

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 at the **District office**, located at 1124 Regal Row, Austin, Texas, on **Thursday, February 23, 2017**, 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 meet in 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. **NBU**
 2. Approval of minutes of the Board's February 9, 2017 regular Meeting. **Not for public review at this time**
 3. Approval of an amendment to the professional consulting services contract with Holland Groundwater Management Consultants, LLC, to continue to support the pending Incidental Take Permit application and other management consulting services as warranted. **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 unless the topic is specifically listed elsewhere in this agenda.)*

Topics:

1. Personnel matters and utilization
2. Upcoming public events of possible interest
3. Aquifer conditions and status of drought indicators
4. Noteworthy team activities

4. Discussion and Possible Action.

- a. Discussion and possible action related to the draft settlement agreement prepared by the City of Austin in response to the City of Dripping Springs TPDES permit application to authorize direct discharge of treated wastewater to Onion Creek in the contributing zone of the Barton Springs segment of the Edwards Aquifer. **Pg. 13**
- b. Discussion and possible action related to approval of a water pipeline easement from the District to the Hays Caldwell Public Utility Agency. **NBU**
- c. Discussion and possible action related to activities in the 85th Legislative session of interest to the District. **NBU**

5. Directors' Reports. *(Note: Directors' comments under this item cannot address an agenda item posted elsewhere on this agenda and no substantive discussion among the Board Members or action will be allowed in this meeting. Communications reported under this item may be used to support Performance Standard 4-1 of the District's Management Plan related to demonstration of effective communication with District constituents.)*

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;
- Committee formation and updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

6. Adjournment.

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the _____ day of February, 2017, at _____ .m.

_____, Deputy Clerk

Travis County, TEXAS

Please note: This agenda and available related documentation have been posted on our 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.

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 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.**
- 2. Approval of minutes of the Board's February 9, 2017 Regular Meeting.**
- 3. Approval of an amendment to the professional consulting services contract with Holland Groundwater Management Consultants, LLC, to continue to support the pending Incidental Take Permit application and other management consulting services as warranted.**

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.

Topics:

- 1. Personnel matters and utilization**
- 2. Upcoming public events of possible interest**
- 3. Aquifer conditions and status of drought indicators**
- 4. Noteworthy team activities**

Item 4

Board Discussions and Possible Actions

- a. Discussion and possible action related to the draft settlement agreement prepared by the City of Austin in response to the City of Dripping Springs TPDES permit application to authorize direct discharge of treated wastewater to Onion Creek in the contributing zone of the Barton Springs segment of the Edwards Aquifer.**

**AGREEMENT REGARDING THE CITY OF DRIPPING SPRINGS'
APPLICATION NO. WQ001448803 FOR A TPDES PERMIT**

The City of Dripping Springs, Texas ("Dripping Springs"), the City of Austin ("Austin"), _____, and _____ enter this Agreement concerning Dripping Springs' application for a Texas Pollutant Discharge Elimination System ("TPDES") permit from the Texas Commission on Environmental Quality ("TCEQ").

RECITALS

WHEREAS, in 2015, Dripping Springs submitted an application, TPDES No. WQ0014488003, to the TCEQ requesting a permit to allow discharge of treated wastewater at a volume not to exceed 995,000 gallons per day to the Onion Creek Watershed; and

WHEREAS, in 2016, TECQ issued a draft permit that would authorize Dripping Springs to discharge up to 995,000 gallons per day of treated wastewater into a tributary known as Walnut Springs that feeds into Onion Creek; and

WHEREAS, Dripping Springs, Austin, _____ agree Onion Creek, as it concerns algae, is in an oligotrophic state; and discharges into Onion Creek should be minimized to allow the algae to remain in an oligotrophic state; and

WHEREAS, Dripping Springs intends to beneficially reuse the effluent generated from its wastewater treatment facility as evidenced by its contracts with surrounding developments, its ordinance that promotes beneficial reuse, and commitment to maintain its existing drip fields ("Reuse Program"); and

WHEREAS, Dripping Springs, Austin, _____ agree that beneficial reuse of effluent promotes conservation of raw water resources and protects natural resources consistent with sustainable economic development; and **NOW, THEREFORE**,

AGREEMENT

The Parties agree as follows

1. **Purpose and Goal of the Agreement:** The purpose and goal of this Agreement is to protect the water quality of Onion Creek from adverse impacts from Dripping Springs' discharge of treated wastewater effluent and to eliminate the need to discharge effluent into Walnut Springs and Onion Creek.
2. **Beneficial Reuse of Effluent:**
 - a. Dripping Springs will maximize its beneficial reuse of effluent so that it will not be necessary to discharge its treated wastewater effluent into Walnut Springs and Onion Creek.

b. Dripping Springs will reuse the effluent that results from its treatment of wastewater as set out below:

i. Dripping Springs will sell or otherwise provide wastewater to surrounding residential and commercial developments consistent with their stated reuse program including, but not limited to: Caliterra and Howard Ranch; and

ii. Dripping Springs will phase its reuse program such that minimum irrigable area and effluent storage are maintained as set forth below:

Phase	Max wastewater produced (GPD)	Minimum Total Irrigable Area (ac)	Minimum Total Effluent Storage (gal)
1	399,000	199.27	24,059,837
2	497,500	224.27	24,059,837
Final Phase	995,000	372.27	36,059,837

iii. Dripping Springs will design effluent storage holding ponds that meet the minimums described in 2(b)(ii) and will operate the holding ponds to eliminate discharges into Walnut Springs and Onion Creek.

c. Dripping Springs will encourage beneficial reuse of its effluent by its utility customers and citizens.

d. Dripping Springs will utilize its ordinance that requires development to reuse its effluent.

3. Reports. Prior to the start of each phase of the permit, Dripping Springs will provide Austin, _____, and _____ with evidence that it has secured the minimum total irrigable area as set forth in 2(b)(ii) and has constructed or will operate holding ponds that will accommodate the minimum total effluent storage as set forth in 2(b)(ii).

4. Contested Case Hearing. Because of Dripping Springs' commitments and agreements to beneficially reuse the effluent that results from its treatment of wastewater, Austin and _____ will not protest Dripping Springs' request for the TPDES permit described in this Agreement in a contested case hearing or other proceeding related to issuing the permit.

Item 4

Board Discussions and Possible Actions

- b. Discussion and possible action related to approval of a water pipeline easement from the District to the Hays Caldwell Public Utility Agency.**

Item 4

Board Discussions and Possible Actions

c. Discussion and possible action related to activities in the 85th Legislative session of interest to the District.

Item 5 Director's Reports

Directors' Reports. *(Note: Directors' comments under this item cannot address an agenda item posted elsewhere on this agenda and no substantive discussion among the Board Members or action will be allowed in this meeting. Communications reported under this item may be used to support Performance Standard 4-1 of the District's Management Plan related to demonstration of effective communication with District constituents.)*

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Item 6

Adjournment