

RÉSUMÉ DIGEST

ACT 371 (HB 423)

2017 Regular Session

Leopold

Prior law authorized 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.

New 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.

New 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; record keeping; and compliance with federal and state laws and regulations.

Prior law limited trading of credits to within the same watershed where the credits are earned. New law removes the watershed limitation.

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

Prior law specified that credits were pollutant specific and could only be traded for that pollutant on days when constituent testing is conducted, unless other creditable pollutants are approved. New law removes prior law.

New law requires review of rules and regulations implementing proposed law by the House and Senate agriculture committees in addition to the review required in existing law.

Prior law required participants to monitor water quality and prohibited participants from using credits earned by another participant for more than 20 months in any 24 month period. New law removes prior law.

Effective June 23, 2017.

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