



NOTICE OF PUBLIC HEARINGS ON PROPOSED RULES

The Edwards Aquifer Authority (“Authority”) will conduct public hearings concerning Proposed Rules relating to the addition of new rules, amendment of existing rules, or repeal of existing rules in the following chapters and subchapters of the EDWARDS AQUIFER AUTHORITY RULES.

EDWARDS AQUIFER AUTHORITY RULES			
Chapter	Title	Subchapter	Title
Ch. 711	Groundwater Withdrawals	Subchapter L	Transfers

The purpose of the public hearings is to provide interested members of the public the opportunity to appear and provide oral or written comments to the Authority related to the Proposed Rules.

1.0 Date, Time, and Place of Public Hearings.

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

Date: Monday, July 17, 2006
 Time: 6:00 p.m.
 Location: Edwards Aquifer Authority Conference Center
 1615 N. St. Mary’s Street
 San Antonio, Texas 78215

2.0 Statement of the General Subject Matter of the Proposed Rules.

The proposed rules are intended to amend certain existing Authority rules relating to deadlines for filing a transfer application proposed to be effective in the current year of filing. The proposed rules may be individually summarized as follows:

Proposed amendments to § 711.332, relating to transfer term, would provide that a transfer application requested to be effective for the current calendar year would not be processed by the General Manager unless it is filed on or before November 1st or, if filed after November 1st, the applicant has not exceeded his or her permitted withdrawal amount for that year. Proposed amendments to § 711.352, relating to bases for granting transfer applications, would correlate deadlines provisions in the current rules dealing with the timing of the filing of transfer applications.

3.0 Procedures for Submitting Public Comments on the Proposed Rules.

3.1 Oral Comments.

Any person may appear in person, or by authorized representative, at a 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 Authority at the public hearing. A person must disclose any affiliation on the registration form and, if applicable, the legal authority to speak for a person represented. Any other person attending the public hearing will be considered by the Authority to be an observer not desiring to make comment on the Proposed Rules. The Authority will not consider any comments of an observer in its rulemaking proceedings.

All persons must indicate on the registration form whether their comments are generally directed to all of the Proposed Rules or whether they are directed at specific numbered rules. If directed at specific rules, the number of the Proposed Rules must 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 may ask the person to specifically identify the Proposed Rules 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 Authority to ascertain the intent or purpose of the person making the general oral comments and that are otherwise unhelpful to the Authority 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 while the Authority staff will consider oral comments, the staff will not prepare written responses to oral comments for review and consideration by the Board of Directors of the Authority when it deliberates on whether to adopt the Proposed Rules as Final Rules.

3.2 Written Comments.

Written comments on the Proposed Rules must be filed (i.e., received by the Authority and date stamped) with the Authority no later than 5:00 p.m. on Monday, August 7, 2006. Written comments may be filed as follows:

(1) at the official address of the Authority, 1615 N. St. Mary's Street, San Antonio, Texas 78215, by mail or hand delivery; or

(2) if a hearing is conducted, hand delivered to the presiding officer of the public hearing.

Written comments should be filed on 8 1/2 x 11 inch paper and be typed or legibly written. Written comments must indicate whether the comments are general and directed at all of the Proposed Rules, or whether they are directed at specific Proposed Rules. If directed at specific rules, the number of the proposed rule must be identified and followed by the comments on the specifically identified proposed rule.

4.0 Procedures for Obtaining the Proposed Rules and Regulatory Assessment.

At the discretion of the General Manager, the Authority may prepare a regulatory assessment of proposed rules in order to evaluate the regulatory impacts of the proposed rules, if adopted. Copies of the Proposed Rules, and the regulatory assessment, if any, may be obtained from the Authority as follows:

- (1) calling (210) 222-2204 or 1-800-292-1047, and requesting a copy of the rules;
- (2) visiting the offices of the Authority at 1615 N. St. Mary's Street, San Antonio, Texas 78215; or
- (3) visiting the Authority's website at www.edwardsaquifer.org.

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

The meeting of the Authority's Board of Directors at which the Proposed Rules will be considered for adoption as final rules will be an open meeting and, at that meeting, the public will be allowed to make comments on the proposed rules and the Authority responses, subject to the limitations and requirements of Authority rules §§ 707.202 - .203, and whatever reasonable limits as to the number, frequency and length of comments the Authority is empowered to impose pursuant to the Texas Open Meetings Act, TEX. GOV'T CODE ANN. ch. 551.

ISSUED THIS 13th DAY OF JUNE, 2006.

(Original Signed and Sealed)
Sharon Guinn Davila
Docket Clerk
Edwards Aquifer Authority