

B. A trading area shall be defined to reduce the risk of localized or downstream water quality impairments or localized or downstream impacts.

C. Trading areas shall be developed, documented, and included in a WQT plan on a case-by-case basis.

D. Trading areas shall be consistent with any applicable TMDL or TMDL alternative.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(9).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:1466 (October 2019).

§2615. Quantification of Benefits

A. The permittee and creditors will quantify the water quality benefits of a trading project based on estimated values for specific types of BMPs, modeling specific to the watershed trading framework or project, and/or by measuring the water quality benefits of a trading project by direct monitoring of pollutant reductions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(9).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs and Criminal Investigation Division, LR 45:1467 (October 2019).

§2617. Requirements for Trading Ratios

A. WQT shall include one or more trading ratios that apply to credits. Ratio components and underlying assumptions shall be clearly documented in the WQT plan.

B. Trading ratios may be used to account for variables associated with a trading project including, but not limited to the following:

1. taking into account risk of project failure;
2. BMP effectiveness;
3. measurement uncertainty;
4. in-stream attenuation of a pollutant between the locations of the generator and the user of credits;
5. temporal variability;
6. pollutant equivalency; and
7. credit retirement for environmental benefit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(9).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:1467 (October 2019).

§2619. Requirements for Credits

A. The department may authorize two types of credits dependent on the credit baseline.

1. Long-term credits shall be available above the credit baseline so long as the project that generates the credit is maintained and meets performance standards.

2. Interim credits shall be available for nonpoint sources to reach the load allocation of a TMDL for up to five years.

B. Credits used for compliance with an LPDES permit shall be generated within the trading area of an approved WQT plan.

C. If trading is anticipated, an approved WQT plan shall be submitted as part of a permit application or department action. Effluent limitations, BMPs, and other requirements from an approved WQT plan shall be included as part of the permit conditions to make the terms of the trade enforceable.

D. A credit may not be used to meet a regulatory obligation by more than one entity at any given time.

E. Credit-generating projects shall go through project review, be in place, and be producing water quality benefits during the same time period(s) defined for compliance in an LPDES permit or other regulatory instrument.

F. Credits may be generated and used as long as pollution controls or practices are maintained and project review confirms that they are functioning as expected.

G. Credits shall be calculated using best available science, tools, and methodologies, including adjustment by (an) appropriate trading ratio(s).

H. Credit-generating projects may not include water quality benefits obtained with public conservation funds. Unless otherwise prohibited by the terms and conditions of the public funded project, funding in part by public conservation funds shall be prorated based on the ratio of nonpublic funding used to generate credits.

I. Credits may be generated from BMPs installed before the department approves a WQT plan.

J. Credits may be purchased for the purposes of meeting compliance obligations, restoration, and protection and maintenance of water quality.

K. The acquisition of credits for compliance purposes does not eliminate any requirement to comply with local, state, and federal water quality requirements.

L. Credits shall be purchased prior to any compliance date in the permit in sufficient number to cover even the worst case scenarios for unexpected environmental conditions (e.g., low river flows) or discharges.

M. LPDES permits may contain conditions on the use of certified credits, including:

1. the extent that the requirement of the permit may be satisfied with certified credits;
2. when and from what source(s) certified credits may be acquired by the permittee; and
3. requiring periodic monitoring of installed BMPs to verify credit generation/water quality improvements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(9).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:1467 (October 2019).

Herman Robinson
General Counsel

1910#026

RULE

Office of the Governor Board of Architectural Examiners

Registration Information, Licenses, and Renewal Procedure
(LAC 46:I.1101, 1105, and 1301)

The Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), has amended the title to Chapter 11 of its rules, LAC 46:I.1101 pertaining to registration information, LAC 46:I.1105 pertaining to licenses, and LAC 46:I.1301 pertaining to its renewal procedures.

The amended Rule makes technical changes and clarifications; amend the title to Chapter 11 of its rules; increase the fees for the initial registration of in-state candidates for licensure; increase the renewal and delinquency fees for in-state and out of state architects; establish a fee for the replacement of a lost or destroyed license, and direct professional architectural corporations, architectural-engineering corporations, and architectural firms to the applicable rules which govern their registration and renewal of their certificates of authority. This Rule is hereby adopted on the day of promulgation.

Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS
Part I. Architects

Chapter 11. Licenses

§1101. Registration Information

A. To obtain information regarding registration to practice architecture in Louisiana, an individual should visit the board website, www.lsbac.com. Effective November 1, 2019, an in-state candidate shall be charged a fee of \$90, and an out of state candidate shall be charged a fee of \$150 for the issuance of his or her initial license.

B. The rules for registering and obtaining initial certificates of authority for professional architectural corporations, architectural-engineering corporations, and architectural firms are set forth in Chapter 17 infra.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:562 (April 2003), amended LR 45:1468 (October 2019).

§1105. Licenses

A. Each holder of a license shall maintain the license in his or her principal office or place of business in this state.

B. A replacement license will be issued to a registrant to replace one lost or destroyed, provided the current annual registration renewal is in effect, the registrant makes proper request and submits an acceptable explanation of the loss or destruction of the original license, and the registrant pays a fee of \$30.

C. A registrant retired from practice who has either practiced architecture for 30 years or more or who is 65 years of age or older may request emeritus status. Only a registrant who is fully and completely retired from the practice of architecture may request emeritus status. Any registrant who is presently receiving or who anticipates receiving in the future any salary, income, fees or other compensation (other than retirement income) from an architectural client, architectural firm, architect, design professional, or any other person for the practice of architecture is ineligible for emeritus status. The annual renewal fee for an approved emeritus registrant is \$5. Revocation and reinstatement rules apply to an emeritus registrant, just as they do to any other registrant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:563 (April 2003), amended LR 45:1468 (October 2019).

Chapter 13. Administration

§1301. Renewal Procedure

A. A license for an individual architect shall expire and become invalid on December 31 of each year. An individual architect who desires to continue his or her license in force shall be required annually to renew same.

B. It is the responsibility of the individual architect to timely renew his or her license.

C. Prior to December 31 of each year, architects shall renew their licenses in accordance with the instructions set forth on the board website, www.lsbac.com. Effective November 1, 2019, the renewal fees shall be as follows: for an individual architect domiciled in Louisiana - \$90; for an individual architect domiciled outside Louisiana - \$175. Upon renewal, the architect may download from the board website a copy of his or her renewal license.

D. The failure to renew a license timely shall not deprive the architect of the right to renew thereafter. Effective November 1, 2019, the delinquent fees shall be as follows: an individual architect domiciled in Louisiana who transmits his renewal form and fee to the board subsequent to December 31 in the year when such renewal fee first became due shall be required to pay a delinquent fee of \$110. An individual architect domiciled outside Louisiana who transmits his renewal form and fee to the board subsequent to December 31 in the year when such renewal fee first became due shall be required to pay a delinquent fee of \$200. The delinquent fee shall be in addition to the renewal fee set forth in §1301.C.

E. The rules for renewing certificates of authority of professional architectural corporations, architectural-engineering corporations, and architectural firms are set forth in Chapter 17 infra.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144-145.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:563 (April 2003); amended LR 35:2754 (December 2009), LR 36:1780 (August 2010), LR 45:1468 (October 2019).

Katherine E. Hillegas
Executive Director

1910#042

RULE

Office of the Governor
Board of Professional Geoscientists

Use of Seals (LAC 46:LXII.1501)

The Louisiana Board of Professional Geoscientists hereby gives notice that, pursuant to R.S. 37:711.8.C (1), it amends LAC 46:LXII.1501 in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., and the Louisiana Professional Geoscience Practice Act, R.S. 37:711.1 et seq. This Rule is hereby adopted on the day of promulgation.