

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 2, 2009

To: Persons on the attached mailing list (by mail and facsimile as indicated)

Re: ALJs' Proposal for Decision and Proposed Order Concerning the Executive Director's Report and Recommendation to Designate a Priority Groundwater Management Area (PGMA) for the North-Central Texas-Trinity and Woodbine Aquifers Area. TCEQ Docket No. 2007-1012-MIS; SOAH Docket No. 582-07-3917.

This letter concerns the scheduling of oral presentations for the Texas Commission on Environmental Quality's (Commission) deliberation and decision on the above-referenced matter. As you have been previously notified, this matter has been set on the Commission's public meeting scheduled to begin at 9:30 a.m. on Wednesday, February 11, 2009. The Commission's meeting will take place in Room 201S of Building E, 12100 Park 35 Circle, Austin, Texas. 30 TAC § 80.263 provides as follows:

In proceedings where a judge has held a public hearing and has issued a proposal for decision or other report to the commission, all oral presentations before the commission shall be limited to five minutes each, excluding time for answering questions, unless the chairman or general counsel establishes other limitations. Before the commission meeting, the general counsel may allot time for oral presentations. Oral presentations and responses to questions shall be directed to the commission.

The Executive Director will speak first and have five (5) minutes, followed by the Office of Public Interest Counsel who will have five (5) minutes. In recognition of the complexity of this case, the Office of General Counsel hereby extends the time for oral argument to ten (10) minutes for the five Protestants (collectively). The Protestants may apportion their ten (10) minutes among themselves as they deem appropriate. The Executive Director may save some time for rebuttal, as he bears the burden of proof.

Furthermore, if the Commissioners need additional information, they may ask questions of the parties after oral argument is completed. In light of the oral argument time periods previously found sufficient in complex matters and given the Commissioners' ability to question the parties to clarify any issues, the Office of General Counsel finds that the time period provided to the parties should be sufficient.

If you have any questions about this matter, please contact Shannon L. Strong, Assistant General Counsel, at (512) 239-0972.

Very truly yours,

A handwritten signature in black ink, appearing to read "Les Trobman".

Les Trobman
General Counsel

Mailing List

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • Internet address: www.tceq.state.tx.us

Mailing List
North-Central Texas-Trinity and Woodbine Aquifers Area (PGMA)
TCEQ Docket No. 2007-1012-MIS
SOAH Docket No. 582-07-3917

Martin C. Rochelle
David Kline
Brad B. Castleberry
Lloyd, Gosselink
816 Congress Ave., Suite 1900
Austin, Texas 78701
512/322-5800 FAX 512/472-0532

J.D. Head
Fritz Byrne
Head & Harrison LLP
98 San Jacinto Blvd., Suite 2000
Austin, Texas 78701
512/476-2020 FAX 512/477-5267

John Rapier
Rapier Wilson & Wendland, P.C.
103 W. McDermott
Allen, Texas 75013-2782
972/727-9904 FAX 972/727-4273

Jim D. McLeroy
The McLeroy Law Firm
430 Church Street
P.O. Box 657
Sulphur Springs, Texas 75483
903/885-6476 FAX 903/885-1385

David A. Miller
Miller Mentzer, P.C.
100 North Main St.
P.O. Box 130
Palmer, Texas 75152
972/845-2222 FAX 972/845-3398

Judy A. Reeves, Ph.D., PG
Cirrus Associates, LLC
1771 International Pkwy., Suite 107
Richardson, Texas 75081
972/680-8555 FAX 972/680-9455

Carol Wood
Administrative Law Judge
State Office of Administrative Hearings
P.O. Box 13025
Austin, Texas 78711-3025
512/475-4993 FAX 512/475-4994

Robert Henderson
TCEQ Environmental Law Division MC 173
P.O. Box 13087
Austin, Texas 78711-3087
512/239-0600 FAX 512/239-0606

Eli Martinez
TCEQ Office of Public Interest Counsel MC 103
P.O. Box 13087
Austin, Texas 78711-3087
512/239-6363 FAX 512/239-6377

Docket Clerk
TCEQ Office of Chief Clerk MC 105
P.O. Box 13087
Austin, Texas 78711-3087
512/239-3300 FAX 512/239-3311

Bridget Bohac
TCEQ Office of Public Assistance MC 108
P.O. Box 13087
Austin, Texas 78711-3087
512/239-4000 FAX 512/239-4007

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 27, 2009

TO: All Persons on Mailing List

RE: **SOAH Docket No. 582-07-3917; TCEQ Docket No. 2007-1012-MIS.** Application of **North-Central Texas-Trinity and Woodbine Aquifers Area (PGMA)**, to designate a priority groundwater management area (PGMA), in **Collin, Cooke, Dallas, Denton, Ellis, Fannin, Grayson, Johnson, Tarrant, Hood, Montaque, Parker and Wise Counties** in Texas.

The above-referenced matter is scheduled to be considered by the Texas Commission on Environmental Quality on **February 11, 2009 at 9:30 A.M.** in Room 201S, Building E, 12100 Park 35 Circle, Austin, Texas.

Pursuant to 30 TAC § 80.263, oral presentations before the commission shall be limited to five minutes each, excluding time for answering questions, unless the chairman or general counsel establishes other limitations.

Should you need any additional information, please contact Melissa Chao at the Texas Commission on Environmental Quality, Office of the Chief Clerk, (512) 239-3300.

Sincerely,

A handwritten signature in cursive script, reading "LaDonna Castañuela".

LaDonna Castañuela
Chief Clerk

LDC/jf

MAILING LIST
NORTH-CENTRAL TEXAS-TRINITY AND WOODBINE AQUIFERS AREA (PGMA)
SOAH DOCKET NO. 582-07-3917
TCEQ DOCKET NO. 2007-1012-MIS

Martin C. Rochelle, Attorney
David Kline, Attorney
Lloyd Gosselink, Attorneys at Law
816 Congress Avenue, Ste. 1900
Austin, Texas 78701
Tel: (512) 322-5800
Fax: (512) 472-0532

Representing Water Providers of Cooke, Fanning and Grayson Counties: Greater Texoma Utility Authority; the Cities of Bells, Collinsville, Denison, Dorchester, Gainesville, Gunter, Howe, Leonard, Lindsay, Oak Ridge, Pottsboro, Savoy, Sherman, Southmayd, Tioga, Tom Bean, Van Alstyne, Whitesboro and Whitewright; and Bolivar WSC, Desert WSC, Luella SUD, Northwest Grayson WCID, Pink Hill WSC, South Grayson WSC, Starr WSC and Two Way SUD; aligned with Bois D' Arc MUD, City of Grand Prairie

J.D.Head, Attorney
Fritz Byrne, Head & Harrison, LLP
98 San Jacinto Blvd. Ste. 2000
Austin, Texas 78701
Tel: (512) 476-2020
Fax: (512) 477-5267

Representing Cooke County, as well as the following aligned parties: Era WSC; Woodbine WSC; and Kenneth Klement

John Rapier, Attorney
Rapier Wilson & Wendland, P.C.
103 W. McDermott
Allen, Texas 75013-2782
Tel: (972) 727-9904
Fax: (972) 727-4273

Representing Marilee SUD, Mustang SUD

Jim D. McLeroy, Attorney
The McLeroy Law Firm
430 Church Street
P.O. Box 657
Sulphur Springs, Texas 75483
Tel: (903) 885-6476
Fax: (903) 885- 1385

Representing North Hunt WSC

David A. Miller
Miller Mentzer, P.C.
100 North Main St.
P.O. Box 130
Palmer, Texas 75152
Tel: (972) 845-2222
Fax: (972) 845-3398

Representing Mountain Peak SUD and
Sardis-Lone Elm Water Supply Corp.

Brad B. Castleberry, Attorney
Lloyd Gosselink, Attorneys at Law
816 Congress Avenue, Ste. 1900
Austin, Texas 78701
Tel: (512) 322-5856
Fax: (512) 472-0532

Representing City of The Colony

Judy A. Reeves, Ph.D., PG
Cirrus Associates, LLC
1771 International Pkwy, Ste. 107
Richardson, Texas 75081
Tel: (972) 680-8555
Fax: (972) 680-9455

Courtesy Copy

Robert Bradley, Hydrogeologist
Texas Water Development Board
P.O. Box 13231
Austin, Texas 78711
Tel: (512) 936-0870
Fax: (512) 463-8423

Ross Henderson, Staff Attorney
Texas Commission on Environmental Quality
Legal Division, MC-173
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

Representing the Executive Director
of the TCEQ

Eli Martinez
Texas Commission on Environmental Quality
Office Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-6363
Fax: (512) 239-6377

Representing the Office of Public Interest
Counsel

Carol Wood, Administrative Law Judge
State Office of Administrative Hearings
300 W. 15th Street, Ste. 502
Austin, Texas 78701
Tel: (512) 475-4993
Fax: (512) 475-4994

Docket Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3300
Fax: (512) 239-3311