

NOTICE OF INTENT
Office of the Governor
Capital Area Groundwater Conservation Commission

Water Well Permits and Plans
(LAC 56:V.901, 905, and 907)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted to the Capital Area Groundwater Conservation Commission (R.S. 38:3072-3084) under the authority granted by R.S. 38:3076.A(2) 38:3076.A(5), 38:3076.A(14)(d) and 38:3076.E, that the Capital Area Groundwater Conservation Commission proposes to amend §§901, 905, and 907 of Chapter 9 of Part V of Title 56 to clarify that the Parish of Ascension is part of the Capital Area Groundwater Conservation Commission, [R.S. 38:3072(A)] to provide for additional documentation required for well permitting, to provide for an application fee for a well permit, to provide a two part process for well permitting both of which must be satisfied before water production is allowed, and to provide procedures with respect thereto of LAC 56:V.901, 905, and 907.

**Title 56
PUBLIC WORKS**

**Part V. Capital Area Groundwater Conservation
Commission**

Chapter 9. Water Well Permits and Plans

§901. Authority and Purpose

A. The Capital Area Ground Water Conservation Commission (hereafter referred to as the commission) has the authority to require permits and plans for the drilling/construction and operation of water wells having a capacity in excess of 50,000 gallons per day, in accordance with R.S. 38:3076(A)(2) and 3076(E). The purpose of this rule is to define the procedures to be used in applying for a permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079, amended in accordance with R.S. 38:3076.A(2) 38:3076.A(5), and 38:3076.E

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 2:76 (March 1976), amended LR 23:34 (January 1997), amended LR 49:

§905. Applicability of Requirement for Permits and Plans

A. Permits are required for all nonexempt wells drilled in the parishes of Ascension, East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge, West Feliciana, and any other parishes that may be admitted to the Capital Area Groundwater Conservation District. The permit application for the proposed well shall be accompanied by a set of plans to include at a minimum:

1. location of proposed well to the nearest second of latitude and longitude;
2. location of existing water wells within 1000 feet;
3. proposed depth;
4. casing and screen sizes and approximate depths;
5. proposed well yield and average daily pumpage-;
6. piping layout geometry for the site;
7. a horizontal section of pipe for installation of the metering device and remote monitoring system shall be located downstream from the backflow preventer. The length and location of pipe shall be requested in the application and presented to the commission for approval; and

8. site layout which includes a location of a six-foot-by-six-foot slab for installation of monitoring equipment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079, amended in accordance with R.S. 38:3076.A(2) 38:3076.A(5), and 38:3076.E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 23:35 (January 1997), LR 49:

§907. When a Permit is Required

A. The well owner (or his agent) who plans to drill a nonexempt well shall submit a permit application and the required application fee of \$2,000 to the Capital Area Groundwater Conservation Commission for review and approval.

B. An application will undergo a two-part permitting process. Initially the application information will be reviewed to determine if all required information has been submitted. If the applicant has not submitted all of the required information, the commission shall notify the

applicant of the additional information required. Upon receipt and review of all required information, a permit to construct may be issued. Drilling shall not commence until the permit to construct is issued.

C. If, after receipt of all documents, the commission determines that the well will adversely affect the aquifer and provides reasons therefore, the permit may be denied.

D. After completion of the permitted well construction, the well owner shall submit as-built drawings, including above and below ground well schematics, in order to verify the construction of the well. The commission must certify that the well was constructed as permitted, and the commission must have installed the metering device and associated remote monitoring system, prior to the commission verifying the well for water production. No water production may begin until the commission has first verified the construction of the well.

E. If an operating well undergoes any physical modifications, such as changing the screened depth or the pump capacity, a permit application to perform the work must be submitted to the commission for review and approval prior to the workover.

F. For further detail on this rule, see the permitting manual as approved and adopted by the Board of Commissioners.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3076(14) and 38:3079, amended in accordance with R.S. 38:3076.A(2) 38:3076.A(5), 38:3076.A(14)(d) and 38:3076.E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Capital Area Ground Water Conservation Commission, LR 2:76 (March 1976), amended LR 23:35 (January 1997), amended LR 49:

Family Impact Statement

The proposed rulemaking will have no impact on family formation, stability or autonomy, as described in R.S. 49:972B.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973B.

Small Business Analysis

The proposed rulemaking will have no impact on small business analysis as described in R.S. 974.5.

Provider Impact Statement

The proposed rulemaking will have no provider impact as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments to Gary Beard, Executive Director, Capital Area Groundwater Conservation Commission, 3074 Westfork Dr. Baton Rouge, Louisiana, 70816, either by mail or hand delivery. Comments may also be sent by email to gary.beard@la.gov. All written comments must be received no later than 4 p.m., on August 10, 2023.

Public Hearing

A public hearing may be held if enough comments are submitted requesting a hearing. Oral comments will be accepted at that meeting.

Gary Beard
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

RULE TITLE: Water Well Permits and Plans

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There will be no increase in costs, the increases are contained in the pumpage fee increase which was achieved by board action on April 22, 2022 and by amendment to this rule June 2022. They are included in the current pumpage fee as calculated. The increases are further reflected in the fiscal and economic impact statement submitted January 3, 2022.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no anticipated effects on revenue collections of state or local governmental units by this rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will have no impact on small business analysis as described in R.S. 49:978.5.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of these rule changes.

Gary J. Beard
Executive Director
2307#041

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office