



# COMMISSIONERS COURT COMMUNICATION

REFERENCE NUMBER \_\_\_\_\_

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DATE: 05/07/2024

**SUBJECT: RECEIVE AND FILE A LETTER TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY DELEGATING AUTHORITY TO A SPECIFIED COUNTY OFFICER OR EMPLOYEE OF THE COUNTY TO SIGN CERTAIN REPORTS UNDER THE TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM MUNICIPAL SEPARATE STORM SEWER SYSTEM PROGRAM**

**\*\*\* CONSENT AGENDA \*\*\***

**COMMISSIONERS COURT ACTION REQUESTED**

It is requested that the Commissioners Court receive and file a letter to the Texas Commission on Environmental Quality (TCEQ) delegating authority to a specified county officer or an employee of the county to sign certain reports under the Texas Pollutant Discharge Elimination System (TPDES) Municipal Separate Storm Sewer System (MS4) Program.

**BACKGROUND**

Under Texas Administrative Code Title 30, Section 305.44, all applications from a public agency to TCEQ shall be signed by the ranking elected official. However, Texas Administrative Code Title 30, Section 305.128 permits a ranking elected official to designate duly authorized representatives to sign reports and other information requested by TCEQ. An authorization must be made in writing by the ranking elected official, specify the individual or position designated as an authorized representative, and submitted to the executive director of TCEQ. On April 1, 2024, the County Judge signed a letter addressed to the Executive Director of the TCEQ authorizing the following Tarrant County positions to sign reports under the TPDES General Permit No. TXR040000:

- Tarrant County Public Health Associate Director Health Protection and Response
- Tarrant County Director of Transportation Services Department
- Tarrant County Administrator

Pursuant to Local Government Code Section 81.028, a county judge may file an order with the Commissioners Court of the county delegating to another county officer or an employee of the county the ability to sign orders or other official documents associated with the county judge's office. Since the Tarrant County Judge has delegated authority to sign TCEQ documents to other Tarrant County employees as authorized by the Texas Administrative Code, the order delegating such authority is being filed with the Commissioners Court to comply with Local Government Code Section 81.028.

The letter to the TCEQ is attached and has been reviewed by the Criminal District Attorney's Office as to form.

SUBMITTED BY:	Transportation	PREPARED BY: APPROVED BY:	Maria Moreno Joseph Jackson
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## **FISCAL IMPACT**

There is no fiscal impact associated with this item.