

# NOTICE OF PUBLIC HEARING ON PROPOSED RULES

The Medina County Groundwater Conservation District ("District") will conduct a public hearing concerning the District's possible adoption of various amendments to its rules. The purpose of the hearing is to provide interested members of the public the opportunity to appear and provide oral or written comments to the District related to the proposed rules.

## 1.0 Date, Time, and Place of Public Hearing.

The date, time and place of the public hearing are as follows:

Date: Wednesday, November 15, 2017

Time: 10:50 a.m.

Location: Medina county GCD Board Room

Posted  
HOUR 11:20am

OCT 19 2017

GINA CHAMPION  
County Clerk, Medina County, TX  
By Kim Bailey Deputy

## 2.0 Brief Explanation of the Subject of the Proposed Rulemaking

The District is proposing to adopt substantial amendments to its rules. Among other things, the proposed rules, if adopted, would:

1. Amend provisions of the District's rules to redefine "Existing well" and "New well."
2. Amend provisions of the District's rules to provide the requirement of monitoring equipment for non-exempt wells within the district and capable of withdrawing water from any aquifer other than the Leona Gravel Aquifer.
3. Amend provisions of the District's rules to allow for a waiver from the requirement of monitoring equipment for non-exempt wells within the district and capable of withdrawing water from any aquifer other than the Leona Gravel Aquifer

Because the proposed amendments to the rules are lengthy, an exhaustive analysis of all the proposed rules is not attempted here. All interested persons are encouraged to review the proposed rules for themselves by obtaining a copy from the District, as provided below.

## 3.0 Procedures for Submitting Comments on the Proposed Rules

### 3.1 Oral Comments

Any person may appear at the public hearing on the proposed rules. Any person making an appearance must indicate their desire to make oral comments on the registration form provided by the District at the public hearing. A person must disclose any affiliation on the registration form and, if applicable, the authority to speak for a person represented. Any other person attending the public hearing will be considered by the District to be an observer not desiring to make comment on the proposed rules. The District will not consider any comments of an observer in any future action taken on the proposed rules.

All persons should indicate on the registration form whether their comments are generally

directed to all of the proposed rules or whether they are directed at specific rules. If directed at a specific provision of the rules, the relevant portion should be identified on the registration form. If it becomes apparent during the oral comments that what were indicated to be merely general comments are, in fact, specific comments, the presiding officer at the hearing may ask the person to specifically identify the provision to which the oral comments are directed.

The presiding officer will establish the order of oral comments of persons at the hearing. As appropriate, the presiding officer may limit:

1. the number of times a person may speak;
2. the time period for oral comments;
3. cumulative, irrelevant, or unduly repetitious comments;
4. general comments that are so vague, undeveloped, or immaterial as to be impracticable for the District to ascertain the intent or purpose of the person making the general oral comments and that are otherwise unhelpful to the District in analyzing the proposed rules;
5. the time period for asking or responding to questions; and
6. other matters that come to the attention of the presiding officer as requiring limitation.

**Please note that although the District will consider oral comments, it will not prepare written responses to oral comments for review and consideration by the Board of Directors of the District when it deliberates on whether to adopt the proposed rules as final.**

### **3.2 Written Comments**

The District encourages all interested parties to submit written comments regarding the proposed rules. Written comments on the proposed rules must be filed with the District by no later than November 13, 2017. Written comments may be filed as follows:

1. by hand delivery to the District's general manager at the District's offices, 1613 Avenue K, Suite 105, Hondo, Texas, during regular business hours, or during any board meeting or hearing that occurs on or prior to November 13, 2017;
2. by mail to the District at 1607 Avenue K, Hondo, Texas 78861; or
3. by hand delivery to the presiding officer at the public hearing.

Written comments should be filed on 8 1/2 x 11 inch paper and typed or legibly written. Written comments should indicate whether the comments are general and directed at all of the proposed rules, or whether they are directed at specific provisions. If directed at specific

provisions, the number of the proposed rule should be identified and followed by the comments on the specifically identified provision.

#### **4.0 Procedures for Obtaining the Proposed Rules**

Copies of the proposed rules may be obtained from the District as follows:

1. by calling 830-741-3162, and requesting a copy from the District's General Manager, Mr. David Caldwell; or
2. by visiting the offices of the District at 1607 Avenue K, Hondo, Texas, Hondo, Texas.
3. From the District's website - <http://www.medinagwcd.org>

#### **5.0 Opportunity to Appear and Comment at Board Meeting at Which the Proposed Rules May be Adopted as Final**

The meeting of the District's Board of Directors at which the proposed rules will be considered for adoption as final will be an open meeting and, at that meeting, the public will be allowed to make comments on the proposed rules, subject to whatever reasonable limits as to the number, frequency and length of comments the District is empowered to impose pursuant to the Texas Open Meetings Act, TEX. GOV'T CODE ANN. ch. 551.

**ISSUED THIS 19th DAY OF October, 2017.**



David Caldwell  
General Manager,  
Medina County Groundwater Conservation District