

Effective: August 16, 2012

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Permanent Rule Change

Rule Project No. 2011-054-294-OW
SB 313 and SB 660 (Sections 17 and 18) Groundwater Management

Chapter 294
Priority Groundwater Management Areas
Subchapters D, E

Chapter 293
Water Districts
Subchapter C

1. Purpose. This change transmittal provides the page(s) that reflect changes and additions to the Texas Commission on Environmental Quality (commission) Volume of Permanent Rules.
2. Explanation of Change. On July 25, 2012, the commission adopted amendments to §§293.19, 293.20, 293.22, and 293.23. Sections 293.20, 293.22, and 293.23 were adopted *with changes* to the proposed text as published in the March 23, 2012, issue of the *Texas Register* (37 TexReg 2026). Section 293.19 was adopted *without change* to the proposed text and was not republished.

The commission also adopted amendments to §§294.30 and 294.40 - 294.44. Section 294.44 was adopted *with change* to the proposed text as published in the March 23, 2012, issue of the *Texas Register* (37 TexReg 2033). Sections 294.30 and 294.40 - 294.43 were adopted *without changes* to the proposed text and were not republished.

3. Effects of Change. The rulemaking implements statutory changes made by Senate Bill (SB) 313 and SB 660. The adopted rules clarify the commission's process to establish groundwater conservation districts (GCDs) in priority groundwater management areas (PGMAs) designated before September 1, 2001 in §293.19; remove a redundant GCD reporting provision in §293.20; streamline and clarify the commission's processes for review of GCD management plan adoption, readoption, and implementation compliance in §293.22; and update the commission's processes in §293.23 to agree with statutory changes relating to petitions requesting an inquiry of a GCD in a groundwater management area.

The adopted rules remove language that is no longer necessary in §294.30; clarify and update definitions in §294.40; clarify the commission's process for the evaluation of and recommendation for designation of PGMAs in §294.41; clarify the commission's process and considerations to designate a PGMA in §294.42; clarify

the commission's process to create a GCD in a PGMA in §294.43; and update the commission's process in §294.44 to agree with statutory changes related to recommendations for adding a PGMA to an existing GCD.