**Board of Commissioners Meeting Minutes**

**Capital Area Groundwater Conservation District**

**Renaissance Hotel**

**June 15, 2023**

1. **Call to Order**

Matt Reonas standing in for Karen Gautreaux – Capital Area Groundwater Conservation Commission (CAGCC) Chair

1. **Roll Call**

Gary Beard – CAGCD Executive Director

In attendance: Nolan Brown, Patrick Engemann, Patrick Hobbins, Rachael Lambert, Jonathan Leo, Angela Machen, Jesse Means, Matt Reonas, Ron Savoy, Tom Seagraves, Cyril Vetter.

Not in attendance: Ken Dawson, Lane Ewing, Lauren Fields, Greg Phares, Karen Gautreaux, Camille Manning-Broome.

1. **Establishment of a Quorum**

Matt Reonas standing in for Karen Gautreaux– CAGCC Chair

11 in attendance, we have a quorum.

1. **Invocation**

Gary Beard – CAGCD Executive Director

1. **Pledge of Allegiance**

Gary Beard – CAGCD Executive Director

1. **Recognition of Guests**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

Roy Waggenspack -interested party, Catherine Crawford- Boles Law Firm, Robert Berg- LMOGA, Kimberly- Taylor Porter, Tara Wicker- W Consulting Group, Doug Melancon – Exxon, Ryan Clark – Halff Associates.

1. **Amendments to the Agenda**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

None.

1. **Approval of Minutes – April 20, 2023, Meeting (action required)**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

Ms. Lambert said she has an amendment for the minutes. Her name is spelled incorrectly. It should be Rachael not Rachel. Mr. Beard said he would have the minutes amended to reflect the correct spelling.

Motion by Mr. Savoy and second by Mr. Means to approve the minutes with the amendment. None opposed. Motion approved.

1. **Executive Director’s Report**

Gary Beard – CAGCD Executive Director

* 1. FY 2023-2024 Budget **(action required)**

Mr. Beard opened the discussion of the budget report and line items, in detail, for the Board’s discussion and approval. He told the Board the budget was presented previously to the Executive and Administrative Committees for discussion and was approved. He explained the COLA for his salary and Ms. McNamara’s. Mr. Beard said he used an inflation index of seven percent for his salary increase and Ms. McNamara was eligible for a step increase that moved her to an Engineer 8. Ms. Lambert asked if Ms. Manda was on the payroll of the Commission. Mr. Beard said no she is not; she is a part-time contract employee.

Mr. Beard explained the $65.00 per million gallons groundwater fee and the $2000.00 permit fee were added as income.

Mr. Leo asked for the balance left in reserves. Mr. Beard said approximately $500,000. Mr. Leo questioned the drop in allocation for USGS. Mr. Beard said the workload will transfer more to Dr. Tsai and TWIG and away from USGS.

Mr. Vetter asked if we could get pictures of the installed meters and close ups of the actual meter on the website to show it's not as invasive as everyone seems to think. Mr. Beard said yes, he will have those added to the website.

Mr. Vetter, Mr. Reonas, Ms. Lambert and Mr. Leo discussed potential involvement/ support of the Legislative Auditor’s office in the BRWW lawsuit. Mr. Beard said he will have the District’s attorneys inquire about this.

Mr. Means, Mr. Reonas, Mr. Leo and Mr. Beard discussed the role of and payments to the attorney general’s office.

Mr. Reonas clarified that the vote on the budget is also to ratify the annual ratification of the pumpage fee.

Motion by Mr. Leo and second by Mr. Seagraves to approve the budget and pumping fee as presented.

Public comment: Mr. Waggenspack asked about the application fee. Mr. Beard said the application fee of $2,000 for each new well permit as allowed by law would cover part of the costs of the permit review and modeling. Mr. Waggenspack asked about information already provided to LDNR. Mr. Reonas and Mr. Beard suggested a separate discussion with Mr. Waggenspack.

Roll call vote: Mr. Brown- Yes, Mr. Engemann- Yes, Mr. Hobbins- Yes, Ms. Lambert- Yes, Mr. Leo- Yes, Ms. Machen- Yes, Mr. Means- Yes, Mr. Reonas- Yes, Mr. Savoy- Yes, Mr. Seagraves- Yes and Mr. Vetter-Yes. Unanimous vote. Motion approved.

* 1. Resolution to request approval from Attorney General’s Office to retain Boles LawFirm **(action required)**

Mr. Beard said the Attorney General’s office has changed their forms since last fiscal year. He said the Board had previously approved Boles Law Firm contract, but it needs approval again for the current fiscal year coming up. Mr. Reonas asked if this resolution is pro forma. Mr. Beard responded affirmatively.

Motion by Mr. Seagraves and second by Mr. Leo to approve the contract for Boles Law Firm to retain their services.

No public comment. None opposed. Motion approved.

* 1. Resolution to request approval from Attorney General’s Office to retainBreazeale, Sachse and Wilson, LLP **(action required)**

Mr. Beard said the approval for Breazeale, Sachse and Wilson requires the same approval for the AG’s office.

Motion by Mr. Seagraves and second by Mr. Leo to approve the Breazeale, Sachse and Wilson contract to retain their services.

No public comment. None opposed. Motion approved.

* 1. Resolution to set annual groundwater fee, set application fee, and approve annual contracts **(action required)**

Mr. Beard introduced the resolution. Mr. Reonas opened discussion with a history of the permit application and the need for the fee.

Mr. Waggenspack commented on letters sent by LDNR in the last 6-12 months LDNR on saltwater intrusion and the effects of other wells. The changes in procedures due to modeling are tough. He discussed LDNR and CAGCD having all their requirements on their websites to be transparent so applicants can understand what is required. Mr. Beard said he will be working with LDNR. Mr. Reonas said the District will certainly provide these answers. Ms. Machen said she would like to go through our evaluation process and see how that looks comparatively to the other applications the users must submit to all other entities. Mr. Beard said he is planning to do that with the technical committee. Mr. Leo commented on the revisions to the permitting process.

Motion by Mr. Seagraves and second by Mr. Leo to approve a resolution to set the annual groundwater fee, set application fee, and approve annual contracts.

Public comment: Dr. Losanski said regarding the fees, this is a flat fee, yet in other states there is a graduated scale based upon daily production. Mr. Reonas said the District only has authority over wells that are pumping over 50,000 gallons a day. Ms. Lambert suggested we think about looking into paying a third party directly, so we aren’t bound by the $2,000 limit. Mr. Melancon asked for clarification on the application fee. Dr. Losanski asked if changing the elevation of the pump in the well change the constitute of the well. Mr. Beard said there would be further discussion in the next item regarding this.

None opposed. Motion approved.

* 1. Revision of LAC 56:V.907 **(action required)**

Mr. Bear introduced the item. Ms. Crawford informed the Board the only change to Rule §907 is the inclusion of the $2,000 fee number.

Mr. Beard said all the input is valid and should be considered in technical committee so that we can include information and actions that should be part of the application process. Ms. Lambert said we need to know when a permit is required and what is excluded from needing a permit. The Commissioners discussed the need and process for setting up guidelines for the permitting protocols and procedures.

Public comment: Mr. Berg commented on the process being similar to how Texas runs their air permit program. He mentioned with unknowns there would be push back because companies will not want to put forth a large expenditure if the permit will ultimately be denied. Ms. Lambert said it’s not actually a double permitting process; it is an inspection to determine whether what was installed is in compliance with the permit. Mr. Berg said he wants it to be like a home inspection so if I fix all the issues then I want to be able to move forward.

Motion by Mr. Means and second by Mr. Leo to approve the revision of LAC 56:V.907 contingent on the addition of the language in section F including permitting procedures that shall be approved by the Board.

No further public comment. None opposed.

Roll call vote: Mr. Brown- Yes, Mr. Engemann- Yes, Mr. Hobbins-Yes, Ms. Lambert-Yes, Mr. Leo-Yes, Ms. Machen- Yes, Mr. Means-Yes, Mr. Reonas-Yes, Mr. Savoy- Yes, Mr. Seagraves-Yes, Mr. Vetter-Yes. Unanimous vote. Motion approved.

1. **Chairman’s Report**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

There was no report.

1. A**dministrative Committee Report**

Patrick Hobbins – CAGCC Administrative Committee Chairman

Mr. Hobbins said they covered the budget in the last Administrative Committee meeting.

1. **Technical Committee Report**

Tom Seagraves – CAGCC Technical Committee Chairman

Mr. Seagraves said there was nothing to report.

1. **Executive Committee Report**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

Mr. Reonas said the committee went into Executive Session to discussion the litigation and approved Ms. Manda and Gary Beard’s contracts, respectively. The budget was approved and there was a discussion of strengthening the Executive Director’s evaluation. This will be brought up to date so the full Commission can weigh in on it at the end of the year. The public relations strategy was discussed, and suggestions made.

1. **Member Agenda Items**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

There were no member agenda items.

1. **Old Business**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

There was no old business.

1. **New Business**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

There was no new business.

1. **Commissioner Comments**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

There were no comments.

1. **Announcements**

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

 There were no announcements.

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

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

Dr. Losanski opened a discussion about a permit manual and/or operation manual of conservation regulations for the people putting in the wells. He said he thinks they will have difficulty having two organizations governing the construction of the well and CAGCD is doing traffic control not the vehicle inspection. Mr. Reonas said this is an accurate description, but again when this District was created it was brand new for the state and that’s why the rules and regs are cradle to grave. Ms. Lambert said this commission doesn’t regulate construction, it just regulates timing. An inspection of the as-built construction and don’t seem out the norm of what we are supposed to do.

Dr. Losanski said many of the permit applications you get are for current wells to be redeveloped. Dr. Losanski stated if the $2,000 fee would apply when redeveloping then the applicant would probably want to start with a new well and not use an existing well.

Mr. Waggenspack discussed authority of LDNR and DOTD. He provided information on the cumbersome and unclear path required to construct and produce water. Mr. Reonas offered insight on the history of and cooperation between LDNR and DOTD. Mr. Leo and Ms. Lambert discussed cooperation and necessity of compliance with all state agencies. Mr. Reonas discussed the importance of streamlining where possible.

Mr. Waggenspack asked if the District would update the website with the meeting days, times, sites, etc. Ms. Lambert and Mr. Beard discussed notice of meeting changes and scheduling of meetings. Mr. Reonas said we have an interested parties list that gets the notice. Ms. Machen asked about the standard reoccurring meeting schedule set by the Board. Ms. Manda said it’s the third Thursday of every other month, but we don’t have the times set. Mr. Beard said he will meet with Chair Gautreaux and set the times. The commissioners discussed the difficulty in scheduling the committee meetings.

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

Matt Reonas standing in for Karen Gautreaux – CAGCC Chair

Motion by Mr. Leo and second by Mr. Means to adjourn the meeting. Motion approved. Meeting adjourned.

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Gary J. Beard, Executive Director