

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Regular Meeting  
August 14, 2014**

Board members present at commencement: Bob Larsen, Mary Stone, Craig Smith and Blake Dorsett. Staff present: John Dupnik, Brian Smith, Dana Wilson, Brian Hunt and Tammy Raymond. Bill Dugat of Bickerstaff, Heath, Delgado, Acosta and Kirk Holland of Holland Groundwater Management, 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.**

Dr. Larsen 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 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 July 24, 2014, Regular Meeting.**

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

Mr. Smith moved approval of consent agenda items 3a. 1 and 2 as presented, noting an invoice from Hicks & Company in the amount of \$12,966.28.

Ms. Stone seconded the motion and it passed with a vote of 4 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 status of the City of Kyle's remanded permit application**

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

#### **4. Discussion and Possible Action.**

##### **4a. Discussion and possible action related to the draft Habitat Conservation Plan, the comments received during the public comment period, staff suggested responses to comments, and setting a public hearing.**

Mr. Dupnik, Mr. Hunt, and the District HCP consultant, Kirk Holland, provided a presentation describing the work that has been done since the close of the public comment period on July 25<sup>th</sup>. They explained that since that time their work has focused on incorporating edits in response to the interim guidance that was provided by the USFWS, the ongoing refinement of the take estimates, and a substantial number of comments received namely from the MAC, and two salamander biologists.

Mr. Dupnik then explained that the original intent was to provide an edited document at this meeting that could be considered for approval as the public hearing version. However, due to the extensive revisions that were in progress, the timeline was being pushed back. The new tentative schedule is as follows:

- August 18<sup>th</sup> - Send edited and clean document to the Board for review prior to the August 28<sup>th</sup> meeting
- August 28<sup>th</sup> - Board will consider the draft HCP with edits and possibly set a Public Hearing on September 11<sup>th</sup>
- September 11<sup>th</sup> - Hold a Public Hearing on the draft HCP and possibly consider on an approved for application submittal

Mr. Dupnik also informed the Board that the District liaison with USFWS, Kevin Connally, had taken a new position and would only be with the local Austin office until mid October.

The Board agreed that the District should work to get the draft completed before Mr. Connally leaves the state, in order to avoid any complications that would come with a new liaison.

No formal action was taken.

**4b. Discussion and possible action related to the initial staff review of the draft Environmental Impact Statement for State Highway 45 Southwest (SH 45) and the submittal of written comments to TxDOT.**

The Board briefly discussed the Special Called Meeting held on August 12<sup>th</sup> to discuss the written comments on the draft EIS.

Mr. Dupnik informed the Board that he had received confirmation that the comments were received by TxDOT before the deadline.

No action was needed.

**4d. Discussion and possible action related to consideration of declaring Stage II Alarm Drought.**

Dr. Brian Smith provided a briefing on the current aquifer conditions indicating that the Lovelady well drought indicator was below the threshold for Stage II Alarm Drought, and that the 10-day average flow rate at Barton Springs was right at the threshold.

After discussion, Mr. Smith moved to declare Stage II Alarm Drought effective immediately.

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

**4e. Discussion and action related to establishing the process for selection of a first-choice proposal for legislative consulting services.**

Mr. Dupnik informed the Board that all four firms invited to submit proposals by the August 13<sup>th</sup> deadline had turned in submissions. He suggested that a subcommittee of the Board and the General Manager could be formed to vet the proposals.

Dr. Larsen polled the Board for interest and appointed Ms. Stone and himself as the two Board members of the subcommittee. The Subcommittee agreed that they will meet to determine what firms they would like to invite to give presentations at the August 28<sup>th</sup> Board meeting.

**4c. Discussion and possible action related to consideration of a supplemental agreement to the Consent Decree on SH 45 between the District, CTRMA and TxDOT.**


Dr. Larsen stated that the Board would adjourn into Executive Session as authorized by the Texas Government Code Section 551.071 Consultation with Attorney at 7:48 p.m. He stated that no final actions or decisions would be made while in Executive Session.

The Board reconvened into Open Session at 8:32 p.m. Dr. Larsen stated that no final action or decisions were made while in Executive Session.

**5. Adjournment.**

Without objection, Dr. Larsen adjourned the meeting at 8:33 p.m.

Approved by the Board on August 28, 2014:

By:   
Robert D. Larsen, Acting President

Attest:   
Craig Smith, Secretary