

**Board of Commissioners Meeting Minutes  
Capital Area Groundwater Conservation District  
September 21, 2023, 1:30 p.m.**

**I. Call to Order**

Karen Gautreaux – Capital Area Groundwater Conservation District (CAGCD) Chair

**II. Roll Call**

Gary Beard – CAGCD Executive Director

- Ken Dawson, Patrick Hobbins, Rachel Lambert, Angela Machen, Jesse Means, Greg Phares, Matt Reonas, Ron Savoy, Tom Seagraves, Cyril Vetter and Jonathan Leo
- Absent: Nolan Brown, Patrick Engemann, Lane Ewing, Lauren Fields and Camille Manning-Broome

**III. Establishment of a Quorum**

Karen Gautreaux – CAGCD Chair

- Chair Gautreaux declared a quorum with twelve members present.

**IV. Invocation**

Gary Beard – CAGCD Executive Director

**V. Pledge of Allegiance**

Gary Beard – CAGCD Executive Director

**VI. Recognition of Guests**

Karen Gautreaux – CAGCD Chair

Brett Furr- Taylor Porter, Pat Kerr- BRWW, Roy Waguespack- Owen and White, Max Lindaman-USGS, Scott Bergeron- interested party, Kevin Gravois- PEC, Kristyn Rodriguez – Taylor Porter, Michael Lane-BRWW, Josh Kozan-BRWW, Dennis McGehee- BRWW, Ryan Clark-Halff & Assoc., Andy Brown -LA Farm Bureau, Michael Kimble – Fire Chief, Shane Spillman – BR Fire Department, Douglas Melancon -Exxon, Lee Thornton – City of Zachary, Anna Gilbert- Owen and White, Sarah Paine-Exxon, Wame Waguespack- interested party, Roland Jackson -Parish Water and Dr. Frank Tsai-LSU

**VII. Amendments to the Agenda**

Karen Gautreaux – CAGCD Chair

- No amendments to the agenda.

**VIII. Approval of Minutes – June 15, 2023, Meeting (action required)**

Karen Gautreaux – CAGCD Chair

- Motion by Mr. Dawson and second by Mr. Leo to approve the June 15, 2023, minutes as presented. No objections. Motion passed.

**IX. Executive Director’s Report**

Gary Beard – CAGCD Executive Director

- A. Resolution to approve second report letters to the Legislature on the amended rules: LAC 56:V, Chapters 7 and 9 (**action required**)
  - a. Motion by Mr. Seagraves and second by Mr. Means to approve the second report letters to the Legislature on the amended rule. (LAC 56:V, Chapters 7 and 9). Motion passed.
  - b. Roll Call: Mr. Dawson-yes, Mr. Hobbins -yes, Ms. Lambert-yes, Ms. Machen -yes, Mr. Means-yes, Mr. Phares-no, Mr. Reonas-yes, Mr. Savoy-yes, Mr. Seagraves-yes, Mr. Vetter-yes, Ms. Gautreaux – yes, Mr. Leo - yes
  - c. Motion passed.
- B. Legislative Auditor Questionnaire (**action required**)
  - a. Motion by Mr. Means and second by Mr. Seagraves to accept the Legislative Auditor Questionnaire.
  - b. Roll Call: Mr. Dawson-yes, Mr. Hobbins-yes, Ms. Lambert-yes, Ms. Machen-yes, Mr. Means-yes, Mr. Phares-yes, Mr. Reonas-yes, Mr. Savoy-yes, Mr. Seagraves-yes, Mr. Vetter-yes, Gautreaux – yes, Leo - yes
  - c. Unanimous. Motion passed.

**X. Chairman’s Report**

Karen Gautreaux – CAGCD Chair

- Nothing to report.

**XI. Administrative Committee Report**

Patrick Hobbins – CAGCD Administrative Committee Chairman

- Mr. Hobbins said there was no quorum for the last administrative committee meeting, therefore, there is nothing to report. He suggested that the office send an email to the administrative committee members to find a day and time to ensure a quorum moving forward.

**XII. Technical Committee Report**

Tom Seagraves – CAGCD Technical Committee Chairman

- Mr. Seagraves said two technical committee meetings ago, USGS showed that there is a lot of saltwater intrusion occurring at the location where BRWW is applying for a permit and in the end, the committee had a difficult time making a decision and needed more information. He asked LSU and USGS to do an additional analysis in order to model the other strata to see if there was less impact. Today’s technical meeting- USGS and LSU provided additional data not only for BRWW but also three other wells to determine impact on saltwater intrusion. He said it is evident that two of the wells are having legitimate

impact on increasing saltwater intrusion into the fault zones. There was lots of discussion on how this may be mitigated. There was a proposal for a temporary moratorium for additional wells between the two faults until there is additional scientific data to show where we should put limits/restrictions. The data indicates there is more saltwater intrusion coming in.

Mr. Seagraves said that the Technical Committee recommended to the full board a moratorium on permitting any new wells between the Denham Springs/Scotlandville and Baton Rouge fault lines, now to be known as the salinity critical zone. This will be in place until the Commission has all of the data needed to make a more fully informed decision as to what restrictions need to be implemented and for how long and to allow for replacement in kind or replacement well that is further north away from the plume than from the well it's replacing and the moratorium not to exceed one year where upon reevaluation will be made.

After a lengthy discussion by Board members and the public, Mr. Reonas said he would like more time to consider the moratorium.

Motion by Mr. Reonas and second by Ms. Lambert to defer the idea of a moratorium to explore the subject more until the next meeting. After more discussion by the Board, a vote was taken to defer.

Roll call: Mr. Dawson-yes, Mr. Hobbins-yes, Ms.Lambert-yes, Ms.Machen-yes, Mr.Means-yes, Mr. Phares-yes, Mr. Reonas-yes, Mr. Savoy-yes, Mr. Seagraves-yes, Mr. Vetter-yes, Ms. Gautreaux – yes, Mr. Leo – yes.

- Unanimous. Motion passes.

## Water Well Permits

### A. Well Drilling Moratorium (**action required**)

### B. New Well Permits

#### i. Water Works District 1 of Pointe Coupee

1. Mix Water Well No. 3 (**action required**)
2. Ventress Well (**action required**)
3. Lakeland Well (**action required**)

- a. The Lakeland well permit application was deferred back to the technical committee for more data to be provided.
- b. Motion by Mr. Means and second by Mr. Leo to approve the Mix Water Well No.3 and Ventress well permit applications.
- c. Unanimously approved. Motion passes to approve the two wells for Pointe Coupee.

Roll call – Mr. Dawson – yes, Ms. Gautreaux – yes, Mr. Hobbins – yes, Ms. Lambert – yes, Mr. Leo – yes, Mr. Phares – yes, Ms. Machen – yes, Mr. Means- yes, Mr. Reonas – yes, Mr. Savoy – yes, Mr. Seagraves – yes, Mr. Vetter – yes.

- ii. City of Zachary (**action required**)
  - 1. Motion by Mr. Reonas and second by Mr. Means to approve the well application for the City of Zachary.
  - 2. Unanimously approved. Motion passes to approve the City of Zachary well permit application.
    - Roll Call - Mr. Dawson – yes, Ms. Gautreaux – yes, Mr. Hobbins – yes, Ms. Lambert – yes, Mr. Leo – yes, Mr. Phares – yes, Ms. Machen – yes, Mr. Means- yes, Mr. Reonas – yes, Mr. Savoy – yes, Mr. Seagraves – yes, Mr. Vetter – yes.
- iii. West Baton Rouge Natural Gas and Water (**action required**)
  - 1. This well permit application was deferred back to the technical committee for more data to be provided.
- iv. Baton Rouge Water Works (**action required**)
  - 1. This well permit application was deferred back to the technical committee for more data to be provided.
- v. Motion by Ms. Lambert and second by Mr. Phares to approve the three remaining wells – Lakeland, WBR Natural Gas and Water and Baton Rouge Water well.
- vi. Substitute motion by Mr. Means and second by Mr. Reonas to defer back to the technical committee.
- vii. Pat Kerr said there is a need for their well based on the need of the fire departments. What is happening by denying the wells sends a message that new wells in between the faults are not possible going forward. “But I can tell you Chief; if we don’t get the wells we need, we may not maintain our class 1 rating next year.” It has to do with when the chief calls me, and they do call us when we get into multiple alarm fires and say, “give us everything you got.” This specific well is a replacement. He said not approving the well is taking away the capacity. He said he will do everything to work with the Commission to preserve the aquifer.
- viii. Chair Gautreaux said, “I want to make it clear that we do not want to envision burning families or anything like that.” I think that was almost a threatening characterization.”
- ix. Chair Gautreaux said we are not saying no to the well. Would you characterize this as an emergency?
- x. Pat Kerr said I don’t know that we are in a crisis. I will not know we do not have enough until we do not have enough. There is a public health emergency if our pressure drops below 20. Get the politicians involved to help us conserve water. There is a wholesale shift from what the Commission has done. We are going to give you the data. I am sorry the courts are taking so long.
- xi. Mr. Vetter said to Mr. Kerr, the preference about your obligation as an environmental steward sounds great, but if our common interest is to

- preserve the aquifer why would you sue us from determining how much water is coming out of your wells.
- xii. Pat Kerr said we have a real property right.
  - xiii. Mr. Leo said he wanted to make sure Mr. Kerr understood and would state for the record, we have not denied the permit application we have deferred it to the technical committee for further consideration. There is no promise of what the ultimate disposition of the application would be. The goal we hope to achieve within the future is no additional saltwater intrusion in the saline critical zone. I will offer you in that spirit that there is a way to get that well installed there will be no net increase of water withdrawn from the aquifer and the well you are saying is offline will be abandoned and sealed – that would speak very strongly to me.
  - xiv. Pat Kerr said I cannot say that even then we will have the well in time for the fire test next year. It may not be until 2025. DNR has approved it. BRWW cannot afford to continue to wait.
  - xv. Mr. Seagraves mirrored Mr. Leo’s comments. He said we need to set up a need for verification.
  - xvi. Pat Kerr said if you approve this well, we will submit an application for a sworn affidavit saying that this is a replacement well.
  - xvii. Mr. Savoy said it is important to look at 50-100 years out with the aquifer. That is the intent of the Commission is to preserve that forecasted out to ensure the health of the aquifer. We hear your concerns.
  - xviii. Michael Kimble, fire chief for city of BR- the rating has adverse effects on some if not all parishes in the jurisdiction. If we can help you to understand this further, we would love to partner with you.
  - xix. Chair Gautreaux said to Chief Kimble “we look forward to partnering with you and the fire department.
  - xx. Mr. Dawson said the intention is to take this up as quickly as possible upon science being completed. We are not saying no but we do have a duty to look at the long term for the preservation of the aquifer. So that the commission is comfortable regarding the capacity.
  - xxi. Mr. Vetter said it is a mistake to postpone or deny the BRWW application while litigation still pending. He thinks denial could be used as evidence in the case as appearing to be engaged in tit for tat.
  - xxii. Chair Gautreaux said that is in the litigation realm, and we have not said no we are just planning to look at further detail.
  - xxiii. Mr. Reonas said when it came through conservation it was to add extra capacity in emergency situations. Have those situations been defined? If not, can we get that from BRWW? In litigation there is a level of distrust here and it is fair of us to want to verify certain things.
  - xxiv. Mr. Beard said the District does have this data.
  - xxv. Chair Gautreaux asked if we can get specifics from DNR.

- xxvi. Substitute motion by Mr. Means and second by Mr. Reonas to defer as decided in the technical committee.
- xxvii. Roll call: Mr. Dawson-yes, Mr. Hobbins-no, Ms. Lambert-no, Ms. Machen-yes, Mr. Means-yes, Mr. Phares-no, Mr. Reonas-yes, Mr. Savoy-yes, Mr. Seagraves-yes, Mr. Vetter-no, Ms. Gautreaux – yes, Mr. Leo - yes. 8-4 motion passes.

**XIII. Executive Committee Report**

Karen Gautreaux – CAGCD Chair

- Litigation discussion.

**XIV. Member Agenda Items**

Karen Gautreaux – CAGCD Chair

- None.

**XV. Old Business**

Karen Gautreaux – CAGCD Chair

- None.

**XVI. New Business**

Karen Gautreaux – CAGCD Chair

- Chair Gautreaux and the Commission recognized Gary Beard’s brother Mark Beard’s passing and expressed condolences. The Commission told Mr. Beard they donated to Father Mark’s retreat center to continue his vision.

**XVII. Commissioner Comments**

Karen Gautreaux – CAGCD Chair

- Chair Gautreaux expressed her gratitude for all the information presented at the meeting. She said she learned a lot during the meeting and hoped everyone did as well. This is particularly important to our mission.
- Mr. Reonas said for most everyone here this is an unpaid job, it is a tough job, and it is fallen to us to steer the way forward. Things that were needed to be done some time ago and were not. Always envision our role here to outline a path forward as to how to preserve and protect the aquifer.

**XVIII. Announcements**

Karen Gautreaux – CAGCD Chair

- None.

**XIX. Public Comment (Non-action items only)**

Karen Gautreaux – CAGCD Chair

- Roy Waguespack said schedule your meetings at the beginning of the year. He said he really wants to be present and involved.

- Doug Melancon with Exxon asked “did you take into consideration what we asked when you changed your rules? Also, he asked to be put on the Interested Parties list.
- Mr. Beard said we explained the rules and statute and how we have implemented everything.

**XX. Adjournment – (action required)**

Karen Gautreaux – CAGCD Chair

Motion by Mr. Means and second by Mr. Seagraves to adjourn the meeting.

Motion passed. Meeting adjourned.



Gary J. Beard, Executive Director