



**NOTICE OF REGULAR MEETING of the
BARTON SPRINGS-EDWARDS AQUIFER CONSERVATION DISTRICT
BOARD OF DIRECTORS**

Thursday, February 12, 2026

5:00 PM

IN-PERSON

Notice is given that a **Regular Meeting** of the Board of Directors (Board) of the Barton Springs-Edwards Aquifer Conservation District will be held on **Thursday, February 12, 2026**, commencing at **5:00 p.m.** at the **District office, located at 1124 Regal Row, Austin, Texas.**

This meeting will be video and audio recorded and the recording will be available on the District's website after the meeting.

Public Comments at the Board Meeting – Please complete a comment card prior to the start of the meeting. Each registered person will be recognized and identified by the Presiding Officer or staff moderating the communications when it is their turn to speak. **Public comment is limited to 3 minutes per person.**

AGENDA

Board members present at commencement: Lily Lucas, Blayne Stansberry, and Jon CREDIT. Christy Williams joined virtually

Staff present: Erin Swanson, Bri Moore, Jacob Newton, Alyssa Garcia

Note: The Board of Directors of the Barton Springs-Edwards Aquifer Conservation District reserves the right to meet in a closed 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.**
Director Lucas called the meeting to order at 5:01 PM
2. **Citizen Communications (Public Comments of a General Nature).**
3. **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.)*

- a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, Specified Expenditures greater than \$10,000.
Director Stansberry moved to approve the invoice for LRE Water in the amount of \$29, 049.55. Director Credit seconded the motion, and it passed 4-0.
- b. Approval of minutes of the Board's January 8, 2026, Regular Meeting.
Director Stansberry moved to approve the minutes. Director Williams seconded the motion, passing 3-0 as Director Credit abstained.

4. General Manager's Report.

- a. GM Update
- b. Aquifer Status Report

Jacob Newton presented the drought update. He reported that January brought about an inch of rain mostly in the form of snow or sleet.

The 10-day average water level at Lovelady is 454.1, which is .7 ft or 8.4 inches above stage 4 drought conditions. If the current rate of decline with no more rain level landing would cross into level 4 drought stage sometime late March or early April.

The 10-day average flow at Barton Springs is 12.5 cfs, which is within 2.5 CFS above the ERP threshold.

The Trinity water levels continue to decline and Jacob's well has been reporting zero CFS since last November.

February monthly rain outlook predicts equal chances for average rainfall of 1.9 inches.

5. Discussion and Possible Action.

- a. Approval of FY 2025 Audit.
The financial audit has been received a copy and will need to be reviewed at the March Board meeting.
- b. Discussion and possible action on Drought Stage.
- c. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.
Jacob Newton presented the UDCP, updated through January. Tier 3, Creedmoor-Maha WSC over pumped by 154%, and Monarch Utilities over pumped by 86%. Tier 2, we have 6 permittees over pumped in January, including five Aqua Texas Inc permits (111%, 39%, 34%, 21%, 20%), Huntington Utility Company (12%). Aqua Texas Inc has two permits that also over pumped their Tier 1 (48%, 8%).

Director Stansberry moved to approve for the staff to start enforcement for Texas Lehigh, Director Lucas seconded the motion, passing 4-0.

- d. Discussion and possible action on FY2025 Habitat Conservation Plan (HCP).
The HCP will be reviewed for March Board meeting. The Board was asked to submit comments by February 18.
- e. Discussion and possible action related to a Report of Investigation and Notice of Alleged Violation for initiation of enforcement proceedings concerning Aqua Texas, Inc. – Onion Creek Meadows system for failure to reduce pumping during District declared drought.
Erin Swanson presented the enforcement cases of Aqua Texas Inc. for overpumpage of monthly drought target volumes for Items e through f.

Onion Creek overpumped in October (15%), December (22%), January (34%), resulting in 17 daily violations.

- f. Discussion and possible action related to a Report of Investigation and Notice of Alleged Violation for initiation of enforcement proceedings concerning Aqua Texas, Inc. – Shady Hollow Estates system for failure to reduce pumping during District declared drought.
Shady Hollow overpumped in September (33%), October (28%), November (38%), December (47%), January (20%), resulting in 40 daily violations.
- g. Discussion and possible action related to a Report of Investigation and Notice of Alleged Violation for initiation of enforcement proceedings concerning Aqua Texas, Inc. – Bliss Spillar (Middle Trinity) system pumping during District declared drought.
Bliss Spillar (Middle Trinity) overpumped in June (7%), October (14%), December (8%), and January (21%), resulting in 15 daily violations.
- h. Discussion and possible action related to a Report of Investigation and Notice of Alleged Violation for initiation of enforcement proceedings concerning Aqua Texas, Inc. – Bliss Spillar (Lower Trinity) system for failure to reduce pumping during District declared drought.
Bliss Spillar (Lower Trinity) overpumped in November (9%), December (41%), and January (48%), resulting in 24 daily violations.

Aqua Texas Inc. has reported several factors that led to overpumping including staff turnover and leaks. Erin shared that no penalty adjustments were warranted and staff recommended the high-range penalty assessments for Onion Creek Meadows – for \$20,000, Bliss Spillar (Middle Trinity) for \$12,000, and Bliss Spillar (Lower Trinity) for \$9,000 based on the recurrent nature of noncompliance for these systems. Additionally, staff recommended the mid-range penalty assessment for Shady Hollow \$38,400 based on non-compliance history and level of overuse, Aqua Texas Inc. noted that they are maintaining ongoing communication with their customers and have planned additional leak detection and enforcement efforts.

Director Lucas called an executive session at 5:58 p.m. No final action or decision will be made during the executive session.

The executive session concluded at 6:16 p.m.

Director Stansberry moved to approve the penalty amounts that staff Recommends. Director Credit seconded the motion, passing 4-0.

Director Williams left the meeting at 6:18 p.m.

- i. Discussion and possible action related to the Purchasing Guidelines in the Staff Policy document.

General Manager Flatten introduced Item I and J regarding proposed revisions to the District's Purchasing Guidelines and Policy to allow timely approval of Master Services Agreements (MSAs) for geological services. He explained that the District's staff geologist, Jeff Watson, will be transitioning to a part-time consulting role, and staff is recommending entering into an agreement with Wade Oliver from EKI Environment and Water, Inc. to provide additional geological services.

Mr. Flatten noted that the current Purchasing Guidelines are more restrictive than state law requirements and could prevent the District from acting promptly to secure these needed services.

Director Lucas called an executive session at 6:24 p.m. No final action or decision will be made during the executive session.

The executive session concluded at 6:29 p.m.

Director Stansberry moved to approve the updated changes of the Purchasing Guidelines and Staff Policy. Director Credit seconded the motion, passing 3-0.

- j. Discussion and possible action related to signing a master services agreement for geological services.

Director Stansberry moved to approve the Master Services Agreement for both Jeff Watson and Wade Oliver. Director Credit seconded the motion, passing 3-0.

- k. Discussion and possible action related to Texas Land Application Permit No. WQ0016373001 and the Decision of the TCEQ Executive Director for Hays Commons Development, Inc.

No action was taken on this matter. General Manager Flatten reported that the State Office of Administrative Hearings (SOAH) has scheduled a virtual hearing for March 10.

- l. General Counsel's Report: The District's legal counsel will brief the Board on pertinent legal issues and developments impacting the District since the last Board meeting, and legal

counsel's activities on behalf of the District, including without limitation waste injection well monitoring activities including any protests of injection well applications with the Railroad Commission of Texas or the Texas Commission on Environmental Quality (TCEQ), monitoring or protests of water rights, wastewater discharge, or other waste-related applications at the TCEQ that may impact groundwater resources in the District; District rules enforcement activities, possible amendments to the District rules and management plan, or implementation issues related to the rules or plan, the District rules or groundwater-related legislative activities, aquifer joint planning and DFC development activities, developments in groundwater case law and submission of legal briefs, contractual issues related to the District, open government, policy, personnel, and financial issues of the District, threatened or pending claims or litigation against the District, and other legal activities on behalf of the District – Brian Sledge, Legal Counsel, Sledge Law Group, PLLC

Director Lucas called an executive session at 6:33 p.m. No final action or decision will be made during the executive session.

The executive session concluded at 6:51 p.m.

6. Director Reports.

Director Lucas adjourned the board meeting at 6:51 PM

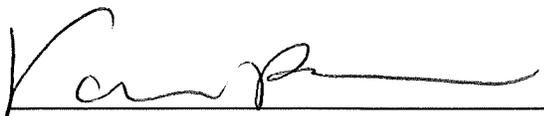
Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Board committee updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

7. Adjournment.

Please note: This agenda and available related documentation, if any, have been posted on the District 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.

Approved by the Board on March 10, 2026

By: 
Vanessa Puig-Williams, Board President

Signed by: 
Attest: 
Christy Williams, Board Secretary