

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Special Meeting via
Telephone & Videoconference
August 13, 2020**

Board members present at commencement: Blayne Stansberry, Craig Smith, Bob Larsen, Mary Stone and Blake Dorsett. Staff present included: Vanessa Escobar, Michael Redman, Dana Wilson, Brian Smith, Brian Hunt, Kendall Bell-Enders, Justin Camp, Erin Swanson, Lane Cockrell, Jackie Vay, Oriya Villarreal 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 virtual meeting to order at 4:00 p.m., noting that a quorum of the Board was present.

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

Kelly Davis attorney for Save Our Springs Alliance, gave updates on the City of Dripping Springs and City of Blanco's discharge permits.

3. 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.)*

- a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.
- b. Approval of minutes of the Boards July 9, 2020 Special Meeting.
- c. Approval of a 2-year renewal for a Joint Funding Agreement with USGS for Water Resource Investigations.
- d. Approval of Master Service Contract with Community Consulting for strategic stakeholder facilitation services relating to the sustainable yield project.

Director Smith moved approval of Consent Agenda Items 3.a. through d. noting invoices for USGS in the amount of \$7600.00 and Dayton AC in the amount of \$5701.00.

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

4. Discussion and Possible Action.

4a. Discussion and possible action related to renewal of annual Production Permits for FY 2021 contingent on compliance with District rules and renewal requirements.

Ms. Wilson stated that on the Administrative side all permittees are compliant.

Mr. Redman stated that all permittees with Special Conditions are compliant. He also said that there are seven permittees that have over pumped and staff would like to hold those renewals giving them a chance to come before the Board.

- Cook Walden/Forest Oaks
- Onion Creek Country Club
- Tindol Restaurant Group, LLC
- Industrial Asphalt
- Bucks Backyard
- Roy Seiders
- Vance Lane

Ms. Escobar explained that the permittees could come before the Board with explanations and ask for a waivers or lower fees depending on the circumstances.

President Stansberry stated that automatic renewals should be for compliant permittees, and the ones that are not should be considered separately. Director Smith stated that he agreed that the overpumpage issues were likely reason enough to not fall under the automatic renewal action.

After discussion, Director Smith moved to approve all annual renewals except for the seven permittees listed above.

Director Stone seconded the motion and it passed with a vote of 4 to 1. Director Larsen voted nay.

4b. Discussion and possible action on Resolution #08132020-01 for approval of Bureau of Reclamation BRAT Trinity Modeling Grant application submission.

Ms. Escobar stated that the District submitted a grant application and that it was a true team work effort, with a lot of partners helping with the grant development. Being a Federal Grant there were a lot of components, intricacies, and details that were required and not a lot of time to do so. She specifically wanted to point out the contributions from the Environmental Defense Fund with Vanessa Puig-Williams, The Meadows Center with Robert Mace, the Hays Trinity Water Conservation District with Charlie Flatten, and Hays County with Commissioner Lon Shel and Alexandra Thompson. She said that there were about 70 applications submitted and that we should

hear back around December. She ended with saying that we need a Resolution from the Board to submit within 30 days from the date of submission, as a requirement of the application.

After discussion, Director Smith moved approval of Resolution #08132020-01 for approval of the Bureau of Reclamation BRAT Trinity Modeling Grant application.

Director Stone seconded the motion and it passed unanimously with a vote of 5 to 0.

4c. Discussion and possible action on the potential need for a water quality sampling program along the Permian Highway Pipeline route.

President Stansberry stated that the District has a water quality sampling program with the Magellan Pipeline and would like to explore the possibility of a similar program with the Permian Highway Pipeline. She said that we would need partners like Hays County and Hays Trinity GCD and wanted to hear other Board members thoughts.

Ms. Escobar said that we do have a lot of sampling going on in that area and asked Brian Smith to give an overview of the Magellan Pipeline program.

Dr. Smith explained that the Magellan sampling came about from the old Longhorn Pipeline. Longhorn went bankrupt and Magellan took over and are taking crude oil from west Texas to Houston through the pipeline. When that change was made they were talking with the District and were willing to pay for analyses in case of leaks. We have been sampling for years now and we have found hydrocarbons in the aquifer.

Mr. Camp said that there are eight sites being tested on the Magellan Pipeline, four wells and four springs around the link to the pipeline through our District. The cost for sampling is approximately \$1000 per year and Magellan reimburses us for the analyses.

Director Smith asked if Kinder Morgan would agree to monitoring whether they pay for it or we pay for it, and where would we put the monitors.

Dr. Smith said that he did not believe we would be lacking wells to monitor due to the concern of the people living along the pipeline.

Director Stone stated that TREAD is coordinating a lot of this and they have an environmentalist and are working with all of the other entities so we might reach out to them.

Director Larsen said that we have been working with Magellan for years with success, and suggested reaching out to Kinder Morgan to see if they would be interested in using the Magellan model. It would benefit both of us.

President Stansberry suggested reaching out to the different organizations and then to Kinder Morgan.

Mr. Dugat stated that since we are in litigation with Kinder Morgan we need to run it by the litigation team.

No formal action was taken.

4d. Discussion and possible action on Onion Creek Golf Club Trinity well operation and Edwards over pumpage.

Ms. Escobar stated that staff has been working with Director Larsen and Ryan Crump the Golf Club manager for a few weeks on an issue that they are experiencing with their Trinity well. She said the item is on the agenda to provide the Board with some context from staff. She would then ask Mr. Crump to give information about their operation. She explained that in 2002 the City of Austin acquired the Onion Creek Wastewater Treatment Plant (Plant) and entered into an agreement to provide wastewater to the Golf Club until 2027. In 2013 the Halloween flood destroyed the Plant and in 2015 the City of Austin agreed to help offset some of the costs of drilling a Trinity well as long as the Golf Club retired some of their Edwards water. The Golf Club retired half of their permit.

Ms. Bell Enders explained the Trinity permit process with special provisions and approval by the Board in February 2016 to withdraw 80,000,000 gallons. In September they retired half of their Edwards permit and were then authorized to withdraw 127,410,000 gallons of water per year from the Trinity.

Mr. Camp stated that it was high yielding well and gave pumping information.

Mr. Crump stated that it was a great well until this year. A couple of years ago we had a lot of rain and we didn't notice a downward trend because we weren't using the well. This past year it was mild, and then this year Dr. Larsen noticed that our yields were not getting better. The pump was pulled and it was shot. We replaced the pipe and put in a new pump and only reached 70 gallons per minute and realized that we were drawing all the way to the pump.

There were further discussions about overpumping and obtaining other water sources in the future.

No action was taken by the Board.

5. 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. 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.)*

Topics

- a. Update on Aquifer conditions and status of drought indicators.
- b. Update on Election related items.
- c. Review of Status Report and update on team activities/projects.
- d. Upcoming public events of possible interest.

Ms. Escobar, and staff gave updates to the Board.

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.

Board members that had outside and Zoom meetings gave reports.

7. Adjournment.

Without objection, President Stansberry adjourned the meeting at 6:01 p.m.

Approved by the Board on September 10, 2020

By: Blayne Stansberry
Blayne Stansberry, President

Attest: Blake Dorsett
Blake Dorsett, Board Secretary

