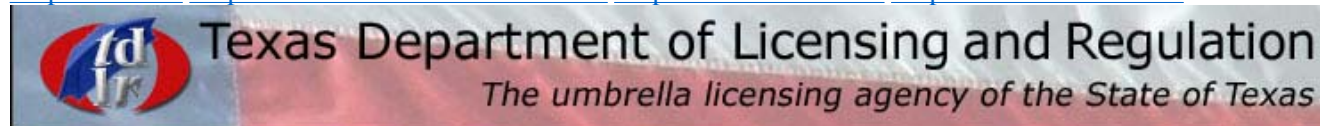


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Weather Modification

The **Texas Weather Modification Advisory Committee** met August 18 in Austin. The [agenda is available online](#). The meeting [was archived and is available](#) for listening via RealPlayer.

The **Texas Weather Modification Advisory Committee** met March 6 in Austin. The [agenda is available online](#). The [meeting was archived and is available for listening via RealPlayer](#).



Justification for the Rule Review Adoption of Chapter 79, Weather Modification

The Texas Commission of Licensing and Regulation ("Commission") filed a notice of intent to review and consider for re-adoption, revision, or repeal, 16 Texas Administrative Code ("TAC"), Chapter 79, Weather Modification in accordance with the requirements of Texas Government Code, §2001.039. The Notice of Intent to Review was published in the September 15, 2006, issue of the Texas Register (31 TexReg 8017).

In accordance with the requirements of Texas Government Code, §2001.039, the Department reviewed the administrative rules of 16 TAC Chapter 79, Weather Modification to determine if the rules were obsolete, reflect current legal and policy considerations, and reflect current procedures of the Department.

The Department's review determined that the reasons for initially adopting the rules continue to exist. The rules continue to be essential in implementing the provisions of Texas Agriculture Code, Chapters 301 and 302. Based on the Department's review, however, the Commission may propose that amendments be made which may be helpful in clarifying statutory and administrative rule requirements.

Proposed changes to these rules as a result of the rule review will be published in the Proposed Rules Section of the Texas Register. The proposed rules will be open for public comment prior to final adoption or repeal by the Commission in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

The Notice of Intent to Review was published in the September 15, 2006, issue of the Texas Register and distributed to persons internal and external to the agency. The public comment period closed on October 16, 2006. No public comments were received.

The rules are re-adopted by the Commission in accordance with Texas Government Code, §2001.039. This concludes the review of 16 TAC, Chapter 79, Weather Modification.

Issued in Austin, Texas on December 18, 2006.

William H. Kuntz, Jr.
Executive Director
Texas Department of Licensing and Regulation

The Weather Modification program administers grants to political subdivisions who sponsor rain-enhancement activities. Currently, cloud-seeding projects are conducted in some 37 million acres of the state (or about one-fifth of the state's land area). The State grants help pay for these seeding operations, reimbursing water conservation

districts, county commissions, and other political subdivisions for up to half of the costs to conduct them. This grant program, initiated with the Texas Department of Agriculture in 2001, was transferred to the TDLR in August 2003.

In addition, in administering the Texas Weather Modification Act (enacted by the Texas Legislature in 1967), the program issues licenses and permits to organizations and individuals responsible for carrying out both cloud seeding and other weather modification operations. The aim of the regulatory function is to ensure that various methods of modifying the weather do not dissipate clouds nor inhibit their ability to produce rainfall to the detriment of people or property in the affected areas.

The program also sponsors and provides administrative and technical oversight for ongoing weather modification research and development activities. This includes the use of federal grants for exploratory, and confirmatory, cloud seeding experiments. TDLR issues reports on the results of cloud seeding research work and shares information on technological advances with other State agencies, governmental organizations, and interested individuals.

The TDLR staff also works with political subdivisions, other organizations, and individuals in the design or rain enhancement projects as well as the implementation of seeding strategies for augmenting rainfall over targeted watersheds.

Weather Modification Regulation

All individuals and organizations intending to conduct weather modification activities are required to obtain a weather modification license and permit from the TDLR. George Bomar (512-936-4313; gbomar@license.state.tx.us) is the contact person at TDLR for information on, and assistance with, the licensing and permitting of weather modification operations.

The Department relies on the Weather Modification Advisory Committee for recommendations on applications for weather modification licenses and permits. The Committee, consisting of an atmospheric scientist, engineer, businessman, attorney at law, and agricultural producer, meets quarterly, usually in Austin, to review applications for licenses and permits.

Cloud Seeding Projects

All weather modification funding allocated to TDLR has been contractually committed to existing rain enhancement projects. Funds for new projects are currently unavailable. For questions about the use of funds for rain enhancement operations, contact George Bomar at the TDLR.

For more information about the weather modification program, e-mail TDLR at weather.modification@license.state.tx.us.

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