

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
April 22, 2010**

Board members present at commencement: Bob Larsen, Gary Franklin, and Jack Goodman. Mary Stone arrived at 6:06, and Craig Smith was out of town. Staff present: Kirk Holland, John Dupnik, Brian Smith, Dana Wilson, Nathanael Banda, and Tammy Raymond. 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 citizen communications of a general nature.

5. Regular Meeting: New Business.

5b. Discussion and possible action related to approving the destruction of records according to our Records Retention schedule.

After a brief update by Ms. Wilson, Mr. Franklin moved approval of the destruction of certain specified records according to the District's retention schedule listed in the backup.

Mr. Goodman seconded the motion and it passed unanimously with a vote of 3 to 0.

6. Regular Meeting: Continued Business.

6a. Discussion and possible action related to the changes requested by Hays Co. WCID No. 1 in our settlement agreement.

Mr. Holland gave an update on proposed changes to the Hays Co. WCID No. 1 settlement agreement, noting that recent analysis of the proposed change by City of Austin engineers indicated less volume of wastewater would be discharged to area creeks than in the application but such discharges would be slightly more frequent.

No action was taken by the Board.

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 from the April 8, 2010, Regular Meeting.**

Mr. Goodman moved approval of the consent agenda as stated above, noting an invoice from AECOM in the amount of \$10,000. In response to a question, Mr. Holland explained that while the Board had previously authorized up to \$10,000 for this work, Texas Disposal System had agreed to pay for one-half of this amount, so the cost to the District was \$5,000.

Mr. Franklin seconded the motion and it passed unanimously with a vote of 4 to 0.

6c. Discussion and possible action on approval of staff-recommended preliminary DFCs for the Middle and Lower Trinity Aquifers and for the Saline Edwards Aquifer, and setting a possible public meetings/hearings attendant to establishing recommendations to GMA 10 on Desired Future Conditions for its Northern Subdivision.

Mr. Holland briefed the Board on the change in the basis for DFCs in GMA-10 that was agreed on in the GMA meeting earlier in the week. The GMA will not hold public hearings itself, rather the individual GCDs will hold those that it believes appropriate. The subdivisions will only apply to the Edwards Aquifer. The Trinity will be GMA-wide, and will likely have both Trinity Outcrop (or unconfined) Aquifer and Trinity Subcrop (or confined) Aquifer DFCs. This means that additional info will need to be developed by TWDB before the GCDs in the GMA can fully evaluate DFC options and individual GCDs can take actions they warrant. The next GMA-10 meeting, which is the earliest time in which the new Trinity DFCs could be formally proposed, will be May 17, after our May 13 Board meeting.

No Board action was required.

Public Hearing (6:15 p.m.)

The Board of Directors will hold a Public Hearing concerning an application submitted by Oak Forest Water Supply Corporation for a Historical Trinity Production Permit to withdraw a volume of 16,500,000 gallons per year of groundwater from a water well producing from the Middle Trinity Aquifer. The Oak Forest Water Supply Corporation will operate the well as a Public Water Supply well to provide water to residents within their Certificate of Convenience and Necessity (CCN) service area. The volume of water requested was based on a reasonable water demand volume to accommodate system

growth and, if approved, would be designated as Historical Trinity water subject to all the applicable permitting provisions. The application is for the well at the following address: 300 Block of Woodland Oaks, Oaks Forest Subdivision, Buda, Texas 78610.

Dr. Larsen opened the Public Hearing at 6:18 p.m.

Mr. Dupnik stated that the application was administratively complete and that staff recommended approval of a Trinity Historical Production Permit for 16,500,000 gallons.

Mr. Charlie Nettles asked about communication between the Edwards and Trinity aquifers.

Mr. Dupnik and Dr. Smith explained that there is very little natural hydrologic communication between the two aquifers of concern here, and that the production zone would be isolated from other hydrogeologic units in well construction.

Dr. Larsen closed the public hearing at 6:36 p.m.

5. Regular Meeting: New Business.

5a. Discussion and possible action related to Oak Forest Water Supply Corporation' application for a Historical Trinity Production Permit to withdraw a volume of 16,500,000 gallons per year of groundwater from a water well producing from the Middle Trinity Aquifer, located at: 300 Block of Woodland Oaks, Oaks Forest Subdivision, Buda, Texas 78610.

After discussion, Ms. Stone moved approval of a Historical Trinity Production Permit for Oak Forest Water Supply Corporation to withdraw a volume of 16,500,000 gallons per year.

Mr. Goodman seconded the motion and it passed unanimously with a vote of 4 to 0.

6. Regular Meeting: Continued Business.

6b. Discussion and possible action on the staff recommendation for a preliminary DFC for the Edwards Aquifer in the Northern Subdivision of GMA 10 and setting a public hearing to receive input before a Board recommendation to GMA 10.

3. Routine Business.

Mr. Holland briefed the Board on the status of the Edwards DFCs and related HCP studies, including a presentation of a preliminary draft of the "fact set" that will be a basis for both advisory board and Board consideration in establishing a preliminary DFC and eventually for public inputs.

After discussion, Ms. Stone moved to schedule a PAC meeting on May 10th and a CAC meeting on May 11th, solicit public input and give recommendations for DFC's on May 13th. After the 23rd of May the District will hold a Public Hearing, and will try to incorporate it at the May 27th regular meeting.

Mr. Franklin 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 on them in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.


- 1. Personnel matters and utilization;**
- 2. Upcoming public events of possible interest;**
- 3. Aquifer conditions and status of drought indicators.**
- 4. Discussion related to current staff work areas and specific activities of staff teams and directors. 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. Discussion of Monthly Status Update Report – at Board's discretion.**
 - ii. Update on GMA-9 and GMA-10 activities.**
 - iii. Update on meetings and discussions by advisory groups.**
 - iv. Update on joint media event for kicking off Water Conservation Period.**
 - v. Update on testimony in interim-charges hearings conducted by legislative committees of interest to the District.**

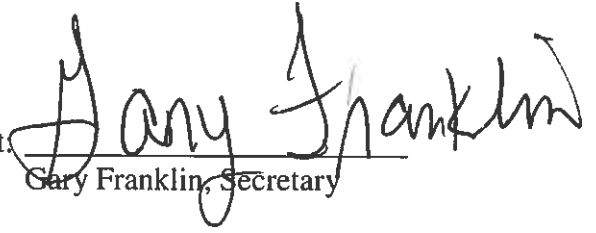
Mr. Holland and staff updated the Board and answered directors' questions on the teams' activities concerning the items listed above.

7. Adjournment.

Dr. Larsen adjourned the meeting at 7:52 p.m.

Approved by the Board:

By: 
Dr. Robert Larsen, President

Attest: 
Gary Franklin, Secretary