HLS 20RS-753 ORIGINAL

2020 Regular Session

HOUSE BILL NO. 245

BY REPRESENTATIVE MARCELLE

WATER/RESOURCES: Provides relative to determination of area of groundwater concern

1 AN ACT

To amend and reenact R.S. 38:3097.6(A), relative to the determination of an area of groundwater concern; to provide certain local officials with the right to file applications with the commissioner of conservation; to grant the commissioner of conservation the authority to initiate studies to determine areas of groundwater concern; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:3097.6(A) is hereby amended and reenacted to read as follows: §3097.6. Determination of area of groundwater concern

A. Any <u>local government official in an area underlain by an aquifer, or any</u> owner of a well that is significantly and adversely affected as a result of the movement of a saltwater front, water level decline, or subsidence in or from the aquifer drawn on by such well shall have the right to file an application to request the commissioner to declare that an area underlain by such aquifer is an area of groundwater concern. Such application shall contain a statement of facts, and supporting evidence substantiating the area may be an area of groundwater concern as defined in R.S. 38:3097.2. The commissioner shall also have the authority to initiate a study on whether a declaration of an area of ground water concern is necessary. On the basis of the application, application or study, good management practices, and sound science, the commissioner shall either take no action on the

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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study, deny the request, request in writing, or issue a draft order which describes the proposed boundaries of the area of groundwater concern. If the commissioner issues a draft order describing the proposed boundaries of the area, the commissioner shall hold at least one public hearing in the locality of the proposed boundaries. At least thirty days prior to holding the public hearing, the commissioner shall provide copies of the draft order to the House Committee on Natural Resources and Environment and to the Senate Committee on Natural Resources.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 245 Original

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Marcelle

Abstract: Provides certain local officials with the right to file applications with the commissioner of conservation (commissioner) relative to areas of groundwater concern and gives the commissioner the authority to initiate a study on areas of groundwater concern.

<u>Present law</u> provides that only the owner of a well has the right to file an application to request the commissioner to declare that an area underlain by an aquifer is an area of groundwater concern. <u>Proposed law</u> retains <u>present law</u>.

<u>Proposed law</u> further grants any local official in an area underlain by an aquifer with the right to file such application with the commissioner and gives the commissioner the authority to initiate a study to determine areas of groundwater concern.

(Amends R.S. 38:3097.6(A))