

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING

GUADALUPE-BLANCO RIVER AUTHORITY

SOAH Docket No. 582-18-4649

TCEQ Docket No. 2016-0530-WR

Certificate of Adjudication No. 18-3863C

APPLICATION.

Guadalupe-Blanco River Authority (GBRA or Applicant), 933 East Court Street, Seguin, Texas 78155, has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to a Certificate of Adjudication pursuant to Texas Water Code (TWC) §§ 11.122 and 11.085, and TCEQ Rules Title 30 Texas Administrative Code (TAC) § 295.1, *et seq.*

GBRA seeks an amendment to Certificate of Adjudication No. 18-3863 to add mining and domestic use to its authorized water; to add an additional place of use for the authorized water in DeWitt, Gonzales, Guadalupe, and Comal counties; to add an exempt interbasin transfer to those portions of Gonzales, DeWitt, Guadalupe, and Comal counties in the San Antonio and Lavaca River Basins and the Lavaca-Guadalupe Coastal Basin; and to add a 247-mile diversion segment on the Guadalupe River, Guadalupe River Basin.

GBRA owns a portion of Certificate of Adjudication No. 18-3863 (Certificate) which authorizes the diversion and use of not to exceed 3,000 acre-feet of water per year from the perimeter of a reservoir, created by the Salt Water Barrier and Diversion Dam owned by GBRA and authorized by Certificate of Adjudication No. 18-5484, on the Guadalupe River, Guadalupe River Basin, at a maximum combined diversion rate of 18.05 cfs (8,100 gpm), for municipal, industrial, and agricultural purposes in Victoria, Calhoun, and Refugio counties, within the Guadalupe, San Antonio, and Lavaca River Basins and the San Antonio-Nueces and Lavaca-Guadalupe Coastal Basins. The priority date for this right is March 1, 1951.

Applicant seeks to amend its portion of Certificate of Adjudication No. 18-3863 to add mining and domestic use to its authorized water; to add an additional place of use for the authorized water in Gonzales, DeWitt, Guadalupe, and Comal counties; to add an exempt interbasin transfer to those portions of Gonzales, DeWitt, Guadalupe, and Comal counties in the San Antonio and Lavaca River Basins, and the Lavaca-Guadalupe Coastal Basin.

Applicant further seeks to add a 247-mile diversion segment beginning at the intersection of the Guadalupe River and Interstate Highway (IH) 35 in Comal County and extending downstream to the GBRA's Saltwater Barrier and Diversion Dam located in Calhoun and Refugio counties.

The proposed upper limit of the diversion segment is located at a point on the Guadalupe River approximately 1.35 miles southeast of New Braunfels, Texas, bearing S 3° W, 1,943.77 feet from the north corner of the J. Thompson Survey, Abstract No. 608, also being Latitude 29.692717° N, Longitude 98.107794° W, in Comal County.

The proposed lower limit of the diversion segment is located at a point on the Guadalupe River at GBRA's Saltwater Barrier and Diversion Dam approximately 3.5 miles north of Tivoli, Texas, bearing S 78° E, 930 feet from the northwest corner of the Silas Hulse Survey, Abstract No. 167, also being Latitude 28.505828° N and Longitude 96.884162° W in Calhoun and Refugio counties.

The application and required fees were received on February 21, 2011. Additional information was received on May 20, 2011, April 25, 2012, August 13 and December 16, 2013, and April 25, June 30, and October 8, 2014. The application was declared administratively complete and filed with the Office of the Chief Clerk on July 5, 2012.

The Executive Director has prepared a draft amendment, which, if approved, would contain special conditions, including, but not limited to, streamflow restrictions. The application, technical memoranda, and Executive Director's draft amendment are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F, Austin, Texas 78753.

CONTESTED CASE HEARING.

SOAH will conduct a preliminary hearing on this application at:

**10:00 a.m. – August 29, 2018
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding will be similar to a civil trial in state district court.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 11, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

The applicant is automatically a party in this hearing. If anyone else wishes to be a party to the hearing, he or she must attend the hearing and show how he or she would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and any person may request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, "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."

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information about the TCEQ can be found 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: July 26, 2018

A handwritten signature in black ink that reads "Bridget C. Bohac". The script is cursive and fluid.

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