

**PANHANDLE GROUNDWATER
CONSERVATION DISTRICT
PUBLIC HEARING ON RULES AMENDMENTS**

DISTRICT OFFICE
Windmill Room
201 W. Third St, White Deer
April 21, 2016
10:30 A.M.
Agenda

1. CALL TO ORDER
2. INTRODUCTIONS
3. PRESENTATION OF PROPOSED AMENDMENTS TO DISTRICT RULES.
C. E. Williams, General Manager.
4. PUBLIC COMMENT – Public questions and comments on Districts proposed Rule amendments (limited to 5 minutes each; please fill out a “Request to Speak” form prior to the discussion of the agenda item.
5. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULE 1 – DEFINITIONS:
 - a. Adding the definition “Best available science” as a new Definition, meaning conclusions that are logically and reasonably derived using statistical or quantitative data, techniques, analyses, and studies that are publicly available to reviewing scientists and can be employed to address a specific scientific question.
6. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULE 3.1 – GENERAL RULES:
The District proposes to include additional definition to:
 - a. (c) Show Cause Order and Complaints – Adding language authorizing administrative penalty for failure to comply.
7. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULE 4.1 –
ISSUANCE OF PERMITS: Multiple Well Drilling and Production Permit – Adding “for the same contiguous acreage containing more than 2560 contiguous acreages”.
8. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULE 4.2 –
INITIAL PRODUCTION PERMIT (IPP) – Remove from the rules completely.
9. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 4.3 - DRILLING
AND PRODUCTION PERMITS - Adding
(3) - the drilling of water well authorized under a permit issued by the Railroad Commission of Texas, being moved from Rule 6.4.
10. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 4.4 -
REQUIREMENT OF DRILLER’S LOG, CASING, PUMP DATA AND METERS –
(c) - change meter size requirement from 4 inch to 3 inch or larger column pipe diameter.
11. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 4.5 -
DURABILITY OF PERMITS AND TIME DURING WHICH PERMITTED PROJECTS SHALL BE
COMPLETED – (a) Moved to (b) and other required statutory changes.

12. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 4.6 - MAXIMUM PERMITTED PRODUCTION – Moved from 4.3 (g).
13. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 7 - DEPOSITS – Added \$500 meter deposit.
14. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 10 - HEARING AND PUBLIC MEETINGS – 10.1 Types of Hearings and Public Meetings - Clarifying changes;
15. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 10.2 - NOTICE –
 - (a) (3) Rule Making Hearings – added “posting on the District’s website”;
 - (b) Drilling and production Application for Multiple Wells Notice
 - (1)(C) Adding “posting on the District’s website”;
16. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 10.3 – CONTESTED-CASE HEARING REQUESTS - Public Comment; Technical Review –
 - (a)(4) Clarifying affected persons;
 - Adding 10.3(j) Board Action: Contested Case Hearing Request; Preliminary Hearing – Statutory Changes passed by 84th Legislature Contested Case;
17. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 10.5 - GENERAL PROCEDURES –
 - Adding (a) (18) procedural rules and
 - Adding (a) (19) determine how to apportion among parties the costs;
 - Adding 10.5.5 Hearing Conducted by the State Office of Hearings;
18. CONSIDERATION AND POSSIBLE ACTION ON THE ADOPTION OF RULES 10.7 - CONCLUSION OF THE PERMIT HEARING –
 - (3) removed the wording “renewals”;
 - (b) Hearings Before a Hearing Examiner – adding Clarifying Amendments;
 - (c)(2) clarifying “party” to a contested hearing.
19. ADJOURN

At any time during the meeting and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon’s Texas Codes, Annotated, the Panhandle Groundwater Conservation District Board of Directors may meet in executive session on any of the above agenda items for consultation concerning legal matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076), or for any other purpose authorized by Chapter 551 of the Texas Government code. Any subject discussed in executive session may be subject to action during an open meeting. **The presiding officer of the Board, prior to the Board meeting in executive session, will announce that a closed meeting will be held and will publicly identify the section or sections of the Government Code Chapter 551 under which the closed meeting is to be held.**

PUBLIC NOTICE

This notice complies with Section 551.043, of the Open Meetings Act, requiring posting of the items to be considered at least 72 hours prior to the meeting. Notice has been filed with the Secretary of State’s office in Austin, and with the county clerk’s offices in Carson, Gray, Armstrong, Donley, Potter, Roberts, and Wheeler counties, in compliance with Section 551.053 of the Open Meetings Act.

Posted this 15th day of April 2016, at 201 W. Third St., White Deer, Texas, at _____ a.m./ p.m.

Anita Haiduk, Panhandle GWCD