

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Work Session and Special Called Meeting
March 1, 2016**

Board members present at commencement: Blayne Stansberry, Craig Smith, Bob Larsen, and Mary Stone. Blake Dorsett was absent. Staff present: John Dupnik, Vanessa Escobar, Kendall Bell-Enders, Brian Smith, Brian Hunt, Stephen Davis and Tammy Raymond. Bill Dugat of Bickerstaff, Heath, Delgado, Acosta 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.

Ms. Stansberry called the meeting to order at 6:06 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments).

There were no public comments of a general nature.

3. Work Session.

Discussion related to amendments and changes to the District's Rules and Bylaws for implementation of HB 3405, other legislation from the 84th Legislative Session, and other changes.

Staff gave a presentation on the prospective rule changes below and asked for Board input. The presentation followed the general outline below.

II. Drivers for Rules Change

III. Core Topic Area - Definitions (Rule 2-1 on pg 5)

- Clearly defined new use types; Provided further clarification on currently defined use types
- 'Modification' vs 'Repair' vs 'Replacement' vs 'Substantial Alteration'
- 'Maximum Production Capacity' (pg 17)
- 'Unreasonable Impacts' (pg 26,27)

IV. Core Topic Area - Transport (Rule 3-1.3.1 on pg 38)

V. Core Topic Area - Application Checklist Requirements (Rule 3-1.4 on page 41)

- A. Notice Requirements (pg 44, pg 48)

B. Permit Volume Requests > 200 MGY – Additional Application Requirements (pg 49)

C. Hydrogeological Report and Aquifer Tests (pg 53-57)

D. Permit Requests Determined to Have Potential for Unreasonable Impacts (pg 49)
• Phased Permitting, Based on Actual Data, Works with a Trigger Backstop

VI. Core Topic Area – Actions on Permits (Rule 3-1.6 on pg 65,66)

VII. Core Topic Area - Permit Compliance, Monitoring, Mitigation (Rule 3-1.11 on pg 73)

A. Compliance Monitoring (pg 77)

B. Mitigation (pg 78)

VIII. Core Topic Area – General Permits- Test Well and Aquifer Test Permit (Rule 3-1.20 on pg 87)

A. Conducting Formal Aquifer tests and Hydrogeological Reports (pg 91)

IX. Other Topic Areas -

A. Authorized Agent documentation - Application Checklist Requirements (Rule 3-1.4 on pg 41)

B. Permit Renewal (Rule 3-1.8 on pg 69) Bill D.

C. Permit Amendments (Rule 3-1.9 on pg 70)

D. Regulation of Spacing (Rule 3-1.12 on pg 80,81)

E. Aggregation (Rule 3-1.14 on pg 82)

F. Fees (Rule 3-1.16 on pg 83,84)

G. Replacement Wells (Rule 3-4.6 on pg 108)

H. Conservation Rate Structure (Rule 3-6.1 on pg 112)

I. Conflict of Interest (Rule 4-1.4 on pg 137) Bill D.

J. Notice and Hearing (Rule 4-1.11 on pg 162) Bill D.

X. What to Expect at Rule Workshop:

A. Presentation Summary

B. In depth Discussion on Core Topic Areas

C. Some Permit Request Scenarios

XI. Timeline for Next Steps:

2/25 - Rule Overview

3/1 – Workshop for Focused Discussion on Rules Changes

3/3 - Noon Deadline for Board comments. Notice is Posted for Rule Hearing

3/10 – Additional Discussion of Rule at Board Meeting if needed

3/23 – Public comments due by close of business

The Board discussed the prospective changes and gave their recommended changes.

4. Discussion and Possible Action.

Discussion and possible action related to approval of draft rule language to implement HB 3405 and other legislation from the 84th Legislative Session and incorporate other relevant amendments and changes to the District's Rules and Bylaws to be the subject of a public hearing on or after March 24, 2016.

Mr. Smith moved that the Board direct the staff to incorporate the revisions that were discussed in the Work Session tonight, both substantive and editorials, and to incorporate them into a new draft revision for the Public Hearing on March 24th with a public comment period ending on March 23rd.

Ms. Stone seconded the motion and it passed with a vote of 4 to 0.

5. Adjournment.

Without objection, Ms. Stansberry adjourned the meeting at 8:40 p.m.

Approved by the Board on March 24, 2016:

By: Blayne Stansberry Attest: Blake Dorsett
Blayne Stansberry, President Blake Dorsett, Secretary