

# GreenARMY

Louisiana Legislative Report Card  
2015 Legislative Session





In memory of Rep. Alfred Williams (1951 - 2015), a most honorable public servant and courageous fighter for a safer, healthier environment for the good people of Louisiana.

# GreenARMY

## Louisiana Legislative Report Card 2015 Legislative Session

The GreenARMY is a non-partisan, state-wide coalition of organizations, civic groups, and individuals fighting to preserve Louisiana's culture and environment. The coalition is involved in numerous environmental campaigns that fall under the umbrella of clean air, clean water, clean land, and healthy food.

The Louisiana Legislative sessions alternate between regular and fiscal sessions. This year's Legislative session was fiscal. The legislation that was introduced primarily focused on money issues, however, each legislator was allowed to introduce five bills on other topics. The GreenArmy was fortunate to be associated with legislators who support our issues and sponsored bills and resolutions on air monitoring, groundwater protection, safe schools, and the impacts of open burning of explosives at Camp Minden.

While successful in blocking most anti-environmental legislation, it has been difficult to pass legislation protecting our air and water. GreenArmy bills that failed in committees made a quiet reappearance as resolutions that eventually were passed. These resolutions need to be followed up in the legislative process in order to be effective. Progress is being made, but it has been difficult, especially with state environment and conservation agencies not supporting strong environmental initiatives.

### Methodology

It was difficult to rank the Louisiana's State Representatives and Senators support of environmental legislation because there were so few bills passed out of the House Natural Resources and Environment Committee. Therefore, in an effort to provide some insight into the process; follow-up Resolutions addressing Environmental issues have been included.

## Groundwater Protection

The Baton Rouge area is privileged to have access to incredible fresh drinking water coming from the local aquifer, but this aquifer is not being managed in a sustainable manner. Conditions in the aquifer have been deteriorating for the past several generations, and the rate of deterioration has increased substantially in recent years. Industry has been pumping 80 million gallons of fresh drinking water from the aquifer daily, 365 days per year. Local industry could easily get their water from the Mississippi River, which is already the water source for industry south of Baton Rouge. By switching from groundwater to river water local industry would greatly extend the life of Baton Rouge's source of fresh drinking water. The cost to switch for these companies is minimal, while the public would benefit immensely. Even though this solution is well-known, state regulators have done little to protect the public water supply and public health.

Groundwater management requires true leadership and insight to aggressively address the pending crisis. Decisions concerning the use of groundwater need to be made by unbiased governing bodies. The Capital Area Groundwater Conservation District (CAGWCD) is charged with oversight of the current situation. Its leadership is dominated by the companies that profit from the misuse of groundwater which has resulted in the CAGCD essentially abdicating its public health responsibilities.

Representative Regina Barrow submitted legislation, HB745, that would have prohibited any person from serving as a member of the governing body created for the purpose of conserving ground water if the person is employed by, has an ownership interest in, or is a consultant of a private entity that produces ground water. The bill failed in committee, but a subsequent study request (HSR 5) on groundwater submitted by Representative Barrow was passed.



## Air Monitoring

Fence-line communities are Louisiana neighborhoods that border major air pollutant emission sources. These communities are regularly exposed to toxic air emissions, and this exposure creates severe long-term impacts on public health. Emissions and related exposure are often continuous. However, for many facilities, air pollutant emissions can also take place as occasional leaks or major emission events. Fence-line community health is impacted both by ongoing exposure as well as by the sudden pollution events and accidents.

HB590 by Representative Kenny Cox proposed the installation of real-time air monitoring systems near fence-line communities. These systems would assist Louisiana facilities in accurately identifying emissions and gathering data about what is and what is not coming from their facility. These systems would provide ongoing reports on air quality in the area. When pollutants in the air exceed health screening levels, the residents, first responders, and nearby communities would be notified. DEQ would be charged with developing the overarching policies and procedures based on the structure set forth in the bill.

The bill and the subsequent resolution, HCR 177, was opposed by both Industry and LDEQ. Rep. Stuart Bishop, vice-chair of the House Natural Resources and Environment committee, refused to let the committee even hear the resolution. Senator Yvonne Dorsey-Colomb then submitted and passed Senate Resolution, SR188, addressing air monitoring.



## Safe Schools

The Recovery School District in New Orleans is planning to build a pre-K through 12th grade school on a portion of the former Clio Street/Silver City Dump. This is the site where Booker T. Washington High School was built in the 1940s. The land is contaminated with sludge, solid waste, hazardous waste and oilfield waste.

Representative Joseph Bouie introduced legislation, HB 180, which would prohibit the governing authority of any public school or school in a special school district from approving, authorizing, or implementing a plan for the construction of a school on land formerly used as a disposal site for these wastes. Testimony from concerned citizens questioned the advisability of using this site as a school location, and technical information was presented addressing the toxic chemicals still present in the soil at the site.

Despite this testimony, the Louisiana Department of Environmental Quality opposed the legislation and maintained that it would be safe for children to attend a school built on the site after the completion of previously approved remediation.

The House Education committee had unanimously approved the legislation and it received over 35 co-authors as it passed the Louisiana House of Representatives. The legislation then went to the Senate Education committee where it was aggressively opposed by LDEQ at the committee hearing. No vote was taken thereby letting it die in committee. and not move on to the Senate floor.



## Open Burning at Camp Minden

On October 15, 2012, an uncontrolled explosion at Camp Minden at an abandoned military facility in Webster Parish, shattered windows four miles away and generated a 7,000 foot mushroom cloud. It was discovered that millions of pounds of chemicals and explosives were being improperly stored at the facility and exposed to the weather. A company that had been hired to remove the propellant had left the site in a dangerous condition.

In October of 2014, the United States Army, the Environmental Protection Agency, the Louisiana National Guard and the Louisiana Department of Environmental Quality entered into an agreement to hire another contractor to destroy the explosives and propellants. This was to be accomplished using an open burn. The citizens of the area strongly objected and the open burn was delayed. Citizens, agencies and environmental organizations then formed a Dialogue group to review the situation and make recommendations.

Representative Gene Reynolds of Minden introduced a resolution that directed the Louisiana National Guard to not accept waste explosives at Camp Minden after August 1, 2015. The resolution (HCR 172) passed.



## Looking Back (and Forward)

Each legislative session is a continuation of the “forward motion” of the GreenARMY. We continue to elevate the issues of pollution to our air, water and land. Citizens in all parts of the state, from Webster Parish to St. Tammany Parish, are impacted by environmental decisions made by state agencies and lawmakers. With the support of the GreenARMY citizens are speaking out and contacting their legislators demanding to be heard.

## Green TEAM LEADERS

These are the legislators who not only sponsored GreenARMY legislation, but continued to move forward despite setbacks in committees.

### Rep. Regina Barrow

Rep. Barrow introduced legislation to create a governing body that would protect Louisiana's groundwater, especially that of Baton Rouge. When her legislation failed in committee, she passed a House Study Resolution (HSR 5) to study groundwater use.

### Rep. Joseph Bouie

Rep. Bouie introduced legislation to prohibit the construction of schools on former waste sites. This was a very "common sense" bill that met defeat in the Senate Education committee.

### Rep. Kenny Cox

Rep. Cox introduced legislation, HB590, to require fence-line air monitoring at certain facilities. This was opposed by the Chemical industry, the Oil and Gas industry, and the Louisiana Department of Environmental Quality. When this failed, Rep Cox introduced a resolution (HCR 177) to have DEQ, industry and environmental groups form a study commission. The resolution was opposed by both Industry and the LDEQ. Rep. Stuart Bishop, vice-chair of the House Natural Resources and Environment committee, refused to let the committee hear the resolution.

### Sen. Dorsey-Colomb









Senator Dorsey-Colomb, understanding the health impacts of air pollution, continued Rep. Cox's effort to secure air monitoring legislation by introducing Resolution 188 which was adopted by the Senate. Senate Resolution (SR 188) requested the Senate Committee on Local and Municipal Affairs to study the effects of pollution on municipalities and make them aware of air monitoring systems that can detect pollutants.

In addition Senator Dorsey-Colomb took the lead in the Senate to oppose HCR 29, a resolution requesting the USEPA to withdraw its proposed guidelines for













reducing carbon emissions from power plants. Her continuing dedication to the improvement of our environment is greatly appreciated.

## GreenTEAM

House Of Representatives			
	<b>Austin Badon</b> <i>District 100 - New Orleans</i>		<b>Regina Barrow</b> <i>District 29 - Baton Rouge</i>
	<b>Robert E. Billot</b> <i>District 83 - Westwego</i>		<b>Joseph Bouie</b> <i>District 97 - New Orleans</i>
	<b>Roy Burell</b> <i>District 2 - Shreveport</i>		<b>Patrick Connick</b> <i>District 84 - Marrero</i>
	<b>Kenny R. Cox</b> <i>District 23 - Natchitoches</i>		<b>John Bel Edwards</b> <i>District 72 - Amite</i>
	<b>A. B. Franklin</b> <i>District 34 - Lake Charles</i>		<b>Jeffrey "Jeff" Hall</b> <i>District 26 - Alexandria</i>

# GreenTEAM

House of Representatives			
	<p><b>Edward C. "Ted" James II</b> <i>District 101 - Baton Rouge</i></p>		<p><b>Robert A. Johnson</b> <i>District 28 - Marksville</i></p>
	<p><b>Terry Landry</b> <i>District 96 - New Iberia</i></p>		<p><b>Jack Montoucet</b> <i>District 42 - Crowley</i></p>
	<p><b>Stephen J. Ortego</b> <i>District 39 - Carencro</i></p>		<p><b>Vincent J. Pierre</b> <i>District 44 - Lafayette</i></p>
	<p><b>Patricia Haynes Smith</b> <i>District 67 - Baton Rouge</i></p>		<p><b>Alfred C. Williams</b> <i>District 61 - Baton Rouge</i></p>
	<p><b>Patrick C. Williams</b> <i>District 4 - Shreveport</i></p>		<p><b>Ebony Woodruff</b> <i>District 87 - Terrytown</i></p>

# GreenTEAM

Senate			
	<p><b>Sharon Weston Broome</b> <i>District 15 - Baton Rouge</i></p>		<p><b>Troy E. Brown</b> <i>District 2 - Napoleonville</i></p>
	<p><b>Yvonne Dorsey-Colomb</b> <i>District 14 - Baton Rouge</i></p>		<p><b>David Heitmeier</b> <i>District 7 - New Orleans</i></p>
	<p><b>J. P. Morrell</b> <i>District 3 - New Orleans</i></p>		<p><b>Edwin R. Murray</b> <i>District 4 - New Orleans</i></p>
	<p><b>Karen Carter Peterson</b> <i>District 5 - New Orleans</i></p>		






## Less-Than-Green TEAM

We feel it is important to let citizens know how their legislators voted on environmental issues. Legislation is often stopped at the committee level. It is very difficult to get good environmental legislation when the members of Environmental committees consistently vote against monitoring our air and groundwater. We have limited our “Less Than Green Team” to members of these committees.

## Less-Than-Green TEAM

House Of Representatives			
	<b>Stuart J. Bishop</b> <i>District 43 - Lafayette</i>		<b>Charles R. Chaney</b> <i>District 19 - Rayville</i>
	<b>Gordon E. Dove, Sr.</b> <i>District 52 - Houma</i>		<b>Raymond E. Garofalo, Jr.</b> <i>District 103 - Chalmette</i>
	<b>Joe Harrison</b> <i>District 51 - Gray</i>		<b>Sam Jones</b> <i>District 50 - Franklin</i>
	<b>Eddie J. Lambert</b> <i>District 59 - Gonzales</i>		<b>Christopher J. Leopold</b> <i>District 105 - Belle Chasse</i>

# Less-Than-Green TEAM

Senate			
	<p><b>James H. "Jim" Morris</b> <i>District 1 - Oil City</i></p>		<p><b>Clay Schexnayder</b> <i>District 81 - Gonzales</i></p>
	<p><b>Sherri Smith Buffington</b> <i>District 38 - Shreveport</i></p>		<p><b>Norbèrt N. "Norby" Chabert</b> <i>District 20 - Houma</i></p>
	<p><b>Dale M. Erdey</b> <i>District 13 - Livingston</i></p>		<p><b>Gerald Long</b> <i>District 31 - Winnfield</i></p>
	<p><b>Michael A. Walsworth</b> <i>District 33 - West Monroe</i></p>		

## Agencies

Both the Louisiana Department of Environmental Quality and the Louisiana Department of Natural Resources were negative factors in this year's Legislative Session.

The LDEQ opposed legislation and resulting resolution that addressed the monitoring of air quality. It also opposed legislation that limited the ability of government to build schools on toxic waste sites.

The DNR raised its fees to support its operation which we supported. However, the legislation was amended in committee to include expedited permits for salt caverns, oil and gas operations, and other DNR permitted activities. The expedited permit process allows applicants to pay department employees overtime to work on a specific permit. While it cannot shorten notification or public comment times, the expedited process compresses the time citizens have to become informed and organized.

## Committees

The House Natural Resources and Environment Committee, the Senate Natural Resources Committee, and the Senate Environment Committee continued to undermine and vote against legislation that would curtail pollution in the state.



## 2015 Session Bills of Interest

### HB 180

BY REPRESENTATIVE BOUIE

**PUBLIC FACILITIES:** Prohibits the construction of schools on former waste sites

HB180 was introduced by Rep. Bouie and restricted use of polluted property for construction of any pre-K through 12th grade school. The bill sponsors hoped that the bill would be passed prior to beginning of construction on a Clio Street/Silver City Dump in New Orleans. The bill was reported favorably by the House Education Committee and the House of Representatives. It did not get out of the Senate Education Committee.

### HB 275

BY REPRESENTATIVE GUINN

**PESTICIDES/HERBICIDES:** Provides with respect to the use of pest control products in certain school classrooms

Rep. Guinn introduced HB275 which added “pre-Kindergarten” to the definition for coverage under the requirements for pesticide spraying plans for schools. The bill was sent to the House Agriculture Committee and passed both the Committee and the House handily. Commissioner Strain wanted to add a fee for this service in Senate Committee, but met opposition from School Boards. An agreement was met and the bill passed.

### HB 590

By REPRESENTATIVE COX

**ENVIRONMENT/AIR:** Requires fence-line air monitoring systems at certain facilities

Rep. Cox introduced this bill in the House Natural Resources Committee where it failed to be passed out.

### HCR 177

By REPRESENTATIVE COX

**ENVIRONMENT/AIR:** Creates a task force to study and evaluate fence line monitoring of certain facilities

Rep. Cox then introduced HCR177 to study the issue. It was referred to the House Natural Resources Committee where Vice-Chairman, Rep. Bishop,

refused to accept the resolution for consideration by the Committee. The resolution died with no votes taken.

## SR 188

By SENATOR DORSEY-COLOMB

**MUNICIPALITIES:** Requests the Senate Committee on Local and Municipal Affairs to study the effects pollution has on local municipalities

In a supporting effort Sen. Dorsey-Colomb introduced SR188 to study the effects pollution has on local municipalities in the Senate where it was adopted.

## HB 745

By REPRESENTATIVE BARROW

**WATER/RESOURCES:** Provides for limitations of memberships of boards charged with the responsibility to conserve ground water

Rep. Barrow introduced this bill and carried it through the hearing before the House Natural Resources Committee. It would have changed the entire make-up of the Capitol Area Ground Water Commission. The new commission set-up would give oversight of the use of the entire Southern Hills aquifer. While generous time was given by the committee, the bill failed to move out.

## HSR 5

By REPRESENTATIVE BARROW

**WATER/RESOURCES:** Requests the House Committee on Natural Resources and Environment to study the sustainability of the aquifers supplying drinking water to the Capitol Area Region

Rep. Barrow preserved the essence of the purpose of HB745 in HSR5 which was a House Study Request to review the use of potable and potentially potable ground water aquifers by industrial users in the Baton Rouge area. It was approved by the House.

## HB 784

By REPRESENTATIVE GORDON DOVE

**CONSERVATION/OFFICE:** Provides for certain fees collected by the office of conservation

The initial legislation increased existing fees and fee caps and created new fees collected by the Office of Conservation. The bill that finally passed also included an expedited permit process.



## HCR 29

By REPRESENTATIVE HARRISON

ENVIRONMENT/AIR: Urges and requests the United States Environmental Protection Agency not to adopt the proposed guidelines on carbon dioxide emissions from existing fossil fuel-fired electric units

Despite testimony that greenhouse gas emissions produced by coal increase sea level rise and impact Louisiana's coastal sustainability, the resolution passed both the House and Senate. Sen. Dorsey-Colomb and Sen. Morrell both argued on the floor against the resolution.

## HCR 172

By REPRESENTATIVE REYNOLDS

ENVIRONMENT/AIR: Directs the Louisiana National Guard not to accept certain waste at Camp Minden

Rep. Reynolds, who is from the Camp Minden area, introduced HCR 172 to assist the area residents who are fighting both the U.S. Army and the EPA. The Army and the EPA plans will allow an "open burn" to dispose of old, surplus military propellants that have been improperly stored at the Minden facility. The resolution was unanimously adopted by the House and concurred by the Senate.

## SCR 46

By SENATOR LONG

WATER QUALITY. Expresses the right of the state of Louisiana to manage its water resources.

Sen Gerald Long submitted a resolution which declares the State's right to be the ultimate authority to manage the use and protection of its water, despite the fact that federal authority takes precedence over state law in regard to Waters of the US. The resolution passed both House and Senate.

## SCR 89

By SENATOR ALLAIN

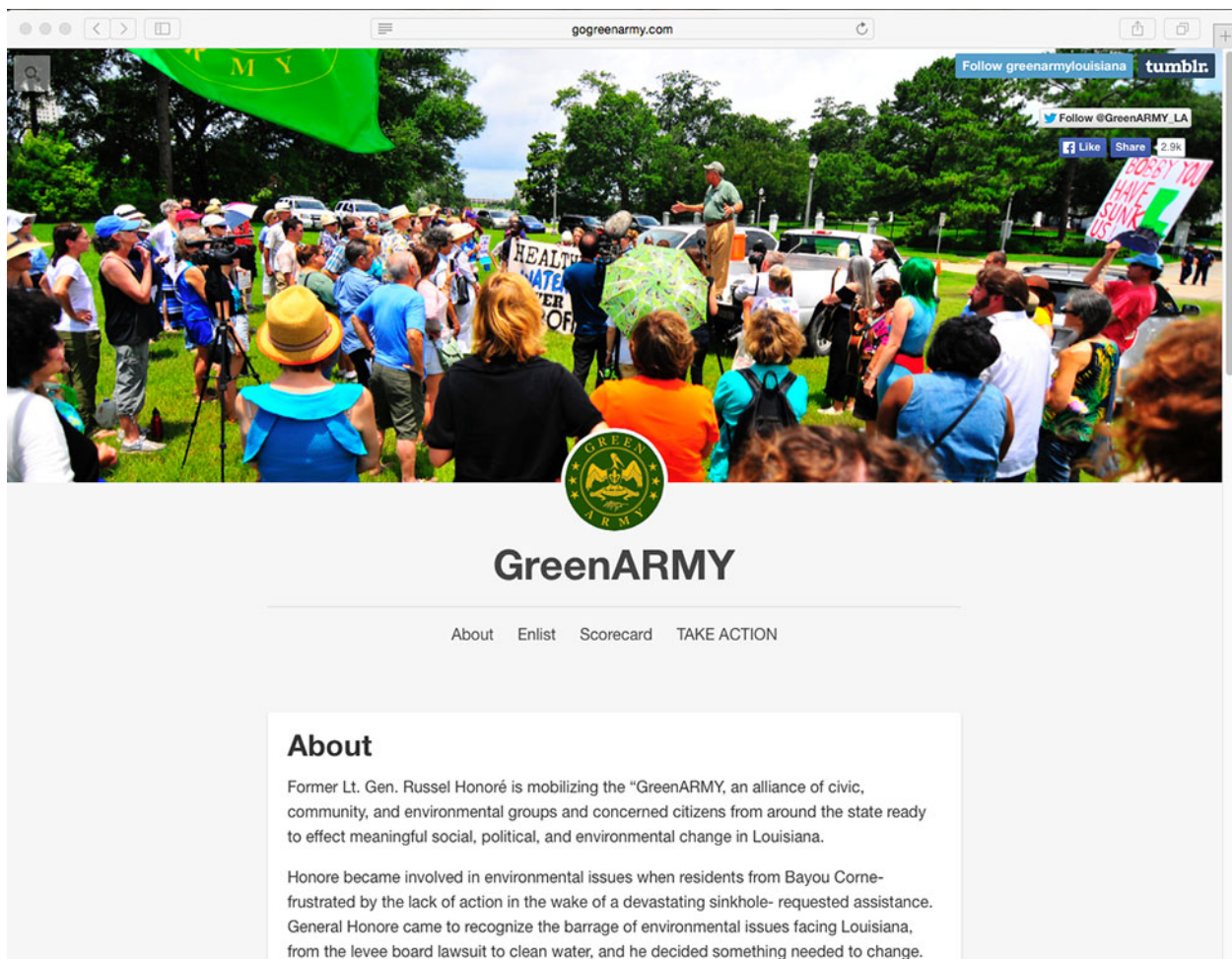
CONSERVATION: Establishes a task force to study the performance audit on the regulation of oil and gas wells and management of orphaned wells.

Sen. Allain brought this resolution in lieu of his bill, SB41 which would have required action by the Office of Conservation. The bill and resolution were

submitted to address the number of orphaned and abandoned oil wells in Louisiana. The number runs into the thousands and never seems to be reduced.

GoGreenARMY.com

Go to <http://gogreenarmy.com> to learn more about the GreenARMY, find out how to follow along with us on social media, or even join up as we march steadily towards a safe and healthy Louisiana!



The screenshot displays the GoGreenARMY.com website. At the top, there is a navigation bar with social media links for Facebook (Follow greenarmylouisiana) and Tumblr (tumblr). Below this is a large banner image showing a crowd of people at an outdoor event. A prominent green banner is visible on the left, and a sign in the center reads "HEALTHY WATER FOR ALL". Another sign on the right says "DOESY YOU HAVE A SINKHOLE?". The website's logo, a green circular emblem with a map of Louisiana and the words "GREEN ARMY", is centered below the banner. The main heading "GreenARMY" is displayed in a large, bold font. Below the heading is a navigation menu with the following items: "About", "Enlist", "Scorecard", and "TAKE ACTION". The "About" section is highlighted, containing the following text:

**About**

Former Lt. Gen. Russel Honoré is mobilizing the "GreenARMY, an alliance of civic, community, and environmental groups and concerned citizens from around the state ready to effect meaningful social, political, and environmental change in Louisiana.

Honore became involved in environmental issues when residents from Bayou Come-frustrated by the lack of action in the wake of a devastating sinkhole- requested assistance. General Honore came to recognize the barrage of environmental issues facing Louisiana, from the levee board lawsuit to clean water, and he decided something needed to change.





<http://gogreenarmy.com>

### Members of the GreenARMY Include:

Advocates for Environmental Human Rights  
Atchafalaya Basinkeeper  
Deep South Center for Environmental Justice  
Concerned Citizens of Grand Bois  
Concerned Citizens of St. Tammany  
Gulf Restoration Network  
Justice for Residents around the Bayou Corne Sinkhole  
League of Women Voters  
Levees.org  
Louisiana Bucket Brigade  
Louisiana Environmental Action Network  
Lower Mississippi Riverkeeper  
Mossville Environmental Action Now  
Oauchita Riverkeeper  
Restore Louisiana Now  
Save Baton Rouge Water  
Save Lake Peigneur  
Sierra Club