

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
March 12, 2015**

Board members present at commencement: Mary Stone, Craig Smith, Bob Larsen, Blayne Stansberry, and Blake Dorsett. Staff present: John Dupnik, Brian Smith, Dana Wilson, Kendall Bell-Enders 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. Stone called the meeting to order at 6:00 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. 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.**

Ms. Stansberry moved approval of consent agenda items 1-3, including the budget quarterly report and a satisfactory rating of effectiveness for Director's communications.

Dr. Larsen seconded the motion and it passed with a vote of 5 to 0.

4. Presentation.

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

Mr. Sean Beall, Engineering Manager for the Central Texas Regional Mobility Authority, gave a presentation on the proposed MoPac South Environmental Study.

5. Discussion and Possible Action.

5b. 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.

Dr. Brian Smith reported that a stakeholder meeting was held at the District office that included representatives from our District, Hays Trinity, EAA, Plum Creek and EP. He said that EP will cooperate on a full aquifer test when their wells are completed in about three months. EP has agreed to provide some funding to help pay for a monitoring system, and some additional funding for monitoring further away from the well field.

Mr. Dupnik summed up the meeting stating that the District's short-term objectives are to: collect data that will inform a model and calibrate it to reality, draft an MOU to coordinate the joint-technical evaluation with other GCDs, and are draft a white paper to present the working hypothesis and technical concepts that are known at this point.

No formal Board action was taken.

5c. Discussions and possible action related to an update on progress towards a regulatory mechanism to allow permit transfers.

Ms. Stone stated that there were no updates at this point and that the item would be returned to a future agenda.

5d. Discussion and possible action on activities related to improving flood control on Onion Creek.

Dr. Larsen stated that 192 homes in his precinct were impacted in the 2013 Halloween flood when Onion Creek crested at 42 feet. He said that the idea of mediation to delay the move of water has been discussed, and that he feels that it merits attention.

Ms. Stone stated that eventually she would like to see a presentation on the concept, and to keep the Board apprised of any progress toward the project.

No formal Board action was taken.

Ms. Stone stated that the Board would adjourn into Executive Session on both items 5a. and 5e. after a brief update on each item.

5a. 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).

Mr. Dugat stated that TxDOT presented a draft dated February 25th and a meeting has been set to discuss their changes. He also said that a comment letter from Save our Springs Alliance was received that morning.

5e. Discussion and possible action related to pursuit of the District's legislative agenda including proposed legislation to expand the District's territory.

Mr. Dupnik gave an overview of the discussion at the Special Called meeting on March 5th, and the motion made to support the draft legislation proposed by Representative Isaac, with a couple of amendments.

At that time, Ms. Stone stated that the Board would adjourn into executive session as authorized by the Texas Government Code Section 551.071 Consultation with Attorney at 7:40 p.m. Ms. Stone stated that no final actions or decisions would be made while in Executive Session.

The Board re-convened into open session at 8:42 p.m. Ms. Stone stated that no final actions or decisions were made while in Executive Session.

There was no motion on 5a.

Mr. Dupnik reported that there is one remaining question on the annexation legislation regarding well exemptions. Mr. Dupnik presented additional information as requested by the Board including a list of pros and cons and a staff recommendation. Staff's recommendation was to:

- 1) recommend to Representative Isaac that no additional language is needed or suggested in the draft annexation legislation to address well exemptions,
- 2) declare the intent to provide a permitting exemption in the Districts rules for all wells used solely for domestic and livestock use in the prospective areas for annexation, and
- 3) direct staff to consider possible amendments to District rules related to current NDU permitted wells in the next round of rulemaking.

Ms. Stansberry moved approval of the staff recommendation outlined above.

Dr. Larsen 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 unless the topic is specifically listed elsewhere in this agenda.)*

1. Standing Topics.

- a. Personnel matters and utilization
- b. Upcoming public events of possible interest
- c. 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 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**

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

6. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 8:59 p.m.

Approved by the Board on March 26, 2015:

By: Mary Stone
Mary Stone, President

Attest: Blayne Stansberry
Blayne Stansberry, Secretary