

NOTICE OF OPEN MEETING

Notice is given that a **Regular Meeting** of the Board of Directors of the Barton Springs/Edwards Aquifer Conservation District will be held **in the District office**, 1124 Regal Row, Austin, TX, on **Thursday, March 11, 2010, commencing at 6:00 p.m.** for the following purposes, which may be taken in any order at the discretion of the Board:

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development) 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

1. **Call to Order.**
2. **Citizen Communications (General Public Comments).**
3. **Routine Business.**
 - a. **Consent Agenda** Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as an item of Regular Business.
 1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.
 2. Approval of minutes from the February 25, 2010, Regular Meeting.
 3. Approval of financial performance reports and status through the second quarter of FY 2010.
 - b. **General Manager's Report.** Note: Topics discussed in the General Manager's Report are intended for general administrative and operational information-transfer purposes. The Directors will not take any action on them in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.
 1. Personnel matters and utilization;
 2. Upcoming meetings and public events of possible interest;
 3. Aquifer conditions and status of drought indicators.

- d. Discussion related to current staff work areas and specific activities of staff teams and directors. Note: Individual topics listed below may be discussed by the Board in this meeting, but no action will be taken unless a topic is specifically posted elsewhere in this agenda as an item for possible action. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.
 - i. Update on grant project and proposal activities.
 - ii. Update on other Technical Team activities.
 - iii. Update on a timeline for activities related to a re-hearing request by the City of Kyle concerning its permit applications.

4. Regular Meeting: Director-Requested Items.

- a. Discussion and possible action related to approving a resolution in support of the Bill Oliver-managed “Mother Earth Day at the Springs” event, including making a financial-support contribution (Director Goodman). **6:05 pm**
- b. Discussion and possible action related to continuing discussions and ongoing work related to the use of treated effluent as an alternative water supply for Centex and Texas Lehigh (President Larsen).

5. Regular Meeting: New Business.

- a. Discussion and possible action related to approving both a schedule for public inputs to ongoing HCP and DFC initiatives and the composition of an advisory group to the Board.
- b. Discussion and possible action concerning the status of contested director elections in District Precincts 2 and 5, and related staff actions.

6. Regular Meeting: Continued Business.

- a. Discussion and possible action concerning the assessment concerning the Hays Co. WCID No. 1’s requested change to our settlement agreement.

7. Adjournment.

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the ___th day of March, 2010, at _____ .m.

_____, Deputy Clerk

Travis County, TEXAS

Please note:

This agenda and available related documentation have been posted on our website, www.bseacd.org. If you have a special interest in a particular item on this agenda and would like any additional documentation that may be developed for Board consideration, please let staff know at least 24 hours in advance of the Board Meeting so that we can have those copies made for you.

The Barton Springs/Edwards Aquifer Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-282-8441 at least 24 hours in advance if accommodation is needed.

Item 3

Routine Business

b. General Manager's Report. Note: Topics discussed in the General Manager's Report are intended for administrative and operational information-transfer purposes. The Directors will not deliberate any issues arising from such discussions and no decisions on them will be taken in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.

- 1. Personnel matters and staff utilization**
- 2. Upcoming events of possible interest**
- 3. Aquifer conditions.**
- 4. Discussion related to current staff work areas and specific activities of staff teams and directors Note: Individual topics listed below may be discussed by the Board in this meeting, but no action will be taken unless a topic is specifically posted elsewhere in this agenda as an item for possible action. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.**

- i. Update on grant project and proposal activities.**
- ii. Update on other Technical Team activities.**
- iii. Update on a timeline for activities related to a re-hearing request by the City of Kyle concerning its permit applications.**

Milestone Event Schedule for Rehearing of Kyle Permit Applications

Date	Event / Milestone
Feb 11, 2010	Board Decision - <i>Made</i>
March 3, 2010	Motion for Rehearing Due – <i>Made</i>
March 25, 2010	Regular Board Meeting
April 8, 2010	Regular Board Meeting
April 22, 2010	Regular Board Meeting
May 13, 2010	Regular Board Meeting
May 27, 2010	Regular Board Meeting
June 1, 2010	Motion for Rehearing is denied, if not acted on sooner
July 31, 2010	Deadline to file suit against District, if Motion for Rehearing is not granted

Item 4

Director-Requested Items

- a. **Discussion and possible action related to approving a resolution in support of the Bill Oliver-managed “Mother Earth Day at the Springs” event, including making a financial-support contribution (Director Goodman). 6:05 pm**

STATE OF TEXAS

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RESOLUTION # 031110-01

COUNTIES OF HAYS, TRAVIS

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BASTROP, AND CALDWELL

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**A RESOLUTION OF THE BARTON SPRINGS/EDWARDS AQUIFER
CONSERVATION DISTRICT SUPPORTING AND AUTHORIZING A
CONTRIBUTION TO THE “MOTHER EARTH DAY AT THE
SPRINGS” EVENT**

Whereas, Bill Oliver has been a stalwart supporter of habitat protection in central Texas for the last thirty-five years; and

Whereas, Bill Oliver along with his musical group “The Otter Space Band” have volunteered of countless times over the years to perform for elementary and middle school age youths environmental songs singing the virtues of environmental protection; and

Whereas, Bill Oliver has volunteered countless of times to provide musical entertainment for Austin area environmental groups whose missions are the protection of Barton Springs and the Edwards Aquifer; and

Whereas, Bill Oliver remains in the forefront of environmental education for elementary and middle school aged children especially regarding Barton Springs and the Edwards Aquifer though countless musical venues; and

Whereas, Bill Oliver has entered into a partnership with the City of Austin to manage the Earth Day Celebrations known as “Mother Earth Day at the Springs” and “Lady Bird Lake Fest” for the fourth year in a row; and

Whereas, the Barton Springs/Edwards Aquifer Conservation District's (BSEACD) central mission is to provide for the protection of Barton Springs and the Edwards Aquifer and

Whereas, “Mother Earth Day at the Springs” is in keeping with the central mission of the Conservation District; and

Whereas, Bill Oliver has asked the Board of the BSEACD to consider a possible donation to provide for the successful outcome of “Mother Earth Day at the Springs” and “Lady Bird Lake Fest”;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE
BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT:**

The event known as "Mother Earth Day at the Springs" is consistent with the mission of the Barton Springs/Edwards Aquifer Conservation District of environmental education regarding Barton Springs and the Edwards Aquifer for elementary and middle school aged children in the Austin region of central Texas and further that the event known as "Mother Earth Day at the Springs" qualifies for a sponsorship from the BSEACD the Board of the BSEACD accordingly grants the sum of \$_____ to Bill Oliver for the event known as "Mother Earth Day at the Springs" for the year 2010.

DULY PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT BY A VOTE OF ____ TO ____, ON THIS THE 11th DAY OF MARCH, 2010.

APPROVED:

By: _____
Dr. Robert Larsen
President, Board of Directors

ATTEST:

By: _____
Mr. Gary Franklin
Secretary, Board of Directors

Item 5

Regular Meeting: New Business

- a. Discussion and possible action related to approving both a schedule for public inputs to ongoing HCP and DFC initiatives and the composition of an advisory group to the Board.**

DRAFT District HCP-Related Milestone Schedule

Date	Activity or Event
February 25, 2010 Board Meeting	Presentation by Kent Butler and Raymond Slade on new HCP measures, and the hydrographic water balance studies and relationship of spring flows to GW management scenarios
March 11, 2010 Board Meeting	Discussion and possible action on this milestone schedule and authorizing one or more advisory committee and public meetings to receive input on HCP/DFC outcomes
March 25, 2010 Board Meeting	Briefing, discussion and possible action on the TWDB GAM model, its results and implications, and any needed additional work or information before establishing a Preliminary DFC
March 30, 2010 GMA-10 Meeting in Austin	Discussion and possible action concerning GMA subdivisions, and setting GMA public meetings to receive inputs on Edwards DFC in Northern Subdivision
March 30, 2010	Bryan Brooks sends first draft of BAT Biological Conclusions Report to BAT
Afternoon of April 6, 2010 at FWS in Austin	BAT Meeting to review BAT report, and establish timeline for FWS determination of take and jeopardy and HCP documentation schedule
April 8, 2010 Board Meeting	Briefing on BAT report and FWS inputs, and discussion and possible action for setting a Preliminary DFC for Edwards as a point of departure for advisory committee and public inputs
Week of April 12 th	Meeting of project and BAT leadership team with FWS Austin Ecological Services to discuss investigative status and continued FWS evaluation in Austin and Albuquerque
Week of April 19 th	Joint CAC/BAT/PAC meeting to review status, findings and recommendations to date; and first public meeting (possibly during April 22 Board meeting) on spring flows, DO implications, and HCP protective measures, including DFC
Week of May 3 rd	Joint CAC/BAT/PAC meeting to provide input to District in both HCP and DFC measures
May 13, 2010 Board Meeting	Discussion and possible action on Board recommendations to GMA-10 concerning Preliminary DFCs (and attendant HCP measures)
Week of May 24 th	GMA-10 holds public meeting(s) to receive inputs concerning Preliminary DFC(s) and HCP Measures in Buda and/or Sunset Valley, and possibly in San Antonio and Uvalde
June 7, 2010 (recommended, and provided all desired public meetings are held, and FWS has offered a confirming biological opinion)	Discussion and possible action by GMA-10 on approving Edwards DFC for its Northern Subdivision (and possibly other DFCs)

CANDIDATES FOR JOINT ADVISORY COMMITTEE TO BOARD - SPRING 2010

Rulemaking PAC - Fall 2009

PAC Member	Representing
Cyndy Slovak-Barton	Small Permittee, Media
Dave Cowan	River Authorities
Doug Wierman	Other Groundwater Districts
Hank Smith	E&C, Development
Jennifer Walker	State Environmental Community
Jerry Hendrix	Municipal Public Relations
Joe Torralva	Large Permittee, Water Utilities
John Mikels	Hydrogeology and GW Science
Kent Butler	Sustainability, Water and Land Use
Laura Raun	Public Relations
Nancy McClintock	Municipal , Watershed Protection
Rick Waddell	Permittee, Industry
Robert Mace	TWDB, State Government
Sarah Baker Faust	Local Environmental Community
Stan Fees	Large Permittee, Municipalities
Suzanne Pierce	GW Science, Use and Public Policy
Tom Weber	County Government

HCP Citizens Advisory Committee - Spring 2009

Andrew Backus	Adjacent GCD
Carl Urban	Landowner/Rancher
Ed Peacock	City of Austin, Watershed Protection Engineer

Ira Yates	Landowner/Rancher
Janie Orr	Landowner/Commercial Permittee
Jennifer Walker	Environmental Community and RWPG
Joe Vickers	Well Drillers and Pump Installers
John Noell	Business Community/Permittee
Kent Butler	UT Center for Sustainable Development, and District Consultant
Mark Zeppa	Attorney for Water Supply Provider Permittee
Matt Wagner	TPWD
Scott Nestor	Landowner/Rancher

HCP-FWS Biological Advisory Team - Winter 2010

Bryan Brooks	Baylor Univ Ecologist, and District Consultant
Charlotte Kucera	USFWS
Jack Sharp	UT Jackson School, Hydrogeologist
Kevin Connally	USFWS
Laurie Dries	City of Austin, Watershed Protection Biologist
Mary Poteet	UT Integrative Biology, District Consultant
Wendy Gordon	TWPD

Suggested Substitutions for Joint Advisory Committee:

Brenner Brown for Robert Mace, TWDB
 Jack Sharp is on sabbatical, out of state; Suzanne Pierce OK replacement for JAC
 Daryl Slusher, AWU, for one of Ed Peacock or Nancy McClintock
 Wendy Gordon for Matt Wagner, TPWD