

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
April 24, 2014**

Board members present at commencement: Craig Smith, Mary Stone and Blake Dorsett. Dr. Larsen was out of town. Staff present: John Dupnik, Brain Smith, Dana Wilson, Alan Andrews, Kendall Bell-Enders 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.

Mr. Smith presiding in Dr. Larsen's absence, 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 April 10, 2014, Regular Meeting.**
3. **Approval of minor revisions to the District's mapped boundaries and of submittal of the revised map to the TCEQ.**
4. **Approval of amendment to current employee District Retirement Plan to add a Participant Loan Program.**

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

Ms. Stone moved approval of consent agenda items 3a. 1 through 4 as presented.

Mr. Dorsett seconded the motion and it passed with a vote of 3 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. Update on Team activities and highlights**
- ii. Update on regulatory and enforcement activities**
- iii. Update on efforts to characterize the saline zone of the Edwards Aquifer**
- iv. Update on activities related to area roadway projects**

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

4. Presentations.

4b. Presentation by David Foster of Clean Water Action on District-supported HOA education efforts.

Mr. David Foster of Clean Water Fund gave a brief presentation on the education to Home Owner Associations that was conducted with support from the District.

4c. Presentation by Dennis Pittenger, District contractor, of a methodology to calculate estimated irrigation demand.

Mr. Dennis Pittenger gave a presentation on his Districted-funded research related to the development of a proposed methodology to calculate estimated irrigation demands for the District, and answered questions from the Board.

5. Discussion and Possible Action.

5a. Discussion and possible action related to adopting a methodology for calculating estimated irrigation demand and determining permitted production limits

Mr. Dupnik said that staff recommended adopting the methodology for calculating irrigation demand as presented in Mr. Pittenger's report.

Ms. Stone moved approval of the presented report as the basis for the methodology for estimating irrigation demand, to be implemented by staff for all irrigation permits moving forward, with additional direction to mark the report as "final" and include Mr. Pittenger's credentials in the report.

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

5b. Discussion and possible action related to consideration of declaring Stage II Alarm Drought

Dr. Smith stated that the water level in the Lovelady drought trigger well had been below the Alarm Stage level for several days, and that there were no indications that it would change without a substantial amount of rainfall.

After discussion, Ms. Stone moved to declare Alarm Stage II Drought effective immediately.

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

Mr. Dupnik stated that staff would send out a press release and notices to permittees with instructions on the drought compliance requirements.

5c. Discussion and possible action related to pursuing a TWDB grant to help fund efforts to characterize the saline Edwards Aquifer.

Dr. Brian Smith provided an update on the efforts to prepare a grant application for funding of a desal demonstration project in cooperation with Texas State and Texas Disposal Systems.

After discussion, Ms. Stone moved approval of Resolution 042414-01 authorizing the District as a participating party to the grant and a firm commitment of \$250,000 of value including equipment, budgeted projects, or in-kind services to the grant.

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

4. Presentations.

4c. Award of the Kent S. Butler Memorial Groundwater Stewardship College Scholarship, and the Aquatic Science Adventure Camp scholarships.

Mr. Alan Andrews stated that the evaluation panel scored Ms. Jenna Trejo's essay, titled "Kubla Khan: Protecting Our Groundwater One Drop at a Time," with the highest marks for content, accuracy of information, originality, grammar, quality of research, and style.

Ms. Stone moved to declare Jenna Trejo as the winner of this year's Kent S. Butler Memorial Groundwater Stewardship College Scholarship award of \$2500 to the college, community college, or training institution of her choice.

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

The Board randomly selected the following winners of the Aquatic Science Adventure Camp scholarships.

5-day camp scholarships:

Somaya Jimenez-Haham
Skylar Koenig
Katelyn Alren
Savannah Kelsey

2-day camp scholarships:

Griffin Rans
Kaitlyn Manire
Megan Morris
Sarai Diaz
McKenzi Pritchard

All winners are invited to be special guests of the District's Board of Directors at the next regular meeting on Thursday, May 8th.

Discussion and Possible Action.

5e. Discussion and possible action related to memorandum prepared by legal counsel regarding habitat conservation plan.

The Board adjourned into Executive Session 5e. and 5f., as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) at 7:43 p.m. Mr. Smith stated that no actions or decisions would be made while in Executive Session.

5f. Discussion and possible action related to the decision in the *SOS Alliance v. City of Kyle, Goodman et al., and the Barton Springs/Edwards Aquifer Conservation District and the process going forward.*

The Board reconvened into Open Session at 8:24 p.m. Mr. Smith stated that no actions or decisions were made while in Executive Session.

5e. Discussion and possible action related to memorandum prepared by legal counsel regarding habitat conservation plan.

After discussion, Ms. Stone moved to clarify that the District's Habitat Conservation Plan (HCP) would be prepared as a conventional HCP rather than a "Regional" HCP on the basis of the criteria described in the legal memorandum prepared by the District's attorney.

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

5f. Discussion and possible action related to the decision in the *SOS Alliance v. City of Kyle, Goodman et al.*, and the Barton Springs/Edwards Aquifer Conservation District and the process going forward.

No action was taken by the Board.

5d. Discussion and possible action related to considering suggested edits to the review draft HCP in response to Director comments and comments received from the Management Advisory Committee (MAC) to date, and to setting a schedule for soliciting further comment from the MAC and the public and for Board approvals.

Mr. Dupnik and Mr. Holland provided a summary of the Directors' comments and MAC comments to the review draft HCP received to date. A proposed schedule for MAC meetings, a public hearing, and an extended public comment was also presented.

After discussion, Ms. Stone directed staff to set an item for consideration of a narrow set of substantive Director's comments and available MAC comments on the May 22, 2014 agenda when the full Board would be present.

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

6. Adjournment.

Without objection, Mr. Smith adjourned the meeting at 8:58 p.m.

Approved by the Board on May 8, 2014:

By: 
Robert D. Larsen, Acting President

Attest: 
Craig Smith, Secretary