
DIGEST

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CONFERENCE COMMITTEE REPORT DIGEST

HB 423

2017 Regular Session

Leopold

Keyword and oneliner of the instrument as it left the House

ENVIRONMENT/WATER: Authorizes the secretary of the Louisiana Department of Environmental Quality to establish and administer a water quality trading program

Report adopts Senate amendments to:

1. Add "certifying" and "generating" as criteria for the validation, approval, and sale of banked credits.
2. Remove demonstration projects from that which may be used to aid in the development of a water quality trading program prior to the adoption of regulations.
3. Require review of rules and regulations implementing proposed law by the House and Senate agriculture committees.

Report amends the bill to:

1. Make technical corrections.

Digest of the bill as proposed by the Conference Committee

Present law authorizes the secretary of Dept. of Environmental Quality to adopt and promulgate rules and regulations that implement a point source to point source effluent reduction credit banking system in watersheds where the department has implemented Total Maximum Daily Load limitations.

Proposed law removes authority of the current banking program and authorizes the secretary to adopt and promulgate rules and regulations that implement a water quality trading program that may include point source and nonpoint source participation.

Proposed law requires the regulations of the program provide for criteria for certifying, generating,

quantifying, and validating credits; the geographical limitations on the use of credits; monitoring, certifying, generating, use, banking, term, enforcement, and sale of credits; required approvals of the department relating to credits; recordkeeping; and compliance with federal and state laws and regulations.

Present law limits trading of credits to within the same watershed where the credits are earned. Proposed law removes the watershed limitation.

Proposed law authorizes a pilot project to aid in the development of a water quality trading program prior to the adoption of regulations authorized by proposed law.

Present law specifies that credits are pollutant specific and may only be traded for that pollutant and days when constituent testing is conducted, unless other creditable pollutants are approved. Proposed law removes present law.

Proposed law requires review of rules and regulations implementing proposed law by the House and Senate agriculture committees.

Present law requires participants to monitor water quality and prohibits participants from using credits earned by another participant for more than 20 months in any 24 month period. Proposed law removes present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 30:2074(B)(9)(a), (b), and (c); Repeals R.S. 30:2074(B)(9)(d) and (e))