

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF PUBLIC HEARING ON THE PETITION TO REVOKE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY PERMIT NO. WQ0015051001 ISSUED TO RANCHO DEL LAGO, INC.

**SOAH Docket No. 582-18-1098
TCEQ Docket No. 2017-1200-MWD**

The Texas Commission on Environmental Quality (TCEQ or the Commission) has referred this matter to the State Office of Administrative Hearings (SOAH). An Administrative Law Judge with SOAH will conduct a formal public hearing beginning at:

**10:00 a.m. – January 10, 2018
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701**

The purpose of the hearing will be to determine whether Mr. Ron Harris (Petitioner) qualifies, pursuant to applicable law, as a person affected by Permit No. WQ0015051001 issued on August 14, 2014, in Blanco County, Texas to Rancho del Lago, Inc. (RDL's permit). Should SOAH determine that Petitioner qualifies as a person affected by RDL's permit, then SOAH will proceed with a hearing on the merits of the Petition to determine whether RDL's permit should be revoked pursuant to 30 Texas Administrative Code Chapter 305. The hearing on the merits will be a legal proceeding similar to a civil trial in state district court.

The first convened session of the hearing (the preliminary hearing) will be to establish jurisdiction, afford Petitioner, RDL, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity for settlement negotiations, and to establish a discovery and procedural schedule for the evidentiary hearing process. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of the preliminary hearing.

Ron Harris, Rancho del Lago, Inc., the Commission's Public Interest Counsel, and the Executive Director of the Commission are the only designated parties to this proceeding. Any person may attend the hearing but only persons named as parties may participate in the hearing. **The failure of Petitioner or their representative to appear at the preliminary or evidentiary hearings may be grounds for withholding consideration of this matter or for dismissal of the Petition. The failure of**

RDL or its representative to appear at the preliminary or evidentiary hearings may result in a Proposal for Decision being issued by the administrative law judge based solely on the evidence presented by the other parties.

In accordance with 1 TEX. ADMIN. CODE §§ 155.201(a) and 155.401(a), parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.

The hearing will be conducted in accordance with Texas Government Code Chapter 2001; Texas Water Code Chapter 26; and the procedural rules of the TCEQ and SOAH, including Title 30 of the Texas Administrative Code, Chapters 80 and 305, and Title 1 of the Texas Administrative Code Chapter 155.

Any document filed in this matter must be filed with the Office of the Chief Clerk. Documents may be filed electronically at <http://www14.tceq.texas.gov/epic/eFiling/> or sent to the following address: ATTN: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. When contacting the Commission regarding this Petition, reference the TCEQ and SOAH docket numbers given at the top of this notice.

Further information regarding this hearing may be obtained by contacting Michael Parr, Staff Attorney, Texas Commission on Environmental Quality, Environmental Law Division, Mail Code 173, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-0611. Information concerning hearing procedures and public participation in hearings may be obtained by contacting Vic McWherter, Public Interest Counsel, Mail Code 103, at the same P. O. Box address given above, or by telephone at (512) 239-6363. General information about the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Issued: November 30, 2017



Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality