

RESOLUTION NO. 20071018

A RESOLUTION OF THE
HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT
CONCERNING PARTICIPATION IN DECISIONS OF THE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
ON THE WASTEWATER DISCHARGE PERMIT APPLICATION
FILED BY AQUA UTILITIES.

WHEREAS, the Hays Trinity Groundwater Conservation District (HTGCD) has as its purpose the prevention of groundwater waste in Western Hays County; and

WHEREAS, Aqua Utilities has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of a permit for the disposal of treated domestic wastewater; and

WHEREAS, the HTGCD has serious concerns about the proposal from Aqua Utilities and the permit or permits that could be authorized by a decision of the TCEQ, including disposal in recharge areas, areas with improper receiving soils, or direct discharge or runoff to surface streams; and

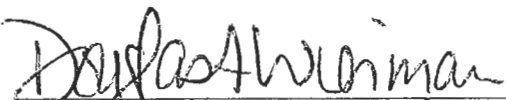
WHEREAS, the HTGCD has the authority to participate in decisions of State agencies affecting its territorial jurisdiction; and

WHEREAS, the HTGCD desires to participate in the decisions of the TCEQ to prevent the pollution of groundwater within its territorial jurisdiction.

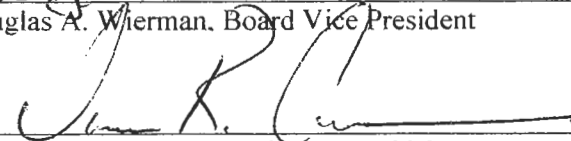
NOW, THEREFORE, BE IT RESOLVED:

1. The District directs the General Manager, with the advice of the District's counsel, to participate fully in the decisions of TCEQ on any pending or related application by Aqua Utilities for permits from TCEQ to release air or water pollutants or the management of wastes and to oppose any such permits that are not in the best interests of the District.
2. The District directs the General Manager, with the advice of the District's counsel, to either engage attorneys and experts as the District determines are appropriate to assist the HTGCD in participating formally in any such decisions of the TCEQ or provide assistance to attorneys and experts hired by other entities aligned with the position of HTGCD.
3. The District directs the General Manager to spend funds of the District budgeted for the participation in such decisions of the TCEQ and to keep the Board of Directors advised of the major expenditures and actions involved.

PASSED AND APPROVED on this 18th day of October, 2007

By: 

Douglas A. Wierman, Board Vice President

Attest: 

Dana R. Carmean, Interim General Manager