a permit system. Twelve states adopted or indicate a preference for the Prior Appropriation rule: Alaska, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah and Washington.

From: Who Owns the Water: A Summary of Existing Water Rights Laws, published by Water Systems Council

Leo Bankston Groundwater Conservation Award

CAGWCC is pleased to announce the continuation of its annual Leo Bankston Ground Water Conservation Award. This award was instituted to recognize water users in our district that demonstrate outstanding ground water conservation practices. The CAGWCC hopes to encourage good stewardship of our ground water resource by showcasing these projects.

Examples of conservation practices that would be considered for awards include:

- Reduction in pumpage of ground water,
- Increased use of shallow sands to decrease pumping stress on deeper sands,

- Technology improvements such as installation of flow meters or automatic controls,
- Process modifications that would switch to alternative sources such as gray water, river water or shallow sands,
- Water recycling such as cooling water reuse, and/or
- Identifying and properly plugging abandoned wells

Any water user in the five-parish District (East Baton Rouge, West Baton Rouge, East Feliciana, West Feliciana and Pointe Coupee) is eligible to receive the award. To be nominated, the project must have been implemented during the previous calendar year (2012). The winner will be recognized by the Board of Commissioners and in the Commission's newsletter. Press releases will also be sent to local newspapers. The application for the award can be found on the Commission's website at www.cagwcc.com.

The award is named for former Commissioner Leo Bankston. Mr. Bankston was on the first Board of Commissioners when the Commission was organized in 1975, and served as its first Chairman. During his long career with the Baton Rouge Water Company he worked tirelessly to protect and conserve the priceless ground water resources in the five parish Capital area. Past winners of the award include Georgia Pacific Corporation, Exxon/Mobil and Honeywell International, Inc. and the City of Baker, whose automated water meter project resulted in a groundwater pumpage reduction of 21 million gallons per month.

Groundwater Awareness Week: March 9-15, 2014

"Time to schedule your annual water well checkup!"

Just as you check your furnace or smoke detector batteries seasonally, spring is a good season to have an

annual water well checkup before the peak water use season begins.

An annual checkup by a qualified water well contractor is the best way to ensure problem-free service and quality water.

Also, preventative maintenance usually is less costly than emergency maintenance, and good well maintenance — like good car maintenance — can prolong the life of your well and related equipment.

Wells can provide high-quality drinking water, and about half the U.S. population receives its drinking water from wells. But with well ownership comes the responsibility of keeping the water well in good working order. A check of your well by a qualified water well contractor may include:

- A flow test to determine system output, along with a check of the water level before and during pumping (if possible), pump motor performance (check amp load, grounding, and line voltage), pressure tank and pressure switch contact, and general water quality (odor, cloudiness, etc.).
- A well equipment inspection to assure it's sanitary and meets local code.
- A test of your water for coliform bacteria and nitrates, and anything else of local concern. Other typical additional tests are those for iron, manganese, water hardness, sulfides, and other water constituents that cause problems with plumbing, staining, water appearance, and odor.
- Keep hazardous chemicals, such as paint, fertilizer, pesticides, and motor oil far away from your well, and maintain a "clean" zone of at least 50 feet between your well and any kennels and livestock operations.
- Maintain proper separation between your well and buildings, waste systems, and chemical storage areas.
- Periodically check the well cover or well cap on top of the casing (well) to ensure it is in good repair and securely attached. Its seal should keep out insects and rodents.
- Keep your well records in a safe place. These include the construction report, and annual water well system maintenance and water testing results.

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Shawn O. Scallan, Administrative Assistant

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