

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING ON GROUNDWATER CONSERVATION DISTRICT RECOMMENDATION FOR THE DALLAM COUNTY PRIORITY GROUNDWATER MANAGEMENT AREA

**SOAH DOCKET NO. 582-09-2350
TCEQ DOCKET NO. 2008-1940-WR**

The Texas Commission on Environmental Quality (TCEQ) will have an evidentiary hearing on the Executive Director's report and recommendation on groundwater conservation district creation in the Dallam County Priority Groundwater Management Area (PGMA). The Executive Director has prepared a report petitioning the Commission for action to recommend portions of the Dallam County PGMA be added to the North Plains Groundwater Conservation District in accordance with Title 30, *Texas Administrative Code*, Section 293.19.

The State Office of Administrative Hearings ("SOAH") will conduct a preliminary hearing to take jurisdiction, name parties, and consider pretrial matters on:

**10:00 a.m. – March 17, 2009
Dallam County Courthouse
District Courtroom, Suite 301
414 Denver Avenue
Dalhart, Texas 79022**

Although the evidentiary hearing is customarily held at a later date, pursuant to 30 TAC §80.105(c), the Executive Director may request to proceed with an evidentiary hearing on the same date of the first preliminary hearing. One of the issues to be resolved at the preliminary hearing is whether the procedures in Texas Water Code §35.008, as well as 30 TAC §293.19(b), will apply to this case. Under the Texas Water Code, Section 35.008(e), the evidentiary hearing must be concluded not later than the 75th day after the date that notice of the hearing is published.

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 later evidentiary hearing.

The Executive Director's report identifies three areas in the Dallam County PGMA that are not currently part of a groundwater conservation district (GCD). The Executive Director's report concludes that these areas impact the management of the groundwater resources and that groundwater problems will continue without county and region-wide GCD management. The Executive Director's report recommends that the areas be added to the North Plains Groundwater

Conservation District (NPGCD) as the most feasible, practicable, and economic means to achieve groundwater management in the Dallam County PGMA.

See the entire Report at:

- http://www.tceq.state.tx.us/permitting/water_supply/groundwater/pgma.html;
- the Office of the Chief Clerk at 12100 Park 35 Circle, Building F, Austin, 78753;
- the Commission's Region 1 Office, 3918 Canyon Dr., Amarillo, 79109;
- the Dallam County Clerk office, at 414 Denver Ave., Suite 201, Dalhart, 79022;
- Dallam-Hartley County Library, 420 Denrock Ave., Dalhart, 79022, and
- Texline Public Library, 222 N. 2nd St., Texline, 79087.

This report is available for public inspection at the above locations during regular business hours, 8 a.m. until 5 p.m., Monday through Friday.

A map of the area may be examined in the final report at the above locations.

Any questions or comments may be addressed to Mr. Christiaan Siano, Staff Attorney, Environmental Law Division, Texas Commission on Environmental Quality, MC-173 P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-6743.

Issued this 3rd day of February, 2009.

(Seal)

LaDonna Castañuela, Chief Clerk
Texas Commission on Environmental Quality