

Effective: March 3, 1997

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
Permanent Rule Adoption

Chapter 351
Regionalization

§§351.111-351.113

1. Purpose. This change transmittal provides the page(s) that reflect changes and additions to the Texas Natural Resource Conservation Commission (commission) Volume of Permanent Rules.
2. Explanation of Change. Under Rule Log Number 96169-351-WT, the commission adopted the repeal of §§351.111-351.113, without changes to the proposed text as published in the November 26, 1996, issue of the *Texas Register* (21 TexReg 11438). Sections 351.111-351.113 relate to the designation of the regional area included for the Upper Brushy Creek Watershed.
3. Effect of Change. The repeal of §§351.111-351.113 removes the designation of the Upper Brushy Creek Watershed as a Regional Area and the designation of the Brushy Creek Water Control and Improvement District No. 1 of Williamson and Milam Counties (District) as the regional entity responsible for providing wastewater services. This would allow for the implementation of a recent agreement among the City of Austin, the City of Round Rock, the Lower Colorado River Authority (LCRA), and the Brazos River Authority (BRA) providing for one regional wastewater treatment facility to be built by LCRA and operated by BRA.

The Watershed area includes the area in southwest Williamson County, which includes the cities of Cedar Park, Leander, Round Rock, portions of the extraterritorial jurisdiction of the City of Austin, and the unincorporated areas surrounding those cities. The District is designated as the entity responsible for the planning, construction, operation, and maintenance of an integrated wastewater treatment system for the area designated as the Upper Bushy Creek Watershed.

The designation was made in 1985 pursuant to Texas Water Code §§26.081-26.087; however, no election was held to confirm the designation. Since then, participants have withdrawn from the plan. The remaining parties along with the District have jointly petitioned the commission to repeal the designation. The repeal would allow a regional facility to be built and operated by the LCRA and BRA respectively, while also allowing for interested entities to continue discussing regional wastewater system plans with other interested parties.