

2019 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 31

BY REPRESENTATIVE MARCELLE AND SENATORS COLOMB AND CLAITOR

A CONCURRENT RESOLUTION

To urge and request the commissioner of conservation to study, outline the requirements, and make recommendations as to the necessity of an area of groundwater concern or a critical area of groundwater concern declaration in the Baton Rouge area to limit saltwater intrusion and protect regional groundwater supplies for the future and to submit a report of the study no later than February 15, 2020.

WHEREAS, the four hundred fifty thousand people living in East Baton Rouge Parish are dependent on local groundwater resources from the Southern Hills Aquifer for safe drinking water; and

WHEREAS, major industries in East Baton Rouge Parish also use these groundwater resources for commercial purposes to secure jobs and economic growth for the region; and

WHEREAS, the main supplier of safe drinking water in East Baton Rouge Parish is the Baton Rouge Water Company, a privately-owned utility regulated by the Louisiana Public Service Commission; and

WHEREAS, as many as ninety thousand people in Ascension Parish also draw their safe drinking water from groundwater from East Baton Rouge Parish through the Baton Rouge Water Company's subsidiary, Ascension Water Company; and

WHEREAS, the United States Geological Survey (USGS), through numerous scientific studies and models, has identified serious water-level declines and saltwater intrusion in Baton Rouge aquifers; and

WHEREAS, the USGS has identified large groundwater withdrawals for public supply and industrial use in East Baton Rouge Parish as the cause of water-level declines and saltwater intrusion; and

WHEREAS, the USGS has stated that if groundwater withdrawals in Baton Rouge continue into the future at historic rates, saltwater intrusion will continue to occur; and

WHEREAS, the office of conservation has stated in a previous report to the legislature that without "publicly released plans for major groundwater pumpage reductions from the users in East Baton Rouge" groundwater use rates at the "present level or along a slightly upward trend seems a logical assumption, with all attendant consequences"; and

WHEREAS, the chief financial officer of the Baton Rouge Water Company stated in open testimony at a Louisiana Public Service Commission hearing in 2013 that, "Our long-term solution, obviously, is the treatment plant with water from the Mississippi"; and

WHEREAS, it is expected that the costs of such a transition from groundwater to surface water will be borne by the customers of the Baton Rouge Water Company, which are the people of East Baton Rouge Parish and Ascension Parish; and

WHEREAS, such a transition likely will entail a sacrifice of drinking water quality and could result in costly and hazardous situations commonly associated with a change of drinking water source, as seen in Flint, Michigan, and elsewhere; and

WHEREAS, the legislature affirms its desire to see all actions necessary be taken to maintain groundwater as the main source of safe drinking water for the public in East Baton Rouge Parish and surrounding parishes; and

WHEREAS, the Capital Area Ground Water Conservation Commission (CAGWCC) is charged with the regional management of groundwater resources in the Baton Rouge area; and

WHEREAS, since its creation in 1974, the CAGWCC has never adopted a comprehensive management plan for local groundwater resources; and

WHEREAS, the commissioner of conservation has the statutory authority to prevent or alleviate damaging saltwater movement or water-level decline and loss of sustainability in the state's aquifers and to determine areas of groundwater concern and designate critical areas of groundwater concern; and

WHEREAS, groundwater sustainability is defined in law as the development and use of groundwater in a manner that can be maintained for the present and future time without causing unacceptable environmental, economic, social, or health consequences; and

WHEREAS, the office of conservation has stated in a previous report to the legislature that such "unacceptable effects on sustainability" already exist in East Baton Rouge Parish; and

WHEREAS, the CAGWCC is mandated by R.S. 38:3076 to work in conjunction with the commissioner of conservation in his responsibilities.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the commissioner of conservation to study, outline the requirements, and make recommendations as to the necessity of an area of groundwater concern or a critical area of groundwater concern declaration in the Baton Rouge area to limit saltwater intrusion and protect regional groundwater supplies for the future.

BE IT FURTHER RESOLVED that the study shall include recommendations that provide for the role and necessary actions required of the Capital Area Ground Water Conservation Commission in any plan to preserve and manage the groundwater resources of the Baton Rouge area.

BE IT FURTHER RESOLVED that the commissioner of conservation shall submit a report of the study no later than February 15, 2020, to the governor, the House Committee on Natural Resources and Environment, the House Committee on Municipal, Parochial and Cultural Affairs, the House Committee on Health and Welfare, the Senate Committee on Environmental Quality, the Senate Committee on Natural Resources, the Senate Committee on Local and Municipal Affairs, and the Senate Committee on Health and Welfare.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the commissioner of conservation.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE