

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Regular Meeting & Public Hearing  
November 9, 2023**

Board members present at commencement: Blayne Stansberry, Vanessa Puig-Williams, and Dan Pickens. Christy Williams arrived at 5:09 p.m. Lily Lucas was absent. Staff present included: Tim Loftus, Dana Wilson, Kendall Bell-Enders, Erin Swanson, Jacob Newton, Justin Camp, Shay Hlavaty and Jeff Watson. 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 Stanberry called the meeting to order at 5:00 p.m., noting that a quorum of the Board was present.

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

There were no citizen communications on items not listed on the agenda.

**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.)**

**3a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**

**3b. Approval of minutes of the Board's October 12, 2023 Regular Meeting and Public Hearing.**

Director Pickens moved approval of consent agenda items 3a. and 3b. noting invoices from LRE Water in the amount of \$27,000, Intera Inc., in the amount of \$12,434.50, and Montemayor Britton Bender PC in the amount of \$10,000.

Director Puig-Williams seconded the motion and it passed unanimously with a vote of 3 to 0.

**4. General Manager's Report. Discussion and possible action.**  
**Topics**

**a. Review of key team activities/projects.**

- b. Aquifer status update.
- c. Upcoming events of possible interest.
  - a. Review of key team activities/projects.
    - i. Trinity Sustainable Yield Study
    - ii. Database update
    - iii. TWON water sample testing
    - iv. Staff changes
    - v. Conferences and training
  - b. Aquifer status update.
  - c. Upcoming events of possible interest.

Dr. Loftus and staff gave updates on the topics above.

Director Williams arrived at 5:09 p.m.

**5. Public Hearing.**

**The Public Hearing concerns proposed revisions to the District Rules and Bylaws related generally to Registration, Authorization, and Permits; Exempt Wells; Drought including enforcement; Emergency Approvals; Request for Rehearing or Finding of Fact and Conclusions of Law; Decision when Final after a Contested Case before SOAH; Conflict of Interest; and Well Construction Standards.**

President Stansberry opened the Public Hearing at 5:20 p.m.

Dr. Loftus gave a presentation on proposed changes to the following Rules:

- 3-1.3.
- 3-1.18.
- 3-7.10.
- 4-1.4.
- 4-9.10.
- 4-9.11.1.
- 5-5.3.

There were no public comments.

President Stansberry closed the Public Hearing at 5:26 p.m.

**6. Discussion and possible action.**

**6a. Discussion and possible action related to the approval of the proposed revisions to the District Rules and Bylaws.**

Director Puig-Williams moved approval of the proposed rule revisions discussed at last month's Board meeting as presented by Dr. Loftus in the Public Hearing.

Director Pickens seconded the motion and it passed unanimously with a vote of 4 to 0.

**6b. Discussion and possible action related to preliminary changes to the Rules & Bylaws and setting a Public Hearing on December 14, 2023.**

Dr. Loftus gave a presentation on the following preliminary rule changes.

- 3-1.4.
- 3-1.5.1.
- 3-1.6.
- 3-1.11.
- 3-1.20.
- 3-1.55 – 3-1.55.4.
- 4-9.13
- 4-10.4

After discussion Director Pickens moved approval of the preliminary rule changes presented by Dr. Loftus, and to set a Public Hearing on those changes at the December 14, 2023 Board meeting.

Director Puig-Williams seconded the motion and it passed unanimously with a vote of 4 to 0.

**6c. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.**

Mr. Newton gave an update on the permittees UDCP curtailments as follows:

Tier 3 permittees not in compliance:

Creedmoor-Maha Water Supply Corporation  
Monarch Utilities

Tier 2 permittees not in compliance:

Aqua Texas, Inc. – Bear Creek Park  
Aqua Texas, Inc. – Bliss Spillar  
Aqua Texas, Inc. – Shady Hollow  
Aqua Texas, Inc. – Sierra West  
Huntington Utilities Co.  
The Marbridge Foundation

Tier 1 permittees - None out of compliance

Mr. Newton stated that staff have been in contact with the permittees to set up meetings to discuss their overpumpage, and enforcement documents are being generated for the Aqua Texas Sierra West system. He also indicated that in the aggregate, the District's permittees underpumped their combined drought-curtailed target volumes.

No action was needed by the Board.

**6d. Discussion and possible action on declaring Stage IV Exceptional Drought.**

Dr. Loftus stated that staff does not recommend declaring Stage IV this evening, and the Board has given him the authority to declare the new stage if it is warranted before the next Board meeting.

**6e. Staff Presentation: Trinity Aquifer: Characteristics and Sustainable Yield Study.**

Mr. Watson gave a presentation on an Overview of Hydrogeology and Current Drought Conditions of the BSEACD Trinity Aquifers. He spoke on water quality, spring flow, recharge, groundwater flow, and Trinity pumping. He also spoke about confined aquifers, drought, and active District Trinity Projects. He ended with answering questions from the Board.

**7. Director Reports.**

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.

Board members gave reports on activities they have been involved with since the last meeting.

**8. Adjournment.**

With no objection, President Stansberry adjourned the meeting at 7:13 p.m.

Approved by the Board on December 14, 2023.

By:   
Blayne Stansberry, Board President

Attest:   
Christy Williams, Board Secretary