

**Minutes of the
Arkansas Water Well Construction Commission Meeting
October 3, 2014**

The regular meeting of the Arkansas Water Well Construction Commission was held on October 3, 2014 at 9:00 AM in the Arkansas River Room at Arkansas Natural Resources Commission, 101 East Capitol, Suite 350, Little Rock, Arkansas.

Commissioners in attendance: Chairman Washington; Vice-Chairman Jones; Commissioners Pender, McDermott, Hunt, Gilbert, and Randy Young, Executive Director of ANRC.

Arkansas Natural Resources Commission staff in attendance included: Edward Swaim, Chief Water Resources Management Division; Deanna Ray, Associate General Counsel; Jessica Wallace, ANRC Administrative Services Manager; Todd Fugitt, ANRC Geology Supervisor; Jacob Harvey, Water Well Inspector; Perry Dotson, Water Well Inspector; and Jackie Broach, Ground-Water Administrative Analyst.

Chairman Washington called the regular meeting of the Arkansas Water Well Commission to order.

Approval of Minutes:

Vice Chairman Jones presented the July 25, 2014 Minutes. Commissioner Pender stated that he felt the remarks regarding the proper installation of a well by Mr. Steve Dwyer in Other Business of the July 25, 2014 Minutes were not completely accurate. After discussion, Executive Director Young made a motion to amend the language in the Minutes as discussed and to approve the Minutes as corrected. Motion was seconded by Commissioner Gilbert. Motion carried.

Executive Secretary's Report:

Executive Secretary Young asked Ms. Jessica Wallace, to present the AWWCC Budget for the 2015-2016 year. Ms. Wallace gave a summary of the budget and stated that the budget is standard and is in line with other years. She stated that no changes were being asked in the budget amounts.

Commissioner Pender made a motion to approve the budget as presented, seconded by Executive Director Young. Motion carried.

Financial Report:

Jessica Wallace, ANRC Administrative Services Manager, presented the monthly financial report ending September 30, 2014. She reported Total Revenue of \$171,189.71; Total Expenses of \$37,546.22; and YTD Net Revenue of \$133,643.49, leaving a Total Fund Balance of \$420,344.42. Ms. Wallace reported that finances are standard as in years past.

Financial Report was approved.

Legal:

Associate General Counsel Deanna Ray reported that the Rules, Regulations and Fees Committee recommended removing the Exam Fees assessed to applicants wanting registration with AWWCC. They recommended that testing of applicants no longer be done by AWWCC, but to be done with the National Groundwater Association and that the fees assessed by AWWCC would no longer apply.

Associate General Counsel Ray also reported that she and the Water Well staff have been working together on updating the Water Well Inspection Form. She also advised that their final draft of any changes to the law or rules and regulations must be made as soon as possible in order to be presented in the 2015 Arkansas legislative session.

Water Plan Update:

Executive Director Young reported that ANRC is close to finishing the updated Arkansas Water Plan and asked Mr. Todd Fugitt, ANRC Geology Supervisor to update the Commission on the final draft of the Water Plan.

Mr. Todd Fugitt reported that Water Plan has been a two year process. He stated that ANRC has held around forty public meetings and has given many requested presentations, roughly totaling around 140 meetings in all, all over the state regarding the Water Plan update. Mr. Fugitt stated that we are in the final comments stage of the Water Plan Executive Summary update and have until October 24, 2014 for any comments to be made. He stated that a large number of people have been involved in this Water Plan update including staff, other agencies, technical, property owners, the agriculture industry and many others, and referred the Commission to the fact sheet included in their folders. Mr. Fugitt also stated that the newsletter attachment gives a lot of attention to groundwater decline. Critical groundwater areas in Eastern Arkansas continue to experience declining levels and that ANRC staff, along with USGS staff, continue to do groundwater measurements and that this information is included in the annual Groundwater Report. He stated that in some parts of the state there has been a decline in some aquifers, as there was in 1990 when the last Water Plan was done, and stated that we are still continuing to monitor these declines. Mr. Fugitt stated this Water Plan brings forward the concept that was established in 1990, which is conservation, education, and the use of excess surface water, and that we have stressed in this Water Plan to go forward with the use of sustainable groundwater and what truly can be defined by law as excess surface water. He reported that, on a statewide level, we will have a groundwater unmet demand or a gap, if you will, by the year 2050, of about 8.2 million acre feet per year and that according to how the law defines excess surface water right now, we do have about 8.7 million acre feet of excess surface water, which means that we have enough excess surface water to meet our needs. However, excess surface water is not located everywhere that needs it or maybe only in the right times. Seasonally and within

certain basins, there is not adequate excess surface water. Our Water Plan will set policy and give guidance for these specific issues.

Mr. Fugitt also brought out the need for infrastructure. He stated that Arkansas has insufficient infrastructure and that the state needs to construct water and sewage systems that provide a state plan for reliable water supply to the system and to the communities, and to take advantage of the regional infrastructure opportunities.

Mr. Fugitt also reported that pro-active management is needed to initiate pro-active, systematic and measured evaluation of existing water law procedures. He states that Regional Planning priorities are recognized, targeted and maintained as a goal. Lastly, he stated that reliable data is necessary and that quality information comes from data on water usage. Mr. Fugitt stated that he feels that what we do have is good enough for a groundwater flow model and that the integrity of it has been established, but could be improved upon. Water level data has nothing to do with what is reported by water usage. Most of that data comes from irrigation and public supply well reporting with domestic wells being exempt. He said there were questions regarding the Alluvial aquifer and state that the Alluvial aquifer wells and domestic wells both are exempt from reporting. In an effort to address this, he reported the Water Plan was to increase from 11 to 51 real time meter water use sites on alluvial wells, which are to be done on a voluntary process and believe this approach will give better water quality data. As a footnote to this, he stated that the farmers across the state requested that the Water Well Contractors provide latitude and longitude as well as township range and section filled out on the construction reports. He stated that it was not required, but was a formal request that the Contractors do help out by providing this information. Executive Director Young asked that ANRC staff look into finding a reliable and easy way to convert the latitude and longitude for the farmers and others that need it.

Consideration of Applicants:

Jackie Broach presented the following applicants for Commission approval:

STATUS OF THOSE ALREADY APPROVED:

	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>	<u>EXAM</u>
Clinton S. Herron	Cascade Drilling LP	Aiken SC	(D) Passed
Spencer W. White	Pinnergy LTD	Austin, TX	(D/PI) Passed
Jonathan G. Jackson	Jackson's Farm Services	Clinton, AR	(D/PI) Passed
Calvin C. Lyles	NEA Well Service	Paragould, AR	(PI) Passed

NEW DRILLER APPLICANT

	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
Brian K. Bauer	Booth Heating & Air	Quincy, IL
Larry W. Rome	Eustis, Engineering	Metairie, LA

Vice Chairman Jones made a motion to approve these applicants as presented, seconded by Executive Director Young. Motion carried.

NEW PUMP INSTALLER APPLICANT

	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
Robin M. Munzner	Munzner Pump Company	Harrison, AR

Vice Chairman Jones made a motion to approve these applicants as presented, seconded by Executive Director Young. Motion carried.

NEW DRILLER APPRENTICE APPLICANT

EMPLOYER NAME

CITY/STATE

None

NEW PUMP INSTALLER APPRENTICE APPLICANT

EMPLOYER NAME

CITY/STATE

None

Mrs. Broach also presented a listed of contractors and independent drillers and pump installers who did not renew their license, registrations or rigs and stated that she had called and spoke with or left messages reminding them that they hadn't renewed and are now expired as of August 30, 2014. She also stated that after her follow-up, if they still haven't renewed or returned calls that they were turned over to the Inspectors for personal follow-up. Executive Director Young asked how much time lapse was there before the Inspector's followed up. Mrs. Broach responded that they follow up immediately and had already done so with some, and that a final report will be given at the next commission with the results.

Inspectors Report:

- Illegal Drilling and Pump Installers inspections
 - Baxter Co. – On going
 - Faulkner Co. – Confronted plumber about needing AR water well Contractor license & pump registration to work on wells. He said he refers any well work calls received to an AR licensed water well contractor.
 - Madison Co.- On going
 - Pope Co. – On going- Possible plumber doing pump work.
 - Pulaski Co.- On going
 - Searcy Co. – On going
 - Sebastian Co. - No evidence of any illegal activity.
- Rig Inspections
 - Baxter Co.-Rig for Sale Not in use.
- Contractor Visits
 - Arkansas Co. (2)
 - Conway Co. (1)
 - Desha Co. (1)
 - Faulkner Co. (1)
 - Franklin Co. (1)
 - Fulton Co. (1)
 - Lonoke Co. (1)
 - White Co.(1)
 - Woodruff (1)
- Training/ WW Database
 - Desha Co. (1)

- Anonymous calls on unlicensed contractors (0)
- 158 well reports were entered by staff August- October 1st.
- 400 well reports were entered by (48) contractors in August

We have found a large number of significantly late construction reports. These reports are far beyond the occasional "down-time" of the on-line database report entry program. This information will be provided to legal staff as appropriate.

Commissioner Pender stated that he had been checking the database and that a significant number of contractors claiming to be in business were not reporting and only a few were being turned in by some who were reporting. He stated that non-reporting or the few reports some are turning in could not sustain a business being in operation. Executive Director Young reported that the AACD requested that ANRC provide them with the construction reports of new wells drilled so they could obtain the water use status. Mr. Harvey responded that in the past month that he had sent the new irrigation well reports to the northeast districts. Executive Director Young asked that he spot check the most recent water use reporting to verify construction reports on those wells and report to the next meeting.

Other Business:

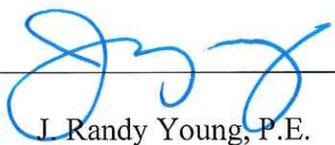
Mr. Britt Hill showed the commission pictures he took of the existing billboards put up by the Commission in Harrison and in Mount Ida. He recommended going ahead with two more billboards, one in Texarkana, AR at \$4400.00/month per year and the other in Mountain Home, AR at \$4800.00/month per year as previously discussed, and with Commission approval, will move ahead with a one year contract.

Commissioner Hunt made a motion for staff to move forward with the billboards, seconded by Vice-Chairman Jones. Motion carried.

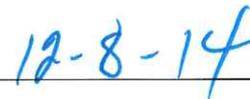
Commissioner Gilbert reported that the Rules, Regs and Fees Committee completed their work and submitted them to legal staff. He stated that they will be submitted to the Commission as soon as staff gets them drafted up.

Chairman Washington appointed Executive Director Young as acting Chairman, and Commissioners Hunt and Jones to the Nominating Committee to recommend officers of the AWWCC for the 2015 year.

Meeting adjourned.



J. Randy Young, P.E.
Executive Secretary



Date