



## Legislation Text

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**File #:** AI 13-2193, **Version:** 2

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**Consider recommendation from the Permits/Enforcement Committee to approve Proposed Rules related to the following Chapters of the EAA rules: Chapter 702 (Definitions); Chapter 711 (Groundwater Withdrawals), Subchapters C (Exempt Wells), D (Limited Production Wells), E (Groundwater Withdrawal Permits), and L (Administration of Permits).**

### RECOMMENDED MOTION:

Move the board approve Proposed Rules related to the following Chapters of the EAA rules: Chapter 702 (Definitions); Chapter 711 (Groundwater Withdrawals), Subchapters C (Exempt Wells), D (Limited Production Wells), E (Groundwater Withdrawal Permits), and L (Administration of Permits) and direct the General Manager to take all necessary legal steps to process the Proposed Rules.

### SUMMARY:

The purpose of this agenda item is for the board to consider a Permits/Enforcement Committee recommendation to approve Proposed Rules regarding the EAA's rules related to groundwater permitting matters. This proposed rulemaking incorporates amendments to the EAA Act resulting from the passage of HB3656 during the 86<sup>th</sup> Regular Session of the Texas Legislature. These amendments clarify the EAA's authority to approve conversions of Base Irrigation Groundwater ("BIG") to Unrestricted Irrigation Groundwater and limit the types of actions that qualify for such conversions. In addition, this proposed rulemaking provides non-substantive changes to historical language that is no longer necessary to be included in current EAA rules.

A copy of the Proposed Rules is attached for the board's reference in both clean and redlined form.

At the August 27 meeting, the Permits/Enforcement Committee voted to recommend the board approve Proposed Rules related to the following Chapters of the EAA rules: Chapter 702 (Definitions); Chapter 711 (Groundwater Withdrawals), Subchapters C (Exempt Wells), D (Limited Production Wells), E (Groundwater Withdrawal Permits), and L (Administration of Permits) and direct the General Manager to take all necessary legal steps to process the Proposed Rules.

### M/WBE PARTICIPATION:

This agenda item does not involve the procurement of goods or services by the EAA and, therefore, this section is not applicable.

### STRATEGIC PLAN REFERENCE:

This agenda item does not relate to a specific goal within the Strategic Plan, but supports the general EAA mission.

**FISCAL IMPACT:**

None.