

Coastal Bend Groundwater Conservation District Proposed Rule Amendments

The following rules are amended:

1) Subchapter B is amended by adding Rule 1.21 to read as follows:

§1.21 RULES OF PROCEDURE, CONDUCT AND DECORUM AT MEETINGS OF THE BOARD OF DIRECTORS

(a) All Regular, Special, and Emergency Board Meetings will be called and conducted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Government Code.

(b) Regular, Special and Emergency Board Meetings are open to the public and to representatives of the press and media. Closed Board meetings (“Executive Sessions”) are not open to the public or the press and only those individuals expressly requested or ordered to be present are allowed to attend Executive Sessions.

(c) Public participation at Board meetings is limited to that of observers unless the Board requests that a member of the public to address the Board or unless the person who wishes to address the Board submits a completed Public Participation Form prior to the beginning of the meeting. The Public Participation Form must list each agenda item the person wishes to address or any item the person would like the Board to consider adding to a future agenda. A sample of the Public Participation Form is attached hereto as Exhibit "A."

(1) The Presiding Officer of the meeting may limit the total amount of time each member of the public has to address the Board. The time limit, if any, must be announced at the beginning of the meeting.

(2) Profane, insulting or threatening language directed toward any person or racial, ethnic, or gender slurs or epithets will not be tolerated during public comments. These Rules do not prohibit public criticism of the District, the Board of Directors, or the District staff, including criticism of any act, omission, policy, procedure, program, or service. Violation of these rules may result in the following sanctions:

(A) cancellation of a speaker's remaining time;

(B) removal from the Board meeting;

(C) such other civil or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

(d) From time to time, the Board of Directors may conduct public hearings. These rules of procedure, conduct and decorum shall also apply to public hearings.

(e) These Rules of Procedure, Conduct and Decorum be effective immediately upon adoption by the Court and shall remain in full force and effect until amended or repealed.

2) Rule 3.18. Permit Renewal is amended by adding a new Subdivision (f) to read as follows:

(f) Well owners or well operators may make application to renew Export Permits required under these Rules prior to the expiration of the permit term. Export Permit renewals may be approved by the General Manager without notice or hearing if the amount of authorized export remains the same or decreases and the conditions listed in the permit have not changed, or the General Manager may refer the permit renewal to the Board. Export permits will renew automatically to a term that is not shorter than the term of the operating permit for the production of water to be transferred that is in effect at the time of the extension and for each additional term for which that operating permit for production is renewed or remains in effect. The renewed Export Permit continues to be subject to conditions contained in the permit as issued before the renewal unless amended by Board action.

3) Rule 3.19. Permit Amendments is amended by adding a new Subdivision (g) to read as follows:

(g) A permit amendment to increase the amount of groundwater authorized to be withdrawn during a multi-year permit term expires at the end of that permit term and is considered a regular permit. Historic Use permits amended to change the amount of groundwater authorized to be withdrawn, the place of use, or the purpose of use, forfeit Historic Use protections for that portion of the permit that is amended.