

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Regular Meeting & Work Session  
February 13, 2014**

Board members present at commencement: Gary Franklin, Bob Larsen, Mary Stone, Craig Smith and Blake Dorsett. Staff present: John Dupnik, Brian Smith, Dana Wilson and Kendall Bell-Enders. Bill Dugat of Bickerstaff, Heath, Delgado, and Acosta, Kirk Holland of Holland Groundwater Management, and Kevin Connelly of US Fish and Wildlife Service also participated in the meeting. Also present were those on the attached sign-in sheet. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

**1. Call to Order.**

Mr. Franklin called the meeting to order at 6:04 p.m., noting that a quorum of the Board was present.

**2. Citizen Communications (Public Comments).**

There were no comments of a general nature.

**5. Discussion and Possible Action.**

**5b. Discussion and possible action related to the Hill Country Priority Groundwater Management Area (PGMA).**

Mr. Dugat informed the Board of the recent decision by the Administrative Law Judge to grant TCEQ's motion and cancel the hearing.

After further discussion, the Board concluded that the District should continue to observe, but not to take any further formal action at this time.

**4. Work Session.**

**The Board will hold a work session to hear an overview of the Habitat Conservation Plan (HCP) process and review Chapters 1 through 4 of the review draft of the District's Regional HCP.**

Mr. Franklin opened the Work Session at 6:16 p.m.

Mr. Holland, the District's HCP consultant, provided a two part presentation to: 1) present an overview of the HCP process and other pertinent topics related to the HCP, Incidental Take Permits (ITP), and the Endangered Species Act and 2) present an overview of the pertinent sections of Chapters 1-4 of the District's review draft of the HCP. Mr. Holland also

described the upcoming process and schedule for submitting the ITP application and reviewing a permit.

During the work session, the Board asked questions and flagged sections that may need clarification or additional attention.

Mr. Franklin closed the Work Session at 7:58 p.m.

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

#### **5a. Discussion and possible action related to initial direction or input to staff on the District's review draft of the Regional HCP.**

Ms. Stone moved approval of Chapters 1-4 with revisions to the section on physical characteristics of Barton Springs on page 43 lines 779-784, and the chart on page 60 line on clarification on pumpage history under the District's Milestones.

Mr. Smith seconded the motion and it passed with a vote of 5 to 0.

The Board also asked for clarification on whether exempt well pumping could be included as a covered activity.

Mr. Connally stated that he would have an answer by the next Board Meeting.

Ms. Stone moved approval of sending the current Chapter 4 to the NEPA contractor as appropriate, noting that if there or any changes related to exempt or non-exempt wells, that moving forward would be at the discretion of the General Manager and Mr. Holland.

Mr. Smith seconded the motion and it passed with a vote of 5 to 0.

### **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 November 21, 2013 Work Session and Special Called Meeting and January 23, 2014, Regular Meeting.**
3. **Approval of execution of a contract with Bryan Brooks to provide services related to supporting the District's ongoing work to finalize a Regional HCP and apply for a federal Incidental Take Permit from the**

**U.S. Fish & Wildlife Service for the endangered salamander species at Barton Springs.**

Mr. Dupnik briefed the Board on the consent agenda items above.

Mr. Smith moved approval of consent agenda items 3a. 1 through 3, noting invoices from Holland Groundwater Management in the amount of \$6000, Hicks and Company in the amount of \$6780.20, and execution of the contract with Bryan Brooks.

Ms. Stone seconded the motion and it passed with a vote of 5 to 0.

**3b. General Manager's Report.** Note: Topics discussed in the General Manager's Report are intended for general administrative and operational information-transfer purposes. The Directors will not take any action on them in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.

**1. Standing Topics.**

- i. Personnel matters and utilization;**
- ii. Upcoming public events of possible interest;**
- iii. Aquifer conditions and status of drought indicators.**

Mr. Dupnik and staff updated the Board and answered directors' questions on the items listed above.

**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 characterize the saline zone of the Edwards Aquifer,**
- iv. Update on the progress of area roadway projects,**
- v. Update on Senate and House Natural Resource Committee interim charges.**

Mr. Dupnik, staff, and Mr. Dugat updated the Board and answered directors' questions on the items listed above.

**3c. 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;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Recognition of people doing good things for groundwater management in the District;
- Issues or problems of concern.

No reports were given.

**6. Adjournment.**

Without objection, Mr. Franklin adjourned the meeting at 8:46 p.m.

Approved by the Board on February 27, 2014:

By:   
Gary Franklin, President

Attest:   
Craig Smith, Secretary