

# NOTICE OF PUBLIC HEARING ON PROPOSED RULES

The Southern Trinity Groundwater Conservation District (“District”) will conduct a public hearing concerning the District’s possible adoption of various amendments to its rules. The purpose of the hearing is to provide interested members of the public the opportunity to appear and provide oral or written comments to the District related to the proposed rules.

## **1.0 Date, Time, and Place of Public Hearing.**

The date, time and place of the public hearing are as follows:

Date: Thursday, August 29, 2019  
Time: 9:00 a.m.  
Location: 215 N. 5<sup>th</sup> St. Ste.130  
Waco Texas 76701

## **2.0 Brief Explanation of the Subject of the Proposed Rulemaking**

The District is proposing to adopt amendments to its rules, which are intended to implement various mandates of Chapter 36 of the Texas Water Code and Chapter 8821 of the Special District Local Laws Code. Among other things, the proposed rules:

1. Amend definitions of “dewatering well” and “monitoring well” and add new definition for “public water supply” and “TDLR” as those terms are used in the rules;
2. Add a requirement that permittees provide contact information for the officers, principals, board members or managers of the governing body of the permittee, if applicable, and for the operator of any wells;
3. Amend the rules to remove references to the reissuance of permits to reflect the management zone in which the wells are located;
4. Provide an exemption from permitting requirements for dewatering wells, monitoring wells, and domestic and livestock wells completed in the Brazos Alluvium Aquifer that are on tracts of land that are less than 2 acres and in the Trinity Aquifer that are on tracts of land that are less than 10 acres;
5. Exempt new dewatering wells from spacing requirements;
6. Require a drilling permit for wells that are being converted from an exempt well to a non-exempt well and for exempt wells in the Trinity Aquifer that are on tracts of land that are less than 10 acres; and
7. Exclude applications for a groundwater withdrawal permit from the Brazos Alluvium Aquifer from contested case hearing procedures.

Because the proposed amendments to the rules are lengthy, an exhaustive analysis of all the proposed rules is not attempted here. All interested persons are encouraged to review the proposed rules for themselves by obtaining a copy from the District, as provided below.

### **3.0 Procedures for Submitting Comments on the Proposed Rules**

#### **3.1 Oral Comments**

Any person may appear at the public hearing on the proposed rules. Any person making an appearance must indicate their desire to make oral comments on the registration form provided by the District at the public hearing. A person must disclose any affiliation on the registration form and, if applicable, the authority to speak for a person represented. Any other person attending the public hearing will be considered by the District to be an observer not desiring to make comment on the proposed rules. The District will not consider any comments of an observer in any future action taken on the proposed rules.

All persons should indicate on the registration form whether their comments are generally directed to all of the proposed rules or whether they are directed at specific rules. If directed at a specific provision of the rules, the relevant portion should be identified on the registration form. If it becomes apparent during the oral comments that what were indicated to be merely general comments are, in fact, specific comments, the presiding officer at the hearing may ask the person to specifically identify the provision to which the oral comments are directed.

The presiding officer will establish the order of oral comments of persons at the hearing. As appropriate, the presiding officer may limit:

1. the number of times a person may speak;
2. the time period for oral comments;
3. cumulative, irrelevant, or unduly repetitious comments;
4. general comments that are so vague, undeveloped, or immaterial as to be impracticable for the District to ascertain the intent or purpose of the person making the general oral comments and that are otherwise unhelpful to the District in analyzing the proposed rules;
5. the time period for asking or responding to questions; and
6. other matters that come to the attention of the presiding officer as requiring limitation.

**Please note that while the District will consider oral comments, it will not prepare written responses to oral comments for review and consideration by the Board of Directors of the District when it deliberates on whether to adopt the proposed rules as final.**

#### **3.2 Written Comments**

The District encourages all interested parties to submit written comments regarding the proposed rules. Written comments on the proposed rules must be filed with the District by no later than 12 p.m. on August 23, 2019. Written comments may be filed as follows:

1. by hand delivery to the District's general manager at the District's offices, 824 Washington Avenue, Waco, Texas during regular business hours Monday through

Friday from 8 am to 12 pm;

2. by mail to the District at P. O. Box 2205, Waco, Texas 76703;
3. by electronic mail to the District at stgcd@att.net; or
4. by hand delivery to the presiding officer at the public hearing.

Written comments should be filed on 8 1/2 x 11 inch paper and typed or legibly written. Written comments should indicate whether the comments are general and directed at all of the proposed rules, or whether they are directed at specific provisions. If directed at specific provisions, the number of the proposed rule should be identified and followed by the comments on the specifically identified provision.

#### **4.0 Procedures for Obtaining the Proposed Rules**

Copies of the proposed rules and plan may be obtained from the District as follows:

1. by calling (254) 759-5610, and requesting a copy of the rules and/or plan from the District's General Manager, Mr. Scooter Radcliffe;
2. by visiting the offices of the District at 824 Washington Avenue, Waco, Texas;
3. by electronic mail to the District at stgcd@att.net; or
4. from the District's website: <https://southerntrinitygcd.org>.

#### **5.0 Opportunity to Appear and Comment at Board Meeting at Which the Proposed Rules May be Adopted as Final**

The meeting of the District's Board of Directors at which the proposed rules will be considered for adoption as final will be an open meeting and, at that meeting, the public will be allowed to make comments on the proposed rules, subject to whatever reasonable limits as to the number, frequency and length of comments the District is empowered to impose pursuant to the Texas Open Meetings Act, TEX. GOV'T CODE ANN. ch. 551.

**ISSUED THIS 1<sup>st</sup> DAY OF AUGUST, 2019.**

Scooter Radcliffe  
General Manager  
Southern Trinity Groundwater Conservation District