

## 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, February 7, 2013**, 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 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 January 24, 2013, Regular Meeting. **Not for public review at this time**
    3. Approval of out-of-state travel for staff members Brian Smith and Brian Hunt to attend and present papers at the sinkhole conference in Carlsbad, New Mexico, the week of May 6, 2013. **Pg. 13**
  - 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. Update on recent activities of teams and directors;
    - ii. Update on permitting and non-drought regulatory activities;
    - iii. Update on Stakeholder Advisory Committee developments.
- 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. Presentation.**

Presentation by staff hydrogeologists on recent reports and investigations conducted by the Aquifer Science Team. **NBU**

#### **5. Board Discussion and Possible Action.**

- a. Discussion and possible action related to the District's protocol and recent activity associated with the regulation of abandoned wells. **Pg. 19**
- b. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments. **NBU**
- c. Update, discussion and possible action related to the pursuit of the District's legislative agenda in this legislative session, including the consideration of specific bills and bill

language to be advanced, and a briefing on other introduced bills of particular interest to the District. **Pg. 29**

- d. Discussion and possible action related to approving certain non-regulatory elements and commitments required for one or more desalination demonstration projects. **NBU**
- e. Discussion and possible action related to *City of Kyle v. Goodman et al., and the Barton Springs/Edwards Aquifer Conservation District Cause No. 10-1267, 22<sup>nd</sup>* District Court, Hays County, Texas. **NBU**

**6. Adjournment.**

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the \_\_\_\_\_ day of January, 2013, 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 of the Board's January 24, 2013, Regular Meeting.**
- 3. Approval of out-of-state travel for staff members Brian Smith and Brian Hunt to attend and present papers at the sinkhole conference in Carlsbad, New Mexico, the week of May 6, 2013.**



**Barton Springs  
Edwards Aquifer**  
CONSERVATION DISTRICT

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MEMORANDUM

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**TO:** BOARD OF DIRECTORS  
**FROM:** BRIAN A. SMITH AND BRIAN B. HUNT  
**SUBJECT:** OUT OF STATE TRAVEL REQUEST  
**DATE:** 1/29/2013

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We are requesting permission to travel and attend a technical conference in Carlsbad NM, titled: Sinkhole Conference: Multidisciplinary Conference on Sinkholes and the Engineering and Environmental Impacts of Karst. Both of us are publishing and presenting technical papers and have been involved in the planning of the conference, which occurs every 4 years. The District is one of the contributing sponsors of the conference.

Attached is a budget for the trip. We propose take a District vehicle to save on the cost of flying or driving personal vehicles. The cost is within our existing professional development funds.

Report Date: 1/29/2013



# Travel Expense Report

## Employee and Trip Information

**Name:** Brian Hunt  
**Team:** Aquifer Science  
**Purpose of Trip:** Professional Development and paper presentation  
**Signature of Traveler:** See Comment to Left

## Travel Period

**From:** 5/6/2013  
**To:** 5/10/2013

Date	Location(s)	Description	Hotel	Airfare	Rental Car	Local Miles	Parking, Tolls	Other	Meals	Per Diem	TOTAL
2/16/2013	Carlsbad, NM	Brian Smith Early Bird registration						\$445.00			\$445.00
2/16/2013	Carlsbad, NM	Brian Hunt Early Bird registration						\$445.00			\$445.00
5/6/2013	Carlsbad, NM	Brian A. Smith Hotel (Best Western 4d at 86.63/d)	\$346.52								\$346.52
5/6/2013	Carlsbad, NM	Brian B. Hunt Hotel (Best Western 4d at 86.63/d)	\$346.52								\$346.52
5/6/2013	Carlsbad, NM	Brian Smith Per Diem (4 days at \$519/d)								\$204.00	\$204.00
5/6/2013	Carlsbad, NM	Brian Hunt Per Diem (4 days at \$51/d)								\$204.00	\$204.00
			\$693.04	\$0.00	\$0.00	\$0.00	\$0.00	\$890.00	\$0.00	\$408.00	\$1,991.04
			Total Local Miles =		at mileage rate		\$0.555				
			Check:		OK						
			Cash Advances		District (Pre)Paid		TOTAL REIMBURSED				

Approved by	Notes	Account Charged	Amount Charged
			\$0.00
			\$0.00
		<b>TOTAL</b>	<b>\$0.00</b>

For Office Use Only



## **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. 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. Update on recent activities of teams and directors;**
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**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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- 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.**

## **Item 4**

### **Presentations**

**Presentation by staff hydrogeologists on recent reports and investigations conducted by the Aquifer Science Team.**

## **Item 5**

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

- a. Update, discussion and possible action related to the District's protocol and recent activity associated with the regulation of abandoned wells.**



**Barton Springs  
Edwards Aquifer**  
CONSERVATION DISTRICT

**MEMORANDUM**

Date: February 1, 2013

To: Board of Directors

From: John T. Dupnik, P.G., and Kendall Bell-Enders

Re: District's Protocol and Recent Activity Associated with the Regulation of Abandoned Wells

**Subject:** The Board requested that staff help familiarize them with the District's protocol regarding abandoned wells and plugging procedures, as well as, an update on recent activity associated with abandoned wells within the District. Therefore, staff has provided an excerpt of the District's Rules and Bylaws (Rule 3-5) regarding abandoned, deteriorated, open or uncovered wells and (Rule 5-11) regarding well plugging. Also provided is an example of the District's abandoned well notice.

## **Excerpt of BSEACD Rules and Bylaws**

### **RULE 3-5. ABANDONED, DETERIORATED, OPEN, OR UNCOVERED WELLS.**

#### **3-5.1. REGISTRATION.**

Any landowner or other person who possesses an abandoned, deteriorated, open, or uncovered well must register the well with the District. Any well not registered with the District shall be classified as abandoned.

#### **3-5.2. ABANDONED WELL CAPPING.**

At a minimum, nondeteriorated open or uncovered abandoned wells must be completed and capped in accordance with the applicable requirements of the TCEQ; the laws and rules of the TDLR's Water Well Drillers and Pump Installers Program; and the District Rules and Well Construction Standards. The landowner or other person who possesses the well shall keep the well properly capped with a water tight covering capable of sustaining weight of at least 400 pounds and constructed in such a way that the covering cannot be easily removed by hand, except when the well is in actual use. The well must also be completed to prevent entrance of surface pollutants into the well itself, either through the well bore or well casing.

#### **3-5.3. ABANDONED WELL PLUGGING.**

Unless granted an exception by the General Manager or Board, all abandoned wells that are not capped in accordance with Rule 3-5.2 and all deteriorated wells must be plugged in accordance with the applicable requirements of the TCEQ, 16 TAC §76.1004 of the TDLR's Water Well Drillers and Pump Installers Program Rules, District Rule 3-5, and other applicable Rules and Well Construction Standards adopted by the Board of Directors. Prior to plugging a well, the District Well Construction Standards require as a minimum, registration of the well with the District, a site inspection by District staff, submission to the District for review and approval a Plug and Abandonment Plan by the owner or the well driller, and payment of the Well Abandonment Fee. The General Manager may require the well owner to take a water sample and have a water quality analysis conducted as part of or prior to the plugging operation at the well owner's expense.

#### **3-5.4. REPORTING.**

In accordance with Section 16 TAC §76.700, TDLR's Texas Water Well Drillers and Pump Installers Administrative Rules, within 30 days of completing the plugging of a

well located within the District, the person that plugs the well shall deliver or send by first-class mail the District a copy of the State of Texas Plugging Report.

### **3-5.5. ENFORCEMENT.**

Pursuant to Texas Occupations Code, Title 12 - Practices and Trades Related to Water, Health, and Safety (TOC) §1901.256, the District may pursue enforcement against a landowner or other person who possesses an abandoned or deteriorated well for failure to comply with the provisions of TOC §1901 and District Rules. If the owner or lessee fails or refuses to plug or cap the well in compliance with this rule and District standards within thirty-five (35) days after being requested to do so in writing by an officer, agent, or employee of the District, then, upon Board approval, any person, firm or corporation employed by the District may go on the land (pursuant to Texas Water Code Chapter 36.118) and plug or cap the well safely and securely. Should the well remain abandoned 180 days after the date that the landowner or other person who possesses the well learns of its condition, the District may pursue further enforcement in cooperation with the TDLR in accordance with the provisions of Texas Occupations Code §1901.255.

## **Excerpt of BSEACD Draft Well Construction Standards**

### **RULE 5-11. WELL PLUGGING**

#### **5-11.1 PLUGGING PLANS**

Each contemplated well plugging must be site inspected by the District staff and shall require a plugging plan be submitted in writing with the application and approved by the District general manager or designated representative prior to commencement of plugging activities. The District shall have ten (10) days from the day of plan submittal to review and approve or disapprove the proposed plan. Specifics of each well plugging will be discussed with the applicant and considered prior to approval or disapproval. Additional requirements beyond the minimum plugging requirements may be included in the plugging plan approval to address site-specific considerations. The well plugging shall be performed in strict adherence to these standards and any additional requirements of the approved plugging plan.

#### **5-11.2 PLUGGING REQUIREMENTS**

- A. All abandoned wells must be plugged by a driller or under the direct supervision of a designated staff member of the District in accordance with the approved Plugging plan and the following procedure (Figure 7):
- (1) All removable casing shall be removed from the well.
  - (2) Any existing surface completion shall be removed.
  - (3) Wells in the Freshwater and Saline Edwards Management Zones:
    - a. In the Water Table Zone, the well/borehole shall be partially filled with a well washed, disinfected sand or gravel to a level ten (10) feet above the static water level or to forty (40) feet below the land surface, whichever is deeper. The District may consider an alternate static water level if existing area water level records indicate a higher average water level than the level observed at the time of plugging.
    - b. In the Artesian and Saline Edwards Zones, the well/borehole shall be partially filled with a well-washed, disinfected sand or gravel to a level ten (10) feet below the Del Rio Clay/Georgetown contact (top of the Edwards Group) or to forty (40) feet below the land surface, whichever is deeper.
    - c. The well/borehole shall be pressure filled via a tremie pipe with grout from the top of the gravel/sand interval back up to the land surface. When Bentonite or Cement-Bentonite-Grout is used, the



well shall be topped with at least two feet of cement grout to serve as an atmospheric barrier.

- (4) Wells in the Trinity Aquifer Management Zones. All wells that penetrate the base of the Edward Group shall be pressure filled via a tremie pipe with grout from the bottom up to fifty (50) feet above the base of the units of the Edwards Group. The remainder of the well/borehole shall be plugged in accordance with Rule 5-11.2.A(3) of this section.

B. **HAND DUG WELLS.** Large hand dug and bored wells 36-inches or greater in diameter to one hundred (100) feet in depth may be plugged in accordance with the following procedure (Figure 8):

- (1) Any debris or other man-made material which can be readily and safely extracted shall be removed from the well.
- (2) If the well contains standing water, it shall be chlorinated by adding chlorine bleach at a rate of one (1) gallon of bleach for every five hundred (500) gallons of standing water.
- (3) Any casing or cement, tile, rock, or brick wall used for lining the upper portion of the well shall be removed.
- (4) The well shall be backfilled with compacted clay or caliche to a point three (3) feet below land surface. For hand dug wells that encounter voids or enlarged solution cavities, sand, gravel, or cobbles may be placed in the well to block off such voids prior to placement of compacted clay.
- (5) The remainder of the well shall be filled with soil comparable to that of the adjacent area and mounded above the surrounding surface to compensate for settling. For hand dug wells that encounter voids or enlarged solution cavities, the top of the well shall be filled with cement or concrete to one (1) foot below the surface, topped with soil comparable to that of the adjacent area, and mounded above the surrounding surface to compensate for settling. Alternatively, the cement or concrete cap may be poured level with the land surface.

C. **GROUT REQUIREMENTS.**

- (1) Grout material shall consist of Cement grout, Bentonite Grout, or Cement-Bentonite Grout and shall be mixed according to manufacturers specifications. When Bentonite or Cement-Bentonite-Grout is used for the annular seal to the land surface, the annular seal shall be topped with at least two feet of cement grout to serve as an atmospheric barrier.

- (2) Bentonite grout may not be used if the formation water to be sealed off or the mixing water contains chloride concentrations above 1,500 mg/l, total hardness concentrations (Ca<sup>++</sup> & Mg<sup>++</sup>) above 500 mg/l, or if hydrocarbons are present.
- (3) Sulfate resistant grout (Type V cement) shall be used for plugging all wells producing water with sulfate concentrations above 1,500 mg/l. An alternative cementitious material providing equivalent protection to severe sulfate exposure may be utilized with prior approval from the General Manager or designated representative.

### **5-11.3 PLUGGING REPORT**

The State of Texas Plugging Report and any other data pertinent to the well shall be submitted to the District office within 60 days of the date of the completion or cessation of drilling, deepening, or otherwise altering a well. For Plugging Reports submitted electronically, the assigned tracking number shall be submitted to the District within 60 days.

- (6) If the well contains standing water, it shall be chlorinated by adding chlorine bleach at a rate of one (1) gallon of bleach for every five hundred (500) gallons of standing water.
- (7) Any casing or cement, tile, rock, or brick wall used for lining the upper portion of the well shall be removed.
- (8) The well shall be backfilled with compacted clay or caliche to a point three (3) feet below land surface. For hand dug wells that encounter voids or enlarged solution cavities, sand, gravel, or cobbles may be placed in the well to block off such voids prior to placement of compacted clay.
- (9) The remainder of the well shall be filled with soil comparable to that of the adjacent area and mounded above the surrounding surface to compensate for settling. For hand dug wells that encounter voids or enlarged solution cavities, the top of the well shall be filled with cement or concrete to one (1) foot below the surface, topped with soil comparable to that of the adjacent area, and mounded above the surrounding surface to compensate for settling. Alternatively, the cement or concrete cap may be poured level with the land surface.



**Barton Springs  
Edwards Aquifer**  
CONSERVATION DISTRICT

September 19, 2012

PlainsCapital Bank  
919 Congress Ave, Suite 100  
Austin, TX 78701-2102

*via certified and regular mail*

Re: Notification of expired permit for an abandoned water well on your property located at 11500 Manchaca Rd, Austin, TX 78748

To Whom It May Concern:

The Barton Springs/Edwards Aquifer Conservation District (BSEACD) staff conducted an investigation at the above referenced location on September 13, 2012 at which time **an abandoned well was confirmed to be on your property**. Abandoned wells not only serve as conduits or channels for contamination to reach groundwater, but these wells can also be a hazard to human and animal life.

As the property owner, you are responsible for either plugging the abandoned well or bringing it into compliance with District Rules and Well Construction Standards. Texas Occ. Code § 1901.255(c) also states: *“Not later than **the 180<sup>th</sup> day** after the date on which a landowner or other person who possesses an abandoned or deteriorated well learns of its condition, the landowner or person who possesses an abandoned or deteriorated well shall have the well plugged or capped under standards and procedures adopted by the department.”*

In order to properly plug the above referenced well, it must be plugged in accordance with 16 TAC §76.1004 and District and plugging specifications. The plugging or re-completion must be performed by a Texas licensed driller, pump installer or landowner. Within thirty (30) days of plugging the wells or sixty (60) days of re-completing the wells, a State of Texas Plugging Report or State of Texas Well Report must be filed with the District and the TDLR. Enclosed for your information is a copy of the applicable State and District regulations.

Please note that should the well remain abandoned **180 days after the date of this notice**, the District may pursue further enforcement in cooperation with the TDLR if necessary.

On a related matter, it is important to note that the previous property owner held a Historic Edwards Production Permit with the BSEACD to withdraw an annual permitted amount of 100,000 gallons from the well located on the above-referenced property. However, the previous owners failed to notify the District of the change of ownership as required by the terms of the permit. **The permit was not renewed and has since expired as of August 31, 2012 and as such, the well is currently not authorized for use.** If you choose to maintain the permit, you must make application for a change of ownership **within 30-days of the date of this notice**. Otherwise, the permit will permanently expire and you will no longer be eligible for a Historical Production Permit.

Please contact the BSEACD **within ten (10) days of the date of this notice** to state your planned actions concerning both the abandoned well and the expired permit.

Sincerely,

John T. Dupnik, P.G.  
Assistant General Manager

Enclosures: BSEACD Permit Application  
BSEACD Plugging Application  
Well Plugging Schematic  
Excerpt of BSEACD Rules and Bylaws

cc: Oxford Commercial/Cushman and Wakefield Global Real Estate Solutions

## **Item 5**

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

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

## **Item 5**

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

- c. Update, discussion and possible action related to the pursuit of the District's legislative agenda in this legislative session, including the consideration of specific bills and bill language to be advanced, and a briefing on other introduced bills of particular interest to the District.**

## **Assignments of Legislators to Key Committees for BSEACD\***

### **House Committee on Natural Resources**

Rep. Allan Ritter (Chair) - Nederland

\*Rep. Eric Johnson (Vice Chair) - Dallas

\*Rep. Trent Ashby -- Lufkin

\*Rep. Dennis Bonnen -- Angleton

\*Rep. Bill Callegari – Katy/Houston

Rep. Jim Keffer -- Granbury

Rep. Tracy O. King -- Uvalde

Rep. Lyle Larson – San Antonio

Rep. Eddie Lucio III -- Harlingen

Rep. Trey Martinez Fischer – San Antonio

Rep. Doug Miller – New Braunfels

### **Senate Committee on Natural Resources**

Sen. Troy Fraser (Chair) – Horseshoe Bay

Sen. Craig Estes (Vice-Chair) - Wichita Falls

Sen. Bob Deuell - Mesquite

Sen. Robert Duncan -- Lubbock

\*Sen. Rodney Ellis -- Houston

Sen. Kevin Eltife -- Tyler

Sen. Glenn Hegar - Katy

Sen. Juan Hinojosa -- McAllen

Sen. Robert Nichols - Jacksonville

Sen. Kel Seliger -- Amarillo

Sen. Carlos Uresti – San Antonio

\* Denotes 2013 committee member who was not on the 2011 committee

## Texas Legislature Online - Bill Lists

Date report generated: Friday, February 01, 2013 12:27 PM

### Bills Related to Groundwater and Water Management

Legislature: 83rd Legislature

#### Number of bills: 16

**83(R) HB 4**      **Author:** Ritter | et al.  
**Last Action**      01/10/2013 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to the creation and funding of the state water implementation fund for Texas to assist the Texas Water Development Board in the funding of certain water-related projects.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Ritter - create State Water Implementation Fund

**83(R) HB 11**      **Author:** Ritter | et al.  
**Last Action**      01/10/2013 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to the appropriation of money from the economic stabilization fund to finance certain water-related projects.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Ritter - commit \$2M from Rainy Day to SWI Fund

**83(R) HB 168**      **Author:** Callegari  
**Last Action**      11/13/2012 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to the operation, powers, and duties of certain water districts.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Callegari - operation, powers and duties of water districts

**83(R) HB 227**      **Author:** Larson | et al.  
**Last Action**      11/30/2012 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to the appropriation of money from the economic stabilization fund to be used for the purposes of the water infrastructure fund during the next state fiscal biennium.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Larson - commit \$1B from Rainy Day to water infrastructure project fund

**83(R) HB 335**      **Author:** Stickland  
**Last Action**      12/31/2012 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to the posting of required notice on a political subdivision's Internet website.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Stickland - use of website for OMA posting in lieu of county clerk office



**83(R) HB 340**      **Author:** Rodriguez, Eddie  
**Last Action**      01/03/2013 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to the power of the Texas Commission on Environmental Quality to authorize certain injection wells that transect or terminate in the Edwards Aquifer.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Rodriguez's desalination/ASR facilitation

**83(R) HB 426**      **Author:** Creighton  
**Last Action**      01/10/2013 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to the regulatory analysis of rules proposed by the Texas Commission on Environmental Quality.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Creighton - regulatory impact analysis of all new TCEQ rules

**83(R) HB 448**      **Author:** Dukes  
**Last Action**      01/10/2013 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to a requirement that the operator of an oil or gas well on which a hydraulic fracturing treatment is to be performed mail a list of the chemicals to be used in the treatment to persons residing near the well.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Dukes - mail hydro-frack chemicals used to affected persons

**83(R) HB 727**      **Author:** Burkett  
**Last Action**      01/25/2013 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to restrictive covenants regulating drought-resistant landscaping.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Burkett - ban prohibitions by HOAs on drought-resistant landscapes

**83(R) HB 890**      **Author:** Workman  
**Last Action**      01/31/2013 H Filed  
**Caption Version:**      Introduced  
**Caption:**      Relating to the conversion of the West Travis County Public Utility Agency to the Hill Country Regional Water Authority and to the creation of the Hill Country Regional Water Authority; providing authority to issue revenue bonds or notes; granting the power of eminent domain; providing an administrative penalty; providing authority to impose fees.  
**House Committee:**  
**Senate Committee:**  
**Comment:**      Workman - Create HC Reg Water Auth from West TravCo Water Utility

<b>83(R) SB 4</b>	<b>Author:</b> Fraser   et al.
<b>Last Action</b>	01/29/2013 S Referred to Natural Resources
<b>Caption Version:</b>	Introduced
<b>Caption:</b>	Relating to the administration and functions of the Texas Water Development Board.
<b>House Committee:</b>	
<b>Senate Committee:</b>	Natural Resources (In)
<b>Comment:</b>	Fraser - prescribes governance of TWDB and use of water fund
<b>83(R) SB 22</b>	<b>Author:</b> Fraser   et al.
<b>Last Action</b>	01/28/2013 S Referred to Finance
<b>Caption Version:</b>	Introduced
<b>Caption:</b>	Relating to the administration of the Texas Water Development Board; making an appropriation from the economic stabilization fund to finance certain water-related projects.
<b>House Committee:</b>	
<b>Senate Committee:</b>	Finance (In)
<b>Comment:</b>	Fraser - TWDB from 6 to 3, commit \$2B from Rainy Day Fund for water projects
<b>83(R) SB 198</b>	<b>Author:</b> Watson
<b>Last Action</b>	01/29/2013 S Referred to Natural Resources
<b>Caption Version:</b>	Introduced
<b>Caption:</b>	Relating to restrictive covenants regulating drought-resistant landscaping or water-conserving turf.
<b>House Committee:</b>	
<b>Senate Committee:</b>	Natural Resources (In)
<b>Comment:</b>	Watson - ban prohibitions by HOAs on drought-resistant landscapes
<b>83(R) SB 224</b>	<b>Author:</b> Seliger
<b>Last Action</b>	01/29/2013 S Referred to Finance
<b>Caption Version:</b>	Introduced
<b>Caption:</b>	Relating to the availability of money from the economic stabilization fund to be used for the purposes of projects in the state water plan.
<b>House Committee:</b>	
<b>Senate Committee:</b>	Finance (In)
<b>Comment:</b>	Seliger - commits \$1.6B from Rainy Day Fund to water projects
<b>83(R) SB 235</b>	<b>Author:</b> Fraser   et al.
<b>Last Action</b>	01/29/2013 S Referred to Natural Resources
<b>Caption Version:</b>	Introduced
<b>Caption:</b>	Relating to the creation of regional authorities for water infrastructure projects.
<b>House Committee:</b>	
<b>Senate Committee:</b>	Natural Resources (In)
<b>Comment:</b>	Fraser - create regional water authorities by petition for infrastructure projects
<b>83(R) SB 272</b>	<b>Author:</b> Seliger
<b>Last Action</b>	01/28/2013 S Filed
<b>Caption Version:</b>	Introduced
<b>Caption:</b>	Relating to water well recordkeeping and reporting requirements, including the production, use, and withdrawal of groundwater.
<b>House Committee:</b>	
<b>Senate Committee:</b>	
<b>Comment:</b>	Seliger's actual GW use reporting

## **Item 5**

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

**d. Discussion and possible action related to approving certain non-regulatory elements and commitments required for one or more desalination demonstration projects.**

## **Item 5**

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

**e. Discussion and possible action related to *City of Kyle v. Goodman et al., and the Barton Springs/Edwards Aquifer Conservation District Cause No. 10-1267, 22<sup>nd</sup> District Court, Hays County, Texas.***

**Item 6**  
**Adjournment**