

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 at the **District office**, located at 1124 Regal Row, Austin, Texas, on **Thursday, October 12, 2017**, 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 meet in 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 (Public Comments of a General Nature).**
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 a separate item of Regular Business on this agenda.)*
 1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000. **Not for public review**
 2. Approval of minutes of the Board's September 28, 2017 regular Meeting. **Not for public review at this time**
 3. Approval of alternative dates for the November and December Board meetings and set the date for the District Holiday Party. **Pg. 10**
 4. Approval of a contract for technical consulting services to support the technical review of a Trinity Aquifer Production Permit application and hydrogeological report. **NBU**
 5. Approval of an amendment to extend the terms of the contract with Hicks and Company to support the U.S. Fish and Wildlife Service's review of the District's HCP and ITP application. **NBU**
 6. Approval of an amendment to the contract with Pixel Profundo LLC to authorize continued development of the AR educational game, CleAR Creek Critters. **NBU**

- 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 unless the topic is specifically listed elsewhere in this agenda.)*

Topics.

- i. Personnel matters and utilization
- ii. Upcoming public events of possible interest
- iii. Aquifer conditions and status of drought indicators
- iv. Updated on team activities and highlights
- v. Update on the District HCP and ITP application
- vi. Update on Board committee activity

4. Discussion and Possible Action.

- a. Discussion and possible action related to approval of the FY 2018 District goals and General Manager's performance objectives. **Pg. 21**
- b. Discussion and possible action related to approval of a contract with Intera to provide technical services related to the development of an integrated data management and reporting system. **NBU**
- c. Discussion and possible action related to an extension of the well drilling authorization previously approved for Gragg Tract LP, (Walters Southwest) for a new Lower Trinity Aquifer well to be located on Old Bliss Spillar Road in Manchaca, Texas. **Pg. 28**
- d. Discussion and possible action related to the process and scope for the next round of rule-making. **Pg. 31**
- e. Discussion and possible action related to the City of Dripping Springs TPDES permit application to authorize direct discharge of treated wastewater to Onion Creek in the contributing zone of the Barton Springs segment of the Edwards Aquifer. **NBU**

5. Adjournment.

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 1
Call to Order

Item 2

Citizen Communications

Item 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 a separate item of Regular Business on this agenda.)

- 1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
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- 5. Approval of an amendment to extend the terms of the contract with Hicks and Company to support the U.S. Fish and Wildlife Service's review of the District's HCP and ITP application.**
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**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

MEMORANDUM

Date: October 5, 2017
To: Board of Directors
From: John T. Dupnik, P.G., General Manager
Re: Agenda Item 3.a.3 – Board meeting schedule

Due to office closure during District Holidays in November and December, I am recommending a reduced Board meeting schedule with one meeting for each month. Staff recommends the following alternate schedule for November and December of 2017.

November:

11/9/17: 1st Regular Board meeting date.
Recommendation: Postpone regular meeting until 11/16

11/23/17: 2nd Regular Board meeting date and Thanksgiving Day (District Holiday).
Recommendation: Cancel regular meeting date

December:

12/14/17: 1st Regular Board meeting date.
Recommendation: Keep regular meeting date

12/28/17: 2nd Regular Board meeting date
Recommendation: Cancel regular meeting date

Holiday Party Dates:

Recommendation: 12/8
Alternate Dates: 12/15 or 12/1

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.

Topics.

- i. Personnel matters and utilization**
- ii. Upcoming public events of possible interest**
- iii. Aquifer conditions and status of drought indicators**
- iv. Updated on team activities and highlights**
- v. Update on the District HCP and ITP application**
- vi. Update on Board committee activity**

Item 4

Board Discussions and Possible Actions

- a. Discussion and possible action related to approval of the FY 2018 District goals and General Manager's performance objectives.**

DRAFT FY 2018 District Goals
for board discussion purposes

The following goals are proposed for Board consideration to guide the District's efforts for Fiscal Year 2018. If adopted, the Board will assess achievement or substantial progress towards the goals near the end of the fiscal year which ends on August 31, 2018.

1. Continue to make progress towards ongoing initiatives including: a) preserving and protecting the water quality of recharge to the Edwards and Trinity Aquifers through advocacy for sound wastewater and stormwater management practices, and b) research to progress knowledge of innovative water supply strategies such as desalination, aquifer storage and recovery, and recharge enhancement.

Lead Team: All Teams

2. Coordinate District activity to support effective regional groundwater management strategies by improving GCD coordination through the GMA planning framework and supporting other GCD's management of aquifers shared with the District.

Lead Team: General Management Team

3. Continue effort of implementing procedures that make office operations more efficient, effective, and more transparent including communications and information dissemination, file management, and budget presentation/reporting.

Lead Team: Administrative Team

4. Conduct aquifer science studies that will help evaluate unreasonable impacts to the Trinity Aquifers, increase monitoring capabilities of the Trinity Aquifers, and consider alternative drought triggers for the Trinity Aquifers.

Lead Team: Aquifer Science Team

5. Prepare educational content and develop programming to raise awareness about the interconnectedness of land stewardship, water quality, and endangered species.

Lead Team: Education & Outreach Team

6. Improve and enhance the organization, accessibility, and dissemination of District data and groundwater management information through: a) development of an integrated database and reporting system, and b) an updated Annual Report format that is simple and informative and satisfies the reporting requirements for the prospective Habitat Conservation Plan and the revised Management Plan.

Lead Team: Regulatory Compliance Team

DRAFT FY 2018 Objectives for the General Manager
for board discussion purposes

The following objectives are to be achieved or have substantial progress made towards achievement by August 31, 2018 as determined by the collective judgment of the Board.

- 1) Effectively execute the core responsibilities of the office of GM including:
 - a. Programmatic planning and administration
 - b. Stakeholder relations and regional planning
 - c. Staff management and development
 - d. Financial administration
- 2) Continue to coordinate with the U.S Fish and Wildlife Service to advance the District's draft Habitat Conservation Plan (HCP) and prospective Incidental Take Permit (ITP) application through the comment and review process and towards final ITP issuance.
- 3) Coordinate implementation of the District's updated Management Plan including annual reporting and objectives assessment.
- 4) GMA and GCD coordination:
 - a. Assume role as GMA 10 coordinator and oversee GMA 10 planning activities including efforts to improve coordination among member GCDs in the GMA, and active involvement in related legislative matters.
 - b. Provide support for new Travis County GCD to facilitate effective groundwater management in the shared Trinity Aquifer.
- 5) Ensure that all other FY 2018 District Goals are achieved or that substantial progress is made.



**BSEACD
Board of Directors
Meeting**

September 28, 2017

Agenda Item 4.d

**FY2018 Strategic Planning
and Goal Setting**

Purpose

- Strategic planning
- Solicit Board direction
- Identify evolving year-to-year priorities
- Integrates with MP commitments
- Fits with team structure
- Guides use of limited resources/staff time

FY 18 - Overarching Drivers

- Continue ongoing efforts:
 - HCP
 - Aquifer protection advocacy
 - Rule/policy development
- Further develop shared territory/Trinity management
- Improve GMA planning/coordination
- Develop and implement integrated database
- Implement new Management Plan

GM Team Overview

- FY 17 Goals:**
- Management Plan and HCP
 - Advocate for aquifer protection measures (wastewater, roadways)
 - Preserve GCD/District authority in 85th session
- FY 18 Outlook:**
- Continued aquifer protection and HCP efforts
 - GM Objectives:
 - Interim session efforts
 - GMA 10 coordination
 - 2018 Elections
 - Overarching Drivers

Admin. Team Overview

FY 17 Goal: Transparency and public records access

- FY 18 Outlook:**
- Admin. operational improvements
 - Online/technology options (credit card payments)
 - 3405 fee assessments (CoA CPI calcs)
 - Contract/vendor management
 - Communications and information dissemination (notices, etc.)
 - Possible restructuring of budget presentation

Edu./Outreach Team Overview

FY 17 Goal: Showcase District history & accomplishments, improve access to information

FY 18 Outlook:

- Prepare HCP education and informative materials
- Enhance AR game as educational tool
- Estimate Exempt Trinity pumpage in shared territory

Reg. Comp. Team Overview

FY 17 Goal: Develop ASR rules and refine regulatory framework and policies in shared territory

FY 18 Outlook:

- Develop and implement new integrated database
- Annual report template to report on new MP goals and objectives
- Review of LPP permitting program
- Policy research on well spacing, wholesale supply permitting, and ongoing regulation to avoid unreasonable impacts

Aquifer Science Team Overview

FY 17 Goal: Conduct studies to support Trinity aquifer management and innovative water supply strategies

FY 18 Outlook:

- Continued desalination and ASR studies
- Conduct numerical modeling for potential unreasonable impacts
- Evaluate existing wells in shared territories for additions to monitor well network
- Installation of monitor well(s) in shared territories
- Evaluate Trinity water-level data for drought triggers

Item 4

Board Discussions and Possible Actions

b. Discussion and possible action related to approval of a contract with Intera to provide technical services related to the development of an integrated data management and reporting system.

Item 4

Board Discussions and Possible Actions

c. Discussion and possible action related to an extension of the well drilling authorization previously approved for Gragg Tract LP, (Walters Southwest) for a new Lower Trinity Aquifer well to be located on Old Bliss Spillar Road in Manchaca, Texas.



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

December 28, 2016

Sent via regular mail and email

Gragg Tract LP
ATTN: Bill Walters
1010 W. Martin Luther King Jr Blvd
Austin, TX 78701

RE: Board Approval of a Well Drilling Authorization Application submitted by Gragg Tract LP to drill a well in the Lower Trinity Aquifer and to be used for mixed use development, which may include public water supply use and irrigation.

Dear Mr. William Walters:

This letter is to inform you that your application request for the Well Drilling Authorization was approved by the Board on November 17, 2016. Your well drilling authorization is effective for one (1) year from the date of approval provided no change of ownership or proposed use occurs prior to drilling. Therefore, the well drilling authorization is due to expire on November 17, 2017.

Please contact the District 30 days prior to your planned drill date. If you have decided to work with a different well drilling contractor or if the well design has changed, the district will need to be notified prior to the commencement of any drilling.

If you are unable to drill the well within the authorization term of one (1) year the Board may consider granting an extension upon receiving a written showing of good cause. A request for an extension shall be made in writing to the General Manager thirty (30) calendar days before November 17, 2017. The written request must include the rationale for such a request and why such a request should be granted. The determination of what constitutes good cause rests with the General Manager and Board of Directors. Extensions are not effective until you receive written approval from the General Manager.

If you have any further questions or need clarification regarding the information, please feel free to contact Vanessa Escobar or Kendall Bell-Enders by phone at 512/282-8441 or by e-mail at vescobar@bseacd.org or kbellenders@bseacd.org

Sincerely,

Vanessa Escobar
Regulatory Compliance Coordinator

DRENNER GROUP

September 12, 2017

Ms. Vanessa Escobar
Regulatory Compliance Coordinator
Barton Springs Edwards Aquifer Conservation District
1124 Regal Row
Austin, TX 78745

Re: Board Approval of a Well Drilling Authorization Application submitted by Gragg Tract LP to drill a well in the Lower Trinity Aquifer and to be used for mixed use development, which may include public water supply use and irrigation

Dear Ms. Escobar,

On November 17, 2016, the Barton Springs Edwards Aquifer Conservation District Board of Directors approved a Well Drilling Authorization submitted by Gragg Tract LP, and provided correspondence to Gragg Tract LP to the same effect via regular mail on December 28, 2016.

The December 28, 2016 correspondence also notifies Gragg Tract LP that the Well Drilling Authorization is due to expire on November 17, 2017.

Drenner Group, P.C., has been retained by Gragg Tract LP to represent them in this matter, and as such, we are requesting an extension of the Well Drilling Authorization of one (1) additional year to November 17, 2018 based on the following good cause:

- Service Extension Requests (SERs) to the City of Austin for water and wastewater service to the Gragg and WK 281 Tracts have taken much longer to go through Staff review and the public Boards and Commissions process than expected;
- These SERs have yet to be resolved, and it is impossible to know whether a water supply from the Trinity Aquifer will be needed for the project at all; and
- The discussion of these SERs with the City of Austin could potentially impact the uses envisioned by the project, the physical location of project infrastructure, or other project components that could impact potential water demand, well configuration, and well location.

Thank you for your prompt attention to this matter, and your continued vigilance in managing our local groundwater resources.

Sincerely,



David J. Anderson
Director of Land Use

Item 4

Board Discussions and Possible Actions

d. Discussion and possible action related the process and scope for the next round of rule-making.

**BSEACD Aquifer Storage and Recovery Rules
Proposed Rule Making Process
*For Board Discussion***

1. Initial ASR concepts presented to Board (Aug. 10th)
2. Board Rules Committee meeting – defined proposed process (Oct. 5th)
3. Board meeting – ratify process (Oct. 12th)
4. Technical Advisory Committee
 - a) Identify potential members and solicit interest
 - b) Hold meeting(s) and solicit input
 - c) Staff incorporates input/further develops concepts
5. Board Rules Committee meeting
 - a) Vet concepts
 - b) Refine scope
6. Board meeting
 - a) Concepts presented
 - b) Initiate rule-making
 - c) Direct staff to draft rules
7. Board Rules Committee meeting
 - a) Review
 - b) Finalize draft for Board review
8. Board meeting
 - a) Consider draft rules
 - b) Set public hearing
9. Public notice, 20-day comment period
10. Rules Committee meeting (optional)
11. Board meeting
 - a) Public hearing
 - b) possible Board action

Target completion date: Summer 2018

Item 4

Board Discussions and Possible Actions

e. Discussion and possible action related to the City of Dripping Springs TPDES permit application to authorize direct discharge of treated wastewater to Onion Creek in the contributing zone of the Barton Springs segment of the Edwards Aquifer.

Item 5
Adjournment