

## 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, January 26, 2012**, 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 (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 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. **Not for public review at this time**
    2. Approval of minutes from the Board's January 12, 2012, Regular Meeting and Public Hearing. **Not for public review at this time**
    3. Approval of use of up to \$5000 of the Capital Fund for office space improvements, primarily related to providing a separate suitable conference and Board caucus room. **NBU**
    4. Approval of including reimbursement of Medicare premiums in addition to Blue Cross/Blue Shield health insurance coverage, as one staff member recently became eligible for Medicare coverage. **NBU**
    5. Approval of accompanying YTD Financial Reports and directing staff to prepare a revised FY 2012 Budget. **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 on them in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.

1. Standing Topics.

- i. Personnel matters and utilization;
- ii. Upcoming public events of possible interest;
- iii. Aquifer conditions and status of drought indicators.

2. 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. Review of Status Report Update – at directors’ discretion. **Pg. 24**
- ii. Update on recent permitting and non-drought regulatory activities.
- iii. Update on the status and activities associated with the outcome of the TWDB hearing on the DFC Unreasonableness petitions to GMA 10.

c. Directors’ Reports. Note: Board Member comments in this part of the agenda cannot address any aspect of an agenda item posted elsewhere on this agenda, and no substantive discussion among the Board Members or action by the Board on these comments will be allowed in this meeting.

Individual Board Members may, on a voluntary basis, make a brief report to the entire Board on their personal involvement in activities and dialogue that are of likely interest to the rest of the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Conversations with public officials, permittees, other stakeholders, and private citizens;
- Kudos and recognition of people doing good things for groundwater management in the District;
- Concerns about specific issues or problems for groundwater management in the District.

**4. Briefing (6:05 PM.)**

A representative of the Texas Department of Transportation will brief the Board on the current options under consideration for SH 45 SW and implications for their compliance with the provisions of the Consent Decree between the District and TxDOT.

**5. Regular Business: Board Discussion and Possible Actions.**

- a. Discussion and possible action related to the compliance by District permittees with their User Drought Contingency Plans and compliance of all groundwater users with District Rules, including the status and initiation of enforcement actions, as warranted. **In folder**
- b. Discussion and possible action related to the findings and recommendations of the work session with the Board and Stakeholder Advisory Committee. **NBU**

**6. Adjournment.**

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the \_\_\_\_\_ day of January, 2012, at \_\_\_\_\_ .m.

\_\_\_\_\_, Deputy Clerk

Travis County, TEXAS

**Please note:**

This agenda and available related documentation have been posted on our website, [www.bseacd.org](http://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 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 Board's January 20, 2012, Regular Meeting and Public Hearing.**
- 3. Approval of use of up to \$5000 of the Capital Fund for office space improvements, primarily related to providing a separate suitable conference and Board caucus room.**
- 4. Approval of including reimbursement of Medicare premiums in addition to Blue Cross/Blue Shield health insurance coverage, as one staff member recently became eligible for Medicare coverage.**
- 5. Approval of accompanying YTD Financial Reports and directing staff to prepare a revised FY 2012 Budget.**

## **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. Standing Topics.**

- i. Personnel matters and utilization;**
- ii. Upcoming public events of possible interest;**
- iii. Aquifer conditions and status of drought indicators.**

**2. Special Discussion Topics, 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. Review of Status Report Update – at directors' discretion.**
- ii. Update on recent permitting and non-drought regulatory activities.**
- iii. Update on the status and activities associated with the outcome of the TWDB hearing on the DFC Unreasonableness petitions to GMA 10.**

**STATUS REPORT UPDATE FOR JANUARY 26, 2012, BOARD MEETING**

Prepared by District Team Leaders

Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
<b>GENERAL MANAGEMENT TEAM</b>			
W F Holland			<p>GM activities of note since last report include: Work on coordinating activities of Steering Committee for Kent Butler Memorial Summit, including website changes, invitation list, and Save the Date email blast. Attended TWDB meeting on GMA 9 and 10 boundary changes, with followup emails. Reviewed, prepared comments, and assembled other inputs on comments on EA for Longhorn Pipeline Reversal Project. Participated in several conference calls for planning of TAGD Groundwater Summit. Contributed to survey by TWDB staff member on challenges of DFC establishment by GMAs. Held discussions with GMA 10 subcommittee and GMA 7 Coordinator concerning petition to GMA 10 and GMA response. Met with City of Kyle rep concerning monthly overpumpage notice. Met with Creedmoor-Maha concerning monthly overpumpage. Met with TRWA rep concerning water issues of local interest. Participated in TWDB meeting to gather input on upcoming TWDB rules to implement new legislative requirements. Attended meeting with vendor BESST about use of their micro-downhole instrumentation for looking at zonal info. Assisted with defining process and preparing materials for show cause hearing for Don's Grass. Developed draft content and structure for new Board Routine Business Agenda item for Directors' Reports. Coordinated info development for and announcement of SAC work session and related materials. Attended and provided testimony at two hearings on GMA 10 perspectives on petition to GMA 10 (and GMA 7) by Grass Valley Water, in Sonora. <b>DOUBLE CLICK HERE FOR MORE:</b> Participated in monthly Technical Team meeting. Coordinated with Team Leaders on current work areas. Held one on ones with Team Leaders <del>Prepared agenda for and attended Board meetings and reviewed</del></p>
W FH	16-Jan-12	General Manager activities and notes	
<b>Potential Future Board Considerations</b>			
W FH	16-Jan-12	Possible future Board agenda items (not necessarily next Board meeting)	<p>Take action on recommendations from work session with Stakeholders Advisory Committee. Approve additional changes to rules related to new statute requirements. Amend budget. Approve use of Capital Fund for certain facility improvements. Drought compliance briefings and initiate enforcement actions. Briefing by TxDOT on SH 45 SW options, plans, and compliance. Approval of responses to DFC petitions. Briefings on various ongoing or recently completed staff projects and initiatives. Approve selection of task-order contractor support in various work areas to supplement staff resources. Authorize changes to Management Plan, as required to incorporate DFCs/MAGs. Approve ILA(s) with COA for HCP related activities. Approve ILA with Hays Co. for water monitoring support and Dahlstrom Ranch educational programs. Authorize settlement provisions for Jeremiah Venture TLAP. Approve permit applications.</p>
<b>GENERAL SERVICES TEAM</b>			
Dana Christine Wilson			
DCW	20-Jan-12	February monthly water use fee invoices mailed out on Jan 13 (due on Feb 5 and late on Feb 16th).	
DCW/KH	20-Jan-12	2012 Annual Budget Rev 1 approved 8.25.11	Is posted on the District web-site
DCW/KH	20-Jan-12	DRAFT 2012 Annual Budget Rev 2 in process	



	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
<b>Tax Reporting</b>	DCW	20-Jan-12	Up to date with website postings of financial reports, budgets and annual report.	Including 2011 audit
	DCW	20-Jan-12	Completed annual reporting of 941, C3, 1099s, 1096, W-2s and W-3.	
<b>REGULATORY COMPLIANCE TEAM</b>				
John Dupnik				
<b>Enforcement</b>	JD	08-Dec-11	Enforcement and Compliance Evaluations	Stenger Ridgewood - The transfer to District 10 has finally been approved. The physical connection of the systems is expected to occur soon. Don's Grass - The NOAV was sent to Don's grass on 10/11/11 and was received on 10/12/11. The deadline for a response will be 11/14/11. A response was not received. The case will be set on this Board meeting agenda to consider scheduling a show cause hearing.
<b>Drought Management</b>	JD	08-Dec-11	Drought Compliance Monitoring and Enforcement	Staff continues to monitor monthly pumping compliance. Staff conducted the initial pre-enforcement meeting with Aqua Texas based on non-compliance in both their Shady Hollow and Bliss Spillar systems and Ruby Ranch WSC. Staff will monitor pumping to assess implementation and success of the agreed commitments.
<b>Rule Development and Review</b>	JD, KH	08-Dec-11	Identify scope and develop provisions for future possible rule changes.	Staff will begin reviewing the rules for possible revisions needed to incorporate new statutory changes resulting from the last legislative session. In addition, staff will begin identifying rule changes that may be adopted under our current management plan for consideration by the SAC. The SAC will be convened to provide input into strategies for compliance with the drought DFC for the freshwater Edwards.
<b>External Reviews</b>	JD	08-Dec-11		None at this time
<b>Lower Trinity Test Well</b>	JD	08-Dec-11	Joint Project to assess Lower Trinity Aquifer feasibility	Representative from the City of Buda, City of Kyle, Centex, Plum Creek GCD, and the District met on 11/9 to discuss the possibility of a joint test well project. John Mikels, Joe Vickers, and the District will work up some well design options and associated cost for a well that may be drilled on either the Kyle Well No. 4 site or the Centex site.
<b>Hays Trinity GCD Rule Committee</b>	JD	08-Dec-11	JD appointed by HTGCD to committee to advise on rule revisions	JD attended a meeting for the first time on 11/7. Chapters of the rules have been assigned to each member to lead discussion and proposed revisions. The group continues to work through the assigned chapters.
<b>Travis County Stakeholders Group</b>	JD	08-Dec-11	Assist Travis County in developing water availability demonstration regulations for the review of subdivision applications.	The Stakeholder group last met on November 30 to consider the staff's proposal for discussion. The proposal is responsive to unresolved issues. JD is working with a subgroup to find consensus on some of those issues and make recommendations.
<b>Permittee Inspection/Routine Compliance checks</b>	JD	08-Dec-11	Updates on routine permittee inspection program	Routine inspections have been temporarily suspended until the field technician position has been filled.
<b>Current Active Applications</b>	JD	08-Dec-11	Ira Yates NDU, DDC creek side villas - Class C Conditional Production Permit app.	Both applications are not administratively complete. Information from Creekside has been received and is under review.
<b>EDUCATION &amp; OUTREACH</b>				
Robin Gary				
<b>Hays Trinity GCD GIS Assistance</b>	RG, LBH	08-Dec-11	Precinct boundary kmils	Robin and LB met with Rick Broun and Tressy Gumbert of the Hays Trinity Groundwater Conservation District. They asked for our help in creating kmil files of their recently adopted precinct boundaries.

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
Scholarship School Visits	RG	04-Jan-12	High School Counselor and Middle School visits	Emails to area teachers and school visits have started to promote the District Scholarship programs. Robin spoke with councilors at Jack Hays, Bowie, Crockett, and Atkins High Schools. She has visited with cooperators (Sunset Valley, Austin Youth River Watch, G2G partners) about helping spread the word about applications. Deadline is March 26th.
Website Reorganization	RG	18-Jan-12	25th Anniversary banners, template changes, and information updates	Robin has generated 25th Anniversary banners and has begun coordination with Brian Zavala to implement template changes.
Website Tracking Update	RG	19 Dec - 19 Jan 2012	Internet Traffic Report	On the District website over the past month, we've had 2,711 page views from 1,131 unique visits. This is less page views and unique visitors than last month. Top pages viewed (in order of hits) are the home page (717 views), Drought Status (264 views), and the Aquifer Data page (113 views). On the District Facebook page we have 52 people (who have signed up to 'Like' us).
<b>AQUIFER SCIENCE</b>				
Brian Smith				
Dye Tracing	BS, BH	18-Jan-12	Dye tracing	A report is being prepared about the Blanco River dye traces conducted in 2009. We are waiting on review and approval of the report by EAA.
319(h) Grant	BS, BH	18-Jan-12	Onion Creek Recharge Enhancement Project	The grant officially ended on August 31. A final report was sent to TCEQ on August 18.
Water-Quality Studies	BS, BH	18-Jan-12	Sampling and analysis of groundwater and surface water	Plans are being made for sampling during the summer of 2012. However, with limited funds from TWDB, the amount of samples collected will be considerably less than in previous years.
Saline Zone Studies	BS, BH	18-Jan-12	Installation of multiport monitor well	Partners have confirmed their financial support for these studies. Bids for drilling and installing a multiport monitor well near TDS have been requested.
Water-Level Monitoring	BH, BS	18-Jan-12	Drought status, monitor wells, and synoptic water level events	Critical Stage Drought was declared by the Board of Directors on September 8, 2011. Rainfall in November was about average and December rainfall was about twice the average rainfall for the month. On January 18, Barton Springs was at about 20 cfs and the depth to water in the Lovelady well was at 193.7 ft. Alarm Stage Drought was declared by the Board of Directors on April 28, 2011.
Information Transfer	BS, BH	18-Jan-12	Presentations, conferences, reports, and publications	Staff presented three papers at the World Lake Conference in Austin in November 2011. Kirk Holland attended the Geological Society Meeting in Minneapolis in October and presented a paper. Aquifer Science staff will present a paper at the Emerging Issues in Groundwater conference hosted by NGWA. The conference will be held on Feb.27-28 in San Antonio.
<b>AD-HOC TEAMS</b>				
Technical Team	BAS	18-Jan-12	Current areas of discussion	Key topics of discussion for January are saline zone studies and Travis County code changes.
Planning Team	WFH	16-Jan-12	Strategic and tactical planning and discussion topics	Developed and carrying out plan for new conference room. Considering ad hoc contracting support needs, preparing solicitations, and evaluating candidate contractors. Will be evaluating how policy, procedure, and documentation need to be revised to conform to current SAO audit emphases.
<b>UPCOMING ITEMS OF INTEREST</b>				

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
Board-SAC Work Session on closing gap between EDWL and DFC-based MAG		24-Jan-12	6:30-8:30 PM, LaQuinta SW Austin	
Second January Board Meeting		26-Jan-12	TxDOT briefing on SH 45 SW	
TWDB Hearing and Recommendation to GMA 9 on Trinity DFC		02-Feb-12	In response to both petitions to GMA 9	
First February Board Meeting		09-Feb-12		
Forum on Rainwater Harvesting on a Subdivision Scale, sponsored by TWDB		10-Feb-12	8 30-12N, LBJ Wildflower Center (KH?)	
State Bar of Texas's 13th Annual Course on Changing Face of Water Rights in Texas		23-Feb-12	Through 2/24, at Hyatt Hill Country Resort and Spa, San Antonio	
Second February Board Meeting		23-Feb-12		
NGWA National Conference, Emerging Issues in Groundwater		27-Feb-12	Through 2/28, in San Antonio (abstracts due 10/27/11)	
First March Meeting		08-Mar-12		
Second March Meeting		22-Mar-12		
Texas Rainwater Catchment Association, 2012 Conference		30-Mar-12	Through 4/1/12, Embassy Suites Hotel and Conference Center, San Marcos	
Inaugural Kent Butler Memorial Summit on Sustainability of the Barton Springs Zone		03-May-12	8:30-4:30, at LBJWFC	
ECT Community Stewardship Awards Luncheon		11-May-12	Noon - 1 30, Hyatt Regency Austin	

### **Item 3 Routine Business**

**c. Directors' Reports. Note: Board Member comments in this part of the agenda cannot address any aspect of an agenda item posted elsewhere on this agenda, and no substantive discussion among the Board Members or action by the Board on these comments will be allowed in this meeting.**

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- Concerns about specific issues or problems for groundwater management in the District.**

## **Item 4**

### **Briefing**

**A representative of the Texas Department of Transportation will brief the Board on the current options under consideration for SH 45 SW and implications for their compliance with the provisions of the Consent Decree between the District and TxDOT.**

## **Item 5**

### **Board discussions and possible actions**

- a. Discussion and possible action related to the compliance by District permittees with their User Drought Contingency Plans and compliance of all groundwater users with District Rules, including the status and initiation of enforcement actions, as warranted.**

## **Item 5**

### **Board discussions and possible actions**

**b. Discussion and possible action related to the findings and recommendations of the work session with the Board and Stakeholder Advisory Committee.**

**Item 6**

**Adjournment**