

LONE STAR GROUNDWATER CONSERVATION DISTRICT
NOTICE OF HEARING
November 10, 2009

NOTICE IS HEREBY GIVEN to all interested persons within Montgomery County, Texas:

That the Board of Directors of the Lone Star Groundwater Conservation District (LSGCD) will hold a hearing and may take action on proposed changes to the LSGCD Rules. The proposed rules changes address the adoption of Phase II (B) of the District Regulatory Plan as a rule of the LSGCD, which requires among other things that certain persons who produce or use groundwater in Montgomery County substantially reduce the amount of groundwater they produce or use and convert to surface water or other alternative supplies for their source of water not later than calendar year 2015. The proposed rules will establish the threshold amount of groundwater that a person must produce annually to be subject to these groundwater reduction and conversion regulations, which will possibly be those permitted to produce, or actually producing, ten million gallons of groundwater or more per year. Those persons subject to the regulations may be required to develop and submit a Groundwater Reduction Plan ("GRP") that identifies future water demands, alternative water supplies to meet those demands and the imposed reduction in groundwater production, cost and financing information regarding alternative water supplies, and related water supply, demand, design, engineering, and financing information, and have the GRP signed and sealed by a registered professional engineer in the State of Texas. The new regulations will establish deadlines for submitting the GRP to the LSGCD and may establish other milestones for regulated persons to demonstrate incremental progress in achieving their plans for groundwater reduction and conversion to alternative supplies between the date of adoption of the proposed rules and the end of the calendar year 2015 deadline for groundwater reduction and conversion. The proposed rules may prohibit increased production of groundwater by regulated persons in the future, or they may place conditions on such increased production of groundwater. The proposed rules may provide for the assessment of penalties for failure to timely comply with any of the proposed rules, deadlines, or groundwater conversion milestones, including without limitation flat fee civil penalties or civil penalties calculated based upon the amount of groundwater a person produces.

This hearing will be held on Tuesday, November 10, 2009, beginning at 10:00 a.m. at the LSGCD's office located at 207 W. Phillips, Suite 300, in Conroe, Texas. Without any additional notice, the proposed rules may be adopted at the conclusion of the hearing, or any time or date thereafter, in the form presented or as amended based upon comments received from the public, the LSGCD staff, attorneys, or engineers, or members of the Board of Directors.

Any person who desires to appear at the hearing and present testimony, evidence, or other information on the District Rules and adoption of Phase II(B) of the District Regulatory Plan may do so in person, by counsel, or both. The hearing posted in this notice may be recessed from day to day or continued where appropriate. Blind persons who wish to have this notice read to them may call (936) 494-3436.

A copy of the proposed Phase II(B) of the District Regulatory Plan, which is the proposed change to the District Rules, may be requested by email at lsgcd@consolidated.net, will be made available at the District's website at www.lonestargcd.org, and may be reviewed or copied at 207 W. Phillips, Suite 300, Conroe, Texas. Any person who wishes to receive more detailed information on this notice should contact the District's General Manager, Kathy Turner Jones, at (936) 494-3436.

END OF AD

Kathy Turner Jones, General Manager
Lone Star Groundwater Conservation District
P.O. Box 2467
Conroe, Texas 77305
(936) 494-3436
(936) 494-3438 (fax)

Dist
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Mark Lumball
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS