

2024 Regular Session

SENATE BILL NO. 432

BY SENATOR EDMONDS

CONSERVATION. Provides relative to the capital area groundwater conservation district.  
(8/1/24)

1 AN ACT

2 To amend and reenact R.S. 38:3073(3) and R.S. 38:3074(A)(2) and (3), to enact R.S.  
3 38:3076(F), and to repeal R.S. 38:3076(A)(22), relative to the capital area  
4 groundwater conservation district; to provide for definitions; to provide for  
5 appointment of commissioners; to provide for powers of the board; and to provide  
6 for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 38:3073(3) and R.S. 38:3074(A)(2) and (3) are hereby amended and  
10 reenacted, and R.S. 38:3076(F) is hereby enacted to read as follows:

11 §3073. Definitions

12 Unless the context otherwise requires, the following terms shall have the  
13 following meanings for purposes of this Part:

14 \* \* \*

15 (3) "Commissioner" means a commissioner of the district who has been  
16 appointed ~~or elected~~ in accordance with this part.

17 \* \* \*

1 §3074. Board of commissioners; appointments; tenure; replacement; compensation

2 A. Members of the board of commissioners shall be appointed by the  
3 governor. Each appointment by the governor shall be submitted to the Senate for  
4 confirmation. The members shall be appointed as follows:

5 \* \* \*

6 (2) Three members shall be appointed from nominations by the industrial  
7 ~~users in the district~~ Louisiana State University Center for Energy Studies, the  
8 Greater Baton Rouge Industrial Alliance, the Louisiana Association of Business  
9 and Industry, the Louisiana Chemical Association, the Louisiana  
10 Mid-Continent Oil & Gas Association, and the Louisiana Oil & Gas  
11 Association.

12 (3) Three members shall be appointed from nominations by privately or  
13 publicly owned entities that furnish water for rural or municipal use within the  
14 district. One of the three members shall be from nominations by privately owned  
15 users furnishing a municipal water supply to no fewer than two hundred fifty-  
16 thousand persons.

17 \* \* \*

18 §3076. Powers of the board

19 \* \* \*

20 F.(1) The board shall not require users to undertake the installation of  
21 additional metering devices or prescribe new requirements thereof if the user's  
22 installation of metering devices meets all the following criteria:

23 (a) Demonstrates compliance with the user's obligation to meter.

24 (b) Measures flow data at least hourly for each well, for each stratum  
25 from which the well draws, and reports the data to the board monthly.

26 (c) Ensures proper operation of the metering device through installation,  
27 calibration, validation, and maintenance practices that are consistent with the  
28 accepted capability of that type of metering device. Calibration of each metering  
29 device shall be performed at least once a year by a qualified source, which is a

1 person or entity that has received formal training or has practical field  
 2 experience in the calibration of that type of metering device.

3 (d) Adheres to accepted scientific practices to safeguard the accuracy  
 4 and reliability of measurements of the volume of monitored withdrawals.

5 (e) Measures flows with a maximum deviation of less than five percent  
 6 from true withdrawal rates throughout the range of expected withdrawal  
 7 volumes.

8 (2) The board shall have authority to audit the performance of flow  
 9 measurement devices installed and maintained by users. Audits may include  
 10 temporary installation of a flow measurement device and other necessary  
 11 equipment by the board, at the board's expense, in order to verify performance  
 12 of a user-installed flow measurement device. Each user-installed flow  
 13 measurement device may be audited once per calendar year.

14 Section 2. R.S. 38:3076(A)(22) is hereby repealed.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jacob K. Wilson.

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DIGEST

SB 432 Reengrossed

2024 Regular Session

Edmonds

Present law provides for a board of commissioners who may be appointed or elected.

Proposed law retains present law and provides that commissioners may only be appointed.

Present law requires that three commissioners be appointed from nominations made by the industrial users in the district.

Proposed law changes the nominating entities from industrial users to the Louisiana State University Center for Energy Studies, the Greater Baton Rouge Industrial Alliance, the Louisiana Association of Business and Industry, the Louisiana Chemical Association, the Louisiana Mid-Continent Oil & Gas Association, and the Louisiana Oil & Gas Association.

Present law requires that three commissioners be appointed from nominations made by entities that furnish water for rural or municipal use within the district, and that one of the three be nominated by privately owned users furnishing a municipal water supply.

Proposed law retains present law and requires that one of the three nominations be by privately owned users furnishing a municipal water supply to no fewer than 250,000 persons.

Present law provides for powers of the board.

Proposed law retains present law and prohibits the board from requiring installation of additional meters or changes thereto when a user maintains such devices on each well in

compliance with metering and monthly reporting requirements. Further requires that user-installed meters meet accepted scientific practices, be capable of a maximum deviation of no less than 5% of actual flows, and measure and report data per well, per stratum, on a monthly basis.

Proposed law requires that meters be installed, calibrated, validated, and maintained by a qualified source with formal training or practical experience. Further provides that the board may audit each meter once yearly and may install temporary meters at its own cost to verify performance.

Present law authorizes the board to expand the district to include adjacent parishes, with added parishes to have equal board representation and conditions as the original parishes.

Proposed law repeals present law.

Effective August 1, 2024.

(Amends R.S. 38:3073(3) and R.S. 38:3074(A)(2) and (3); adds R.S. 38:3076(F); repeals R.S. 38:3076(A)(22))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Environmental Quality to the original bill

1. Removes the minimum utility size requirement for board members nominated by privately or publicly owned water utilities.
2. Removes the word "substantial" from compliance requirements.
3. Changes the flow data reporting interval from quarterly to monthly.
4. Requires user-installed meters to meet accepted scientific practices, maintain a maximum deviation of less than ten percent of actual flow, and measure data hourly for each well in each stratum. Further requires the user to report data from each meter monthly.
5. Requires that meters be installed, calibrated, validated, and maintained to ensure accuracy, and that calibration be performed by a qualified source with formal training or experience.
6. Provides board authority to perform once yearly audits of each meter, which may include temporary installation of board-provided meters to verify performance.

##### Senate Floor Amendments to engrossed bill

1. Changed term "flow measurement device" to "metering device".
2. Revised maximum measurement deviation from less than 10% to less than 5%.