

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
March 28, 2019**

Board members present at commencement: Blayne Stansberry, Mary Stone, Craig Smith, and Blake Dorsett. Bob Larsen was absent. Staff present included: Alicia Reinmund-Martinez, Brian Smith, Vanessa Escobar, Robin Gary and Tammy Raymond. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

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.

President Stansberry called the meeting to order at 6:02 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments of a General Nature).

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 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.**
2. **Approval of minutes of the Board's March 14, 2019, Regular Meeting.**

Director Smith moved approval of Consent Agenda item 1 and 2, noting an invoice from Bickerstaff, Heath in the amount of \$11,167.80.

Director Dorsett seconded the motion and it passed unanimously with a vote of 4 to 0.

5. Discussion and Possible Action.

5d. Discussion and possible action related to the status of the Board’s Remand of SOAH’s consideration of the Needmore Water LLC application.

Ms. Reinmund-Martinez stated that she received a request from Needmore’s attorney to see if the Board would consider contacting the SOAH judge regarding the contested permit application.

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) by phone at 6:06 p.m. President Stansberry stated that no final actions or decisions would be made while in Executive Session.

The Board reconvened into open session at 6:19 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

Director Stone moved to authorize our legal counsel to request an update from the administrative law judge on this matter.

Director Smith seconded the motion and it passed with a vote of 4 to 0.

5b. Discussion and possible action on the selection of the 2019 Aquatic Science Adventure Camp scholarships.

Ms. Gary explained that the deadline was Tuesday, March 26th for the camp scholarships and that we received 34 applications from 14 different schools. The District, with generous support from the City of Austin, Texas Lehigh Cement Company, Centex, Creedmoor-Maha WSC, Goforth SUD, and Slaughter Creek Acres, is able to offer 20 scholarships to the Aquatic Science Adventure Camp.

The scholarship committee met on March 27th and recommended the following applicants to win scholarships:

Selected Overnight Camp Applicants (\$599 scholarship)

Ivy	Baker	11	O’Henry Middle School
Mikayla Ann	Berg	11	Buda Elementary
Elena	Castro	10	Fuentes
Indie	Cleveland	9	Tobias Elementary
Pablo	Del Reigo	9	Mathews Elementary
Juliet	Fahnert	9	Austin Discovery School
Astrid	Henschel	13	O’Henry Middle School
Keegan	Holland	9	Barton Hills Elementary
Jamie	Jarratt	11	O’Henry Middle School

Ayden	Jenray	10	Carpenter Hill Elementary
Sydney	Piper	13	Lamar Middle School
Emma	Sanchez	12	San Marcos Academy
Joseph	Williams	14	Stephen F. Austin

Selected Day Camp Applicants (\$349 scholarship)

Chris	Allred	10	Kyle Elementary
Leora Mae	Creel	10	Homeschool
Penelope	Johnson	11	Austin Discovery School
Nadia	Martinez	10	Carpenter Hill Elementary
Viviana	Martinez	10	Carpenter Hill Elementary
Lily	McGlothlin	10	Mendez Elementary
Piper	Norfolk	10	Austin Discovery School

After discussion, Director Stone moved to approve the committee’s recommendations for camp scholarships.

Director Smith seconded the motion and it passed unanimously with a vote of 4 to 0.

4. Public Hearing.

The Public Hearing concerns proposed revisions to the District Rules and Bylaws related generally to: Aquifer Storage and Recovery (ASR) rules relating to definitions, permit process and applications, permit amendments, permit conditions and requirements, pilot test permit, well construction standards, as well as, maximum withdrawals for management zone and Saline Edwards DFC.

President Stansberry opened the Public Hearing at 6:24 p.m.

There were no public comments.

Ms. Escobar stated that the comment period was from March 1st to March 22nd and received comments from David Pyne and the City of Buda. She said that overall they were relatively minor. She said that they really worked hard to keep these rules consistent with the TCEQ’s rule language and to limit any burdens on permittees, and also maintain our ability to obtain adequate information. This is relatively new technology and we want to make sure that we protect the aquifer. She then explained the comments and the categories, and answered questions from the Board.

Ms. Reinmund-Martinez explained that she received a comment from Kirk Holland regarding the ASR testing language. He brought to our attention that using fresh water Edwards for ASR testing allowed during drought conditions could be a concern to our HCP take estimate for the salamanders. She said that it would also apply to our regular aquifer testing as well. She suggested reaching out to the U.S. Fish & Wildlife to get their opinion, and to what it would mean to our

HCP. She went on to say that if they are concerned about this issue, and the rules are passed tonight, we would have to come back to the Board with a possible amendment to the language found on page 101, paragraph 2a.

With no other comments, President Stansberry closed the Public Hearing at 6:42 p.m.

5. Discussion and Possible Action.

5a. Discussion and possible action on proposed revisions to the District Rules and Bylaws related to Aquifer Storage and Recovery.

Director Stone moved to approve the revisions to the District rules and Bylaws related to Aquifer Storage and recovery as presented.

Director Dorsett seconded the motion and it passed unanimously with a vote of 4 to 0.

5c Discussion and possible action related to the Kinder Morgan Permian Highway Pipeline Project.

Ms. Reinmund-Martinez explained that she sent a memorandum to Allen Fore, Vice President of Public Affairs for Kinder Morgan, asking for answers to questions that came up at the meeting a couple of weeks ago. She said that she received responses to those questions at 5:30 this evening.

Dr. Smith gave a brief presentation on the Kinder Morgan pipeline focusing on key items that address the concerns of the Board.

Director Stone moved approval of Resolution #032819-01 related to the Kinder Morgan Permian Highway Pipeline Project as presented in the packets with the changes discussed.

Director Smith seconded the motion and it passed unanimously with a vote of 4 to 0.

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 for consideration.)*

Topics

1. Personnel matters.
2. Aquifer conditions and status of drought indicators.
3. Upcoming public events of possible interest.
4. Update on projects and activities of individual teams.
5. Update on activities related to the Travis County ILA.
6. Update on development activities over aquifer recharge and contributing zones.
7. Update on activities related to area roadway projects.
8. Update on GMA and regional water planning activities.

- 9 Update on activities related to the Habitat Conservation Plan.
10. Update on the State Auditor's Office audit.
11. Update on the Kinder Morgan Permian Highway Pipeline Project.

Updates were given by Ms. Reinmund-Martinez, Bill Dugat and staff.

6. Directors' Reports.

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;**
- **Board committee updates;**
- **Conversations with public officials, permittees, stakeholders, and other constituents;**
- **Commendations; and**
- **Issues or problems of concern**

The Directors gave reports on their activities for the month.

7. Adjournment.

Without objection, President Stansberry adjourned the meeting at 8:06 p.m.

Approved by the Board on April 11, 2019

By: Blayne Stansberry
Blayne Stansberry, President

Attest: Blake Dorsett
Blake Dorsett, Board Secretary