

HALL  
REED  
GARNER

UNCONTESTED AGENDA

Wednesday, March 31, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 1. APPLICATION BY LOWER COLORADO RIVER AUTHORITY for a permit (Proposed Permit No. 03516) to authorize a flow variable discharge of once-through cooling water from an office complex. The plant site is on the east side of Lake Austin at Tom Miller Dam in the City of Austin in Travis County, Texas.

APPROVED, PG/PR

Item 2. APPLICATION BY SOUTHERN CLAY PRODUCTS, INC. for a permit (Proposed Permit No. 03520) to authorize an intermittent flow variable discharge of process wastewater, groundwater and stormwater runoff. The applicant proposes to operate the McCurry Clay Mine, which is a bentonite mining operation. The plant site is on Angelina County Road, 1.5 miles east of where the pavement ends on FM 325, and 2.6 miles east of the intersection of FM 325 and Loop 287 in the City of Lufkin, Angelina County, Texas.

APPROVED, PG/PR

Item 3. APPLICATION BY UNIVERSITY OF TEXAS for a permit (Proposed Permit No. 13646-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 7,000 gallons per day. The applicant operates the McDonald Observatory Lower Plant Wastewater Treatment Facilities. The plant site is approximately 10 miles southeast of the intersection of State Highway 166 and State Highway 118 at the McDonald Observatory on Mount Locke, approximately 10 miles northwest of Fort Davis in Jeff Davis County, Texas.

APPROVED, PG/PR

Item 4. APPLICATION BY CLAYTON WILLIAMS, JR. for a permit (Proposed Permit No. 03534) to authorize the disposal of waste and wastewater from a feedlot. The feedlot will consist of a maximum of 6,000 head. Stormwater will be retained in one storage pond. Wastewater from the pond is disposed of by evaporation and/or irrigation on agricultural land. The feedlot is 3.7 miles south of Interstate 10 and 3.2 miles west

of Ranch Road 2037 and 11 miles west-southwest of the City of Fort Stockton in Pecos County, Texas.

APPROVED, PG/PR

Item 5. APPLICATION BY CITY OF ALPINE for renewal of Permit No. 10117-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 680,000 gallons per day. The wastewater treatment facilities are approximately 2 1/2 miles northeast of the City of Alpine on the west bank of Alpine Creek in Brewster County, Texas.

APPROVED, PG/PR

Item 6. APPLICATION BY ASCENSION RESORTS, LTD. for renewal of Permit No. 13417-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day. The wastewater treatment facilities are approximately 0.5 mile northwest of the intersection of League Line Road and White Oak Drive on Lake Conroe in Montgomery County, Texas.

CONTINUED TO APRIL 28, 1993 AT 9:00 A.M.

Item 7. APPLICATION BY BILMA PUBLIC UTILITY DISTRICT for renewal of Permit No. 12025-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,500,000 gallons per day. The renewed permit has decreased the flow to 750,000 gallons per day average. The wastewater treatment facilities are approximately 8,000 feet northeast of the intersection of Louetta Road and Stuebner-Airline Road, 11,000 feet southeast of Spring Cypress Road and Stuebner-Airline Road in the City of Houston in Harris County, Texas.

APPROVED, PG/PR

Item 8. APPLICATION BY BRAZOS RIVER AUTHORITY for renewal of Permit No. 11318-01 which authorizes a discharge of treated domestic wastewater effluent at volume not to exceed an average flow of 10,000,000 gallons per day from the Temple-Belton Regional Wastewater Treatment Facilities. The plant site is approximately 3000 feet south of Farm-to-Market Road 93 and 1 1/2 miles east of the intersection of Farm-to-Market Road 93 and Interstate Highway 35 in Bell County, Texas.

APPROVED, PG/PR

Item 9. APPLICATION BY COLORADO COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 2 for renewal of Permit No. 10152-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 100,000 gallons per day from the Garwood Wastewater Treatment Facilities. The plant site is approximately 25 feet east of the intersection of Mansfield and Wirtz Streets in the City of Garwood in Colorado County, Texas.

APPROVED, PG/PR

Item 10. APPLICATION BY CITY OF CORPUS CHRISTI for renewal of Permit No. 10401-04 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 16,200,000 gallons per day. The wastewater treatment facilities are at the intersection of Nile Drive and Ennis Joslin Road in the City of Corpus Christi in Nueces County, Texas.

APPROVED, PG/PR

Item 11. APPLICATION BY CITY OF ELDORADO for renewal of Permit No. 10165-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 385,000 gallons per day. The wastewater treatment facilities are approximately 5,000 feet northeast of the intersection of U.S. Highway 277 and U.S. Highway 915 in Schleicher County, Texas.

CONTINUED TO APRIL 28, 1993 AT 9:00 A.M.

Item 12. APPLICATION BY CITY OF ITASCA for renewal of Permit No. 10423-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 378,000 gallons per day. The wastewater treatment facilities are approximately one mile south of the City of Itasca, west of U.S. Highway 81 and adjacent to Missouri, Kansas and Texas Railroad in Hill County, Texas.

APPROVED, PG/PR

Item 13. APPLICATION BY KOOLSUM ENTERPRISES, INC. for renewal of Permit No. 11678-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 50,000 gallons per day from the Best Western Greenspoint Inn Wastewater Treatment Facilities. The plant site is at the westerly dead end of Gillespie Street, approximately 0.3 mile west of Interstate Highway 45 and 0.9 mile south of Beltway 8 in Harris County, Texas.

APPROVED, PG/PR

Item 14. APPLICATION BY LIBBEY-OWENS-FORD CO., SHERMAN PLANT for renewal of Permit No. 02943 which authorizes a discharge of treated wastewater at a volume not to exceed an average flow of 300,000 gallons per day from a manufacturing plant producing tempered and laminated automobile glass. The plant site is at 1400 Highway 1417, 6,000 feet west of U.S. Highway 75 in the City of Sherman, Grayson County, Texas.

APPROVED, PG/PR

Item 15. APPLICATION BY THE MCLENDON COMPANY for renewal of Permit No. 12413-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 14,000 gallons per day. The wastewater treatment facilities are approximately 2,000 feet southwest of the intersection of Interstate Highway 45 and West Road in Harris County, Texas.

APPROVED, PG/PR

Item 16. APPLICATION BY CITY OF MIDLAND for renewal of Permit No. 10223-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 600,000 gallons per day from the Air Terminal Wastewater Treatment Facilities. The plant site is at Midland Regional Airport, at the intersection of Interstate Highway 20 and Farm-to-Market Road 1788 in Midland County, Texas.

APPROVED, PG/PR

Item 17. APPLICATION BY NEW CANEY MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 12274-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,060,000 gallons per day. The wastewater treatment facilities are approximately 3500 feet east of Old U.S. Highway 59 and 1000 feet south of Johnson Road, approximately 1.25 miles southeast of the City of New Caney in Montgomery County, Texas.

APPROVED, PG/PR

Item 18. APPLICATION BY CITY OF NEWCASTLE for renewal of Permit No. 10647-02 which authorizes a discharge of settled filter backwash from a water treatment plant at a volume not to exceed an average flow of 8,000 gallons per day. The plant site is approximately 1-1/2 miles southwest of the City of Newcastle, Young County, Texas.

CONTINUED TO APRIL 28, 1993 AT 9:00 A.M.

Item 19. APPLICATION BY NORTH BELT 25-A JOINT OWNERSHIP & NORTH BELT VENTURE for renewal of Permit No. 12405-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 500,000 gallons per day. The wastewater treatment facilities are approximately 2000 feet northeast of the intersection of North Belt Drive and Hardy Road, approximately 13 miles north of downtown Houston in Harris County, Texas.

APPROVED, PG/PR

Item 20. APPLICATION BY TEXAS UTILITIES MINING COMPANY for renewal of Permit No. 02700 which authorizes the intermittent flow variable discharges of stormwater and mine pit water from the Big Brown Lignite Mine. The plant site is within a 20 mile radius of the Big Brown Reservoir (Fairfield Lake) which is approximately one mile east of FM Road 1124 and 11 miles northeast of the City of Fairfield in Freestone County, Texas.

APPROVED, PG/PR

Item 21. APPLICATION BY UNIVERSAL SERVICES FORT HOOD, INC. for renewal of Permit No. 13358-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an

average flow of 90,000 gallons per day. The wastewater treatment facilities are approximately 4,400 feet southeast of the intersection of Clear Creek Road and U.S. Highway 190, 3,700 feet east of Clear Creek Road and 500 feet north of Water Crest Road in Bell County, Texas.

APPROVED, PG/PR

Item 22. APPLICATION BY UNIVERSITY OF TEXAS for renewal of Permit No. 11370-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 10,000 gallons per day. The wastewater treatment facilities are at McDonald Observatory on Mount Locke, approximately 10 miles southeast of the intersection of State Highway 166 and State Highway 118, about 10 miles northwest of Fort Davis in Jeff Davis County, Texas.

APPROVED, PG/PR

Item 23. APPLICATION BY WINDY HILL UTILITIES, INC. for renewal of Permit No. 12342-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 25,000 gallons per day. The wastewater treatment facilities are approximately 800 feet north of Zaka Road, west of Windfern Road at the southeast corner of Maple Leaf Gardens in Harris County, Texas.

CONTINUED TO APRIL 28, 1993 AT 9:00 A.M.

Item 24. APPLICATION NO. 23-251A BY AGNES O. BROWNE; FRANCES V. BROWNE, MARY HILMA BROWNE WINANS, AGNES S. HANNLEY TRUST, THE BROWNE 1992 TRUST, AND JAMES JOSEPH SMITH FOR AN AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 23-251 PURSUANT TO TWC SECTION NO. 11.122. FOR COMMISSION ACTION. Applicants seek to increase the area authorized for irrigation in Cameron County from 296 acres to 359.4 acres; an increase of 63.4 acres. (SMITH/jme)

APPROVED, PR/PG

Item 25. APPLICATION NO. 23-2800A BY HOMERO ELIZONDO AND WIFE, MARTHA G. ELIZONDO FOR AN AMENDMENT TO CERTIFICATE OF ADJUDICATION NO. 23-2800 PURSUANT TO TWC SECTION NO. 11.122. FOR COMMISSION ACTION. Applicants seeks to amend the certificate by changing the place of use, the point of diversion, and the rate of diversion of the 3 acre-feet of Class "B" water rights authorized by the certificate and owned by the applicants in Zapata, Zapata County, Texas.

APPROVED, PR/PG

Item 26. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR AN ORDER AUTHORIZING THE CITY OF WEATHERFORD TO REGULATE ON-SITE SEWAGE FACILITIES WITHIN THE INCORPORATED AREAS OF WEATHERFORD THUS MAKING WEATHERFORD AN AUTHORIZED AGENT OF THE TEXAS WATER COMMISSION.

APPROVED, PR/PG

Item 27. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR AN ORDER AUTHORIZING THE TOWN OF HICKORY CREEK TO REGULATE ON-SITE SEWAGE FACILITIES WITHIN THE INCORPORATED AREAS OF HICKORY CREEK THUS MAKING HICKORY CREEK AN AUTHORIZED AGENT OF THE TEXAS WATER COMMISSION.

APPROVED, PR/PG

Item 28. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR AN ORDER AUTHORIZING THE TOWN OF DOUBLE OAK TO REGULATE ON-SITE SEWAGE FACILITIES WITHIN THE INCORPORATED AREAS OF DOUBLE OAK THUS MAKING DOUBLE OAK AN AUTHORIZED AGENT OF THE TEXAS WATER COMMISSION.

APPROVED, PR/PG

Item 29. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR AN ORDER AUTHORIZING THE LOWER COLORADO RIVER AUTHORITY TO REGULATE ON-SITE SEWAGE FACILITIES IN THE HIGHLAND LAKES AND TO DESIGNATE THE LOWER COLORADO RIVER AUTHORITY AS THE COMMISSION'S AUTHORIZED AGENT OF THE TEXAS WATER COMMISSION.

APPROVED, PR/PG

Item 30. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 153 FOR APPROVAL TO USE SURPLUS FUNDS; \$4,500,000 BOND ISSUE APPROVED SEPTEMBER 1, 1985. For Commission consideration and action. Applicant requests approval to use \$94,568 in surplus funds for the installation of dechlorination facilities in the jointly owned Central Atascocita Wastewater Treatment Plant. (Ferguson)

APPROVED, PG/PR

Item 31. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 152 FOR APPROVAL TO USE SURPLUS FUNDS; \$5,030,000 BOND ISSUE APPROVED FEBRUARY 1, 1979. For Commission consideration and action. Applicant requests approval to use \$63,030 in surplus funds for the installation of dechlorination facilities in the jointly owned Central Atascocita Wastewater Treatment Plant. (Ferguson)

APPROVED, PG/PR

Item 32. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 151 FOR APPROVAL TO USE SURPLUS FUNDS; \$2,425,000 BOND ISSUE APPROVED APRIL 29, 1988. For Commission consideration and action. Applicant requests approval to use \$59,105 in surplus funds for the installation of dechlorination facilities in the jointly owned Central Atascocita Wastewater Treatment Plant. (Ferguson)

APPROVED, PG/PR

Item 33. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 132 FOR APPROVAL TO USE SURPLUS FUNDS; \$4,350,000 BOND ISSUE APPROVED DECEMBER 1, 1985. For Commission consideration and

action. Applicant requests approval to use \$94,568 in surplus funds for the installation of dechlorination facilities in the jointly owned Central Atascocita Wastewater Treatment Plant. (Ferguson)

APPROVED, PG/PR

Item 34. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 208 FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$3,500,000 BOND ISSUE APPROVED DECEMBER 1, 1989. For Commission consideration and action. Applicant requests approval to use \$400,000 in surplus funds interest earnings for the defeasance and redemption of a portion of the District's bonded indebtedness. (Ferguson)

APPROVED, PG/PR

Item 35. APPLICATION BY GREATER TEXOMA UTILITY AUTHORITY OF COOKE AND GRAYSON COUNTIES; APPLICATION FOR APPROVAL OF AN EXTENSION OF TIME TO SELL BONDS; \$600,000 BOND ISSUE APPROVED DECEMBER 6, 1991. For Commission consideration and action. Applicant requests a one year extension of the Commission's bond approval dated December 6, 1991. (Ferguson)

APPROVED, PG/PR

Item 36. APPLICATION BY BACLIFF MUNICIPAL UTILITY DISTRICT OF GALVESTON COUNTY FOR APPROVAL OF A FIRE PROTECTION PLAN. For Commission consideration and action. Applicant requests approval of a proposed fire plan to contract for fire protection services with the Bacliff Volunteer Fire Department. (Ferguson)

CONTINUED TO APRIL 7, 1993 AT 9:00 A.M.

Item 37. APPLICATION OF RAIN WATER SUPPLY CORPORATION to Transfer Water CCN No. 11306 from S & H Water Company in Hood County, TX (Application No. 9834-S, Holck)

APPROVED, PG/PR

Item 38. APPLICATION OF NOAH QUINN DBA LAKELAND WATER COMPANY to Transfer Water CCN No. 12533 from Lakeland Water System, Inc.; in Polk County, TX (Application No. 9767-S, Poe)

APPROVED, PG/PR

Item 39. APPLICATION OF CITY OF MISSION to Transfer a portion of Water CCN No. 10588 from Sharyland Water Supply Corporation to City of Mission (CCN No. 11537), in Hidalgo County, TX (Application No. 9568-S, Gonzalez)

APPROVED, PG/PR

Item 40. APPLICATION OF MAC-CAREY PROPERTIES, INC. DBA RIDGE HARBOR UTILITY COMPANY (INC.) to Purchase Ridge Harbor, The Place and Muleshoe Bend Subdivisions Water and Sewer Systems and to Obtain Water and Sewer Certificates of Convenience and Necessity (CCN) in Burnet County, TX (Application No.

9870-S, and 9871-C, Poe)

APPROVED, PG/PR

Item 41. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF MT. SYLVAN WATER SYSTEM, INC. TO INCREASE RETAIL WATER RATES IN UPSHUR COUNTY, TEXAS (DOCKET NO. 9550-G). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 107 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (LINDA SORRELLS).

ADOPT EXAMINER'S MEMORANDUM AND ISSUE ORDER, PR/PG

Item 42. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE APPLICATION OF OTTO MARINE ENTERPRISES, INC. FOR PERMIT NO. 03448 TO AUTHORIZE THE DISCHARGE OF .008 MGD OF TREATED INDUSTRIAL WASTEWATER EFFLUENT IN HARRIS COUNTY, TEXAS, AND SEGMENT NO. 1005 OF THE SAN JACINTO RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (JACKSON)

ADOPT EXAMINER'S MEMORANDUM AND ISSUE ORDER, PR/PG

Item 43. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF POWELL FARM WELL FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY AND TO DECERTIFY A PORTION OF CCN NO. 10195 HELD BY THE CITY OF DENTON AND TO PROVIDE WATER UTILITY SERVICE IN DENTON COUNTY, TEXAS RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (THOMAS)

ADOPT EXAMINER'S MEMORANDUM AND ISSUE ORDER, PR/PG

Item 44. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDERS CONCERNING THE APPLICATION OF CITY OF WYLIE FOR AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10186 AND TO DECERTIFY A PORTION OF CCN NO. 10192 HELD BY WYLIE NORTHEAST WSC TO PROVIDE WATER SERVICE IN COLLIN COUNTY, TEXAS (DOCKET NO. 9450-C) AND PETITION OF WYLIE NORTHEAST WSC FOR A CEASE AND DESIST ORDER (DOCKET NO. 9759-D). RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES.

ADOPT EXAMINER'S MEMORANDUM AND ISSUE ORDER, PR/PG

Item 45. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF LAKEFALLS ESTATES WATER SYSTEM TO INCREASE RETAIL WATER RATES IN WALKER COUNTY, TEXAS (DOCKET NO. 9796-G). APPLICANT PROVIDES RETAIL WATER SERVICE TO APPROXIMATELY 26 CUSTOMERS. RECOMMENDATION: ADOPTION OF AGREEMENT OF PARTIES. (WOOD)

ADOPT EXAMINER'S MEMORANDUM AND ISSUE ORDER, PR/PG

(PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TEXAS WATER COMMISSION AGENDA AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT, OR BRAILLE ARE REQUESTED TO CONTACT DOUG KITTS IN THE THE OFFICE OF THE CHIEF CLERK AT (512) 463-7905 AT LEAST TWO (2) WORK DAYS PRIOR TO THE AGENDA,



SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.)

CONTESTED AGENDA

Wednesday, March 31, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REQUEST FOR ISSUANCE OF AN ORDER REQUIRING CERTAIN ACTIONS OF RICHARD STANDFIELD DBA DEPENDABLE TRUCKING, INC. (SMITH)

Issue Order as Recommended by Staff, PR/JH

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF WILLIAM ROBOTHAM DBA BLUEBERRY HILL WATER SYSTEM, DOCKET NO. 9754-E. (Smith, D.)

Issue Agreed Order, PG/PR

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF MILLER-BOWIE COUNTY FARMER'S ASSOCIATION, (NO PERMIT). (Ramirez)

Remand to Staff, (All Commissioner's are in agreement)

Item 4. CONSIDERATION WHETHER EMERGENCY ORDER 93-2E, ISSUED ON MARCH 3, 1993 TO EAST CEDAR CREEK FRESH WATER SUPPLY DISTRICT, SHOULD BE AFFIRMED, MODIFIED OR SET ASIDE.

Remand to Office Hearing's Examiner, (All Commissioner's are in agreement.)

Item 5. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION & ORDER CONCERNING THE PETITION OF SAVE BARTON SPRINGS ASSOCIATION FOR REVIEW OF CITY OF AUSTIN ORDINANCE NO. 911017-B PURSUANT TO SECTION 26.177(d) OF THE TEXAS WATER CODE. RECOMMENDATION: DENIAL OF REQUEST FOR MODIFICATION. (THOMAS)

Adopt Proposal For Decision and Issue Order, Overrule all Exceptions, JH/PG

Item 6. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS, AND/OR THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF SPECIFIC COMMISSION EMPLOYEES, as permitted by TEX.REV.CIV.STAT.ANN. art 6252-17 Sections 2(e) and 2(g). No final action, decision or vote with regard to

any matter considered in closed session shall be made in the absence of further notice issued in accordance with TEX.REV.CIV.STAT.ANN. art. 6252-17.

General Counsel will do certified agenda.

Item 7. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING PENDING LITIGATION AND OTHER LITIGATION THAT MAY ARISE CHALLENGING OR SUPPORTING COMMISSION ACTION RELATED TO THE EDWARDS AQUIFER: DANNY MCFADEN AND TEXAS FARM BUREAU VS. TEXAS WATER COMMISSION, NO. 92-05214, 331ST DISTRICT COURT OF TRAVIS COUNTY; EDWARDS UNDERGROUND WATER DIST. ET AL. VS. LIVING WATERS ARTESIAN SPS. LTD., ET AL., NO. 91-CI-14862, 57TH DISTRICT COURT OF BEXAR COUNTY; SIERRA CLUB, ET AL. VS. LUJAN, ET AL., NO. 91-CA-069, U.S. DISTRICT COURT, WESTERN DIST. OF TEXAS, MIDLAND ODESSA DIV.; GBRA VS. TEXAS FARM BUREAU, ET AL., NO. 92-05226, 299TH DISTRICT COURT OF TRAVIS COUNTY. L.B.TURLOVE, JR. AND JO HELEN BATOT VS. THE STATE OF TEXAS, TEXAS WATER COMMISSION, CAUSE NO. 92-08-18, 127-CV OF UVALDE COUNTY, 38TH JUDICIAL DISTRICT. THE AUTHORITY FOR THIS MEETING IS TEX. REV. CIV. STAT. ANN. ART. 6252-17, SEC. 2 (e).

No Action Taken

(PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THE TEXAS WATER COMMISSION AGENDA AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, LARGE PRINT, OR BRAILLE ARE REQUESTED TO CONTACT DOUG KITTS IN THE THE OFFICE OF THE CHIEF CLERK AT (512) 463-7905 AT LEAST TWO (2) WORK DAYS PRIOR TO THE AGENDA, SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.)

EMERGENCY ADDENDUM TO CONTESTED AGENDA

Wednesday, March 31, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

- Item 8. THE COMMISSIONERS WILL MEET IN EXECUTIVE SESSION UNDER SECTION 2(G) OF THE OPEN MEETINGS ACT TO DISCUSS THE RECENT RESIGNATION OF THE EXECUTIVE DIRECTOR OF THE TEXAS WATER COMMISSION, TO DISCUSS THE APPOINTMENT OF AN ACTING EXECUTIVE DIRECTOR, DEFINE A PROCESS BY WHICH TO SELECT AN EXECUTIVE DIRECTOR.

General Counsel will do certified agenda.

An emergency posting under Section 3A(h) of the Open Meetings Act is necessary due to the reasonably unforeseeable resignation of the Executive Director of the Texas Water Commission and the need for immediate action by the governing body to appoint an acting executive director to avoid uncertainty and to ensure a smooth and orderly transition.

CONTESTED OLD BUSINESS

Wednesday, March 31, 1993

TEXAS WATER COMMISSION

9:00 a.m.

Room 118

Item carried forward from Agenda of September 16, 1992.

- Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION & ORDER CONCERNING THE APPLICATION OF FRED WILLIAMSON FOR PERMIT NO. 13563-01 TO AUTHORIZE THE 50,000 GPD of TREATED DOMESTIC WASTEWATER EFFLUENT IN MATAGORDA COUNTY, TEXAS, AND SEGMENT NO. 2441 OF THE BAYS & ESTUARIES. RECOMMENDATION: DENIAL OF PERMIT. (JACKSON)

Continued to July 14, 1993

Hold in Abeyance for 6 months to allow applicant to amend discharge route, Reschedule for March 31, 1993 JH/PR

Item carried forward from Agenda of March 24, 1993.

- Item 2. THE COMMISSIONERS WILL MEET IN EXECUTIVE SESSION TO DISCUSS THEIR DUTIES, ROLES, AND RESPONSIBILITIES AS COMMISSIONERS OF THE TEXAS WATER COMMISSION UNDER SECTION 2(g) OF THE OPEN MEETINGS ACT. TEX. REV. CIV. STAT. ANN. Art 6252-17, AND 2(g).

General Counsel will do certified agenda