

MINUTES OF THE MEETING OF THE  
CADDO PARISH COMMISSION'S  
NATURAL RESOURCES COMMITTEE  
HELD ON THE 21st DAY OF AUGUST, 2023

The Caddo Parish Natural Resources Committee met in legal session on the above date, at 1:33 p.m., in the Government Plaza First Floor Conference Room, with Mr. Atkins, Chairman, presiding, and the following members in attendance: Commissioners Atkins, Epperson, Gage-Watts, Hopkins, Lazarus and Young (7). ABSENT: Commissioners Burrell, and Jones (2).

The invocation was given by Mr. Hopkins, and Mr. Epperson led the Commission in the Pledge of Allegiance.

Mr. Epperson introduced a citizen that attended the meeting.

**NEW BUSINESS**

- Louisiana Mid- Continent Oil & Gas Association Led Noise Fundamentals Training

Mr. Atkins advised that the Commission respects the oil and gas industry as well as respect the rights and privacy of Parish citizens. Mr. Atkins reviewed the process of updating the noise ordinance, and the proposed modifications to the noise ordinance. Mr. Atkins explained that twelve out of the twenty proposed modifications from the oil and gas industry were not accepted and that the unaccepted proposed modifications were explained in a report. Mr. Watt discussed the definition of impacted regulated receiver in the ordinance, which Dr. Kenneth Cunefare explained how impact was defined in the ordinance. Mr. Atkins reviewed the rejections under Sec. 32-160. -Definitions. It was explained how impacted regulated receiver was defined in the ordinance, how nighttime hours and noise was defined in the ordinance, and that temporary noise events would remain at 14 days instead of 30 days.

Under Section 32-161.-Authority having jurisdiction, Mr. ?? explained that industry requested for noise control officers to issue variances under current Sec. 32-161., which Attorney Frazier addressed inconsistencies in Section 32 that needs to be removed. Mr. Hopkins explained the process for operators to request a variance would be through the Public Works department. Then, the Public Works Department would present a recommendation to the Commission for final approval.

Under Sec. 32-162.(b), Attorney Frazier explained that the date the ordinance would be adopted would be reflected in the ordinance. Attorney Frazier addressed Mr. Young's inquiry about the ordinance's effect on current fracking operations.

Under Sec. 32-162.(e), Mr. Atkins indicated that the noise ordinance would become complex and lack the flexibility of Public Works to reasonably enforce the ordinance. Mr. Watt discussed existing definitions from other regulatory agencies. Dr. Cunefare explained the ordinance uses standard language to define new use. Attorney Frazier reviewed new use in the ordinance.

Under Sec. 32-163.(a), Dr. Cunefare reviewed the compliance purposes clause and the application of Table 1. Mr. Atkins indicated that residences should be within the class of protected properties, which Dr. Cunefare explained that residential, commercial and industrial districts apply to parcels with designated land uses and that residential or designated receiver would expand protection to residences. Answering Mr. Atkins about lower dBA levels for residential or designated receivers, Dr. Cunefare explained that rural area residences have a higher expectation of quiet compared to residential districts with higher human activity.

Mr. Atkins reviewed the Sec.32-163.(b) and (c). Mr. Atkins indicated that the noise ordinance may be moved to the full body and suggested that Mr. Watt discuss the ordinance with his advisor.

Under Sec. 32-163.(f)(1)a., Mr. Damien discussed consistency between planning and permitting and compliance. Dr. Cunefare discussed the measurements for determining compliance with or without an approved noise management plan.

Under Sec. 32-164(m)(2), Mr. Atkins discussed the rejection of limiting Parish staff to thirty days to approve a noise management plan. Attorney Frazier indicated that the ordinance provides an initial review within thirty days. Mr. Watt discussed the need for a consistent definition of impacted receivers and the requirement of waivers form impacted receivers in a noise management plan, which Dr. Cunefare explained that operator consultants have measurements to screen noise level and the distance of impact to noise receivers.

Under Sec. 32-164(m)(3), Mr. Young explained that a complaint would signify a problem that could have been addressed. Mr. Atkins discussed the oil and gas industry to avoid complaints and to exercise remedies to a complaint by being proactive against complaints.

Under Sec.32-164(n)(1), Mr. Hopkins indicated that all operators are not compliant and suggested changing from specific times to “sun down” and “sun up”. Mr. Hopkins indicated that a well was present before a house was built near it.

The committee reviewed Sec.32-164.(n)(4), (q), and (r)(1). Under Sec.32-164(r)(2)h., Mr. Young addressed the industry’s request to include the possibility of social and economic benefit that could be including in a variance application.

Under Under Sec.32-164(r)(5)c., Dr. Cunefare explained that an applicant could make a case that they are applying the best practical noise control. Mr. Damien Watts requested that “best practices” be used, which Dr. Cunefare explained the difference between best practical and best practices. Mr. Atkins requested that Attorney Frazier make the change to “best practices”.

Under Sec.32-164(r)(5)d., Mr. Atkins explained that industry request for variances to be approved within 30 days limits the Commission’s ability and that the industry request was rejected.

Under Sec.32-165(d), Answering Mr. Watt about an operation being in a flight path, Dr. Cunefare explained how to review noise maps from flight paths and that an operation located in a flight paths would be included in an operator’s ambient noise. Mr. Hopkins discussed the increase of trains on the Canadian Pacific Railroads. Dr. Cunefare explained constant sound and sound that stops, and that forty trains per day may be considered continuous sound.

Under Sec.32-165(e)(6), Dr. Cunefare discussed the 72 hour sound level measurement for planning and permitting purposes and that the measurement is to establish a reference sound level for compliance. Dr. Cunefare indicated that 72 hour sound level measurement is unprecedented nationwide. Mr. Darrell Johnson, from BPX, and Mrs. Ola Bese, requested that Dr. Cunefare provide an example of continuous background noise from airplanes, which Dr. Cunefare explained that industry has methods to identify noise transients is clear in the data and the industry could identify or reject their noise transients. Mr. Atkins indicated that two industry professionals agreed on the technical issue. Dr. Cunefare indicated to strike it and move on.

Under Sec.32-165(10)(e), Mr. Atkins explained that the source of weather data could be obtained from a publicly available source or from an operator’s onsite recording weather data collection equipment.

Under Sec.34-22.-Urban Areas, Mr. Atkins advised that the section would be stricken, which Attorney Frazier confirmed.

Answering Mr. Watt’s inquiry about who to submit applications to, Mr. Atkins explained that applications would be sent to Public Works Director Mr. Weaver. Mr. Darrell Johnson inquired whether industry submitted any comments, which Mr. Atkins and Attorney Frazier indicated that comments were received but not considered as part of the red line document. Mr. Atkins explained that the Committee agreed for industry to educate the committee, but he did not request their direct input because there was enough participation working on the document. Mr. Atkins indicated that industry was not blocked from submitting their reviews.

It was **moved by Mr. Epperson**, seconded by Mr. Young, *to recommend Ordinance No. 6328 of 2023 to the full body with the necessary corrections discussed in the Committee.* Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Epperson, Gage-Watts, Lazarus and Young (5). NAYS: Commissioner Hopkins (1). ABSENT: Commissioners Burrell, and Jones (2). ABSTAIN: None (0).

Mr. Epperson recognized citizens attending the informational committee meeting. Mr. Atkins indicated the Committee’s willingness to continue working with the industry.

There was no further discussion to come before the Commission, so the meeting was adjourned at 3:11 p.m.

  
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Linda J. Montgomery  
Administrative Specialist I