

Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Special-Called Meeting
April 16, 2024

Board members present at commencement: Blayne Stansberry, Lily Lucas, and Dan Pickens. Christy Williams arrived at 5:39pm. Staff present included: Tim Loftus, Erin Swanson, Jacob Newton, Jeff Watson, Justin Camp, and Hannah Riggs. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

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.

President Stansberry called the meeting to order at 5:00pm.

2. Citizen Communications (Public Comments of a General Nature).

There were no public comments at this time.

3. Discussion and possible action.

- a. **Discussion and possible action related to a Report of Investigation, Notice of Alleged Violation, and Draft Agreed Order for initiation and resolving enforcement proceeding concerning Ruby Ranch Water Supply Corporation for failure to reduce pumping during District declared drought.**
- b. **Discussion and possible action related to a variance request by Ruby Ranch Water Supply Corporation under District Rule 3-7.9 to allow exception to District Rule 3-7.6.C.1.b.iii which requires Class D Conditional production permits to completely curtail monthly permitted pumpage upon entering Stage II Alarm District-declared drought.**

Discussion for items 3a and 3b happened simultaneously.

Jacob Newton presented on item 3a, the proposed Agreed Order. In his presentation he mentioned that Ruby Ranch was the first ASR system in the District as well as they also have the first arsenic issue that the District has encountered. Jacob also commented on the great communication and history the District has had with Ruby Ranch throughout this process.

Timothy Young, the General Manager for Professional General Management Services (PGMS), discussed a leak that happened in Ruby Ranch's system as well as one of the months that Ruby Ranch over pumped was during the freeze and they had homeowners with pipes that burst.

Thomas Doebner, who is the President of the Board of Ruby Ranch Water Supply, discussed why they needed to inject in December. He also went through their plan going forward. Ruby Ranch plans on increasing penalties to the end-users who overuse water, they are looking into a monthly drought newsletter, and they are moving to electronic meters so they can get real-time meter reading for people who are using too much water.

Jeff Watson was asked to explain ASR systems and why one would need to pump more water into them in this situation. Jeff qualified his answer with the fact that he is not an expert in ASR systems, but he gave an explanation to the best of his ability.

Dr. Loftus presented on item 3b, the variance request. Director Lucas asked why Ruby Ranch only has one water source. Thomas Doebner responded that it is not financially feasible to get water from another source and that they are in a remote area with only 250 customers.

Dale Olmstead, a Director on the Ruby Ranch Board, spoke on the terms “bubble” and “buffer”. He said that those terms are not the best visual representations as the water isn’t contained in an actual sphere.

Executive Session began at 6:08pm.

Secretary Williams departed the meeting before Executive Session ended at 7:09pm.

Executive Session ended at 7:15pm.

Regarding item 3a, the proposed Agreed Order terms, the Board decided to reduce the penalty beyond what Staff recommended and agree to the Agreed Order terms with four technical requirements: amend its User Drought Contingency Plan (UDCP) to change policy around outdoor watering, update communication in times of drought, provide to the District documentation of the 2025 water loss audit and/or water balance data, and modify UDCP language to prescribe modified excessive monthly consumption use numbers.

Vice President Pickens moved to accept the Agreed Order terms with the provisions outlined by the Board. Director Lucas seconded the motion. The motion passed 3-0.

Regarding item 3b, the variance request, the Board amended the application to include required water quality tests and allowed Ruby Ranch 1 million gallons in order to get their buffer zone up to 25 million gallons.

Vice President Pickens moved to accept the variance request with the provisions outlined by the Board. Director Lucas seconded the motion. The motion passed 3-0.

4. Adjournment.

With no objection, President Stansberry adjourned the meeting at 7:36pm.

Approved by the Board on May 9, 2024.

By: _____
Blayne Stansberry, Board President

Attest: _____
Christy Williams, Board Secretary