

# NOTICE OF INTENT

## Capital Area Ground Water Conservation Commission Capital Area District

### Water Well Permits

Under authority of R.S. 38:3071 et seq. (Act 1974, Number 678, as amended by Act 1976, Number 231, and Act 1980, Number 738.) the Capital Area Ground Water Conservation Commission gives notice that the rulemaking procedures have been initiated to require a water well drilling permit. Section 3076 of the Act gives the Board of Commissioners authority to require permits for the drilling or construction of wells having a capacity in excess of 50,000 gallons per day in the Capital Area District including the Parishes of East Baton Rouge, West Baton Rouge, East Feliciana, West Feliciana, and Pointe Coupee. Exemptions will be granted to small capacity wells designed to pump less than 50,000 gallons per day; wells screened at depths less than 400 feet; wells screened in the Mississippi River alluvial aquifer; and wells drilled for agricultural purposes.

The proposed regulation will assess no fee for a well permit. The agency will absorb any expenses incurred during the review, approval, and oversight of the well drilling activities. The purpose is to ensure that the drilling and construction of the water well will not adversely affect the ground water in the Capital Area Ground Water Conservation District.

#### Section 3076. Powers of the Board

A. The board shall have authority to do all things necessary to prevent waste of groundwater resources, and to prevent or alleviate damaging or potentially damaging subsidence of the land surface caused by withdrawal of groundwater within the district. The board shall have authority to do, as required, the following:

(2) To require permits for the drilling or construction of all wells drilled after the effective date of this part having a capacity in excess of 50,000 gallons per day.

#### Proposed Rule

#### Water Well Permits and Plans

#### Authority and Purpose

The Capital Area Ground Water Conservation Commission (hereafter referred to as the commission) has the authority to require permits and plans for the drilling or construction 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.

#### Exempt Wells

Wells in the following categories are exempt from the requirement for permits:

1. wells completed in the Mississippi River alluvial aquifer;
2. wells completed at depths less than 400 feet;
3. wells drilled for agricultural purposes; and
4. wells not capable of producing 50,000 gallons per day.

Large-capacity wells in categories 1 and 3, above, may be requested to supply plans and (or) information that the board may reasonably require to accomplish its water management purposes.

#### Applicability of Requirement for Permits and Plans

Permits are required for all nonexempt wells drilled in the parishes of East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge, West Feliciana, and any other parishes that may be admitted to the Capital Area Ground Water Conservation District. The permit application for the proposed well shall be accompanied by a set of plans to include at a minimum: location of proposed well to the nearest second of latitude and longitude; location of existing water wells within 1000 feet; proposed depth; casing and screen sizes and approximate depths; proposed well yield and average daily pumpage.

#### When a Permit is Required

At least 30 calendar days before beginning drilling operations, the well owner (or his agent) who plans to drill a nonexempt well shall submit a permit application to the Capital Area Ground Water Conservation Commission for review and approval. No fee will be required.

#### Effective Date

The effective date for these rules and regulations shall be July 20, 1996. Permit applications can be obtained from and completed forms should be submitted to the Capital Area Ground Water Conservation Commission at 3535 South Sherwood Forest Blvd., Suite 129, Baton Rouge, LA 70816-2255, telephone (504)293-7370.

#### Failure to Comply

Violation of this rule may subject the owner or user to litigation. In any such suit, the board may obtain injunctions prohibitory and mandatory, including temporary restraining orders and preliminary injunctions as the facts warrant, as provided in R.S. 30:3077(C).

#### Revocation of Previous Rules

Upon the effective date of these rules, Section 5.0.0.0, Rule and Regulations Requiring the Submission of Plans for New Water Wells in the Capital Area Ground Water Conservation District becomes null and void.

Interested persons may submit written comments on the proposed rule until 5 p.m., August 20, 1996, to: Don C. Dial, Director, Capital Area Ground Water Conservation Commission, 3535 S. Sherwood Forest Boulevard, Baton Rouge, LA 70816 or by calling (504) 293-7370.

Don C. Dial  
Director

#### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Water Well Permits

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
No costs or savings to local governmental units are anticipated. No significant implementation costs to the state are expected.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
No fee will be charged for a water well permit. An estimate by the Capital Area Ground Water Conservation Commission of the number of water wells drilled for the past five years indicates an average of 10 or less nonexempt wells would be permitted per year. There would be no effect on the revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS

TO DIRECTLY AFFECTED PERSONS OR  
NONGOVERNMENTAL GROUPS (Summary)

No additional preparation costs would be incurred because present rules call for plans to be submitted for proposed water wells.

IV. ESTIMATED EFFECT ON COMPETITION AND  
EMPLOYMENT (Summary)

No adverse effect on competition and employment is expected.

Don C. Dial  
Director  
9607#020

H. Gordon Monk  
Chief Coordinator of the  
Legislative Fiscal Office