

## 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, March 12, 2015**, 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. **Pg. 4**
    2. Approval of minutes of the Board's February 26, 2015 Regular Meeting. **Not for public review at this time**
    3. Approval of the effectiveness of Directors' communications with stakeholders and constituents for the 2nd Quarter FY 2015 per the collective judgment of the Board, as required by the District's Management Plan. **Pg. 18**
  - 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.)*
    1. **Standing Topics.**
      - i. Personnel matters and utilization
      - ii. Upcoming public events of possible interest
      - iii. Aquifer conditions and status of drought indicators
    2. **Special Topics.** *(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. Review of Status Update Report – at directors’ discretion **Pg. 20**
- ii. Update on activities related to GMA and regional water planning
- iii. Update on efforts to assess saline Edwards desalination/ASR feasibility
- iv. Update on activities related to the HCP and the associated draft EIS
- v. Update on the status of the City of Kyle’s remanded permit application

#### **4. Presentation**

Presentation by the Central Texas Regional Mobility Authority on activities related to the Mopac South project. **Pg. 25**

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

- a. Discussion and possible action related to approval of an agreement with TxDOT and Central Texas Mobility Authority in connection with proposed State Highway 45 Southwest and the Consent Decree and Partial Final Judgment in the matter of Save Barton Creek Association v. Federal Highway Administration (W.D. Tex. 1990). **Pg. 34**
- b. Discussion and possible action related to an update on activities related to the Electro Purification Trinity well field located just outside of the District’s boundaries. **Pg. 44**
- c. Discussions and possible action related to an update on progress towards a regulatory mechanism to allow permit transfers. **NBU**
- d. Discussion and possible action on activities related to improving flood control on Onion Creek. **Pg. 47**
- e. Discussion and possible action related to pursuit of the District’s legislative agenda including proposed legislation to expand the District’s territory. **Pg. 49**

#### **6. Adjournment.**

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the \_\_\_\_\_ day of March, 2015, 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 February 26, 2015 Regular Meeting.**
- 3. Approval of the effectiveness of Directors' communications with stakeholders and constituents for the 2nd Quarter FY 2015 per the collective judgment of the Board, as required by the District's Management Plan.**

9:40 AM

03/06/15

Accrual Basis

**Barton Springs Edwards Aquifer**  
**Balance Sheet**  
**As of February 28, 2015**

	Feb 28, 15
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1000.0 · Cash in Bank-Checking BB&T	99,208.63
1010.0 · Cash in Bank - Payroll BB&T	24,236.76
1030.0 · TexPool Funds - General	
1040.1 · Special Drought Reserve	51,050.00
1030.0 · TexPool Funds - General - Other	273,103.42
<b>Total 1030.0 · TexPool Funds - General</b>	<b>324,153.42</b>
1040.0 · TexPool Funds - Contingency	730,885.94
1045.0 · TexPool Funds - Reserve	45,196.59
<b>Total Checking/Savings</b>	<b>1,223,681.34</b>
<b>Accounts Receivable</b>	
1200.0 · Accounts Receivable	
1200.1 · A/R DMF	-8,950.00
1200.0 · Accounts Receivable - Other	236,119.86
<b>Total 1200.0 · Accounts Receivable</b>	<b>227,169.86</b>
<b>Total Accounts Receivable</b>	<b>227,169.86</b>
<b>Other Current Assets</b>	
1100.0 · Petty Cash	300.00
1300.0 · Pre-paid Expenses	4,641.36
1499.0 · Undeposited Funds-A/R payments	16,967.99
<b>Total Other Current Assets</b>	<b>21,909.35</b>
<b>Total Current Assets</b>	<b>1,472,760.55</b>
<b>Fixed Assets</b>	
1400.0 · Field Equipment	376,487.89
1410.0 · Office Equipment & Furniture	19,722.90
1410.1 · Computer Hardware & Software	13,529.69
1420.0 · Vehicles	78,339.03
1430.0 · Accumulated Depreciation	-531,708.24
1440.0 · Land (Antioch Cave)	165,415.00
1445.0 · Office Building	257,488.04
<b>Total Fixed Assets</b>	<b>379,274.31</b>
<b>Other Assets</b>	
1500.0 · Organizational Costs	300,783.26
1510.0 · Accumulated Amortization	-300,783.26
1600.0 · Deposits Paid (Utilities)	71.00
<b>Total Other Assets</b>	<b>71.00</b>
<b>TOTAL ASSETS</b>	<b>1,852,105.86</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
2010.0 · Rebates Payable - Cons Credits	29,069.95
2100.0 · Deferred Revenue	229.79
2250.0 · TWC Payable	1,919.88
2300.0 · Accrued Vacation Payable	33,409.78
<b>Total Other Current Liabilities</b>	<b>64,629.40</b>
<b>Total Current Liabilities</b>	<b>64,629.40</b>
<b>Total Liabilities</b>	<b>64,629.40</b>
<b>Equity</b>	
3000.0 · Fund Balance	1,146,086.51
3000.3 · Invested in Capital Assets	365,127.26
3110.0 · Reserve for Petty Cash	300.00

**Barton Springs Edwards Aquifer**  
**Balance Sheet**  
**As of February 28, 2015**

	Feb 28, 15
Net Income	275,962.80
Total Equity	1,787,476.57
TOTAL LIABILITIES & EQUITY	1,852,105.97





# Barton Springs Edwards Aquifer Profit & Loss Budget vs. Actual September 2014 through February 2015

Ordinary Income/Expense	Sep '14 - Feb 15	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
4400.0 · Interest Income	201.70	400.00	-198.30	50.4%
<b>4625.0 · MISCELLANEOUS INCOME</b>				
4626.1 · Other Income	112.80	0.00	112.80	100.0%
4626.2 · Camp Scholarship Program-EARDAC	7,083.69	0.00	7,083.69	100.0%
4625.0 · MISCELLANEOUS INCOME - Other	0.00	0.00	0.00	0.0%
<b>Total 4625.0 · MISCELLANEOUS INCOME</b>	<b>7,196.49</b>	<b>0.00</b>	<b>7,196.49</b>	<b>100.0%</b>
<b>4800.0 · USAGE FEES</b>				
4801.0 · Permittees Water Usage Fee	378,500.16	577,931.00	-199,430.84	65.5%
4803.0 · City of Austin Assessment	543,753.00	725,004.00	-181,251.00	75.0%
4805.0 · Permittees Annual Permit Fee	4,350.00	4,300.00	50.00	101.2%
4807.0 · Permittees Water Transport Fees	124,000.00	124,000.00	0.00	100.0%
4800.0 · USAGE FEES - Other	-29,067.95	0.00	-29,067.95	100.0%
<b>Total 4800.0 · USAGE FEES</b>	<b>1,021,535.21</b>	<b>1,431,235.00</b>	<b>-409,699.79</b>	<b>71.4%</b>
<b>4810.0 · OTHER FEES</b>				
4806.0 · Permittees Late Payment Fees	288.62	0.00	288.62	100.0%
4815.0 · Well Develop Application Inspec	4,375.00	0.00	4,375.00	100.0%
4816.0 · Meter Reading Fees/Pluggings	575.00	0.00	575.00	100.0%
4818.0 · Drought Management Fees	0.00	0.00	0.00	0.0%
4810.0 · OTHER FEES - Other	0.00	4,000.00	-4,000.00	0.0%
<b>Total 4810.0 · OTHER FEES</b>	<b>5,238.62</b>	<b>4,000.00</b>	<b>1,238.62</b>	<b>131.0%</b>
<b>Total Income</b>	<b>1,034,172.02</b>	<b>1,435,635.00</b>	<b>-401,462.98</b>	<b>72.0%</b>
<b>Gross Profit</b>	<b>1,034,172.02</b>	<b>1,435,635.00</b>	<b>-401,462.98</b>	<b>72.0%</b>
<b>Expense</b>				
<b>6000.0 · UTILITIES</b>				
6001.0 · Electricity & Water Service	2,781.27	7,000.00	-4,218.73	39.7%
6002.0 · Phone, Internet, Telemetry	5,374.06	11,800.00	-6,425.94	45.5%
6003.0 · Smartphone Reimbursements	3,025.00	7,000.00	-3,975.00	43.2%
<b>Total 6000.0 · UTILITIES</b>	<b>11,180.33</b>	<b>25,800.00</b>	<b>-14,619.67</b>	<b>43.3%</b>
<b>6005.0 · Print/Copy/Photo Services</b>	<b>534.89</b>	<b>2,000.00</b>	<b>-1,465.11</b>	<b>26.7%</b>
6007.0 · Postage Freight Shipping	946.01	3,000.00	-2,053.99	31.5%
6010.0 · Office Supplies/Canteen	4,990.25	9,000.00	-4,009.75	55.4%
6010.2 · Office Furniture	579.63	2,000.00	-1,420.37	29.0%
6011.0 · Comp Hardware-Plotter Supplies	654.16	6,000.00	-5,345.84	10.9%
6013.0 · 3-D Modeling Project	0.00	0.00	0.00	0.0%
6014.0 · Software Acquisition & Upgrades	216.00	2,400.00	-2,184.00	9.0%
6015.0 · IT Monthly Maintenance	6,000.00	12,000.00	-6,000.00	50.0%
6016.0 · Meeting Expense	3,361.52	5,000.00	-1,638.48	67.2%
<b>6017.0 · EXTERNAL MTGS &amp; SPONSORSHIPS</b>				
6017.1 · Travel & Meals	0.00	0.00	0.00	0.0%

**Barton Springs Edwards Aquifer**  
**Profit & Loss Budget vs. Actual**  
September 2014 through February 2015

	Sep '14 - Feb 15	Budget	\$ Over Budget	% of Budget
6017.2 · Registration Fees	20.00	0.00	20.00	100.0%
6017.3 · Sponsorships and Contributions	850.00	0.00	850.00	100.0%
6017.0 · EXTERNAL MTGS & SPONSORSHIPS - Other	0.00	10,000.00	-10,000.00	0.0%
<b>Total 6017.0 · EXTERNAL MTGS &amp; SPONSORSHIPS</b>	<b>870.00</b>	<b>10,000.00</b>	<b>-9,130.00</b>	<b>8.7%</b>
6019.0 · Subscriptions/Publications	1,678.31	2,000.00	-321.69	83.9%
6020.0 · Advertising	1,070.05	4,000.00	-2,929.95	26.8%
6021.0 · MISCELLANEOUS EXPENSES				
6021.2 · General	422.65	0.00	422.65	100.0%
6021.3 · Bank Charges	0.00	0.00	0.00	0.0%
6021.0 · MISCELLANEOUS EXPENSES - Other	-30.00	0.00	-30.00	100.0%
<b>Total 6021.0 · MISCELLANEOUS EXPENSES</b>	<b>392.65</b>	<b>0.00</b>	<b>392.65</b>	<b>100.0%</b>
6022.0 · Accounting System Operation				
6022.1 · Timekeeping Service-prepaid	764.40	0.00	764.40	100.0%
6022.0 · Accounting System Operation - Other	479.00	3,500.00	-3,021.00	13.7%
<b>Total 6022.0 · Accounting System Operation</b>	<b>1,243.40</b>	<b>3,500.00</b>	<b>-2,256.60</b>	<b>35.5%</b>
6023.0 · MAINTENANCE				
6024.0 · Auto Maintenance	2,044.11	5,000.00	-2,955.89	40.9%
6025.0 · Office Complex Maintenance				
6025.1 · Facilities Upgrades	11,749.96	12,000.00	-250.04	97.9%
6025.2 · Special Projects Office Shuffie	0.00	0.00	0.00	0.0%
6025.21 · Special Projects #2	0.00	0.00	0.00	0.0%
6025.3 · Security System Monitoring	524.70	0.00	524.70	100.0%
6025.4 · Facilities Repairs	478.00	5,000.00	-4,522.00	9.6%
6025.0 · Office Complex Maintenance - Other	3,323.75	10,600.00	-7,276.25	31.4%
<b>Total 6025.0 · Office Complex Maintenance</b>	<b>16,076.41</b>	<b>27,600.00</b>	<b>-11,523.59</b>	<b>58.2%</b>
<b>Total 6023.0 · MAINTENANCE</b>	<b>18,120.52</b>	<b>32,600.00</b>	<b>-14,479.48</b>	<b>55.6%</b>
6030.0 · CAPITAL OUTLAY-over 5,000				
6035.0 · Vehicles - Capital	0.00	0.00	0.00	0.0%
<b>Total 6030.0 · CAPITAL OUTLAY-over 5,000</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
6040.0 · LEASES				
6040.2 · Copier Lease & Maintenance	5,187.55	10,500.00	-5,312.45	49.4%
6040.3 · Postage Machine Lease - Pre-Pd	564.00	1,104.00	-540.00	51.1%
<b>Total 6040.0 · LEASES</b>	<b>5,751.55</b>	<b>11,604.00</b>	<b>-5,852.45</b>	<b>49.6%</b>
6065.0 · DIRECTOR EXPENSES				
6065.1 · Directors Travel/Meals	539.24	0.00	539.24	100.0%
6065.2 · Directors Registration Fees	1,509.00	0.00	1,509.00	100.0%
6065.0 · DIRECTOR EXPENSES - Other	0.00	2,500.00	-2,500.00	0.0%
<b>Total 6065.0 · DIRECTOR EXPENSES</b>	<b>2,048.24</b>	<b>2,500.00</b>	<b>-451.76</b>	<b>81.9%</b>
6066.0 · Directors Compensation	14,065.00	45,000.00	-30,935.00	31.3%

# Barton Springs Edwards Aquifer Profit & Loss Budget vs. Actual September 2014 through February 2015

	Sep '14 - Feb 15	Budget	\$ Over Budget	% of Budget
<b>6075.0 · DUES &amp; MEMBERSHIPS</b>				
6076.0 · District Dues & Memberships	2,672.86	0.00	2,672.86	100.0%
6077.0 · Staff Dues & Memberships	722.00	0.00	722.00	100.0%
6075.0 · DUES & MEMBERSHIPS - Other	0.00	6,000.00	-6,000.00	0.0%
<b>Total 6075.0 · DUES &amp; MEMBERSHIPS</b>	<b>3,394.86</b>	<b>6,000.00</b>	<b>-2,605.14</b>	<b>56.6%</b>
<b>6080.0 · EDUCATION AND OUTREACH</b>				
6080.01 · PUBLICATIONS	69.45	500.00	-430.55	13.9%
<b>6080.20 · OUTREACH</b>				
6080.22 · Cleanups	0.00	0.00	0.00	0.0%
6080.23 · Media and PR	81.82	0.00	81.82	100.0%
6080.31 · Conservation Awards	110.00	0.00	110.00	100.0%
6080.33 · Neighborhoods and Schools	43.16	0.00	43.16	100.0%
6080.34 · Scholarships	0.00	0.00	0.00	0.0%
6080.20 · OUTREACH - Other	0.00	10,000.00	-10,000.00	0.0%
<b>Total 6080.20 · OUTREACH</b>	<b>234.98</b>	<b>10,000.00</b>	<b>-9,765.02</b>	<b>2.3%</b>
6080.27 · Conferences and Seminars	0.00	1,250.00	-1,250.00	0.0%
6080.28 · Contracted Support	1,125.00	7,000.00	-5,875.00	16.1%
6080.29 · Equipment and Supplies	1,349.29	0.00	1,349.29	100.0%
6080.35 · GENERAL SUPPORT	522.85	5,250.00	-4,727.15	10.0%
<b>Total 6080.0 · EDUCATION AND OUTREACH</b>	<b>3,301.57</b>	<b>24,000.00</b>	<b>-20,698.43</b>	<b>13.8%</b>
<b>6081.0 · REGULATORY COMPLIANCE</b>				
6081.1 · Projects & Investigations	835.00	3,000.00	-2,165.00	27.8%
6081.2 · Well Sampling and Services	837.00	9,000.00	-8,163.00	9.3%
6081.4 · Conferences and Seminars	75.00	2,500.00	-2,425.00	3.0%
6081.5 · Contracted Support	1,838.50	13,000.00	-11,161.50	14.1%
6081.6 · Equipment and Supplies	833.66	5,000.00	-4,166.34	16.7%
<b>Total 6081.0 · REGULATORY COMPLIANCE</b>	<b>4,419.16</b>	<b>32,500.00</b>	<b>-28,080.84</b>	<b>13.6%</b>
<b>6084.92 · GENERAL MANAGEMENT</b>				
6085.0 · Elections	0.00	0.00	0.00	0.0%
6086.0 · GMA Joint Planning	15,000.00	20,000.00	-5,000.00	75.0%
6086.3 · Contracted Support	3,518.75	15,000.00	-11,481.25	23.5%
6087.0 · HCP-Completion Project	14,270.00	80,000.00	-65,730.00	17.8%
6088.0 · HCP-Hicks-Project 11047	32,748.33	0.00	32,748.33	100.0%
6088.6 · Conferences and Seminars	1,296.90	3,000.00	-1,703.10	43.2%
6084.92 · GENERAL MANAGEMENT - Other	5,000.00			
<b>Total 6084.92 · GENERAL MANAGEMENT</b>	<b>71,833.98</b>	<b>118,000.00</b>	<b>-46,166.02</b>	<b>60.9%</b>
<b>6089.0 · AQUIFER SCIENCE</b>				
6089.1 · Hydrogeologic Characterization	0.00	10,500.00	-10,500.00	0.0%
6089.2 · Water Chemistry Studies	252.00	4,000.00	-3,748.00	6.3%
6089.3 · Monitor Wells, Equipment /Suppl	2,863.93	11,500.00	-8,636.07	24.9%
6089.5 · Conferences and Seminars	2,129.00	4,000.00	-1,871.00	53.2%
6089.6 · Contracted Support	7,370.00	20,000.00	-12,630.00	36.9%

# Barton Springs Edwards Aquifer Profit & Loss Budget vs. Actual September 2014 through February 2015

	Sep '14 - Feb 15	Budget	\$ Over Budget	% of Budget
6089.7 · Westbay Project				
Total 6089.0 · AQUIFER SCIENCE	0.00	160,000.00	-160,000.00	0.0%
6090.0 · Conservation Credits				
6100.0 · INSURANCE - DISTRICT	12,614.93	210,000.00	-197,385.07	6.0%
6101.0 · Liability & Property - Pre-paid	0.00	47,000.00	-47,000.00	0.0%
6102.0 · Insurance not pre-paid (bonds)				
6100.0 · INSURANCE - DISTRICT - Other	2,400.64	0.00	2,400.64	100.0%
	124.00	0.00	124.00	100.0%
	0.00	5,750.00	-5,750.00	0.0%
Total 6100.0 · INSURANCE - DISTRICT	2,524.64	5,750.00	-3,225.36	43.9%
6150.0 · INSURANCE - GROUP				
6151.1 · Health Insurance Employee	42,050.21	74,100.00	-32,049.79	56.7%
6151.11 · Health Insurance Dependents	5,382.23	10,000.00	-4,617.77	53.8%
6151.2 · Dental Insurance Family	6,632.40	13,000.00	-6,367.60	51.0%
6151.3 · Life Insurance Employee	5,061.30	12,500.00	-7,438.70	40.5%
6151.4 · Vision Reimbursement Employee	651.44	2,000.00	-1,348.56	32.6%
Total 6150.0 · INSURANCE - GROUP	59,777.58	111,600.00	-51,822.42	53.6%
6160.0 · LEGAL SERVICES				
6161.0 · General Matters / Personnel	11,923.94	0.00	11,923.94	100.0%
6166.0 · City of Kyle	2,824.31	0.00	2,824.31	100.0%
6167.0 · Rules & ByLaws Issues	0.00	0.00	0.00	0.0%
6168.0 · Jeremiah Ventures	0.00	0.00	0.00	0.0%
6168.1 · Hill Country PGMA	0.00	0.00	0.00	0.0%
6168.3 · De-Annexation	0.00	0.00	0.00	0.0%
6168.4 · SH 45	16,400.44			
6168.6 · AG Opinions	420.00			
6160.0 · LEGAL SERVICES - Other	735.00	55,000.00	-54,265.00	1.3%
Total 6160.0 · LEGAL SERVICES	32,303.69	55,000.00	-22,696.31	58.7%
6170.0 · PROFESSIONAL SERVICES				
6173.0 · Financial Annual Audit	12,000.00	12,000.00	0.00	100.0%
6176.0 · Website and Database	3,015.00	0.00	3,015.00	100.0%
6177.0 · The Standard Ret Plan Admin	7,182.04	15,500.00	-8,317.96	46.3%
6178.0 · Elections	13,828.47	25,000.00	-11,171.53	55.3%
Total 6170.0 · PROFESSIONAL SERVICES	36,025.51	52,500.00	-16,474.49	68.6%
6179.0 · LEGISLATION				
6180.0 · PROF DEVELOPMENT & SUPPORT	10,000.00	30,000.00	-20,000.00	33.3%
6182.0 · Travel & Meals	565.00	0.00	565.00	100.0%
6183.0 · Registration Fees	1,230.00	0.00	1,230.00	100.0%
6180.0 · PROF DEVELOPMENT & SUPPORT - Other	0.00	15,000.00	-15,000.00	0.0%
Total 6180.0 · PROF DEVELOPMENT & SUPPORT	1,795.00	15,000.00	-13,205.00	12.0%
6184.0 · DISCRETIONARY FUNDS				
6184.1 · Principal BS	0.00	3,000.00	-3,000.00	0.0%
6184.2 · Senior BH	1,460.60	1,500.00	-39.40	97.4%

9:47 AM

03/06/15

Accrual Basis

# Barton Springs Edwards Aquifer

## Profit & Loss Budget vs. Actual

### September 2014 through February 2015

	Sep '14 - Feb 15	Budget	\$ Over Budget	% of Budget
6184.3 · GM JD	0.00	3,000.00	-3,000.00	0.0%
6184.4 · Senior DCW	251.17	1,500.00	-1,248.83	16.7%
6184.5 · Senior RHG	0.00	1,500.00	-1,500.00	0.0%
<b>Total 6184.0 · DISCRETIONARY FUNDS</b>	<b>1,711.77</b>	<b>10,500.00</b>	<b>-8,788.23</b>	<b>16.3%</b>
<b>6199.0 · SALARIES AND WAGES</b>	<b>386,813.32</b>	<b>708,780.00</b>	<b>-321,966.68</b>	<b>54.6%</b>
6200.0 · Salaries	386,813.32	708,780.00	-321,966.68	54.6%
<b>Total 6199.0 · SALARIES AND WAGES</b>	<b>386,813.32</b>	<b>708,780.00</b>	<b>-321,966.68</b>	<b>54.6%</b>
<b>6202.0 · Payroll Direct Deposit Expenses</b>	<b>305.13</b>	<b>0.00</b>	<b>305.13</b>	<b>100.0%</b>
6203.0 · TAXES & BENEFITS	305.13	0.00	305.13	100.0%
6203.1 · Workers Comp Insurance Pre-p	1,325.44	3,600.00	-2,274.56	36.8%
6203.2 · Payroll Tax Expenses-FICA-Med	29,522.57	59,664.00	-30,141.43	49.5%
6203.3 · Retirement-District Contributio	28,904.03	55,000.00	-26,095.97	52.6%
6203.4 · Texas Workforce C3 Taxes	1,947.76	2,070.00	-122.24	94.1%
6203.7 · Accrued Vacation Expense	-4,014.23	0.00	-4,014.23	100.0%
<b>Total 6203.0 · TAXES &amp; BENEFITS</b>	<b>57,685.57</b>	<b>120,334.00</b>	<b>-62,648.43</b>	<b>47.9%</b>
6301.0 · Depreciation Expense	0.00	0.00	0.00	0.0%
6690.0 · Reconciliation Discrepancies	0.00	0.00	0.00	0.0%
<b>Total Expense</b>	<b>758,209.22</b>	<b>1,725,368.00</b>	<b>-967,158.78</b>	<b>43.9%</b>
<b>Net Ordinary Income</b>	<b>275,962.80</b>	<b>-289,733.00</b>	<b>565,695.80</b>	<b>-95.2%</b>
<b>Other Income/Expense</b>				
Other Income	0.00	295,000.00	-295,000.00	0.0%
9000.00 · Transfer from Reserves	0.00	295,000.00	-295,000.00	0.0%
<b>Total Other Income</b>	<b>0.00</b>	<b>5,000.00</b>	<b>-5,000.00</b>	<b>0.0%</b>
<b>Other Expense</b>				
9001.00 · Transfer to Reserves	0.00	5,000.00	-5,000.00	0.0%
<b>Total Other Expense</b>	<b>0.00</b>	<b>290,000.00</b>	<b>-290,000.00</b>	<b>0.0%</b>
<b>Net Other Income</b>	<b>0.00</b>	<b>290,000.00</b>	<b>-290,000.00</b>	<b>0.0%</b>
<b>Net Income</b>	<b>275,962.80</b>	<b>267.00</b>	<b>275,695.80</b>	

## Quarterly Board Judgment of Effective Director Communications

(as required by the District Management Plan)

**III.C.4. Objective 4. Demonstrate leadership in external communication, collaboration, coordination and joint planning with respect to groundwater and related resources.**

**Performance Standard 4-1: Cultivate and communicate effectively and routinely with stakeholders of all types that affect and are affected by the District's programs and policies.**

**Metric:** Collective judgment of the Board once each quarter as to whether communications between the District and its stakeholder community, including constituents and other public officials, are providing an effective basis for District decision-making and for identifying any needed remedial actions.

Date of Meeting: March 12, 2015

Assessing Preceding Quarter of: 2<sup>nd</sup> Quarter FY 15

Collective Judgment: satisfactory

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

Supporting documentation attached including:

- Minutes of this meeting
- Copies of Director Compensation forms for previous quarter
- Any other documentation provided by the Directors

## **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. Special Topics.** (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. Review of Status Update Report – at directors' discretion**
- ii. Update on activities related to GMA and regional water planning**
- iii. Update on efforts to assess saline Edwards desalination/ASR feasibility**
- iv. Update on activities related to the HCP and the associated draft EIS**
- v. Update on the status of the City of Kyle's remanded permit application**



STATUS REPORT UPDATE FOR MARCH 12, 2015 BOARD MEETING				
Prepared by District Team Leaders				
	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
<b>GENERAL MANAGEMENT TEAM</b>				
	John Dupnik			<p><b>External Meetings Attended:</b> two meetings with Rep. Isaac on EP/Annexation, TAGD legislative subcommittee; Region K; Region K policy subcommittee; Com. Conley work group on Buda water shortage; with Buda/Kyle on permit transfers; with AWU on District fee structure; RWQPP work group; EP technical work group; with AWU (telecon); TDS and Abengoa on desal project; lunch with Graham Moore; <b>Other Meetings:</b> with SH45 subcommittee; with Kirk Holland on possible consulting. <b>Presentations:</b> Wimberley Town hall meeting on EP; <b>Conferences/Training:</b> TAGD quarterly meeting; TWCA conference</p> <p><b>Ongoing Special Projects:</b> TDS saline zone investigation/alternative saline zone access agreement; HCP EIS review; TxDOT supplemental agreement; City of Kyle Rehearing; GMA 10 nonvoting advisory committee framework; track Wimberley and Dripping Springs TPDES permit applications; TWDB desal grant application; Electro Purification; Annexation bill; annexation expense/revenue estimates; District HCP EIS review; SH 45 EIS review; EP technical workgroup MOU. <b>Committees and Workgroups:</b> Region K, voting member; GMA 10, voting member; Regional WQ Plan workgroup and wastewater subgroup; TAGD legislative subcommittees on Brackish groundwater, Permitting, and ASR; Region K committee on Legislation and Policy; Region K strategy prioritization committee; Region K water supply strategy subcommittee.</p> <p><b>Routine Activities/Day-to-Day Operations:</b> provided general oversight of staff incentive projects and activities, and oversight of day-to-day operations; approved purchase orders and expenditures; approved timesheets; prepared agendas and backup for and attended Board meetings; prepared GM report and summary notes of meetings and assigned tasks in response to Board commitments; held regular one-on-one meetings with Team Leads; presided over Planning Team meetings; serve as liaison between Board and staff; support Board committees; serve as primary contact for District lobbyist; bill tracking; responding to legislators requesting information; respond to media requests; disseminate media reports and journal articles of possible interest. <b>Consultation with Attorney on:</b> Kyle hearing/settlement agreement, SH 45 supplemental agreement; Annexation options; AG opinion request on Trinity authority; annexation bill; facilities upgrades financing. <b>Other Activities:</b> review HCP EIS; work on draft supplemental SH45 agreement; solicit grant support; track grant application support letters; research Electro Purification well field; prepare materials for directors' meeting; prepare annexation analysis for Board presentation; coordinate with Plum Creek CD on annexation overlap.</p>
Summary of Significant Ongoing Activities	JD	06-Mar-15	Meetings, Training, Presentations, and Conferences	
	JD	06-Mar-15	Ongoing Special Projects, Committees, and Workgroups	
	JD	06-Mar-15	Routine Activities and Day-to-Day operations	
<b>GENERAL SERVICES TEAM</b>				
	Dana Christine Wilson			
Accounts Receivable - A	DCW	06-Mar-15	Permittee accounts carrying a past due balance:	All permittees in good standing.
Accounts Receivable - B	DCW	05-Mar-15	3rd quarter billings and February monthly for March mailed out February 13th.	Total billed \$ 270,000+
Accounts Receivable - C Drought Management Fees	DCW	05-Mar-15	December was the 1st month to charge DMFs (for November pumping).	One DMF for \$250 applied to MOYSC's account for November. Two DMFs applied for December pumping- Aqua Bliss Spillar for \$250, and Creedmoor for \$500. Drought is now over so no more DMFs being applied at this time.
Annexation - Hays County	DCW	06-Mar-15	Draft Annexation Spreadsheets and Summary Reports	

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
Financial Reporting - Website	DCW	05-Mar-15	Most current, available financial reports are posted.	Profit and Loss Statements and Balance Sheets through January 31, 2015.
Incentive - Cross-training Shannon	DCW/SD	05-Mar-15	Per Shannon's incentive, have been cross-training on:	Billings, tax reporting, pre-pays, Quickbooks category set-ups, banking (reconciliations, transfers to and from TexPool), receiving payments, etc.
<b>REGULATORY COMPLIANCE TEAM</b> Kendall Bell-Enders				
City of Buda	KBE, VE	06-Mar-15	Test well - New Edwards PWS well	The City of Buda submitted a test well application. The City plans to drill potentially 4 test wells in the Garlic Creek area to determine a location for a new PWS well for their aggregate system. There will not be a new production permit associated with the new well, it will be an aggregate.
No-Drought Conditions declared	KBE, VE	06-Mar-15	Drought Compliance Monitoring and Enforcement	No-drought was declared on January 29, 2015. Staff sent out email and letter to all permittees notifying them of no-drought status.
Industrial Asphalt	KBE, VE	06-Mar-15	Middle Trinity Well	District staff sent WPAP modification comment letter to TCEQ and had a meeting with TCEQ staff to discuss. Options for using the observation well (the original production well) as the designated production well and to schedule a more thorough inspection of the well and quarry were also discussed. Staff needs to follow up with Tommy Matthews and Doug Wilcox to determine next steps forward. Industrial Asphalt submitted a minor amendment application to switch production wells; want to use original production well because the other wells casing is corroded and they can't place a pump in it. However, the original production well has higher sulfates and TDS and the special provisions in the permits will likely need to be amended to address the water quality issues. Staff is reviewing the application.
Lonestar Soccer Club	KBE	06-Mar-15	Historic Freshwater Edwards Permit	A PUD is going in at the location of Lonestar Soccer Fields off W. Stassney Lane. Lonestar Soccer club holds an historic Edward permit for 12 M gallons a year. COA planning department and the developer informed staff that there is a note in the ordinance that states "use of the existing water well on Lot 2 will cease and the historic pumping permit will be retired when it is no longer being used for the soccer fields." District staff has been in contact with Milestone Builder (new owners) about plugging the well and retiring permit. Staff expects a plugging application and change of owner application any day now. Once retired, 12 M gallons of historic Edwards will go towards the General Conservation Permit and is included in the Ecological Flow Reserve. The well has been plugged but the owners have not submitted a permit amendment to retire the permit, so staff will draft a "right sizing" or permit retirement letter stating that the permit is no longer commensurate with reasonable demand and that they can request a hearing within 30-days.
Onion Creek Golf Club	KBE, VE	06-Mar-15	Middle Trinity Well	Onion Creek Golf Club has submitted an application to drill a Middle Trinity well. The application is still under review and we are waiting for them to determine the well location and ownership.
Rulemaking	KBE, VE	06-Mar-15	District Rules and Bylaws	Staff has initiated the rulemaking process and determined a timeline, with the goal of having a concept document to the Board by June or July.
TJ Higginbotham	KBE, VE	06-Mar-15	Class C Conditional Freshwater Edwards Application	TJ Higginbotham has submitted an incomplete production permit application for a Class C Conditional Freshwater Edwards Permit for 270,000,000 gallons/year. He has an existing Edwards well that is completed per TCEQ standards for PWS.
<b>EDUCATION &amp; OUTREACH</b> Robin Gary				
Central Hays County Groundwater Evaluation	RG, BH, BAS, AA	06-Mar-15	Mapping and well information compilation	Tracking well locations for landowners volunteering well information. Compiling available well data and processing to get it ready for interpretation. Various maps have been created to address questions the Board, staff, and collaborators have asked. A spotlight has been set up to aid in dissemination of this information.

	Leader, Staff	Date	PROJECT / ACTIVITY DESCRIPTION	STATUS/COMMENTS
Groundwater to the Gulf	RG	06-Mar-15	Planning	Website has been transferred to Colorado River Alliance, the new funding coordinator. Registration is now open. Sponsor letters have gone out.
Scholarship contest opens	RG	06-Mar-15	Continued promotion	Scholarship info and applications are up-to-date and the program is being actively promoted. Pass along the word! Check out the banners on the home page!
Water Well Check-up	RG et al	06-Mar-15	Planning	Robin is field testing new meter for in-house analysis of TDS, pH, and temperature. Supplies are in and experts have been contacted to help staff our in-house water well check-up. The date has been set for Thursday, April 16, 2015 (the day after tax day). Well owners will be able to drop off water samples and receive preliminary nitrate, tds, and pH results after a short wait. Bacteria will be processed at an off-site lab. Experts will be available from 1-1 to answer questions. Experts could include water treatment, landscaping/tree care, water analysis, septic systems, and hydrogeology. Post cards will go out to past participants, NDUs, and high volume water users in honor of Groundwater Awareness Week next week.
Internet Traffic Report	RG	06-Mar-15	Page views and visits to the District Website	On the District website over the past month, we've had an increase in the number of page views from last month. There were 5,722 page views from 2,496 unique visits--over double from last month's numbers. Top pages viewed (in order of hits) are the home page (1,294 views), Trinity Well Drilling spotlight (1,006), job opening spotlight (321), drought status (281). On the District Facebook page we have 289 people who have signed up to 'Like' us.
<b>AQUIFER SCIENCE</b>				
Brian Smith				
Dye Tracing	BS, BH	06-Mar-15	Dye tracing	Discussions are underway with the EAA and CoA about potential dye tracings in the upcoming months. Locations include sinkholes and wallets in the Blanco River. Following rains in late May that brought flow to Onion Creek, dye was injected into Antioch Cave for a local trace.
Central Hays County Groundwater Evaluation	RG, BH, BAS, AA	06-Mar-15	Well and hydrogeology characterization	Meeting was held on March 4 with Electro Purification and other groundwater districts to discuss status of EP wells and their plans for completing and testing their wells.
Antioch Cave	BS, BH, AA	06-Mar-15	Onion Creek Recharge Enhancement Project	The Antioch system is open to allow recharge into the cave from potential flow events.
Water-Quality Studies	BS, BH, AA	06-Mar-15	Sampling and analysis of groundwater and surface water	District staff, in cooperation with the TWDB, have begun sampling wells and springs. In addition, the staff will sample wells and springs as part of the Magellan Pipeline monitoring effort.
Saline Zone Studies	BS, BH	06-Mar-15	Installation of multiport monitor well	Plans are moving forward for installation of a saline Edwards multiport well in conjunction with a test well installed by TDS. We are currently working on an access agreement with TDS. District staff are working with RPS on a TWDB feasibility study grant. The grant application was submitted to TWDB at the end of January and we expect to hear back at the end of March.
Drought and Water-Level Monitoring	BH, BS, AA	06-Mar-15	Drought status, monitor wells, and synoptic water level events	January 30, the District Board declared non-drought conditions. The District had been in drought since August 15, 2014. As of March 2, Barton Springs was flowing at a rate of about 78 cfs. On March 6, the water level in the Lovelady well was at 487.4 ft above msl.
Information Transfer	BS, BH, AA	06-Mar-15	Presentations, conferences, reports, and publications	District staff are working on a paper to be published by Springer on surface-groundwater interactions. Staff are working on the Vol. 2 of the Hydrogeologic Atlas.
<b>AD-HOC TEAMS</b>				
Technical Team	BAS	06-Mar-15	Current areas of discussion	Topics of discussion at the technical team meeting in February were the Electro Purification well field, the TWDB grant application, and the draft EIS for the HICP.



**Item 4  
Presentation**

**Presentation by the Central Texas Regional Mobility Authority on  
activities related to the Mopac South project.**



# MoPac South Environmental Study

Sean Beal, P.E. – Engineering Manager



CENTRAL TEXAS  
Regional Mobility Authority

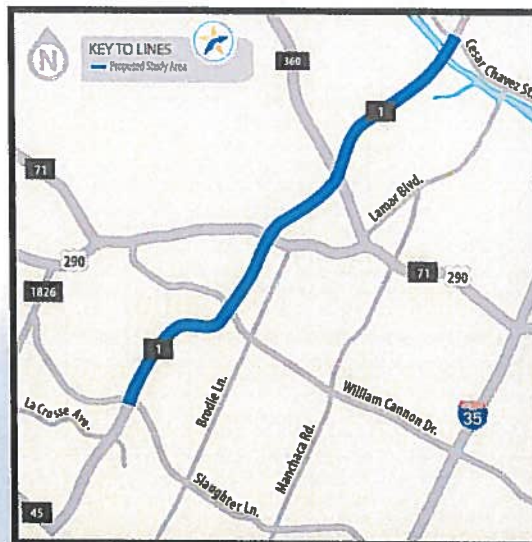
## MoPac South Environmental Study



- **MoPac south of Cesar Chavez Street is a vital artery for our area**  
- it attracts up to 130,000 cars and trucks per day
- **Over time, residential, retail and commercial development in the corridor has led to increased congestion**
- **Environmental Study initiated to determine the best alternatives for improving mobility and safety on approximately eight miles of MoPac from Cesar Chavez Street to Slaughter Lane**



**MoPAC SOUTH**  
ENVIRONMENTAL STUDY



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Regional Mobility Authority



## Process and Major Activities to Date



- **Launched Environmental Study in April 2013**

- Collected travel time, crash and safety, population and employment growth and environmental constraints data
- Developed Purpose and Need
- Launched project website [www.MoPacSouth.com](http://www.MoPacSouth.com)
- Began stakeholder outreach

- **Held First Open House/Scoping Meeting in November 2013**

- Refined Purpose and Need based on public input
- Developed and refined concepts that may meet Purpose and Need using data collected and community feedback

- **Held Second Open House in April 2014**

- Refined evaluation criteria and measurements based on Purpose and Need and community feedback
- Evaluated concepts

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## Where We Are Now



- **Third Open House held on Thursday, February 26, 2015 at Hill Country Middle School from 4:30 pm to 7:30 pm**

- Presented preliminary results and requested feedback on evaluation criteria and measurements
- Presented recommended reasonable alternative – Express Lanes
- Launched our Context Sensitive Solutions process
- Virtual Open House currently available online – official comment period ends March 9, 2015



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## Purpose and Need



- **What We are Trying to do:**

- Provide reliable travel times
- Improve efficiency
- Create dependable and consistent route for transit
- Facilitate reliable emergency response

- **What Problems We're Addressing:**

- Unreliable travel times\*
  - If we don't address the problem, conservative estimates result in an additional half hour to travel between Cesar Chavez Street and Slaughter Lane in 2035
- Increased congestion due to population and employment growth\*\*
  - 61% population growth in Travis and Hays counties by 2035
  - 74% employment growth in Travis and Hays counties by 2035

\*Travel Time Sources: CDM-Smith 2014 using INRIX speed data, CAMPO 2035 Travel Demand Model, observed congestion speeds, bluetooth data  
\*\*Population Sources: U.S. Census Bureau: 1990 Census & 2008-2011 American Community Survey, CAMPO 2035 Forecast

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## Which Alternatives Were Evaluated?



- **General Purpose Lanes**
- **High Occupancy Vehicle Lanes**
- **Transit Only Lanes**
- **Express Lanes**
- **Transportation System Management/Transportation Demand Management**
- **No Build**

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## Express Lanes Alternative Being Advanced



- **Express Lanes Alternative is recommended because:**

- Offers reliable toll-free travel times for vanpools, buses and emergency vehicles
- Additional capacity will be actively managed through the use of variable toll pricing for other users to realize a similar reliable travel time
- Provides shortest peak period travel time for all vehicles, including those in general purpose lanes
- Saves over 3 million hours of travel time compared to No Build Alternative (*1.7 x more than HOV lanes and 13 x more than Transit Only Lanes*)
- Increases opportunities for transit and ridesharing
- Includes new and better connectivity for bicyclists and pedestrians
- Avoids impacts to the natural and human environment and minimizes impacts to water quality

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## About the Express Lanes Alternative



- **Addition of two Express Lanes in each direction**

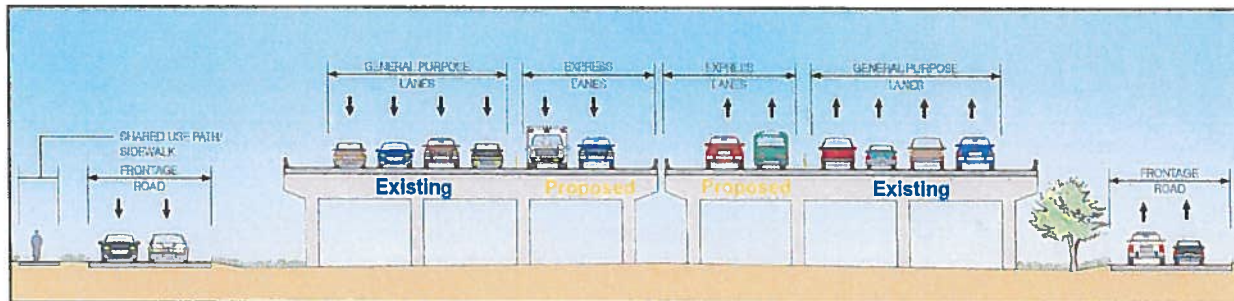
- Entrance and exits proposed near Cesar Chavez Street, Loop 360, William Cannon and Slaughter Lane

- **Concepts being evaluated as part of this alternative:**

- Direct connection to Cesar Chavez Street
- Operational improvements at the FM 2244 Southbound General Purpose Exit
- Operational improvements and direct connections at William Cannon Drive
- Addition of bike and pedestrian facilities to create continuous facility from Lady Bird Lake to Slaughter Lane

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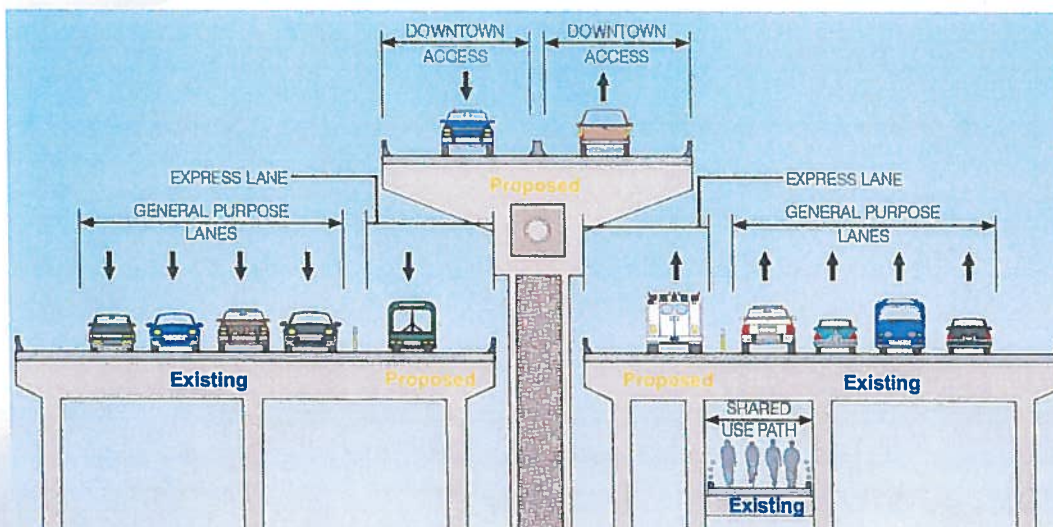
## Conceptual Typical Section – FM 2244 Area



This artist rendering shown is conceptual in nature and are for discussion purposes only.

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## Conceptual Typical Section – Lady Bird Lake

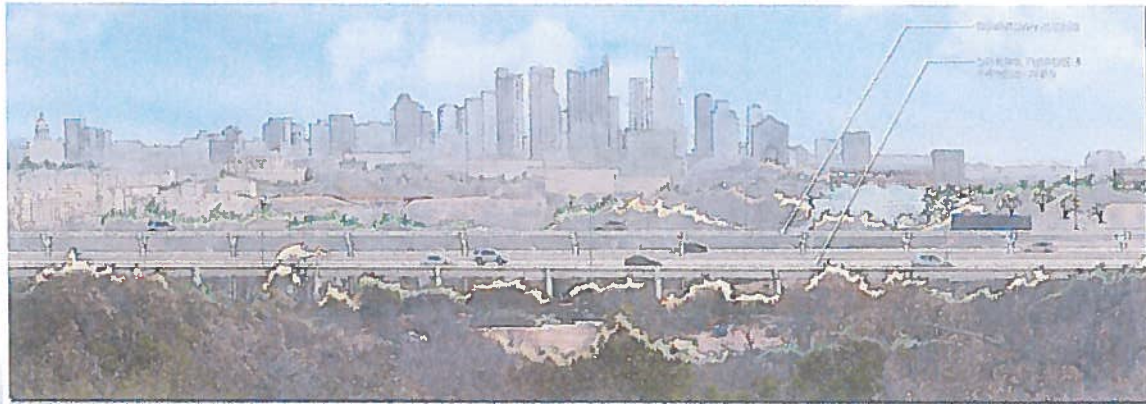


This artist rendering shown is conceptual in nature and are for discussion purposes only.

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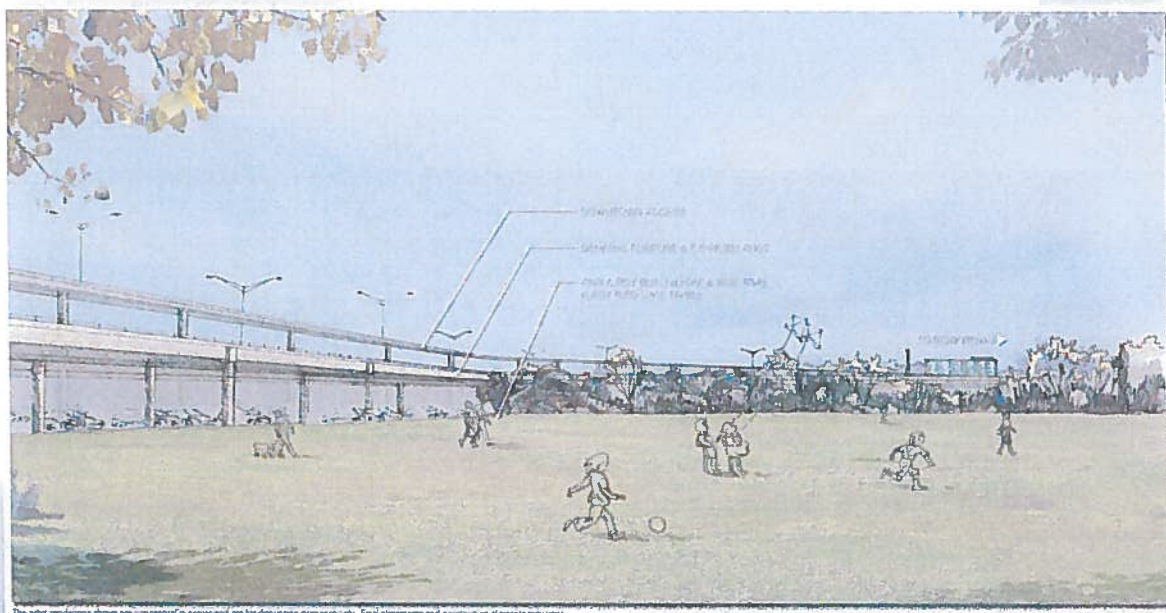


## View from Zilker Clubhouse



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## View From Zilker Park



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Regional Mobility Authority

## Next Steps



- **Continue to study environmental issues in greater detail**
- **These social, economic and environmental issues are being considered**
  - *Land use*
  - *Social impacts including environmental justice*
  - *Relocation impacts*
  - *Economic impacts*
  - *Pedestrian and bicycle facilities*
  - *Air quality*
  - *Traffic noise*
  - *Geology/soils*
  - *Water quality*
  - *Wetlands*
  - *Water body modifications*
  - *Floodplains*
  - *Vegetation*
  - *Wildlife*
  - *Threatened or endangered species*
  - *Historic and archeological resources*
  - *Hazardous materials*
  - *Visual impacts*
  - *Construction impacts*
  - *Cumulative impacts*
  - *Mitigation and permit requirements*

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## Next Steps



- **Collect and analyze data regarding potential environmental impacts and constructability**
- **Refine schematics and design concepts to address environmental issues and community feedback**
- **Develop draft environmental assessment**
- **Hold additional Open House Meetings**
- **Continue to engage and meet with stakeholders**

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## Ways to Stay Involved and Informed



- **Project website: [MoPacSouth.com](http://MoPacSouth.com)**
- **Enewsletters and social media (@MoPacSouth)**
- **Open Houses and Virtual Open Houses**
- **Technical workgroup meetings**
- **Stakeholder meetings**

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## **Item 5**

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

- a. Discussion and possible action related to approval of an agreement with TxDOT and Central Texas Regional Mobility Authority in connection with proposed State Highway 45 Southwest and the Consent Decree and Partial Final Judgment in the matter of Save Barton Creek Association v. Federal Highway Administration (W.D. Tex. 1990).**

**FEBRUARY 17~~25~~, 2015 DRAFT**  
**SUBJECT TO BOARD/MANAGEMENT APPROVAL**

**AGREEMENT WITH**  
**BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT (BSEACD),**  
**CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY (CTRMA)**  
**AND**  
**TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)**  
**REGARDING**  
**STATE HIGHWAY 45 SOUTHWEST**

This Interlocal Agreement regarding State Highway 45 Southwest (Agreement) is made effective upon execution by the last party to execute (Effective Date) by and between the Barton Springs/Edwards Aquifer Conservation District (BSEACD), the Central Texas Regional Mobility Authority (CTRMA), and the Texas Department of Transportation (TxDOT) (collectively, the Parties).

WHEREAS, BSEACD is a political subdivision of the State of Texas created under the authority of Article XVI, Section 59, of the Texas Constitution, and operates pursuant to the provisions of Chapter 36 of the Texas Water Code and Chapter 8802 Texas Special District Local Laws Code, and is authorized by the Texas Interlocal Cooperation Act, § 791.001, et. seq. of the Texas Government Code to enter into this Agreement; and

WHEREAS, TxDOT is an agency of the State of Texas and is authorized by the Texas Interlocal Cooperation Act, § 791.001, et. seq. of the Texas Government Code, Texas Transportation Code, §201.209 and 43 T.A.C. §9.9 to enter into this Agreement; and

WHEREAS, CTRMA is an agency of the State of Texas created and operating under Texas Transportation Code, Chapter 370 and is authorized by the Texas Interlocal Cooperation Act, § 791.001, et. seq. of the Texas Government Code, to enter into this Agreement; and

WHEREAS, on January 23, 1990, BSEACD and the Texas State Department of Highways and Public Transportation, predecessor agency to TxDOT, agreed and recommended approval of and the Court entered a Consent Decree and Partial Final Judgment (Consent Decree) in settlement and compromise of disputed claims in *Save Barton Creek Association v. Federal Highway Administration* (W.D. Tex. 1990); and

WHEREAS, the Consent Decree, a copy of which is attached as Exhibit "A," contains judgment terms that are binding on TxDOT and BSEACD and that assign different roles and requirements with regard to the ownership, control, and future construction of certain highways in Southwest Travis County; and

WHEREAS, State Highway 45 Southwest (SH 45 SW) is a proposed four-lane state highway consisting of four tolled main lanes of controlled access roadway, with a possible shared-use path on one side, extending approximately 3.6 miles from MoPac to FM 1626; and

WHEREAS, SH 45 SW is subject to the Consent Decree; and

**FEBRUARY 1725, 2015 DRAFT**  
**SUBJECT TO BOARD/MANAGEMENT APPROVAL**

WHEREAS, under Texas Transportation Code, §373.052, CTRMA has the first option to develop, finance, construct, and operate any new toll project located in the territory of the CTRMA, including Travis County; and

WHEREAS, CTRMA exercised its option under Texas Transportation Code, §373.052, to develop, finance, construct, and operate SH 45 SW; and

WHEREAS, subject to the state Environmental Impact Statement (EIS) and all other required approvals and requirements, CTRMA intends to design and construct SH 45 SW; and

WHEREAS, CTRMA and TxDOT will enter into a Project Development Agreement (PDA) establishing the respective obligations of CTRMA and TxDOT for the design, construction, and operation of SH 45 SW; and

WHEREAS, during the time period since the entry of the Consent Decree, advances have been achieved in the effectiveness of structural and non-structural Best Management Practices (BMPs), which provide for equal or greater protection to groundwater resources than the BMPs required under the Consent Decree; and

WHEREAS, it is the desire of the Parties to use the most effective BMPs in SH 45 SW; and

WHEREAS, BSEACD and TxDOT do not desire to judicially modify the Consent Decree; and

WHEREAS, TxDOT and CTRMA agree to include terms and conditions described in this Agreement in the PDA to ensure SH 45 SW is designed, constructed, and operated in a manner that meets or exceeds all of the requirements in the Consent Decree, recognizing that certain standards and practices not known at the time of the Consent Decree will be used to ensure that the project is designed, constructed, and operated in a more environmentally sensitive and prudent fashion; and

WHEREAS, the Parties desire to enter into this Agreement to: (i) memorialize the commitments of the Parties relative to the design, construction, operation, maintenance oversight, and review of SH 45 SW to ensure compliance with the Consent Decree and protection of groundwater; and (ii) evidence the ultimate rights and responsibilities of the Parties; and

WHEREAS, the Parties will all benefit from the performance obligations under this Agreement; and

WHEREAS, this Agreement concerns the performance of governmental functions and services;



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**SUBJECT TO BOARD/MANAGEMENT APPROVAL**

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises and agreements of the Parties contained in this Agreement, the Parties agree as follows:

**1. Statement of Intent**

It is the intent of the Parties that TxDOT and CTRMA use pollution control procedures, techniques, and devices (methods) that meet or exceed the requirements of both this Agreement and the Consent Decree during the construction, operation, and maintenance of SH 45 SW, to achieve protection of water quality and use of the best available technology. The Parties intend that certain standards and practices not known at the time of the Consent Decree will be used to ensure that SH 45 SW is designed, constructed, and operated in a more environmentally sensitive and prudent fashion, and acknowledge that such methods are superior to the outdated methods in the Consent Decree. The Parties acknowledge that the use of a method to protect water quality that meets or exceeds the requirements of both this Agreement and the Consent Decree is adequate consideration to support this Agreement. BSEACD is not waiving its right to comment on or address with TxDOT or CTRMA any concerns regarding the environmental impact analysis, design, construction, or analysis of the roadway.

**2. Analysis of Potential Impacts to the Edwards Aquifer**

TxDOT will complete the EIS and prepare the Record of Decision for SH 45 SW in a manner that fully evaluates and discloses the potential environmental impacts of the project, including potential impacts to the Edwards Aquifer and Barton Springs. Execution of this Agreement by BSEACD should not be construed as a determination of the adequacy of TxDOT's Final EIS or approval or disapproval of SH 45 SW.

**3. Specific Project Commitments**

a. Construction of Access

a. Access to and from SH 45 SW as a Parkway

~~SH 45 SW will be constructed as a parkway with no driveways and no connections other than to MoPac South (Loop 1), Bliss Spillar Road, FM 1626, permitted only to the extent such access is permitted by paragraphs 8 and any other phases of SH 45. BSEACD would be notified of any requests for connections to SH 45 SW9 of the Consent Decree.~~

b. Stormwater Treatment Performance Standard

TxDOT or CTRMA (as designated in a separate PDA) will ensure SH 45 SW will be designed and perform to achieve a highway runoff total

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suspended solids (TSS) removal rate of at least ninety percent (90%) of the incremental increase in TSS load using a combination of structural and non-structural BMPs. This is a minimum standard and does not preclude TxDOT or CTRMA from using a better technology that can achieve a higher removal rate of TSS ~~and other dissolved constituents consistent with regional standards.~~

c. Structural BMPs

The following structural BMPs, at a minimum, will be used and maintained, as appropriate, to avoid or minimize the amount of pollutants in the runoff from the roadway:

- i. permeable friction course (PFC) pavement (on majority of road surfaces);
- ii. water quality ponds;
- iii. vegetated controls such as grassy swales;
- iv. vegetated filter strips (in areas where curbs and other stormwater conveyance infrastructure is not used); and
- v. multiple hazardous materials traps (located at all creeks, waterways, and culverted drainage ways, and each adequately sized to contain a 10,000 gallon spill).

d. Non-structural BMPs

The following non-structural BMPs will be used, at a minimum, as appropriate, to avoid or minimize the amount of pollutants in the runoff from the roadway:

- i. no herbicide use within the right-of-way;
- ii. vacuum truck utilization, as determined by the independent environmental compliance manager (described below);
- iii. periodic inspections of hazardous materials traps and other permanent BMPs ~~which meet or exceed the requirements of both~~ that a frequency not less than required under TCEQ's Edwards Aquifer Rules (30 T.A.C. Chapter 213) and the Consent Decree;
- iv. any equipment fuel or hazardous material storage, even if short-term, will be performed within a containment area to prevent the possibility of accidental discharge to groundwater;

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- v. any equipment fueling will be performed at least 200 feet away from the nearest sensitive karst feature and water crossing; and
  - vi. phased construction practices, where feasible, to limit the area and duration of construction disturbance.
- e. Protection of Karst Features and Flint Ridge Cave
- i. Prior to the commencement of construction, a geologic assessment (GA) will be performed by TxDOT in accordance with TCEQ rules and in support of the state EIS for the purpose of identifying karst features within the SH 45 SW right-of-way that may significantly contribute to recharge of the Edwards Aquifer including Flint Ridge Cave. The GA will incorporate the assessment of excavations of karst features identified during the TxDOT karst survey and investigation conducted for the state EIS. The GA will also provide detailed explanations for why each of the identified potential karst features are considered to be either sensitive or not sensitive;
  - ii. All sensitive karst features identified in the GA that may significantly contribute to recharge of the Edwards Aquifer, including Flint Ridge Cave, shall be protected using methods that are consistent with the intent of paragraph 1 ~~(i.e. meets or exceeds the requirements of both this Agreement and the Consent Decree),~~ and will avoid or minimize the impact to catchment areas and the quantity of interrupted recharge, to the maximum extent practicable; and
  - iii. TxDOT will provide a copy of the GA with the proposed method for protecting each sensitive karst feature to BSEACD and allow a minimum of 20 business days from the Effective Date to evaluate the designation of the sensitive karst features, their spatial relationship to the highway alignment and BMPs, and whether the proposed method of protection meets or exceeds the requirements of both this Agreement and the Consent Decree. To the extent BSEACD raises any concerns with the proposed methods of protection of a sensitive karst feature, and if TxDOT disagrees with the concern raised by BSEACD, TxDOT and BSEACD will convene in an attempt to resolve within 30 calendar days of when BSEACD raises an issue.
- f. BSEACD will be added to the list of agencies to be notified by the void discovery protocols described in the state EIS for SH 45 SW.

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g. Construction and Post-Construction Monitoring and Reporting

- i. An independent environmental compliance manager shall be retained by TxDOT or CTRMA, after consulting with BSEACD, to:
  - a. be present on-site during construction of SH 45 SW to monitor construction activities and ensure that all environmental commitments in the plans and the EIS for the project (including those intended to ensure that the construction of the project meets or exceeds the requirements of both this Agreement and the Consent Decree), are fulfilled; and
  - b. ensure that, upon completion of construction, all BMPs are implemented and functioning as designed.
- ii. Upon the approximate five-year anniversary of the completion of construction, and on approximate subsequent five-year intervals, up to the 20<sup>th</sup> anniversary of completion of construction, TxDOT and BSEACD will arrange and perform a joint inspection of the BMPs to ensure that they are implemented and functioning as designed and meet ~~or~~ exceed the requirements of both this Agreement and the Consent Decree. For each of the four five-year inspections, TxDOT will procure a qualified, independent third party to assist with the joint inspection, at a cost not to exceed a total of \$30,000. BSEACD will reimburse TxDOT 50% of the cost of the qualified, independent third party. If BSEACD determines not to divide the cost of the qualified, independent third party, it will so advise TxDOT prior to the inspection, and the joint inspection will proceed without the assistance of the third party.
- iii. To the extent BSEACD desires to install wells to monitor aquifer conditions in the vicinity of SH 45 SW, TxDOT will provide reasonable access to the SH 45 SW right-of-way, subject to appropriate safety requirements.
- iv. TxDOT or CTRMA shall remedy and mitigate to the maximum extent possible should the BMPs fail to perform as designed.

h. Review and Observation by BSEACD

- i. During final design when design is still subject to change and prior to construction bidding, representatives of BSEACD will be permitted 20 business days to review and comment on any plans or subsequent, substantive changes to plans for handling of

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**SUBJECT TO BOARD/MANAGEMENT APPROVAL**

stormwater runoff, including any plans addressing phased construction practices and commitments to maintenance of the PFC material ~~to ensure concerning whether~~ the plans and design meet or exceed the requirements of both this Agreement and the Consent Decree. To the extent BSEACD raises any concerns with the plans, and if TxDOT disagrees with the concern raised by BSEACD, TxDOT and BSEACD will convene in an attempt to resolve within 30 calendar days of when BSEACD raises an issue. BSEACD will also have an opportunity to review and comment on the water pollution abatement plan for SH 45 SW as provided for in TCEQ's Edwards Aquifer Rules (30 T.A.C. Chapter 213); and

- ii. Representatives of BSEACD will be permitted to observe construction of SH 45 SW and will be allowed to accompany TxDOT or CTRMA personnel on periodic inspections of BMPs. Observations are subject to reasonable notice, pre-scheduling with TxDOT/CTRMA, and safety-related requirements.

**4. Effect of Agreement on 1990 Consent Decree**

BSEACD and TxDOT do not desire to judicially modify the 1990 Consent Decree. BSEACD, CTRMA and TxDOT desire to enter into this separate Agreement ~~to address whether with provisions relating to the~~ design, construction, and operation of SH 45 SW ~~meets that are equally or exceeds both this Agreement and the more protective of the Edwards Aquifer than the 1990~~ Consent Decree. This Agreement does not affect the enforceability of the 1990 Consent Decree.

**5. Inclusion of Terms of this Agreement in Project Development Agreement**

TxDOT and CTRMA agree to include the terms of this Agreement as terms and conditions of any PDA between the CTRMA and TxDOT to ensure SH 45 SW is designed, constructed, and operated in a manner that meets or exceeds all of the requirements in the Consent Decree, recognizing that certain standards and practices not known at the time of the Consent Decree will be used to ensure that the project is designed, constructed, and operated in a more environmentally sensitive and prudent fashion.

**6. Responsibility for Expenses**

Each Party shall pay for its own expenses incurred under this Agreement.

**7. Term**

This Agreement will terminate on the 40th anniversary of the Effective Date.



**FEBRUARY 17~~25~~, 2015 DRAFT**  
**SUBJECT TO BOARD/MANAGEMENT APPROVAL**

**TEXAS DEPARTMENT OF  
TRANSPORTATION**

By: \_\_\_\_\_  
LtGen J.F. Weber, USMC (Ret)  
Executive Director

Date: \_\_\_\_\_

**BARTON SPRINGS/EDWARDS AQUIFER  
CONSERVATION DISTRICT**

By: \_\_\_\_\_  
Robert D. Larsen, Ph.D.  
Acting Board President

Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_  
Craig Smith  
Board Secretary

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
William D. Dugat III  
Attorney

Date: \_\_\_\_\_

**FEBRUARY 17<sup>25</sup>, 2015 DRAFT**  
**SUBJECT TO BOARD/MANAGEMENT APPROVAL**

**CENTRAL TEXAS REGIONAL  
MOBILITY AUTHORITY**

By: \_\_\_\_\_  
Mike Heiligenstein  
Executive Director

Date: \_\_\_\_\_

## **Item 5**

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

- b. Discussion and possible action related to update on activities related to the Electro Purification Trinity well field located just outside of the District's boundaries.**





**Barton Springs  
Edwards Aquifer**  
CONSERVATION DISTRICT

**MEMORANDUM**

**Date:** March 6, 2015

**To:** John Dupnik, General Manager

**From:** Brian Smith, Aquifer Science Team Leader

**Re:** Meeting with Electro Purification and Groundwater Districts

---

A meeting was held on March 4, 2015 to discuss the status of the Electro Purification wells in central Hays County. In attendance were representatives of Electro Purification, Barton Springs/Edwards Aquifer Conservation District, Hays Trinity Groundwater Conservation District, Plum Creek Conservation District, and Edwards Aquifer Authority. An attendance list and the meeting agenda are attached.

Key points from the meeting are that:

- EP will cooperate on a full aquifer test when their wells are completed in about three months.
- EP will provide some funding to help pay for a monitoring system for the aquifer test, plus some additional funding for monitoring further away from the well field; perhaps in the Hays Trinity District.
- The four groundwater districts will continue to cooperate on data collection, planning for an aquifer test, and establishing a monitoring network that will allow for an aquifer test similar to the requirements by BSEACD.
- Further meetings will be held by these same parties as a monitoring system is established and EP works on completing their wells.

EP will continue to share data with us from their well field and we will provide details about our monitoring network as it is developed.

## **Item 5**

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

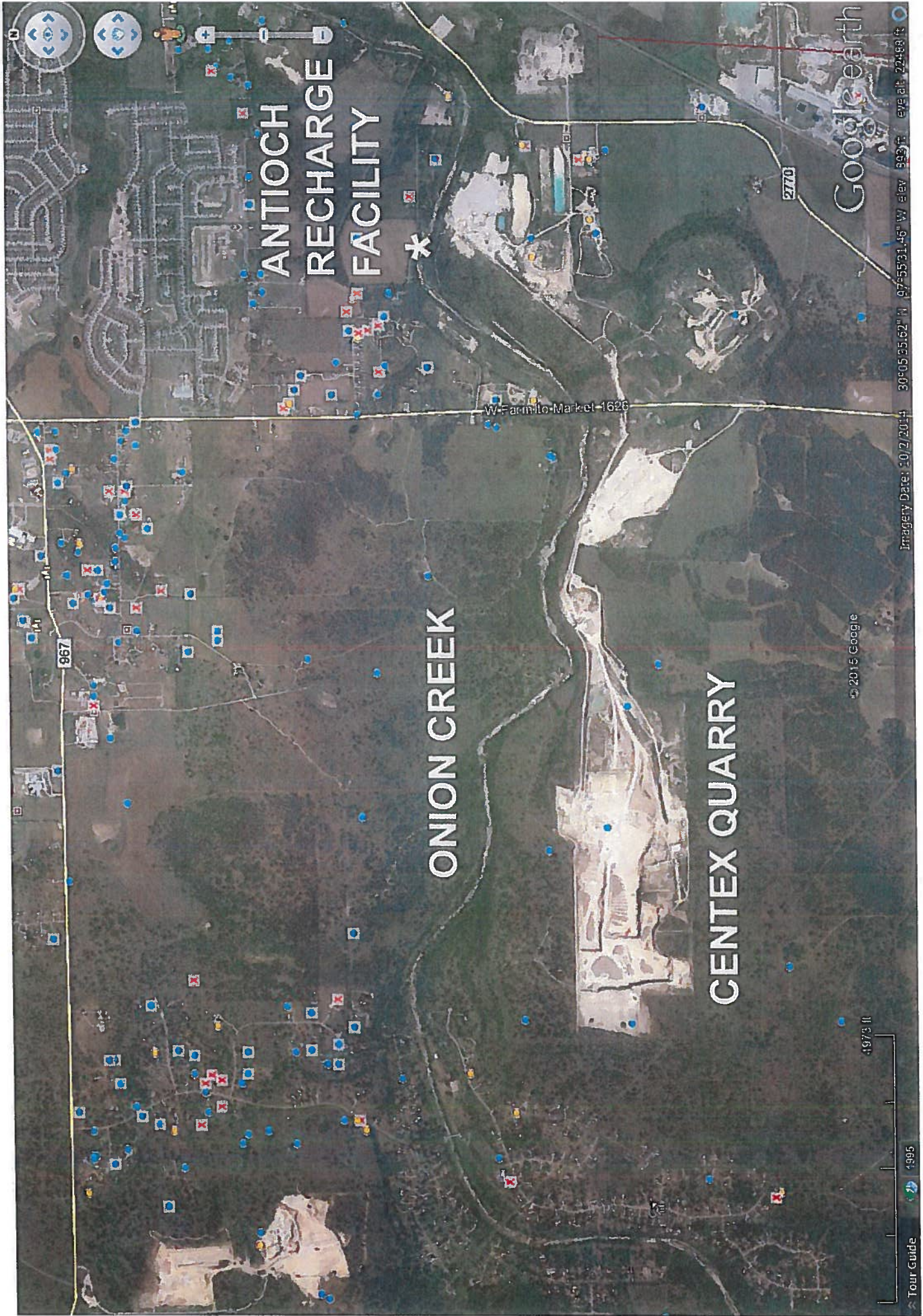
- c. Discussion and possible action related to an update on progress towards a regulatory mechanism to allow permit transfers.**

## **Item 5**

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

- d. Discussion and possible action on activities related to improving flood control on Onion Creek.**





## **Item 5**

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

- e. Discussions and possible action related to pursuit of the District's legislative agenda including proposed legislation to expand the District's territory.**





## **BSEACD Special Called Board Meeting**

**March 5, 2015**

*Discussion and possible action related to  
pursuit of the District's legislative agenda  
including proposed legislation to expand  
the District's territory and authority.*

### **Outline**

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Revenue and Expense Estimates

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Additional Precincts/Redistricting

---

GCD Overlap

---

Exempt wells

---

District Name

---

Possible action to support annexation by  
BSEACD

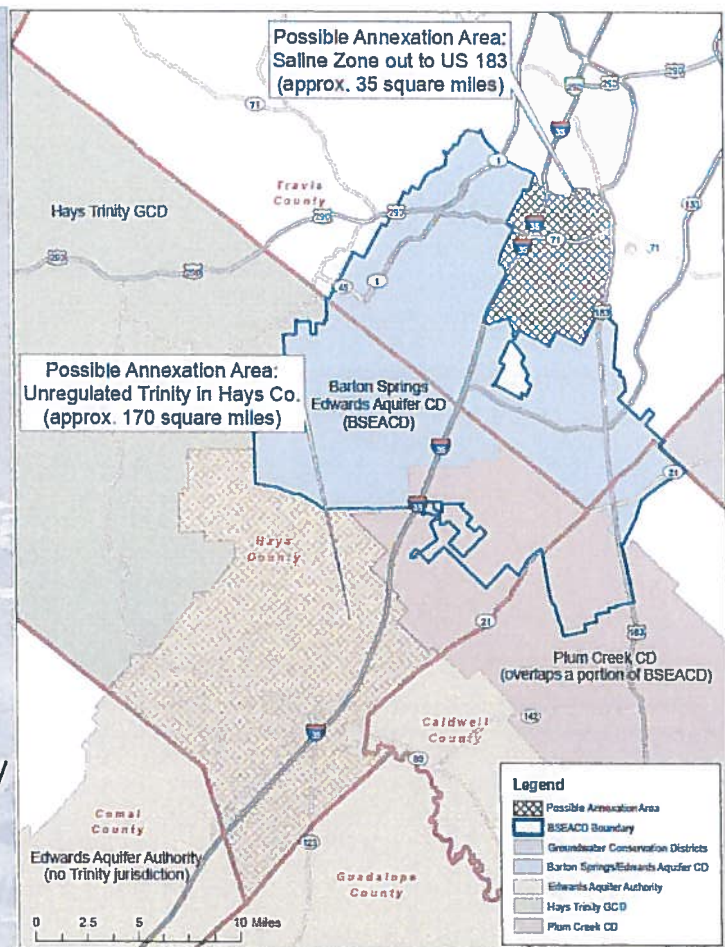


# Revenue and Expense Estimates

## Revenue

### Assumptions and Variables

- Travis County revenue nominal
- Only new Trinity projections
- \$0.17/1,000 gal fee rate
- 60% COA funding and Possible COA fee cap
- 6 Permitting scenarios:
  1. Other Trinity Only
  2. EP (Goforth)
  3. Unpermitted BSEACD + Annexed MAG
  4. EP (Goforth) + Other Trinity
  5. EP (all contracts)
  6. EP (all contracts) + Other Trinity





# Revenue

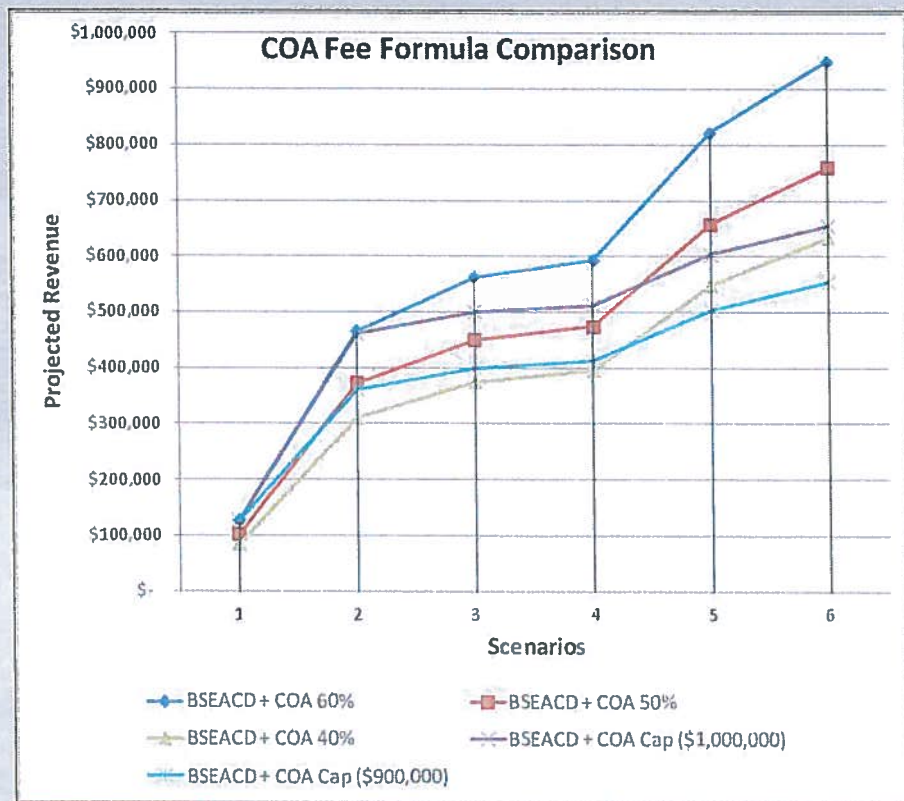
Scenarios	Permitted Trinity Volumes		Fees			
	Gallons/Day	Gallons/year	BSEACD Trinity Fees (\$0.17/1000 gal)	Calc'd COA Fee (60% of Total)	BSEACD + COA Trinity Fees	BSEACD + Capped COA Trinity Fee
Annexed Trinity Permitting Scenarios						
Other Trinity Only	821,918	300,000,000	\$ 51,000	\$ 76,500	\$ 127,500	\$ 127,500
EP (Goforth)	3,000,000	1,095,000,000	\$ 186,150	\$ 279,225	\$ 465,375	\$ 361,146
Unpermitted BSEACD + Annexed MAG	3,624,595	1,322,977,056	\$ 224,906	\$ 337,359	\$ 562,265	\$ 399,902
EP (Goforth) + Other Trinity	3,821,918	1,395,000,000	\$ 237,150	\$ 355,725	\$ 592,875	\$ 412,146
EP (all contracts)	5,300,000	1,934,500,000	\$ 328,865	\$ 493,298	\$ 822,163	\$ 503,861
EP (all contracts) + Other Trinity	6,121,918	2,234,500,000	\$ 379,865	\$ 569,798	\$ 949,663	\$ 554,861

## COA Fee Formula Comparison

	BSEACD + COA 60%	BSEACD + COA 50%	BSEACD + COA 40%	BSEACD + COA Cap (\$1,000,000)	BSEACD + COA Cap (\$900,000)
1	\$ 127,500	\$ 102,000	\$ 85,000	\$ 127,500	\$ 127,500
2	\$ 465,375	\$ 372,300	\$ 310,250	\$ 461,146	\$ 361,146
3	\$ 562,265	\$ 449,812	\$ 374,843	\$ 499,902	\$ 399,902
4	\$ 592,875	\$ 474,300	\$ 395,250	\$ 512,146	\$ 412,146
5	\$ 822,163	\$ 657,730	\$ 548,108	\$ 603,861	\$ 503,861
6	\$ 949,663	\$ 759,730	\$ 633,108	\$ 654,861	\$ 554,861



# COA Fee Formula Comparison



## Expenses – Start Up Period

Start Up Expenses	General Mgmt/Admin	Aquifer Science	Reg. Comp	Edu./ Outreach	Totals
<b>Internal Labor</b>					
Subtotal Hours	380	1000	2785	468	4,633
Subtotal \$\$\$	\$150,000				\$150,000
<b>External Labor</b>					
Subtotal \$\$\$	\$45,000		\$15,000		\$60,000
<b>Other Direct Costs</b>					
Subtotal \$\$\$	\$4,100	\$90,000	\$6,200	\$7,300	\$107,600
<b>Capital Costs</b>					
Subtotal \$\$\$	\$175,000	\$20,000			\$195,000
<b>Subtotal</b>	<b>\$374,100</b>	<b>\$110,000</b>	<b>\$21,200</b>	<b>\$7,300</b>	<b>\$512,600</b>
Unaccounted Costs - 10%	\$51,260				\$51,260
<b>Subtotal</b>	<b>\$425,360</b>				<b>\$563,860</b>
<b>Contingencies</b>					
Subtotal \$\$\$	\$250,000				\$250,000
<b>Totals</b>	<b>\$675,360</b>	<b>\$110,000</b>	<b>\$21,200</b>	<b>\$7,300</b>	<b>\$813,860</b>



# Expenses – Continuing Operations

<b>Annual Continued Operations</b>	<b>General Mgnt/Admin</b>	<b>Aquifer Science</b>	<b>Reg. Comp</b>	<b>Edu/ Outreach</b>	<b>Totals</b>
<b>Internal Labor</b>					
<b>Subtotal Hours</b>	900	1450	1550	536	4,436
<b>Subtotal \$\$\$</b>	\$150,000				\$150,000
<b>External Labor</b>					
<b>Subtotal \$\$\$</b>	\$15,000				\$15,000
<b>Other Direct Costs</b>					
<b>Subtotal \$\$\$</b>	\$37,000	\$35,000	\$15,000	\$2,500	\$89,500
<b>Capital Costs</b>					
<b>Subtotal \$\$\$</b>		\$15,000			\$15,000
<b>Subtotal</b>	\$202,000	\$50,000	\$15,000	\$2,500	\$269,500
Unaccounted Costs - 10%	\$31,950				\$26,950
<b>Totals</b>	\$228,950	\$50,000	\$15,000	\$2,500	\$296,450

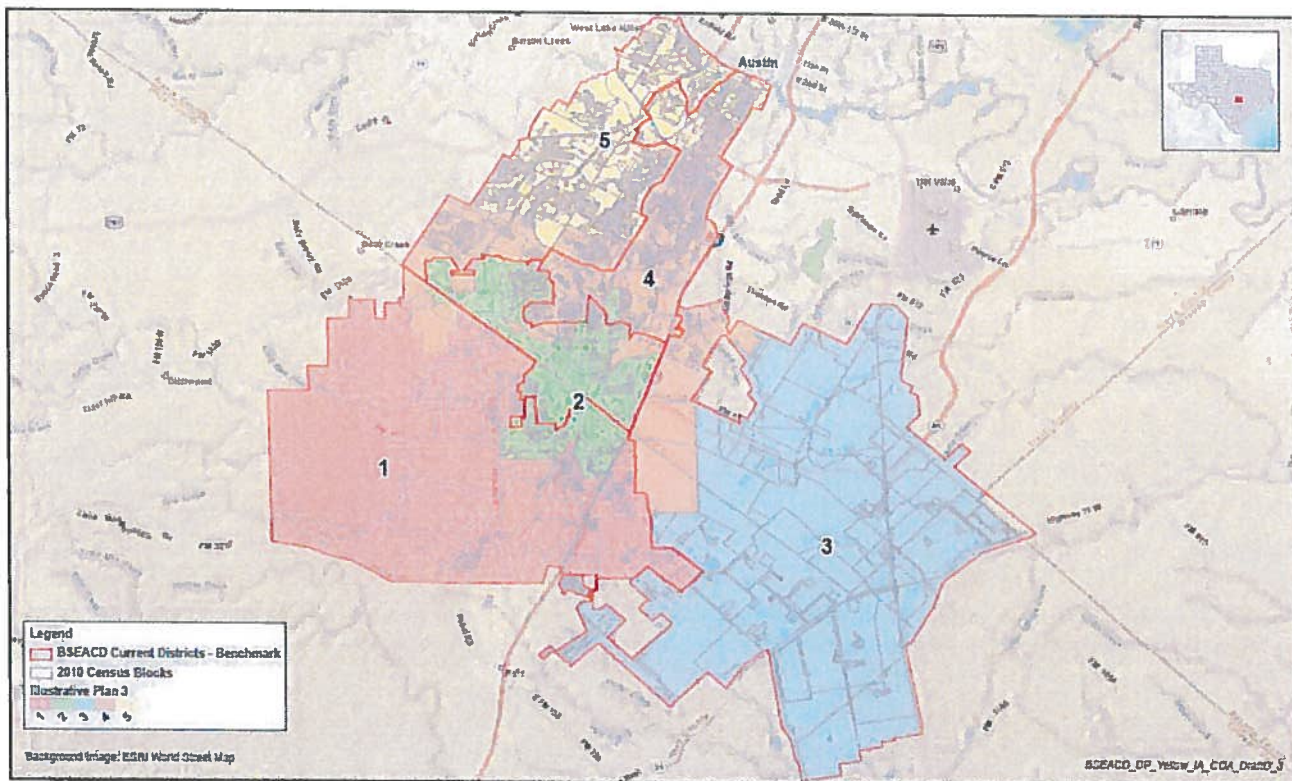
## Summary

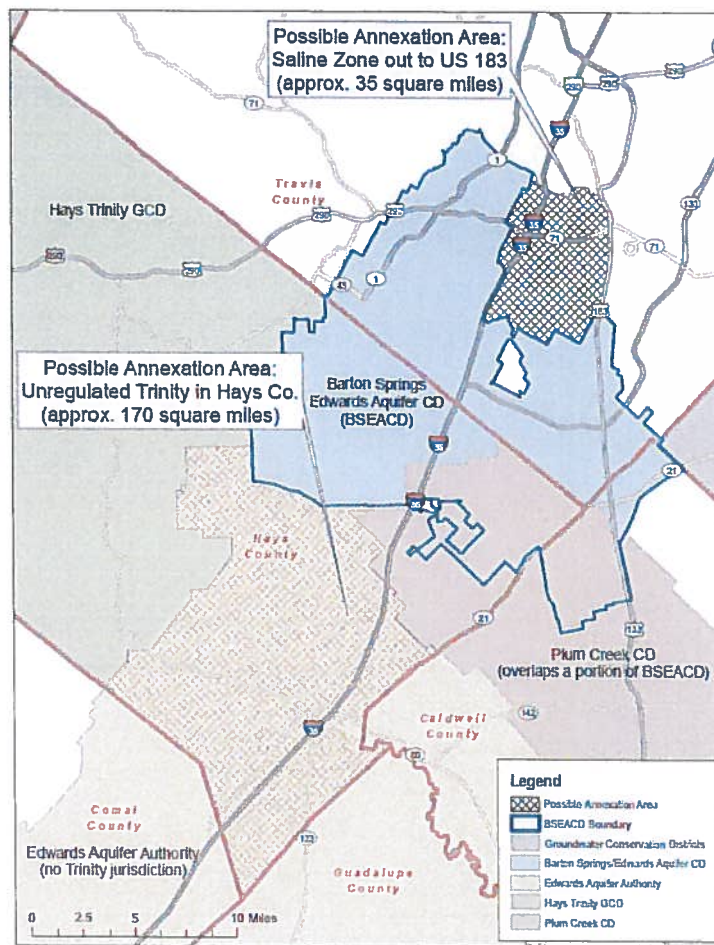
	<b>Low Estimate</b>	<b>High Estimate</b>
<b>Start-up Expenses</b>	\$500,000	\$800,000
<b>Continuing Op Expenses</b>	\$270,000	\$300,000
<b>Projected Revenue</b>	\$130,000	\$400,000-\$600,000

- Primary Start Up period expenses:** redistricting, facilities upgrades (remodeling/new building), a partially funded multi-port monitor well, and two new FTEs.
- Start Up period expenses (low/high):** high includes legal contingency expenses and unaccounted expenses.
- Primary Continuing Operations Expenses:** 2 FTEs, new directors' expenses, and continuing aquifer science projects.
- Continuing Operation expenses (low/high):** unaccounted expenses.
- Projected Revenue:** EP vs No EP
- Projected revenue range:** with and without a \$900,000 COA fee cap.



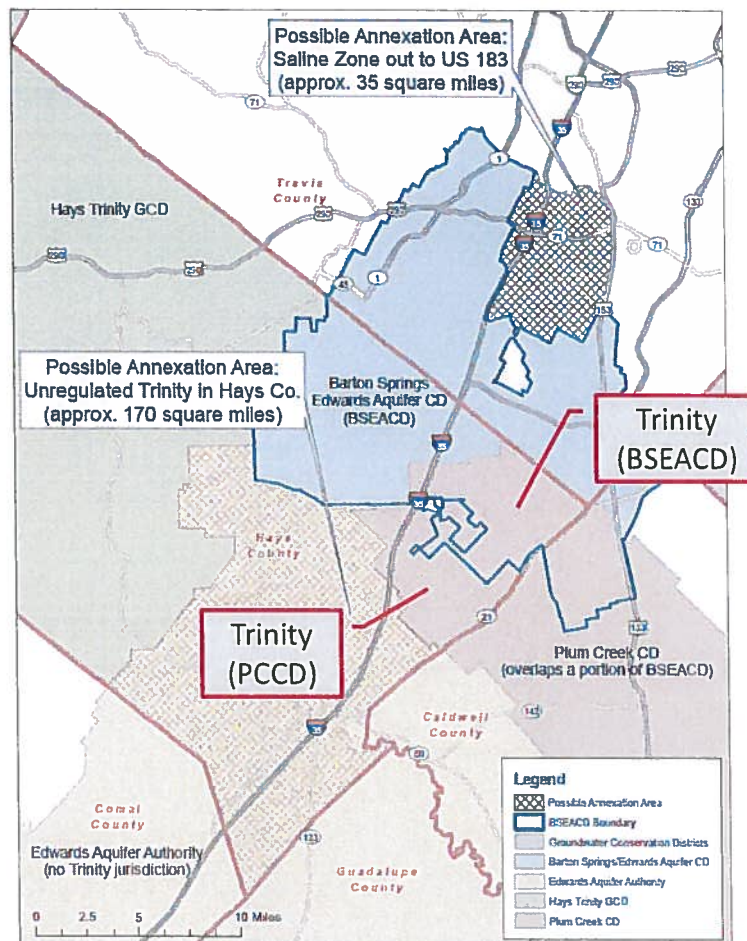
# Additional Precincts/Redistricting





## GCD Overlap





## Exempt Wells

### Current Rules

- wells drilled before 9-10-09
- Trinity outcrop MZ
- Domestic/Livestock exempt

### Questions:

- Expand Grandfathering for existing wells in new area?
- By rule or by statute?

## District Name

- Current name implies limited authority over Edwards
- Options:
  - Barton Springs GCD (BSGCD)
  - Barton Springs/Trinity GCD (BSTGCD)
  - Balcones GCD (BGCD)
  - Edwards/Trinity GCD (ETGCD)
  - No change

## Possible Action

- Possible action to support legislation to expand the District's jurisdiction
- What issues should be recommended to be addressed in the draft legislation?
  - Revenue and Expense Estimates
    - What is acceptable COA fee limitation?
  - Additional Precincts/Redistricting
  - GCD Overlap
  - Grandfathering
  - District Name





**Thanks for  
Listening!**

## **Notes on the Estimates of Revenue and Expenses Associated with Annexation of Unregulated Area in Hays and Travis Counties**

In anticipation of possible annexation of portions of Hays and Travis Counties (Figure 1), District staff has prepared cost and revenue estimates to facilitate Board discussion related to annexation. The following notes provide the context for both the revenue estimates and the estimated capital and labor costs for the Start Up Period and Continuing Operations. Detailed figures are provided under separate cover.

### **Revenue**

1. The estimates shown are based on an array of permitting scenarios ranging from a baseline level of permitted pumping from other non-EP Trinity wells up to the full contracted EP volume plus this baseline Trinity permit volume. EP is currently under contract with Goforth SUD for 3.0 million gallons per day (MGD), Clark Wilson Builders (proposed Anthem subdivision) for 1.3 MGD, and the City of Buda for 1.0 MGD. The total contracted volume is 5.3 MGD of which the 3.0 MGD for Goforth is firm. The permitting scenario descriptions are as follows.

Scenario 1: assumes a baseline level of Trinity production permit volume from an estimated 30 nonexempt wells in the area permitted for an average of 10,000,000 gallons per year each for a total of ~\$300,000 per year.

Scenario 2: assumes a Trinity production permit volume based on the firm Goforth contract of 3.0 MGD.

Scenario 3: assumes a Trinity production permit volume based on the available amount of permit volume under the District's existing Trinity MAG (0.80 MGD) plus the GMA 10 MAG allocated to the to-be annexed area in Hays County (2.83 MGD).

Scenario 4: assumes a Trinity production permit volume based on the firm Goforth contract of 3.0 MGD plus the baseline Trinity production volume of Scenario 1.

Scenario 5: assumes a Trinity production permit volume based on the full contracted EP volume of 5.3 MGD.

Scenario 6: assumes a Trinity production permit volume based on the full contracted EP volume plus the baseline Trinity production permit volume of Scenario 1.

2. The revenue for the proposed annexation area in Travis County is estimated to be negligible and was not included.
3. The current fee rate of \$0.17/1000 gallons was used to calculate the District's fees. The District's fees were used to calculate the City's 60% funding match.
4. Another column was incorporated to reflect consideration of a possible cap of \$900,000 on the City's water use fee. Such a cap was included in the draft legislation for western Travis County and is currently being considered by the City.

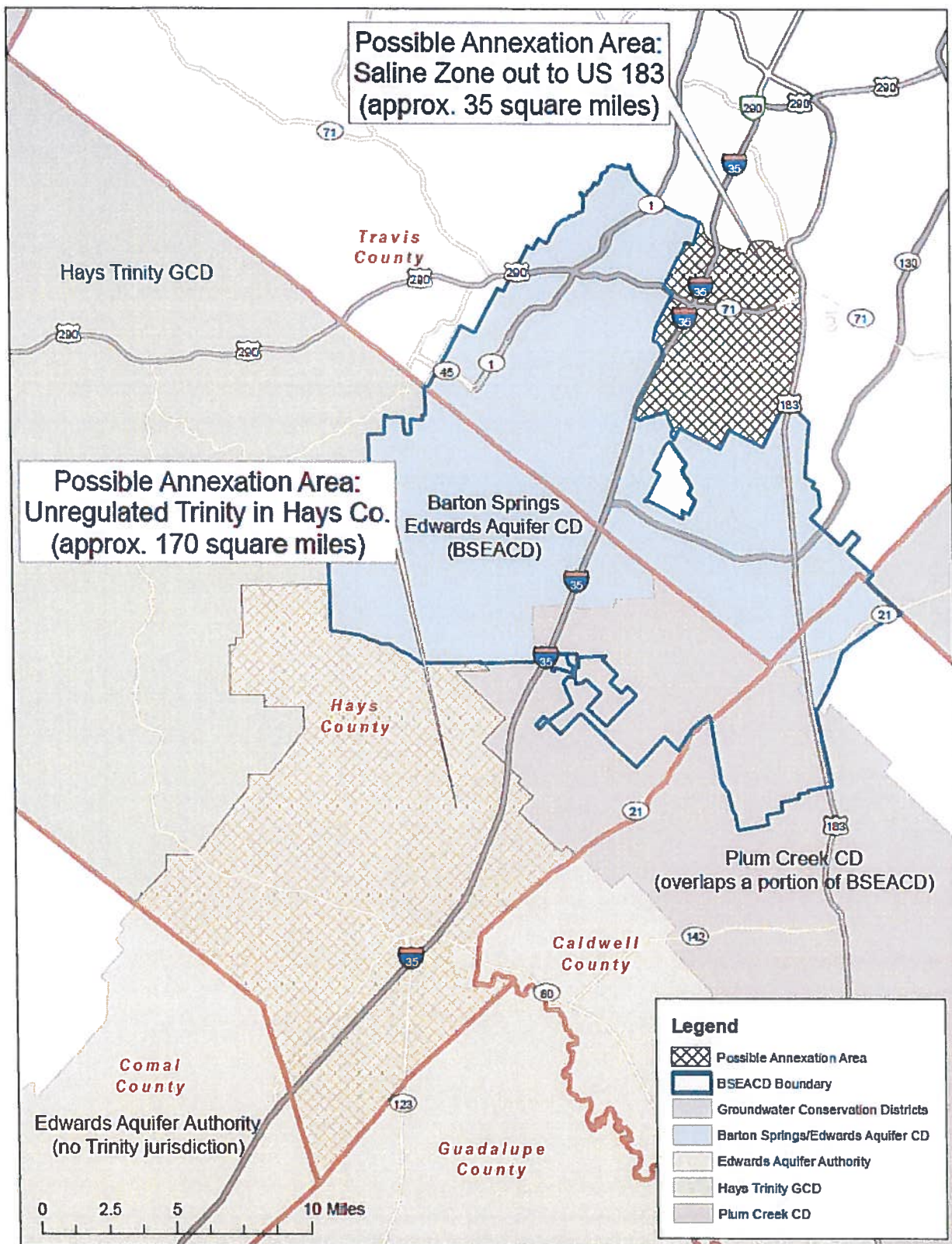
Scenarios		Permitted Trinity Volumes		Fees			
	Annexed Trinity Permitting Scenarios	Gallons/Day	Gallons/year	BSEACD Trinity Fees (\$0.17/1000 gal)	Calc'd COA Fee (60% of Total)	BSEACD + COA Trinity Fees	BSEACD + Capped COA Trinity Fee
1	Other Trinity Only	821,918	300,000,000	\$ 51,000	\$ 76,500	\$ 127,500	\$ 127,500
2	EP (Goforth)	3,000,000	1,095,000,000	\$ 186,150	\$ 279,225	\$ 465,375	\$ 361,146
3	Unpermitted BSEACD + Annexed MAG	3,624,595	1,322,977,056	\$ 224,906	\$ 337,359	\$ 562,265	\$ 399,902
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6	EP (all contracts) + Other Trinity	6,121,918	2,234,500,000	\$ 379,865	\$ 569,798	\$ 949,663	\$ 554,861

**Table 1.** Table shows projected production permits volume, the calculated District and COA fees, and the combined District and COA fees for each scenario. The highlighted cell denotes when a \$900,000 cap would begin to limit the COA's calculated water use fee. The blue outlined cells denote the revenue amounts for the most likely scenarios (Scenarios 3 and 4).

#### Revenue Conclusions:

1. Staff considers Scenarios 3 and 4 to be the most likely maximum permitted Trinity production scenario for planning purposes. The combined available MAGs are an excepted cap for GCD permit decision. This volume is also very close to the projected firm Goforth and existing Trinity volumes of Scenario 4 which may be the most likely to-be permitted volume if the EP project is viable. Permit revenue from these scenarios would generate roughly between ~\$400,000 and \$600,000 per year.
2. The District should also be prepared for the revenue generated by the baseline permit volume of Scenario 1 of approximately \$130,000 if the EP project is not viable.





**Figure 1.** Map depicts proposed annexation areas (hatched area) including the area buffering the fresh/saline interface in Travis County and the unregulated area in Hays County.

## **Expenses**

### **General**

1. The estimates shown on the spreadsheets are a first approximation by the Team Leaders, in consultation with their team members and among themselves. They generally presume that the unregulated Hays County area (excluding portions of the existing Plum Creek CD area) is included in the annexation.
2. Similar to the revenue estimates, the expenses associated with the to-be annexed Travis County area were assumed to be nominal for this estimate. Future expenses that may be associated with further saline Edwards' characterization or ASR/Desal feasibility studies may be incurred at the direction of the Board but are currently unknown.
3. In this initial assessment, internal labor is utilized to the maximum extent. Estimated internal labor is based on the additional incremental labor needed to satisfy the specified tasks.
4. Additional labor in excess of 2,080 hours was used to estimate the need for any additional FTEs. Cost for additional FTEs is estimated to be \$50,000 per year plus 50% fringe benefits for a total of \$75,000 per FTE. The incremental additional internal labor in both Start Up and Continuing Operations (both in excess of 4,160 hours) support the need for 2 new FTEs or an additional \$150,000 for salaries and benefits.
5. External labor that is shown corresponds only to requisite specialty skillsets outside the District's current staff's capabilities, including legal and database consulting.
6. Additional information for each of the four teams, including subtasks that comprise the tasks and any assumptions or other basis that are used in developing the Team estimates, are shown on separate sheets below.
7. A contingency amount of 10% of the subtotal expenses (excluding legal contingency expenses) was included in both Start Up and Continuing Operations to account for unaccounted costs that are presently unknown.

## Start Up Period Expenses

Start Up Expenses	General Mgmt/Admin	Aquifer Science	Reg. Comp	Edu./ Outreach	Totals
<b>Internal Labor</b>					
Subtotal Hours	380	1000	2785	468	4,633
Subtotal \$\$\$	\$150,000				\$150,000
<b>External Labor</b>					
Subtotal \$\$\$	\$45,000		\$15,000		\$60,000
<b>Other Direct Costs</b>					
Subtotal \$\$\$	\$4,100	\$90,000	\$6,200	\$7,300	\$107,600
<b>Capital Costs</b>					
Subtotal \$\$\$	\$175,000	\$20,000			\$195,000
<b>Subtotal</b>	<b>\$374,100</b>	<b>\$110,000</b>	<b>\$21,200</b>	<b>\$7,300</b>	<b>\$512,600</b>
Unaccounted Costs - 10%	\$51,260				\$51,260
<b>Subtotal</b>	<b>\$425,360</b>				<b>\$563,860</b>
<b>Contingencies</b>					
Subtotal \$\$\$	\$250,000				\$250,000
<b>Totals</b>	<b>\$675,360</b>	<b>\$110,000</b>	<b>\$21,200</b>	<b>\$7,300</b>	<b>\$813,860</b>

**Table 2.** Table 2 shows a summary of estimated Start Up period expenses by team

### Start Up Period Notes:

1. The Start Up period generally consists of the first 12 months *after* annexation, although some subtasks and their incurred costs, especially in Administration and Education, will be required in the pre-annexation period.
2. The balance of these costs could be spread over a longer time period if the Start Up period lasts longer than one year after annexation.
3. Given the type of activities to be conducted in the Start Up period, some external contract labor will be needed to satisfy specific tasks. Additional external labor beyond that shown could be feasibly substituted for some of the estimated internal labor hours.
4. Additional internal labor in the Start Up period which is matched in Continuing Operations supports the need for two additional FTEs. \$150,000 was included under internal labor for the GM team for this expense.
5. The expanded area may warrant the addition of two new directors which would trigger expenses associated with redistricting to redraw precinct boundaries and balance precinct populations. This expense is included in external labor under the GM team.



6. The addition of two new FTEs and directors will require remodeling to provide additional work space and an expanded Board room or possibly a new building. These expenses are included as “facilities upgrades” and conservatively estimated at ~\$150,000. These expenses are described in the Start Up period as a cash expense but may be amortized and included in Continuing Operations depending on District financing options.
7. A contingency amount of \$250,000 was also included in the Start Up period for legal fees associated with a potential regulatory takings claim. This expense was included separate of the Start Up period cost subtotal if litigation is avoided.
8. Another field vehicle is included as a capital cost during the Start Up period, to be purchased post-annexation. The maintenance of this vehicle is also included as an incremental expense.
9. Expenses associated with a ratification election were not included based on the draft legislation which doesn’t require ratification.

## Continuing Operations

<b><u>Annual</u> Continued Operations</b>	<b>General Mgmt/Admin</b>	<b>Aquifer Science</b>	<b>Reg. Comp</b>	<b>Edu./ Outreach</b>	<b>Totals</b>
<b>Internal Labor</b>					
<b>Subtotal Hours</b>	<b>900</b>	<b>1450</b>	<b>1550</b>	<b>536</b>	<b>4,436</b>
<b>Subtotal \$\$\$</b>	<b>\$150,000</b>				<b>\$150,000</b>
<b>External Labor</b>					
<b>Subtotal \$\$\$</b>	<b>\$15,000</b>				<b>\$15,000</b>
<b>Other Direct Costs</b>					
<b>Subtotal \$\$\$</b>	<b>\$37,000</b>	<b>\$35,000</b>	<b>\$15,000</b>	<b>\$2,500</b>	<b>\$89,500</b>
<b>Capital Costs</b>					
<b>Subtotal \$\$\$</b>		<b>\$15,000</b>			<b>\$15,000</b>
<b>Subtotal</b>	<b>\$202,000</b>	<b>\$50,000</b>	<b>\$15,000</b>	<b>\$2,500</b>	<b>\$269,500</b>
Unaccounted Costs - 10%	\$31,950				\$26,950
<b>Totals</b>	<b>\$228,950</b>	<b>\$50,000</b>	<b>\$15,000</b>	<b>\$2,500</b>	<b>\$296,450</b>

**Table 3.** Table 3 shows a summary of estimated Continuing Operations period expenses by team.

### **Continuing Operations Period Notes:**

1. These are annual, recurring, incremental costs, although in the out years the level of effort could be somewhat smaller.
2. Some costs, especially director elections, are biennial, so this includes a pro-rated amount of incremental *annualized* costs associated with the elections, as a result of the larger territory; this presumes that named temporary directors will serve in the newly redistricted precincts until the “normal elections” for those precincts.
3. Annual costs associated with the additional director would include additional compensation for meetings and other related expenses (i.e. meals reimbursements, conferences and seminars).

**Summary of Expense and Revenue Estimates for Annexation**  
(figures are rounded for discussion purposes)

	Low Estimate	High Estimate
<b>Start Up Cost</b>	\$500,000	\$800,000
<b>Continuing Op Cost</b>	\$270,000	\$300,000
<b>Projected Revenue</b>	\$130,000	\$400,000-\$600,000

**Table 4. Summary of Expenses and Revenue**

1. The majority of Start Up period expenses includes costs for redistricting, facilities upgrades (remodeling/new building), a partially funded multi-port monitor well, and two new FTEs.
2. The difference between the low and high estimates for Start Up period expenses is attributed to legal contingency expenses and an estimate of unaccounted expenses.
3. The majority of the Continuing Operations expenses include salaries and benefits for two new FTEs, new directors' expenses, and continuing aquifer science projects.
4. The difference between the low and high estimate for Continuing Operation expenses is attributed to the estimate of unaccounted expenses.
5. The low estimate of projected revenue is based on existing and a conservative estimate of permitted Trinity in Hays County not associated with the EP project if the EP project is determined to be not viable.
6. The range of the high projected revenue estimates is attributed to the differences between projections with and without a \$900,000 COA fee cap.

## Team Summaries

### General Management and Administration Teams

Start Up		Continuing Operations	
<i>Tasks</i>	<i>Subtasks Activities</i>	<i>Tasks</i>	<i>Subtasks Activities</i>
<b>Task 1</b> Redistricting, New Directors	a. Legal Cost to Redistrict b. Materials and Supplies	<b>Task 1</b> General Elections	a. Elections Duties
<b>Task 2</b> Policy/Rule Development	a. Rulemaking (rewrite, hearings, stakeholder meetings, revision) b. Potential Management Plan changes c. Drought management policy development	<b>Task 2</b> New Directors	a. Annual Director's Comp b. Associated Payroll Tax c. Conference-type expenses
<b>Task 3</b> General Administration	a. 2 FTEs b. New Vehicle c. Facilities Upgrade	<b>Task 3</b> Policy/Rule Development	a. Continued rule review and policy review and revisions as needed
<b>Task 4</b> Legal Support (not related to elections)	a. Potential Lawsuit	<b>Task 4</b> General Administration	a. Billing and Corrections b. Correspondence and Mail-outs c. 2 FTEs
		<b>Task 5</b> Legal Support (not related to elections)	

Basis: Notes associated with GM Team costs are generally described in the summary notes above.

## Aquifer Science Team

Start Up		Continuing Operations	
Tasks	Subtasks/Activities	Tasks	Subtasks/Activities
<b>Task 1</b> Aquifer Characterization	a. Drill monitor well(s) b. Geophysical logging c. Conduct pump tests	<b>Task 1</b> Aquifer Characterization	a. Drill monitor well(s) b. Geophysical logging c. Conduct pump tests d. Conduct dye trace studies
<b>Task 2</b> Existing Data Compilation/Review	a. Consolidate existing data b. Enter data into database c. Review data	<b>Task 2</b> Modeling/ Sustainable Yield Study	a. Conduct groundwater modeling b. Evaluate sustainable yield of Trinity Aquifers
<b>Task 3</b> Baseline Data Collection/Analysis	a. Collect new data (water levels, water-quality data, geology) b. Enter data into database c. Review data	<b>Task 3</b> Drought Trigger Study	a. Evaluate effects of drought on area b. Develop drought trigger methodology
		<b>Task 4</b> Recharge/ Supply Enhancement	a. Evaluate areas for potential for recharge enhancement b. Investigate potential for alternative sources of water
		<b>Task 5</b> Baseline Data Collection/Analysis	a. Collect new data (water levels, water-quality data, geology) b. Enter data into database c. Review data

### Basis:

1. The effort in the Start Up phase will be focused on compiling existing data and collecting new data, plus partial funding for installation of a multiport monitor well (~\$60,000). These studies will be conducted to perform analyses for overall aquifer characterization and calculations of potential impacts from pumping.
2. The Continuing Operations phase will involve routine field data collection and evaluation, plus some support for numerical modeling of the Trinity Aquifer.

## Regulatory Compliance Team

Start-up		Continuing Operations	
<i>Tasks</i>	<i>Subtasks Activities</i>	<i>Tasks</i>	<i>Subtasks Activities</i>
<b>Task 1</b> Well Inventory/ Registration	a. Well Owner notification b. Exempt Well Registration c. Database Entry	<b>Task 1</b> Registration/ Onsite	a. Exempt Well Registration b. Correspondence and Mail outs c. Database Entry d. Site Visits/Meter Readings
<b>Task 2</b> Initial Nonexempt Well Permitting	a. Application Review b. Pre Inspection/Post Inspection c. Post Inspection Sampling d. File Creation	<b>Task 2</b> Enforcement/ Drought Management	a. Compliance Evaluations b. Correspondence and Mail outs c. Enforcement Actions
<b>Task 3</b> Develop Technical Standards	a. Develop Technical Standards	<b>Task 3</b> Permitting & Inspection	a. Forms and Guidance Documents b. Processing NDU/Exempts c. Processing Nonexempts and Amendments d. Processing Well Pluggings
		<b>Task 4</b> Investigations, Projects & Rules	a. Forms and Guidance Documents b. Rule making c. Contracts and Investigative Water Quality Sampling, etc.

### Basis:

1. Many of the components of these estimates were based on the effort required for registration and permitting of all of the known wells (on public record) in the entire area.
2. The largest component of the effort in the Start Up phase involve first, identifying and “inventorying” all the known wells in the area and secondly, registering and permitting all of those wells within the first year. It is likely there may be some carryover of this effort in the following years.
3. Continuing Operations estimates were derived based largely on the number of to-be permitted nonexempt wells in the area proposed for annexation as compared to the number of currently permitted District wells and that associated level of effort that may include new application reviews, inspections, drought management, water quality sampling, and possible rule making.



## Education and Outreach Team

Start-up		Continuing Operations	
Tasks	Subtasks Activities	Tasks	Subtasks Activities
<b>Task 1</b> Outreach Coordination (Landowner communications and contacts)	a. Introductory Meetings or Workshops b. Outreach for Rule/Policy development (Stakeholders) c. Print or Media Ads	<b>Task 1</b> Event Coordination	b. Estimated 2 to 3 Booth Events or Workshops (Prep Time, Travel, and Presentation) c. Publicity through expanded area avenues (newspapers, newsletters)
<b>Task 2</b> Educational Material Development	c. Education Materials Development d. Materials Printing e. Possible dispersal costs	<b>Task 2</b> Landowner Communications	d. Estimated 2 to 3 School Presentations (Prep Time, Travel, and Presentation) e. Estimated 2 to 3 HOA or Civic Group Presentations (Prep Time, Travel, and Presentation) f. Meetings with individual landowners
<b>Task 3</b> Web Development	d. Additional Web Development	<b>Task 3</b> Educational Material Development	b. Trinity Aquifer Educational Brochure (design and printing) c. Well Owner Guide expansion to include Trinity
<b>Task 4</b> GIS/Mapping	a. Update and generate maps with new area	<b>Task 4</b> General Outreach	d. Scholarships e. Additional end-user assistance

### Basis:

1. The majority of the effort in the Start Up phase for the Education and Outreach Team will come from coordinating landowner communications through meetings, workshops and/or information material needed to educate and inform well owners. Additional outreach will be required should the annexation be passed.
2. A key tool in providing information both pre- and post- legislation will be the District website. The Start Up phase involves funds for the development of the site to best convey that information.

## **Item 6**

### **Adjournment**