

Texas Commission on Environmental Quality
Water Rights Advisory Work Group
September 15, 2008
Building E, Room 2015
10:00 AM

Welcome and Introductions:

Steve Ramos

Drought Planning for Surface Water Users:

Presented by Scott Swanson

- Drought Contingency Plan – DCP: A strategy or combination of strategies for temporary and potentially recurring water supply shortages and other water supply emergencies.
- DCPs should be revised as often as necessary.
- May 1, 2009, is the deadline for Wholesalers to submit DCP for 5 year review.

Section Update:

Presented by Kellye Rila

- Introduction of new employees
- Implementation of Senate Bill 3 – check the TCEQ web page at http://www.tceq.state.tx.us/permitting/water_supply/water_rights/flows/group.html for meeting dates, times, locations, and meeting minutes.

Commission Actions:

Presented by Shana Horton

- At Agenda
On August 20, 2008, Commission approved recommendation for no notice for Herbst Holdings, Preece, and the City of Abilene.

Northeast Texas Municipal Water District application set for September 24, 2008 agenda. City of Marshall application continued from September 24, 2008 agenda to the agenda on January 14, 2009.

HRC Cherokee Tree Farm, request for contested case hearing was denied and Commission signed the permit at August 20, 2008, agenda.

- At SOAH
PFD on North Central Texas PGMA issued on September 2. Affects the Trinity and Woodbine aquifers. All of the parties agreed on the need for a PGMA, but disagreed on how to set up the GCDs. This awaits agenda setting.
- In the Courts
On July 31, Texas Court of appeals dismissed San Marcos River Foundation and Galveston Bay/Matagorda Bay applications for instream environmental use-only permits as moot.
- Rules
30 TAC Chapter 299 Dam Safety rules were proposed at the July 9, 2008 agenda. Published in Texas Register on July 25; comment period closed August, 25; scheduled for adoption at December 10 agenda.
One significant change with these rules is that the definition of “dam” changes from over 6’ to federal definition of dams, which ties into maximum capacity at the top of the dam.

Closing Comments:

Steve Ramos

Next meeting will be in December, 2008. Meetings are now web cast and will continue to be held in the Agenda Room. TCEQ web site will be updated to reflect the change of location.

Contact Steve with ideas for up-coming meetings.

Todd Chenoweth – The agency is currently looking at applications that have been in-house for a number of years that have been declared technically complete and have already published notice. Older contested applications may need to be re-noticed.