

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF SECOND HEARING ON GROUNDWATER CONSERVATION DISTRICT CREATION RECOMMENDATION FOR THE HILL COUNTRY PRIORITY GROUNDWATER MANAGEMENT AREA

SOAH DOCKET NO. 582-10-5643
TCEQ DOCKET NO. 2010-1040-MIS

The Texas Commission on Environmental Quality (TCEQ) will have a second preliminary hearing on the Executive Director's report and recommendation on groundwater conservation district (GCD) creation in the Hill Country Priority Groundwater Management Area (PGMA) pursuant to Title 30, *Texas Administrative Code*, Section 293.19.

The Executive Director initially prepared a report petitioning the Commission for action to recommend that portions of the Hill Country PGMA with boundaries that include the western Comal County territory and the southwestern Travis County territory be included in a GCD in accordance with Chapter 35 of the Texas Water Code and Title 30, *Texas Administrative Code*, Section 293.19. The report's primary recommendation was to combine the western Comal territory and the southwestern Travis County territory with the portion of the Hill Country PGMA in Hays County that is presently the Hays Trinity GCD to create a new single GCD. A preliminary hearing was held on October 28, 2010 in San Marcos, Texas. The judge took jurisdiction over the matter and named parties. On December 1, 2010, the Executive Director filed an Amended Recommendation and Motion for a Second Preliminary Hearing. The amended recommendation withdraws the Executive Director's primary recommendation and elevates its alternative recommendation. Under the Executive Director's new recommendation, the proposed boundaries of the GCD would no longer include Hays County. Instead, the western Comal County territory would be added to the Trinity Glen Rose GCD and the southwestern Travis County territory would be added to the Barton Springs/Edwards Aquifer CD. During the hearing process, the Commission will also consider other district creation options and alternative recommendations evaluated in the Executive Director's report.

The State Office of Administrative Hearings (SOAH) will conduct a second preliminary hearing to name additional parties and consider pretrial matters on:

10:00 a.m. – April 6, 2011
Hays County Courthouse
Will Burnett Courtroom, 3rd Floor
111 East San Antonio Street
San Marcos, Texas 78666

The evidentiary hearing on this matter will be held at a later date. You may request party status at the preliminary hearing by showing how you are an affected person. If granted party status, you may present evidence and testimony at the evidentiary hearing. If you were previously named a party at the first preliminary hearing you

will not be required to request party status again.

The Executive Director's report, a map generally outlining the boundaries of the recommended districts, and the mailing list of water stakeholders located either in whole or in part in the identified areas is available for public inspection during regular business hours (8 a.m. until 5 p.m., Monday through Friday) at the following locations:

- Commission's Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F, Rm. 1104, Austin;
- Commission's Regional Offices;
 - Region 11 – Austin Office, 2800 S. IH35, Ste. 100, Austin
 - Region 13 – San Antonio Office, 14250 Judson Rd., San Antonio
- County Clerk Office locations;
 - 5501 Airport Blvd., Austin
 - 150 N. Seguin, Suite 101, New Braunfels
 - 137 N. Guadalupe St., San Marcos.
- Public Libraries:
 - New Braunfels Public Library, 700 Common St., New Braunfels
 - San Marcos Public Library, 625 E. Hopkins St., San Marcos
 - Will Hampton Branch at Oak Hill, 5125 Convict Hill Road, Austin
 - Twin Oaks Branch Library, 2301 S. Congress Ave., # 7, Austin
- Groundwater Conservation Districts:
 - Barton Springs/Edwards Aquifer CD, 1124-A Regal Row, Austin
 - Blanco-Pedernales GCD, 601 W. Main, Johnson City
 - Cow Creek GCD, 216 Market Ave., Suite 105, Boerne
 - Central Texas GCD, 225 S. Pierce, Burnet
 - Edwards Aquifer Authority, 1615 N. Saint Mary's St., San Antonio
 - Hays Trinity GCD, Center Lake Business Park, 14101 Hwy 290 W., Bldg. 100, Suite 212, Austin
 - Trinity-Glen Rose GCD, 7550 West IH-10, Suite 800, San Antonio

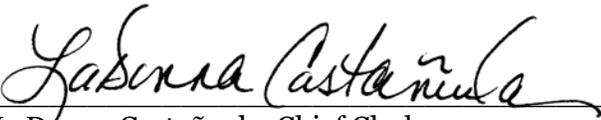
The above mentioned documents are also available online at the following web site:
http://www.tceq.state.tx.us/permitting/water_supply/groundwater/pgma.html.

Copies of the above mentioned documents may also be obtained by contacting Mr. Leon Byrd at (512) 239-0540, by email at leon.byrd@tceq.texas.gov, or in writing to Mr. Leon Byrd, Texas Commission on Environmental Quality, Groundwater Planning and Assessment, MC 147, P.O. Box 13087, Austin, Texas 78711-3087.

Any questions or comments may be addressed to Mr. Ross Henderson, Staff Attorney, Environmental Law Division, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-6257.

Issued this the 24th day of February, 2011.

(Seal)


LaDonna Castañuela, Chief Clerk
Texas Commission on Environmental Quality