



**NOTICE OF MEETING OF THE
BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT
BOARD OF DIRECTORS**

Thursday, May 13, 2021

4:00 PM

VIDEO CONFERENCE

NOTICE OF OPEN MEETING

Notice is given that a **Special Meeting and Public Hearing** of the Board of Directors (Board) of the Barton Springs/Edwards Aquifer Conservation District to be held on **Thursday, May 13, 2021**, commencing at **4:00 p.m. via Telephone and Videoconference** pursuant to Texas Government Code, Sections 551.125, 551.127 and 551.131, as modified by the Governor of Texas (Governor) who ordered suspension of various provisions of the Open Meetings Act, Chapter 551, Government Code, effective March 16, 2020, in accordance with the Texas Disaster Act of 1975. Under his proclamation of March 13, 2020, the Governor certified that the COVID-19 pandemic poses an imminent threat of disaster and declared a state of disaster for all counties in Texas. The COVID-19 pandemic makes it difficult to convene a quorum of the Board at one location with the public. Moreover, the COVID-19 pandemic creates an emergency and unforeseeable situation, a sense of urgency, and immediacy for conducting the meeting via Telephone and Videoconference.

This meeting will be audio/video recorded and the recording will be available on the District's website after the meeting. A copy of the agenda packet for this meeting will be available on the District's website at the time of the meeting.

The method for public participation described below follows the Governor's guidance for conducting a public meeting and ensures public accessibility. Members of the public may participate via videoconference or call in by telephone via the instructions provided below:

INSTRUCTIONS FOR JOINING MEETING

You may join the meeting by one of two options:

- 1. Join the Meeting using the Zoom link**– use your computer audio/video features

<https://us02web.zoom.us/j/83815354713?pwd=VIE5MjhLTUQ2QVFCWThaRmhSNGhOdz09>

Meeting ID: 838 1535 4713

Passcode: 821328

Helpful Tips – For tips on how to set up Zoom on your device prior to the Board Meeting, visit the District's Board Meeting webpage: <https://bseacd.org/transparency/agendas-backup/>

- 2. Join the Meeting by Telephone only**

Meeting Dial In +1-346-248-7799

Meeting ID: 838 1535 4713

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INSTRUCTIONS FOR PUBLIC COMMENTS

1. Register for Public Comment prior to Board Meeting Day - Persons wishing to provide public comment must register by calling (512-282-8441) or emailing tammy@bseacd.org by **5:00 p.m. on Wednesday, May 12, 2021**. Please include the following information in the registration:
 - a. first and last name
 - b. email address
 - c. phone number
 - d. the agenda item on which you wish to comment
 - e. indicate whether you would like to comment the day of or have your written comments submitted read into the record, and
 - f. include written comments, if any.

2. Public Comments at the Board Meeting – Each registered person will be recognized and identified by the Presiding Officer or staff moderating the communications when it is their turn to speak. **Public comment is limited to 3 minutes per person.** Only persons who have registered in advance to give public comment during the meeting will be allowed to provide comment.

DOCUMENTATION FOR AGENDA ITEMS

Please note: This agenda and available related documentation, if any, have been posted on the District website, www.bseacd.org. If you have a special interest in a particular item on this agenda and would like any additional documentation that may be developed for Board consideration, please let staff know at least 24 hours in advance of the Board Meeting so that we can have those copies made for you. The Barton Springs/Edwards Aquifer Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-282-8441 at least 24 hours in advance if accommodation is needed.

AGENDA

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to meet in 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 4:00 p.m.**
2. **Citizen Communications (Public Comments of a General Nature).**
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. **Pg. 4**
 - b. Approval of minutes of the Board's April 6, 2021 Work Session, April 8, 2021 Special Meeting, and April 22, 2021 Work Session. **Not for public review at this time**
4. **Public Hearing - GMA 9 DFCs Pg. 29**

The District will hold a public hearing on: 1) proposed Desired Future Conditions (DFCs) for the Trinity Aquifer (throughout GMA-9), the Edwards-Trinity Plateau Aquifer (Kendall County), the Ellenburger-San Saba Aquifer (Kendall County), and the Hickory Aquifer (Kendall County), and 2) proposed Non-Relevant Aquifer classifications for the Edwards Aquifer-Balcones Fault Zone Aquifer (Bexar, the Comal, Hays, and Travis Counties), the Edwards-Trinity Plateau Aquifer (Blanco and Kerr Counties), the Ellenburger-San Saba (Blanco and Kerr Counties), the Hickory Aquifer (Blanco, Hays, Kerr, and Travis Counties), the Marble Falls Aquifer (Blanco County) adopted by GMA-9. The Board will accept oral comment, testimony, and other documentation and information relevant to the proposed DFCs and Non-Relevant Aquifer Classifications.
5. **Discussion and Possible Action.**
 - a. Discussion and possible action related to the selection of the recipients of the Kent S. Butler Memorial Groundwater Stewardship College Scholarships. **Pg. 36**
 - b. Discussion and possible action on permittee's monthly drought compliance. **NBU**

- c. Discussion and possible action on an amendment to the FY 2021 Budget. **Pg. 57**
- d. Discussion on prerecorded presentation - Public Relations Training 101. **Pg. 62**
Prerecorded Presentation (21 mins): <https://vimeo.com/543640446>
- e. Discussion and possible action on the Conservation Credit Policy. **Pg. 67**
- f. Discussion and possible action related to a legislative update by Sledge Law Group.
NBU
- g. Discussion and possible action related to Cause No. D-1-GN-20-000835 in 250th
Judicial District Court of Travis County, *TESPA v. BSEACD and Needmore, Water
LLC*. **NBU**

6. General Manager's Report. Discussion and possible action.

Topics

- a. Update on personnel matters.
- b. Update on Aquifer conditions and status of drought indicators.
- c. Update on upcoming board committee activities
- d. Review of Status Report and update on team activities/projects. **Pg. 99**
- e. Upcoming events of possible interest.

7. Director 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.

8. Adjournment.

Item 1

Call to Order

Item 2

Citizen Communications

Item 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 Board's April 6, 2021 Work Session, April 8, 2021 Special Meeting, and the April 22, 2021 Work Session.**

Financial Reports – April 2021

May 13, 2021 Board Meeting

1. Profit and Loss Budget vs Actual

September 1, 2020 through April 30, 2021

2. Profit and Loss Previous Year Comparison

September 1, 2020 through April 30, 2021

3. Balance Sheet Previous Year Comparison

As of April 2021 (compared to April 2020)

4. Check Register – TRUIST Account

April 1, 2021 through April 30, 2021

1. Profit and Loss Budget vs Actual

September 1, 2020 April 30, 2021

**BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT
PROFIT AND LOSS - BUDGET VS ACTUAL**

September 1, 2020 - April 30, 2021

	Sept 1, 2020-April 30, 2021	Budget	% of Budget	Notes
INCOME				
4400.0 · Interest Income	793.13	12,000.00	6.61%	
4625.0 · MISCELLANEOUS INCOME	8,141.53	1,000.00	814.15%	Conservation credit donations for scholarships.
4800.0 · USAGE AND PRODUCTION FEES	1,304,978.98	1,719,010.00	75.92%	4th quarter billings going out May 16th.
4810.0 · OTHER FEES	12,328.43	9,800.00	125.8%	Application development, pluggings.
TOTAL INCOME	1,326,242.07	1,741,810.00	76.14%	
EXPENSE				
6000.0 · UTILITIES	12,886.00	23,000.00	56.03%	Electric, water, phones, internet service.
6005.0 · Print/Copy/Photo Services	836.60	2,000.00	41.83%	
6007.0 · Postage/Freight/Shipping	1,064.32	2,500.00	42.57%	
6010.0 · Office Supplies	1,843.76	9,000.00	20.49%	
6010.2 · Office Furniture	0.00	1,500.00	0.0%	
6011.0 · Comp Hardware-Plotter Supplies	1,256.87	6,000.00	20.95%	There is a staggered "new computer" policy in place.
6014.0 · Software Acquisition & Upgrades	2,822.61	6,000.00	47.04%	
6015.0 · IT Monthly Maintenance	8,000.00	17,400.00	45.98%	
6016.0 · Meeting Expense	532.55	2,000.00	26.63%	
6019.0 · Subscriptions/Publications	699.88	4,200.00	16.66%	
6020.0 · Advertising	435.50	4,000.00	10.89%	
6021.0 · MISCELLANEOUS EXPENSES	55,044.06	1,000.00	5,504.41%	\$8,500 in GMA 9/10 required public notices will post in May. EP deposit remainder (\$53,404) returned to applicant.
6022.0 · Accounting System Operation	2,835.55	7,200.00	39.38%	Quickbooks, Payroll, Journyx, Maintenance.
6023.0 · MAINTENANCE (Office and Auto)	7,661.74	17,900.00	42.8%	
6025.4 · Facilities Repairs	2,611.00	5,000.00	52.22%	

	Sept 1, 2020-April 30, 2021	Budget	% of Budget	Notes
6040.0 · LEASES (Copier and Postal Meter)	6,288.75	10,650.00	59.05%	
6065.0 · DIRECTOR EXPENSES	-411.23	2,500.00	-16.45%	
6066.0 · Directors Compensation	13,450.00	40,000.00	33.63%	
6075.0 · DUES & MEMBERSHIPS	4,843.12	6,100.00	79.4%	
6080.0 · EDUCATION AND OUTREACH	3,825.71	19,350.00	19.77%	
6081.0 · REGULATORY COMPLIANCE	4,581.74	21,500.00	21.31%	
6084.92 · GENERAL MANAGEMENT	6,886.85	39,400.00	17.48%	
6089.0 · AQUIFER SCIENCE	10,691.06	34,800.00	30.72%	
6090.0 · Conservation Credits	0.00	19,149.00	0.0%	\$20,090 gets applied as an expense with the audit.
6100.0 · INSURANCE - DISTRICT	3,989.04	7,070.00	56.42%	Currently a reduction to income under USAGE FEES detail. Property, Auto, Liability, E&O, Surety Bonds
6150.0 · INSURANCE - GROUP	85,931.48	172,114.00	49.93%	Health, dental, life (with STD, LTD, AD&D), and vision.
6160.0 · LEGAL SERVICES	71,421.45	135,000.00	52.91%	
6168.11 · SOAH - EP DEPOSIT	1,171.88			FY 2021 Total; has been applied to applicant refund check.
6170.0 · PROFESSIONAL SERVICES	127,100.81	63,000.00	201.75%	Unexpected election expense \$93,597.
6179.0 · LEGISLATION	22,000.00	36,000.00	61.11%	
6180.0 · PROFESSIONAL DEVELOPMENT	618.78	16,500.00	3.75%	Team Building and Board Planning Consultants to post here.
6199.0 · SALARIES AND WAGES	534,420.36	868,061.00	61.57%	
6203.0 · TAXES & BENEFITS	75,553.72	136,879.00	55.2%	
TOTAL EXPENSE	1,070,893.96	1,736,773.00	61.66%	
NET INCOME	255,348.11			Blue items addressed in the FY 2020 Budget Revision.

2. Profit and Loss - Previous Year Comparison

September 1, 2020 – April 30, 2021

**BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT
PROFIT AND LOSS - PREVIOUS YEAR COMPARISON**

September 1, 2020 - April 30, 2021

	<u>Sept 1, 2020 - April 30, 2021</u>	<u>Sept 1, 2019 - April 30, 2020</u>	<u>\$ Change</u>	<u>% Change</u>
INCOME				
4300.0 · PROJECT INCOME	0.00	133,000.00	-133,000.00	-100.0%
4400.0 · Interest Income (TexPool General)	793.13	12,219.15	-11,426.02	-93.51%
4625.0 · MISCELLANEOUS INCOME	8,141.53	7,626.24	515.29	6.76%
4800.0 · USAGE AND PRODUCTION FEES	1,304,978.98	1,302,915.62	2,063.36	0.16%
4810.0 · OTHER FEES	12,328.43	10,119.57	2,208.86	21.83%
TOTAL INCOME	<u>1,326,242.07</u>	<u>1,465,880.58</u>	<u>-139,638.51</u>	<u>-9.53%</u>
EXPENSE				
6000.0 · UTILITIES	12,886.00	13,416.67	-530.67	-3.96%
6005.0 · Print/Copy/Photo Services	836.60	1,033.00	-196.40	-19.01%
6007.0 · Postage/Freight/Shipping	1,064.32	931.04	133.28	14.32%
6010.0 · Office Supplies	1,843.76	4,167.21	-2,323.45	-55.76%
6011.0 · Comp Hardware-Plotter Supplies	1,256.87	1,592.87	-336.00	-21.09%
6014.0 · Software Acquisition & Upgrades	2,822.61	2,169.75	652.86	30.09%
6015.0 · IT Monthly Maintenance	8,000.00	8,000.00	0.00	0.0%
6016.0 · Meeting Expense	532.55	777.41	-244.86	-31.5%
6019.0 · Subscriptions/Publications	699.88	1,284.81	-584.93	-45.53%
6020.0 · Advertising	435.50	630.04	-194.54	-30.88%
6021.0 · MISCELLANEOUS EXPENSES *	55,044.06	531.99	54,512.07	10,246.82%
6022.0 · Accounting System Operation	2,835.55	4,041.48	-1,205.93	-29.84%
6023.0 · MAINTENANCE (Office and Auto)	7,661.74	9,472.11	-1,810.37	-19.11%
6025.4 · Facilities Repairs	2,611.00	929.39	1,681.61	180.94%
6040.0 · LEASES (Copier and Postal Machine)	6,288.75	6,340.87	-52.12	-0.82%

	<u>Sept 1, 2020 - April 30, 2021</u>	<u>Sept 1, 2019 - April 30, 2020</u>	<u>\$ Change</u>	<u>% Change</u>
6065.0 · DIRECTOR EXPENSES	-411.23	130.92	-542.15	-414.11%
6066.0 · Directors Compensation	13,450.00	16,050.00	-2,600.00	-16.2%
6075.0 · DUES & MEMBERSHIPS	4,843.12	5,180.14	-337.02	-6.51%
6080.0 · EDUCATION AND OUTREACH	3,825.71	5,948.30	-2,122.59	-35.68%
6081.0 · REGULATORY COMPLIANCE	4,581.74	3,145.00	1,436.74	45.68%
6084.92 · GENERAL MANAGEMENT	6,886.85	1,230.00	5,656.85	459.91%
6089.0 · AQUIFER SCIENCE	10,691.06	26,373.01	-15,681.95	-59.46%
6100.0 · INSURANCE - DISTRICT	3,989.04	5,004.16	-1,015.12	-20.29%
6150.0 · INSURANCE - GROUP	85,931.48	95,035.20	-9,103.72	-9.58%
6160.0 · LEGAL SERVICES	71,421.45	63,994.29	7,427.16	11.61%
6168.11 · SOAH - EP	1,171.88	4,453.13	-3,281.25	-73.68%
6170.0 · PROFESSIONAL SERVICES **	127,100.81	32,420.72	94,680.09	292.04%
6179.0 · LEGISLATION	22,000.00	7,000.00	15,000.00	214.29%
6180.0 · PROFESSIONAL DEVELOPMENT & SUPPORT	618.78	5,285.60	-4,666.82	-88.29%
6199.0 · SALARIES AND WAGES	534,420.36	606,580.84	-72,160.48	-11.9%
6203.0 · TAXES & BENEFITS	75,553.72	83,631.86	-8,078.14	-9.66%
TOTAL EXPENSE	1,070,893.96	1,016,781.81	54,112.15	5.32%
NET INCOME	255,328.16	449,098.82	-193,770.66	-43.15%

CAPITALIZATION INDICATES ACCOUNTS THAT HAVE SUB-CATEGORIES.

Those sub-categories have been collapsed.

* SOAH EP Deposit Refund included here.

** Election County Services for \$92,597 are included here.

*** Addressed in budget revision at board meeting.

3. Balance Sheet - Previous Year Comparison

As of April 2021
(compared to April 2020)

**BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT
BALANCE SHEET - PREVIOUS YEAR COMPARISON**

As of April 30, 2021

	<u>April 30, 2021</u>	<u>April 30, 2020</u>	<u>\$ Change</u>	<u>% Change</u>
ASSETS				
Current Assets				
Checking/Savings				
1000.0 · Cash in Bank-Checking BB&T	71,804.82	70,510.46	1,294.36	1.84%
1010.0 · Cash in Bank - Payroll BB&T	33,816.59	31,709.23	2,107.36	6.65%
1030.0 · TexPool Funds - General				
1030.1 · Aquifer Protection Reserve	52,050.00	52,050.00	0.00	0.0%
1030.2 · Deposits Held	0.00	61,560.00	-61,560.00	-100.0%
1030.21 · Cash Flow Reserve	350,000.00	150,000.00	200,000.00	133.33%
1030.3 · HC/HTGCD/BOR	83,000.00	0.00	83,000.00	100.0%
1030.0 · TexPool Funds - General - Operational	402,749.65	403,555.88	-806.23	-0.2%
Total 1030.0 · TexPool Funds - General	887,799.65	667,165.88	220,633.77	33.07%
1040.0 · TexPool Funds - Contingency	504,737.55	597,654.25	-92,916.70	-15.55%
1045.0 · TexPool Funds - Reserve	61,056.14	60,979.09	77.05	0.13%
Total Checking/Savings	1,559,214.75	1,428,018.91	131,195.84	9.19%
Accounts Receivable				
1200.0 · Accounts Receivable				
1200.1 · A/R Drought Management Fees received	-1,250.00	0.00	-1,250.00	-100.0%
1200.0 · A/R Permittee Production Fees	30,361.66	-3,244.66	33,606.32	1,035.74%
Total 1200.0 · Accounts Receivable	29,111.66	-3,244.66	32,356.32	997.22%
Total Accounts Receivable	29,111.66	-3,244.66	32,356.32	997.22%
Other Current Assets				
1100.0 · Petty Cash	300.00	300.00	0.00	0.0%
1300.0 · Pre-paid Expenses	5,492.72	5,600.17	-107.45	-1.92%
1499.0 · Undeposited Funds-A/R payments	0.00	7,159.62	-7,159.62	-100.0%
Total Other Current Assets	5,792.72	13,059.79	-7,267.07	-55.65%
Total Current Assets	1,594,119.13	1,437,834.04	156,285.09	10.87%

	<u>April 30, 2021</u>	<u>April 30, 2020</u>	<u>\$ Change</u>	<u>% Change</u>
Fixed Assets				
1400.0 · Field Equipment	376,487.89	376,487.89	0.00	0.0%
1410.0 · Office Equipment & Furniture	19,722.90	19,722.90	0.00	0.0%
1410.1 · Computer Hardware & Software	19,329.69	19,329.69	0.00	0.0%
1420.0 · Vehicles	78,339.03	78,339.03	0.00	0.0%
1430.0 · Accumulated Depreciation	-601,561.24	-601,561.24	0.00	0.0%
1440.0 · Land (Antioch Cave)	165,415.00	165,415.00	0.00	0.0%
1445.0 · Office Building	268,588.04	268,588.04	0.00	0.0%
Total Fixed Assets	326,321.31	326,321.31	0.00	0.0%
Other Assets				
1500.0 · Organizational Costs	300,783.26	300,783.26	0.00	0.0%
1510.0 · Accumulated Amortization	-326,324.26	-326,324.26	0.00	0.0%
1600.0 · Deposits Paid (Utilities)	71.00	71.00	0.00	0.0%
Total Other Assets	-25,470.00	-25,470.00	0.00	0.0%
TOTAL ASSETS	1,894,970.44	1,738,685.35	156,285.09	8.99%
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Other Current Liabilities				
2010.0 · Rebates Payable - Conservation Credits	20,183.63	19,148.06	1,035.57	5.41%
2110.0 · Direct Deposit Liabilities	1,035.00	1,035.00	0.00	0.0%
2220.0 · Federal Income Tax Withheld	-1,035.01	-1,035.01	0.00	0.0%
2230.0 · Employer Fica & Med Payable	-139.25	-139.25	0.00	0.0%
2250.0 · TWC Unemployment Tax Payable	97.76	1,730.26	-1,632.50	-94.35%
2270.0 · Payroll Liabilities	0.09	0.09	0.00	0.0%
2300.0 · Accrued Vacation Payable	54,118.16	47,691.01	6,427.15	13.48%
Total Other Current Liabilities	74,260.38	68,430.16	5,830.22	8.52%
Total Current Liabilities	74,260.38	68,430.16	5,830.22	8.52%
Total Liabilities	74,260.38	68,430.16	5,830.22	8.52%

	<u>April 30, 2021</u>	<u>April 30, 2020</u>	<u>\$ Change</u>	<u>% Change</u>
Equity				
3000.0 · Fund Balance	1,199,954.64	855,729.11	344,225.53	40.23%
3000.3 · Invested in Capital Assets	365,127.26	365,127.26	0.00	0.0%
3110.0 · Reserve for Petty Cash	300.00	300.00	0.00	0.0%
Net Income	255,328.16	449,098.82	-193,770.66	-43.15%
Total Equity	<u>1,820,710.06</u>	<u>1,670,255.19</u>	<u>150,454.87</u>	<u>9.01%</u>
TOTAL LIABILITIES & EQUITY	<u>1,894,970.44</u>	<u>1,738,685.35</u>	<u>156,285.09</u>	<u>8.99%</u>

4. Check Register

TRUIST BANK
April 1 – April 30, 2021

BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT
MONTHLY CHECK REGISTER
April 1, 2021 - April 30, 2021

Type	Date	Num	Name	Memo	Amount	Balance
Transfer	04/01/2021			Funds Transfer Payroll	-22,000.00	68,306.43
Check	04/06/2021	25848	Integritek	IT, Phone, Anti-virus, Office 365	-1,769.24	46,306.43
Check	04/06/2021	25849	Xerox	Annual Property Tax	-174.18	44,537.19
Check	04/06/2021	25850	Holland Groundwater Management	Task Order 1 Consulting Hours - March	-840.00	44,363.01
Check	04/06/2021	25851	Jan-Pro of Austin	April Office Cleaning Services	-260.00	43,523.01
Check	04/06/2021	25852	Home Depot	Office Supplies	-70.11	43,192.90
Check	04/06/2021	25853	MORF, LLC	Consulting - Staff Team Build Task Order 1	-4,055.00	39,137.90
Check	04/06/2021	25854	BB&T	Various Credit Card Charges	-2,818.75	36,319.15
Deposit	04/07/2021			Deposit (permittee production fees)	26,581.90	62,901.05
Liability Check	04/08/2021	EFT	Reliance Trust Company	Bi-weekly Retirement and Loan Pmt	-4,031.44	58,869.61
Liability Check	04/08/2021	EFT	United States Treasury	74-2488641 Employee Payroll Taxes	-8,398.27	50,471.34
Check	04/09/2021	25855	Goettl AC	Copy Room AC Repair - Capacitor	-291.00	50,180.34
Check	04/13/2021	25856	Ready Refresh by Nestle	Water Cooler Rental	-73.89	50,106.45
Check	04/13/2021	25857	Time Warner Cable	Internet Service	-145.74	49,960.71
Check	04/13/2021	25858	Community Consulting LLC	Sustainable Yield Consulting	-375.00	49,585.71
Check	04/13/2021	25859	CIT Technology Fin Serv, Inc	Copier Lease	-675.00	48,910.71
Check	04/13/2021	25860	The Standard	Retirement Plan Administration (January - March 2021)	-7,815.23	41,095.48
Check	04/13/2021	25861	The Kiplinger Tax Letter	Subscription Renewal	-99.00	40,996.48
Check	04/13/2021	25862	Premiere Global Services	Teleconference Services	-26.88	40,969.60
Check	04/13/2021	25863	Reserve Account	Postage Meter Replenishment	-300.00	40,669.60
Transfer	04/13/2021			Funds Transfer (replenish low checking balance)	50,000.00	90,669.60
Transfer	04/15/2021			Funds Transfer Payroll	-25,000.00	65,669.60
Liability Check	04/19/2021	4192021	United States Treasury	74-2488641 Directors Liability Taxes	-321.30	65,348.30
Deposit	04/21/2021			Deposit (permittee production fees, and application fees)	17,672.15	83,020.45
Liability Check	04/22/2021	EFT	Reliance Trust Company	Bi-weekly retirement and loan pmt	-4,031.44	78,989.01
Liability Check	04/22/2021	EFT	United States Treasury	74-2488641 Employee Payroll Taxes	-8,398.29	70,590.72
Check	04/22/2021	25878	Enoch Keever PLLC	February/March 2021 EP Legal Services	-270.00	70,320.72

Check	04/22/2021	25879	Innovation Event Management, LP	2021 Texas Groundwater Summit Sponsorship	-1,500.00	68,820.72
Check	04/27/2021	25864	Orsak Landscape Services	Landscape Services	-67.00	68,753.72
Check	04/27/2021	25865	Sam's Club	Canteen	-141.38	68,612.34
Check	04/27/2021	25866	Waste Management of Texas, Inc.	Trash and Recycling Service	-501.11	68,111.23
Check	04/27/2021	25867	Pedernales Electric Cooperative	Electricity	-338.65	67,772.58
Check	04/27/2021	25868	Proactive Environmental Products LLC	Aquifer Science - micron filters	-184.50	67,588.08
Liability Check	04/27/2021	25869	AFLAC	Employee-paid Supplemental Insurance Premium	-146.69	67,441.39
Check	04/27/2021	25870	City of Austin	VOID: Water Utilities	0.00	67,441.39
Check	04/27/2021	25871	Fidelity Security Life Insurance Company	May Supplemental Gap Insurance Premium	-989.94	66,451.45
Liability Check	04/27/2021	25872	Sun Life Financial	May Dental/Vision/Life/ST & LT Disability/AD&D Premium	-1,256.05	65,195.40
Liability Check	04/27/2021	25873	United Healthcare	May Health Insurance Premium	-11,908.96	53,286.44
Check	04/27/2021	25874	Tammy Raymond	Expense and Mileage Reimbursement	-249.80	53,036.64
Check	04/27/2021	25875	MORF, LLC	Consulting - Board of Directors Team Build - Task Order 2	-1,218.00	51,818.64
Check	04/27/2021	25876	SledgeLaw Group	March- Monthly Legislative Fee	-4,000.00	47,818.64
Check	04/27/2021	25877	City of Austin	Water Utilities	-13.82	47,804.82
Transfer	04/29/2021			Funds Transfer Payroll	-26,000.00	21,804.82
Transfer	04/29/2021			Funds Transfer (replenish low checking balance)	50,000.00	71,804.82
					<u>3,498.39</u>	<u>71,804.82</u>

Item 4

Public Hearing

The District will hold a public hearing on: 1) proposed Desired Future Conditions (DFCs) for the Trinity Aquifer (throughout GMA-9), the Edwards-Trinity Plateau Aquifer (Kendall County), the Ellenburger-San Saba Aquifer (Kendall County), and the Hickory Aquifer (Kendall County), and 2) proposed Non-Relevant Aquifer classifications for the Edwards Aquifer-Balcones Fault Zone Aquifer (Bexar, the Comal, Hays, and Travis Counties), the Edwards-Trinity Plateau Aquifer (Blanco and Kerr Counties), the Ellenburger-San Saba (Blanco and Kerr Counties), the Hickory Aquifer (Blanco, Hays, Kerr, and Travis Counties), the Marble Falls Aquifer (Blanco County) adopted by GMA-9. The Board will accept oral comment, testimony, and other documentation and information relevant to the proposed DFCs and Non-Relevant Aquifer Classifications.



NOTICE OF PUBLIC HEARING

Notice is given that a **Public Hearing** by the Board of Directors of the Barton Springs/Edwards Aquifer Conservation District will be held, via telephone and video conference (Zoom link provided below), during its Regular Meeting on **Thursday, May 13, 2021, at 4 p.m.** for the following purpose:

Groundwater Management Area 9 Proposed Desired Future Conditions and Relevant Aquifer Designations

At an open meeting of the **Groundwater Management Area 9 Joint Planning Committee (GMA-9)** held on March 22, 2021 via videocall, and attended by representatives from the following groundwater conservation districts located wholly or partially within Groundwater Management Area 9: Bandera County River Authority and Groundwater District, Barton Springs/Edwards Aquifer Conservation District, Blanco-Pedernales Groundwater Conservation District, Comal Trinity Groundwater Conservation District, Cow Creek Groundwater Conservation District, Headwaters Groundwater Conservation District, Hays-Trinity Groundwater Conservation District, Medina County Groundwater Conservation District, Southwestern Travis County Groundwater Conservation District, Trinity-Glen Rose Groundwater Conservation District; GMA-9 considered and adopted the following Proposed Desired Future Conditions (DFCs) for GMA-9 regional groundwater planning purposes:

Groundwater Management Area 9 Proposed Desired Future Conditions and Relevant Aquifer Designations

Major or Minor Aquifer	Proposed Desired Future Condition*
Trinity	Allow for An Increase in Average Drawdown of Approximately 30 Feet Through 2060 (throughout

	GMA 9) Consistent With "Scenario 6" in TWDB GAM Task 10-005
Edwards-Trinity (Plateau)	Allow for No Net Increase in Average Drawdown in Bandera and Kendall Counties through 2080
Ellenburger-San Saba	Allow for An Increase in Average Drawdown of No More Than 7 Feet in Kendall County through 2080
Hickory	Allow for An Increase in Average Drawdown of No More Than 7 Feet in Kendall County through 2080

*Allow for DFC variance of up to five percent when comparing DFCs to average drawdown calculations from model files.

Proposed Designation of Non-Relevant Aquifers

Proposed Non-Relevant Aquifer Classification	Applicable Areas Within GMA 9 (All or Portions of the Following Counties, as applicable)
Edwards Aquifer (Balcones Fault Zone)	Bexar, Comal, Hays, and Travis counties
Edwards-Trinity (Plateau)	Blanco and Kerr counties
Ellenburger-San Saba	Blanco and Kerr counties
Hickory	Blanco, Hays, Kerr, and Travis counties
Marble Falls	Blanco County

Members of the public are invited to attend and provide oral comment, testimony, and/or submit other documentation and information relevant to the Proposed DFCs and Relevant Aquifer Designations to the Board of Directors at this Public Hearing.

If unable to attend the Public Hearing, members of the public are invited to submit written comments, testimony, and/or other documentation and information relevant to the Proposed DFCs and Relevant Aquifer Designations via the U.S. Postal Service, hand delivery or via email to the Board of Directors at the District Office located at the physical mailing address or email address described below:

GMA 9 has prepared standardized Public Comment Forms to help you organize and substantiate your submission. This form is available at the address above or on our website at bseacd.bseacd.org.

The Public Comment period runs from April 1, 2021 through June 30, 2021.

The District will prepare a report of any relevant comments received at the Public Hearing and attach any written comments, testimony, and/or other documentation and information relevant to the Proposed DFCs and Relevant Aquifer Designations received through June 30, 2021. This

report and attachments will be provided to the GMA-9 Committee for their review, consideration, and incorporation into the DFC decision-making process.

Join the Meeting using Zoom – use your computer audio/video features
<https://us02web.zoom.us/j/83815354713?pwd=VIE5MjhLTUQ2QVFCWThaRmhSNGhOdz09>

Meeting ID: 838 1535 4713

Passcode: 821328

Join the Meeting by Telephone only

Meeting Dial In +1-346-248-7799

Meeting ID: 838 1535 4713

Passcode: 821328

Questions or requests for additional information may be submitted to:
Michael Redman telephone 512-282-8441, email mredman@bseacd.org or at the District Office:

Barton Springs/Edwards Aquifer Conservation District, 1124 Regal Row, Austin, TX 78748

The District will make available in the District Office at the address above a copy of the documentation of factors considered under Texas Water Code section 36.108(d) and groundwater availability model results.

Came to hand and posted on a Bulletin Board in the Courthouse, Caldwell County, Texas, on this, the _____ day of April 2021, at _____ p.m.

_____, Deputy Clerk
Caldwell County, TEXAS

Blanco-Pedernales Groundwater Conservation District

P.O. Box 1516 Johnson City, Texas 78636 (830) 868-9196 FAX (830) 868-0376
manager@blancogw.org

April 1, 2021

To: The Board President and/or the Designated Representative of the Bandera County River Authority and Groundwater District, Barton Springs/Edwards Aquifer Conservation District, Blanco-Pedernales Groundwater Conservation District, Comal Trinity Groundwater Conservation District, Cow Creek Groundwater Conservation District, Headwaters Groundwater Conservation District, Hays-Trinity Groundwater Conservation District, Medina County Groundwater Conservation District, Southwestern Travis County Groundwater Conservation District, Trinity-Glen Rose Groundwater Conservation District, and

From: Ronald G. Fieseler, P.G., Chairman of GMA 9

RE: Approval of Proposed Desired Future Conditions, Proposed Designation of Non-Relevant Aquifers by GMA 9, and Public Hearing Process

Dear Board Presidents or Designated Representatives,

In accordance with Texas Water Code § 36.108(d-2), you are hereby notified that, during an Open Meeting held on March 22, 2021, GMA 9 voted and approved for distribution the following Proposed Desired Future Conditions (DFC) and proposed that various aquifers be designated as "Non-Relevant" in certain portions of GMA 9 for GMA 9 regional groundwater planning purposes.

Proposed Desired Future Conditions

Major or Minor Aquifer	Proposed Desired Future Condition*
Trinity	Allow for An Increase in Average Drawdown of Approximately 30 Feet Through 2060 (throughout GMA 9) Consistent With "Scenario 6" in TWDB GAM Task 10-005
Edwards-Trinity (Plateau)	Allow for No Net Increase in Average Drawdown in Bandera and Kendall Counties through 2080
Ellenburger-San Saba	Allow for An Increase in Average Drawdown of No More Than 7 Feet in Kendall County through 2080
Hickory	Allow for An Increase in Average Drawdown of No More Than 7 Feet in Kendall County through 2080

*Allow for DFC variance of up to five percent when comparing DFCs to average drawdown calculations from model files.

Proposed Designation of Non-Relevant Aquifers

Proposed Non-Relevant Aquifer Classification	Applicable Areas Within GMA 9 (All or Portions of the Following Counties, as applicable)
Edwards Aquifer (Balcones Fault Zone)	Bexar, Comal, Hays, and Travis counties
Edwards-Trinity (Plateau)	Blanco and Kerr counties
Ellenburger-San Saba	Blanco and Kerr counties
Hickory	Blanco, Hays, Kerr, and Travis counties
Marble Falls	Blanco County

This letter will be mailed today, April 1, 2021. This mailing will trigger a Public Hearing process that will last a minimum of 90 days. GMA 9 has proposed that this period extend from Thursday, April 1, 2021, through Wednesday, June 30, 2021, a total of 91 days.

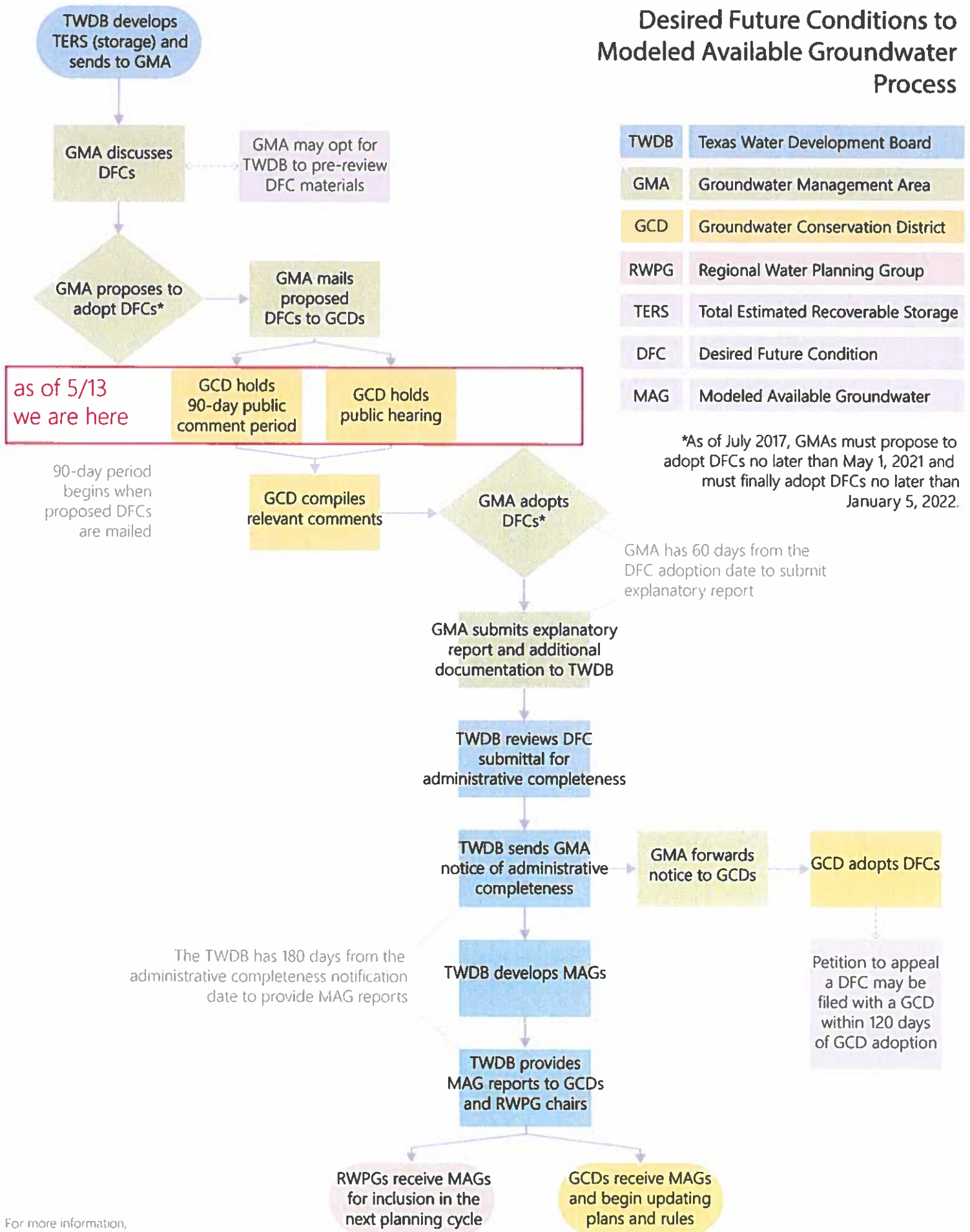
During the public comment period and after posting notice as required by Texas Water Code §§ 36.063, and 36.101(d), each District shall hold a public hearing on any proposed Desired Future Conditions relevant to that District. During the public comment period, the District shall make available in its office a copy of the proposed desired future conditions and any supporting materials, such as the documentation of factors considered under Texas Water Code § 36.108(d) and groundwater availability model run results. After the public hearing, the District shall compile for consideration at the next joint planning meeting a summary of relevant comments received, any suggested revisions to the proposed desired future conditions, and the basis for the revisions.

Supporting documents, including those developed by the GMA 9 Explanatory Report consulting team, relevant GAM runs, etc., will be provided to each GCD.

Please feel free to call or email me if you have any questions.

Ronald G. Fieseler, P.G.
Chairman, GMA 9

Desired Future Conditions to Modeled Available Groundwater Process



Item 5

Board Discussions and Possible Action

- a. Discussion and possible action related to the selection of the recipients of the Kent S. Butler Memorial Groundwater Stewardship College Scholarships.**

BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT
KENT S. BUTLER MEMORIAL
GROUNDWATER STEWARDSHIP SCHOLARSHIP
ESSAY CONTEST GUIDELINES AND RULES

The District's college scholarship is dedicated as a memorial scholarship honoring one of Austin's most influential environmental planners, Kent Butler. Dr. Butler specialized in bringing science and policy together. He encouraged open conversation, collaboration, and participation from all perspectives. The Kent S. Butler Groundwater Stewardship Scholarship Essay Contest increases the awareness of groundwater issues by rewarding high school students for high quality research and writing. The \$2,500 scholarship can be applied toward tuition for any college, community college, or training institution. A panel of independent judges reviews all essays and score them based on content, accuracy of information, originality, grammar, quality of research, and style. The judges represent a cross-section of skills and expertise.

Essays must generally discuss groundwater issues, which may include but are not limited to non-point source pollution, pollution prevention, water conservation, hydrogeology, or other groundwater topic. While essays must focus on groundwater issues, applicants do not have to be planning a career path in a water-related field.

1) ELIGIBILITY

- a) The essay contest is open to high school juniors, seniors, and immediate graduates. Students must reside in one of the eight school districts overlapping the District boundary. These eight independent school districts are: Austin, Del Valle, Dripping Springs, Eanes, Hays Consolidated, Lockhart, San Marcos Consolidated, and Wimberley.
- b) Students must attend (or have attended) a public, private, or other accredited school located within the boundaries of those school districts.
- c) Students should be currently attending high school or alternatively have graduated or completed their G.E.D. within the academic year for which the scholarship contest is being held. (If G.E.D. will be taken after the submission deadline, proof of intent to take G.E.D. should be submitted with application. G.E.D. students who are awarded a scholarship must submit a copy of their G.E.D. certificate prior to District disbursement of funds.)
- d) Students who have previously been awarded a BSEACD scholarship are not eligible.

2) JUDGING CRITERIA

Essays will be judged on the basis of originality (30%), quality and style of writing (20%), grammar and spelling (20%), accuracy of information (20%), and bibliography and proper citation of information used in the essay (10%). All applications must also include a statement of purpose and a high school transcript.

3) ESSAY GUIDELINES

- a) Format:
 - i) Page margins of one inch on all sides, typewritten in Times or Times New Roman font, double-spaced, 12-point text.
 - ii) Between 1,000 and 1,500 words OR no more than six pages single-sided or three pages double-sided.
 - iii) Please do not include images or photos. Graphs and maps are acceptable.
 - iv) **Please include a bibliography and cite your sources.**
- b) Topic:

The topic of essays for the contest must discuss general groundwater issues that may include but are not limited to non-point source pollution, pollution prevention, water conservation, and hydrogeology.

4) SUBMISSION GUIDELINES

- a) A completed application form that contains contestant's name and contact information should accompany each essay. Essays should be titled, but the contestant's name should not appear anywhere on the pages of the essay so that they may remain anonymous during the judging. (Upon arrival at the District office, essays will be numbered and the application will be separated from the essay. This is to ensure that judges will not know who authored the essay).
- b) Applications and essays may be stapled together and need not be put in a folder or slick report cover.
- c) Essays must be received by 5:00 p.m. on the deadline.

5) SELECTION OF JUDGES

- a) District staff will solicit input from the Board of Directors and will select between six and ten judges each scholastic year to score essays. Only one District staff person and either one District Board member or Advisory Committee member may judge essays in any scholastic year.
- b) The additional judges will be individuals who live or work within the counties containing eligible schools.
- c) The same individuals may not be judges in consecutive years of the scholarship contest.
- d) Judges for the BSEACD Scholarship contest must not be aware of the author of any essay or have advised any contestant on the writing of an essay for the BSEACD contest.
- e) No individual may be a judge if they are related in any way to a contestant.

6) JUDGING

- a) Each judge will review and score essays on the basis of the criteria outlined above.
- b) An average score for each essay will be calculated and used to determine winners.
- c) If there are more than 20 applicants with eligible essays, essays will be divided into groups and scored by a subset of judges. The essays that received the top three highest scores out of each group will be submitted to a subcommittee of the Board plus the GM for final nomination.

7) AWARDS

- a) Amounts:
One scholarship of \$2,500 will be given to the top essay as determined through the judging process described above. (Number of selected winners is subject to funding.)
- b) Payments:
 - i) Scholarship will be paid to the college, university, training, or other educational entity of the winner's choice to be applied towards their education or training for the 2021-2022 school year (or the 2022-2023 school year if the winner is currently a junior).
 - ii) Winners must request for the District to disburse payment for the total of the scholarship award no later than August 1st, 2021 following the award of the scholarship. This request must include contact information for the institution and financial aid mailing address, in addition to any other pertinent information (such as student ID number).
 - iii) At the time of the request, if the winner is under 18, a letter of acknowledgment signed by the winner's parent or legal guardian must accompany the request.
 - iv) If the request for payment is not received by the above deadline, the award money will revert back to the District. The Board of Directors reserves the right to refuse distribution of funds if minimum guidelines and rules are not satisfied.

8) WINNING ESSAYS

- a) The District reserves the right to reprint in summary, part, or whole the winning essay of its scholarship contest and any photos of the winner.
- b) Winning essays from prior BSEACD scholarship contest years may not be re-entered in the BSEACD scholarship contest.
- c) Winning essays from other essay contests may not be entered or re-entered in the BSEACD scholarship contest.

Applicant 5

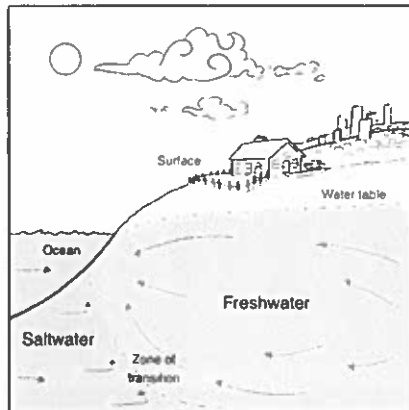
Groundwater Essay

Saltwater Intrusion in Floridian Aquifers

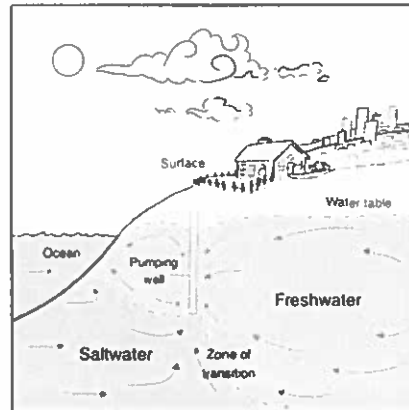
As a Floridian, I like to act as though I despise Florida. In reality it is rather lovely; brimming with biodiversity and an interesting melding of cultures. The Sunshine State is known for its tourist destinations, bright beaches, spectacular wildlife, persistent swamps, and tropical storms. The last thing a visitor would assume is that Florida is on the verge of an interstate freshwater crisis.

Climate change is a monumental threat to Florida in a compounded sense. All of what is typically associated with it-- warming temperatures, warming waters, rising oceans, rising storms-- pose threats to life in the state as is, human or otherwise. The effects are seen through the worsening droughts “every decade” and the ravaging hurricanes that destroy infrastructure, habitats, homes, and lives (Heggie, 2021). But when these events are broadcasted, only the surface of the issue is shown. In reality, the billions of gallons of Floridian groundwater residing deep underground are at stake. Its peril is only exacerbated by each of these changes.

Saltwater intrusion, as described by the United States Geological Survey, is the landward vertical or horizontal movement of saltwater into freshwater sources. The diffuse zone where brackish water results from the two is known as the zone of transition, typically residing along the coast (USGS). Usually, the saline water is prevented from mixing with the freshwater because of the natural seaward movement of freshwater, only combining in this zone. However, with excessive groundwater pumping and drastic changes to the environment, saltwater intrusion becomes more plausible as it moves to take up the space left behind. In effect, it diminishes both the quality and quantity of freshwater as it pushes the zone of transition more inland.



Natural Conditions



Saltwater Intrusion

The threat of saltwater intrusion is imminent to millions of lives, whether they are aware of it or not; every day, Floridians consume “an estimated 4.1 billion” gallons of groundwater, half of which is delineated to recreational and household use, and the rest is necessary for functions like agriculture, manufacturing, and power supply (Bauta). The Turkey Point Power Plant is a nuclear power plant-- a system meant to provide clean energy for Floridian cities like Miami. It alone requires 39 canals to function as a natural “massive radiator”, only to leave saltier water left to seep down to its aquifer (Lambrecht, 2020). When the power plant was first built, there was hardly any consideration for how it would affect the water systems around it. Such is the trend for much of Florida’s history in the 20th Century, beginning with the dredging of canals in the Everglades during the 1930s in order to drain it for farmland (Feltgen, 2015). Not only do actions like these disrupt the delicate cradle of an ecosystem that are estuaries and swamps, but saltwater intrusion takes its toll on these “natural barriers to the mainland” by transforming it to an extension of the sea (Machado). Locations like Cape Sable act like “canaries in the coal mine”; the environments that once hosted unique species and life are effectively destroyed because of saltwater intrusion, making life inhospitable for significant species like sawgrass (Lambrecht, 2020). With one fall of a species, the rest are soon to follow.

Though Florida is recognized as the fifth rainiest state in the U.S. and receives approximately 51 inches of rain a year, it is hardly enough to compensate for the apparent rise in sea level and storm surge voracity (Heggie, 2021). Even accounting for the substantial rain, only a rough fourth of precipitation that reaches the earth (about 13 inches) will soak into the ground and recharge Florida's aquifers (Heggie, 2021). In comparison, the Southeast Florida Regional Climate Change Compact determined from data gathered from the Intergovernmental Panel on Climate Change and the National Oceanic and Atmospheric Association that by 2040, the sea level "would rise between 10 and 17 inches" (Lambrecht, 2020). Over the hundreds of years of rapidly increasing groundwater consumption, the water tables of Floridan aquifers have already decreased relative to our current sea level. Thankfully, we can measure not only the changes in weather, but also the changes in a water sample's composition. Aquifers can be monitored for contamination through several methods, including electromagnetism. Since 1999, the USGS has remained vigilant of saltwater intrusion in Florida's groundwater, including that of the Biscayne Aquifer. They recorded that by 2018, the "saltwater wedge" that resides at the bottom of the aquifer had grown in breadth by 20 feet (Lambrecht, 2020). To confirm the intrusion, the USGS tested the chloride concentration of the water. For reference, the level of chloride concentration in seawater approximates 35,000 mg/L; the chloride concentration within the groundwater was rapidly increasing, totaling about 12,000 mg/L (Lambrecht, 2020). What remains is the harrowing fact that much of Florida's freshwater is currently brackish.

Efforts to reverse the effects of saltwater intrusion are occurring all around the state. On smaller scales, children are taught by educational platforms to reduce the amount of water they use in the bathroom. On larger scales, the South Florida Water Management District has reportedly approved 488 "nontraditional" projects since 1997 for aquifer storage and recovery, reclaimed

water use, sustainable irrigation, and reverse osmosis plants for an estimated \$1.4 billion (Feltgen, 2015). The SFWMD also incentivizes municipalities to adopt new methods to conserve and monitor their water usage. The establishment of reverse osmosis plants across the state has also improved the state's ability to provide safe and potable water when much of the available water is brackish. While the conversion of the brackish water to distilled water is vital to Florida's water supply-- especially during dry periods-- the process is arduous and requires hefty sums of money to support. Additional efforts to control saltwater intrusion by South Florida governments include maintaining these salinity control centers, performing sustainable methods of irrigation, drawing upon multiple aquifers (as to not rely on one), limiting water use on lawns, and relocating wells that have been compromised (Feltgen, 2015). New facilities and infrastructure alone total more than \$30 million (Feltgen, 2015). However, the necessary finance for these facilities does not appear from nothing. While some funding can be sourced from low-interest funds, the rest must be self-funded (Feltgen, 2015). To account for this, civilians may need to pay more for water in the coming years. What this imposes on already disadvantaged communities is yet to be fully understood.

Florida's aquifers are not exclusive to Florida-- they do not follow state bounds, after all. The Floridian Aquifer alone runs 82,000 square miles across the state, additionally providing freshwater for parts of Alabama, Georgia, Mississippi, and South Carolina (Heggie, 2021). Florida's problem of saltwater intrusion is not exclusive to itself either. America's water basins are at serious risk of total depletion in the coming century. It can be observed across Texas, California, all along the East Coast, even extending past America to Mexico, across the seas to China, the Mediterranean, the Middle East, Northern Africa-- anywhere with anthropogenic activity along the coast, there is saltwater intrusion.

To address the issue, society would need to start with understanding the expanse of it. There is no single group of people responsible for it. Not agriculture, not manufacturing, not civilian, not recreation, not power supply, not government. No individual is responsible for the upkeep of our groundwater, nor should we act as if this were so. The effort to prevent and control saltwater intrusion and excessive groundwater consumption is all-encompassing of our society, and like the natural world we draw it from, we must work individually and as a collective to keep a balance within our ecosystem.

Work Cited

Bauta, Natalie. "Pricing Florida's Groundwater." *WUFT Special Projects*, Project Blue Ether, www.wuft.org/specials/water/pricing-floridas-groundwater/.

Feltgen, Ann Henson. "South Florida Holding off Saltwater Intrusion." *Florida Bulldog*, 15 Sept. 2015, www.floridabulldog.org/2015/06/south-florida-winning-war-against-saltwater-intrusion-but-its-not-cheap/.

Heggie, Jon. "The Floridan Aquifer: Why One of Our Rainiest States Is Worried about Water." *Science*, National Geographic, 10 Feb. 2021, www.nationalgeographic.com/science/article/partner-content-worried-about-water-floridan-aquifer.

Lambrecht, Bill. "Salt Levels in Florida's Groundwater Rising at Alarming Rates; Nuke Plant Is One Cause." *CNS Maryland*, CNS Maryland, 23 Nov. 2020, cnsmaryland.org/2020/11/23/salt-levels-in-floridas-groundwater-rising-at-alarming-rates-uke-plant-is-one-cause/.

Machado, Vickie. "Saltwater Intrusion." *WUFT Special Projects*, Project Blue Ether, www.wuft.org/specials/water/saltwater-intrusion/.

USGS. *Saltwater Intrusion*, United States Geological Survey, www.usgs.gov/mission-areas/water-resources/science/saltwater-intrusion.

Water Conservation Education: an Investment for the Future

For a resource that covers nearly three-fourths of the earth's surface, it may seem meaningless to prioritize conserving it. There is approximately the same amount of water today as there was "millions of years ago," yet 780 million people lack access to an improved water source, 80% of all illnesses in the developing world are water related, and unsafe water kills 200 children every hour ("100 Facts"). Water conservation has been an issue hiding in the shadows for years, but it has only recently been yanked into the spotlight as the world has begun paying attention to climate change and its effect on the planet we inhabit. While water could be conserved by tightening faucets to prevent leaking, turning off the water when brushing your teeth, or only doing a full load of laundry ("17 Tips"), these small behaviors might not cut it. Instead of just looking at what we can do to help the earth now, we must also look to the future. And the best investment we can make – both in ourselves and in our planet – lies in education.

In recent years, a multitude of initiatives have been launched to combat droughts within the United States. One such project, entitled "Connect Our Future," organized communities in North and South Carolina to cut back on their water usage. One of the main tools this project used was "creating water management plans that include a focus on conservation" ("Water Conservation"). Essentially, neighborhoods would create an action plan that involved contacting public schools about water conservation education, listing out wasteful behaviors they could avoid, and volunteering to fix water issues specific to their communities. This project worked on installing new technologies within households including "low-flush toilets, low-flow showerheads, and faucet aerators" ("Water Conservation"). But even though these technologies can reduce water usage by up to 40 or 50% of what a normal utility would use ("17 Tips"), a cause equally as important to this project was "directed outreach for youth" ("Water

Conservation”). The “Connect Our Future” program realized that in order to change people’s behaviors towards water conservation, they must begin educating kids at a young age. It is important to show kids why water conservation matters, what effect their actions have, and what problems we still have left to solve. If we truly want to change some of our wasteful behaviors, we must recognize that this generation probably won’t change, but the next one will.

The effort to conserve water is not exclusive to the United States. Researchers in the Jordan Water Conservation Education Project evaluated 671 students (most of them girls living in rural environments) that belonged to eco-clubs in their high schools. The project exposed 424 of these students to an interactive water conservation curriculum while the other 247 received lectures about biodiversity issues. The study found that even though all of these students were passionate about the environment, the students who were exposed to the interactive curriculum “demonstrated a higher level of knowledge about water conservation and performed recommended” water conservation behaviors more often than the other 247 students (Middlestadt). A water conservation education exposes students to water problems and gives them the tools they need to solve them. If a kid makes these behaviors instinctual at a young age, these behaviors might become second nature to their children.

Water conservation is a pressing issue, but not everyone shares this same perspective. In a survey detailing public attitudes toward water conservation in several northeastern Colorado communities, researchers found that people “with less than a high school education or earning incomes of less than \$15,000 per year more often opposed the various water conservation alternatives” (Flack). This highlights why education is so important: people become more open to water related innovations when they are better educated. Furthermore, the survey found that individuals “in communities with lawn watering restrictions were more willing to install

water-saving devices” (Flack). This is significant because it demonstrates how people will only value water conservation if it can have a tangible impact on their life. If we expose people to water conservation, they will be more likely to advocate for restrictions and further the discussion of saving every drop of water that we can.

While a water conservation based education will definitely help transform a country’s values and increase awareness for water conservation issues, researchers in Morocco wished to determine what type of instruction would produce the best educated students and result in the greatest change in behaviors. The researchers observed that while Morocco had already incorporated water-related topics into its Primary and Lower Secondary levels, there was a “lack of field and extracurricular activities” (Amahmid). They further noted that while “students’ attitudes towards water were positive, their daily water use habits” did not reflect these attitudes (Amahmid). To combat this issue, the researchers advocate for more field trips and hands-on extracurricular activities. These innovative experiences help kids visualize how their actions can make a difference. If we incorporate more environmentally themed excursions into American Elementary schools, students might start to value water conservation as much or almost as much as other kids around the world.

A water conservation education cannot simply barrage children with facts about water because telling people that “[t]hree quarters of all Americans live within 10 miles of polluted water” or that about “400 billion gallons of water are used in the United States per day” won’t change anyone’s behavior (“100 Facts”). We should absolutely try to create new innovations that save water, but a cause that is equally if not more important than this is educating children about their water footprint and how they can reduce it. Introducing an interactive curriculum can have a huge effect on kids’ behaviors, even in children who are already passionate about saving the

environment, but an even better approach to teaching water conservation is through field trips and other activities that enable kids to see the far reaching effects that water has on our daily lives.

Water conservation will undoubtedly be a problem that will linger long into our future, and we would be foolish if our solution to this problem did not also involve an investment in our future. Educating our students about the importance of water conservation is a surefire way to ensure that people will care about water enough to save lives before they are lost. As a future educator, I am dedicated towards ensuring that my students will value water conservation, climate change, and, maybe most importantly, their own education. My future students will have the tools they need to change the world, and hopefully, that is exactly what they will do.

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Applicant 6

Kent Butler Groundwater Essay

Climate Change and Its Effects on Texas Groundwater Aquifers

Growing up in the Austin area, one of my first exposures to groundwater knowledge was at our local Barton Springs park. Fed directly by San Antonio's far reaching Edwards Aquifer, the rushing water and tight packed caves were a foundational part of my childhood. Yet in my blissful ignorance, I failed to recognize that aquifers are not known for their longevity. With a harsh history of droughts in central Texas, there was no telling how long it'd be for the supply to disappear with the ramping up of climate change. It's no secret that climate change has already led to dramatic shifts in Texas climate, including the recent snow storm and record summer highs. The severity of the situation becomes all the more apparent when we look at the agricultural industry, and most importantly, the fact that a majority of the state depends on these diminishing groundwater aquifers to survive.

Due to their nature as a water recharging and recycling center, estimated usable lifetimes for aquifers have remained only that: estimates. A variety of factors are capable of determining the rate of depletion for aquifers, from usage to annual rainfall to artificial recharge (Sophocleous). The general trend of groundwater depletion has been relatively linear in its descent, though several bumps in the road have made it far more difficult to anticipate the following year's saturated thickness, or the vertical thickness of porous rock filled with water in an aquifer (Schloss).

Texas is no stranger to droughts, and even more so intense heat. When looking at just the 21st century, with the most recent drought being 2020, our ability to cope with harsh weather grows more strained by the day. As boil water notices swept through the Austin area, residents descended into chaos, clearing countless shelves of their water bottles to the point of enforced

buying limitations. If we look farther back into the beginning of the century, 2005 and 2007 had brought about year long droughts, resulting in a loss of over \$4.1 billion. Following soon after was the 2010 drought, which led to at least \$5.2 billion lost and the one of the driest years in Texas history (Henry). Not accounting for the long-term impacts of depleted aquifer recharge in those years, the loss of surface water in the form of lakes and rivers only contributed to worsening conditions. Considering that the time for an aquifer to fully replenish itself ranges from years to centuries, Texas' fluctuating weather patterns prove to hinder proper recharge.

Unfortunately, Texas' population is estimated to double in the next 50 years, and even then the tech boom in Austin has yet to be accounted for (Henry). As of 2020, the current demand for water in Texas is a whopping 18.4 million acre-feet per year (TWDB). With this rapidly increasing trend of water exploitation, the estimated lifetime for artesian zones decreases with each observation of yearly consumption trends (Schloss). According to the 2017 Texas state water plan, water usage and demand has increased in areas such as manufacturing, steam-electric, mining, and livestock. While irrigation, with its long history of greatest water use in Texas, has noticeably decreased in its demand due to improved technology, the uncertainty of these demands alongside population growth makes it increasingly more difficult for the state to draft an accurate water plan.

So how does climate change play into this water roulette? It's a well established fact that climate change has the capability to affect yearly weather conditions with a mixture of heavy torrential rain and periods of extreme drought and heat, primarily in the Southern region. These bouts of rain prove to be of high risk for flash flooding, especially since Texas soil is usually dried due to its typically hot condition. A sudden onslaught of rain would result in the contamination of surface water as flash flooding drags unwanted debris into vital sources, and

seeing as the predictability of weather has changed for the worse, attempts to prepare for such situations may not be as effective as they had been in the past (Climate Central). As threats of harsher droughts loom across the state, so does the urgency for water demand, primarily in the agricultural industry.

In terms of our aquifer situation, however, these turn of events may prove to fix a part of the depleting water supply. In a 2015 study conducted by Qian Yang and Bridget Scanlon of UT Austin, they'd found that when compared to typical surface reservoirs such as lakes, depleted aquifers proved to be much more efficient in their storage capacity (Ravilious). Not only could the depleted aquifers help to mitigate intense flooding through redirection of run-off, but they would also play a crucial role in storing water during periods of drought. Safe beneath the earth, groundwater aquifers would provide the perfect solution to areas suffering from both floods and droughts.

According to another study though, it was found that upon taking into consideration the increase in pumping alongside population growth, when in severe drought conditions, there was not a viable method of pumping that would not result in discharge shortages in areas such as San Marcos and Comal springs. Unless groundwater removal is severely cut back and regulated, the rate at which the Edwards region is developing will undoubtedly be threatened by $2 \times \text{CO}_2$ climatic conditions (Loáiciga). However, this study was only a simulated experiment of what the scientists had thought would replicate the aquifers' saturated thickness over the course of global warming. Because these models were unable to take into account natural variables such as torrential rains or differing weather conditions outside of drought season, there is some room for error in the findings.

Ultimately, the situation with Texas' essential aquifers is a complicated scenario to judge. There are countless "what-if's" that could throw these predictions entirely off course: unexpected weather consequences of climate change or human interference. All we do know is that the Edwards Aquifer, like all others, is a finite resource, and with the rate at which our world continues to develop and boom, it's only a matter of time until it's gone. Conservation groups have sought alternatives to mass pumping, and one of the most effective methods has been the development of better technology to regulate the water already available on the surface. The irrigation water demand is a clear product of that. Groundwater conservation is a fickle task and climate change an even fickler antagonist. We can only hope that as we make leaps and bounds in technological innovation, so too does our understanding of the natural world around us.

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Item 5

Board Discussions and Possible Actions

b. Discussion and possible action on permittee's monthly drought compliance.

Item 5

Board Discussions and Possible Actions

c. Discussion and possible action on an amendment to the FY 2021 Budget.



FY 2021 INITIAL BUDGET

**DRAFT
REVISION 1**

Budgeted Permitted Pumpage 4,183,365,861 Gallons

I. INCOME			
A. Production Fees, and Water Use Fee:	GALLONS		
Actual Authorized Pumpage Revenue (17¢ per 1,000 gallons)	2,653,673,113	\$451,124	
Actual Authorized Pumpage Revenue (44¢ per 1,000 gallons)	327,912,748	\$144,282	
Actual Authorized Agriculture Pumpage Revenue (\$1.00/acre-foot)	289,180,000	\$887	
Total Actual Authorized Pumpage/Production Fees	3,270,765,861	\$596,293	
Pending Permit Increases (@ 17¢ per 1,000 gallons)	912,600,000	\$155,142	
Total Projected Permitting Revenue less Agriculture	3,894,185,861	\$751,435	
Total Budgeted Permitted Pumpage with Agriculture	4,183,365,861		
Water Use Fee - City of Austin Assessment		993,017	
		\$1,744,452	
Pending Permit Increases (@ 17¢ per 1,000 gallons)		-\$155,142	
Water Transport Fees (\$0.31/1,000 gallons)	400,000,000 gallons	\$124,000	
Total Production Fees, and Water Use Fee		\$1,713,310	
B. Other Fees:			
Annual Permit Fees		\$5,700	
Administrative Fees - Permit Application and Development		\$9,800	
Total Other Fees		\$15,500	
C. Other Income:			
Interest Income		\$12,000	
Total Other Income		\$12,000	
D. Project Funds (Previously Received in 2020)			
General Fund - Scholarship Donations Received		\$1,000	
Total Project Funds (Previously Received in 2020)		\$1,000	
E. Transfers			
Transfer Out (from General Fund in to Contingency Fund)		-\$5,000	
Transfer In (from General Fund for previous Scholarship Donations)		\$0	
Transfer In (from Contingency Fund into General Fund)		\$0	
Transfer In (from General Fund - Deposits Held)		\$0	
Total Transfers		-\$5,000	
TOTAL PROJECTED INCOME		\$1,736,810	
		137,212	
		\$1,874,022	
	(11,000)	\$1,000	TextPool General Fund only: six months interest (Sept. Feb) = \$460
	(1,000)	\$0	Move to Transfers In - below:
	1,000	-\$5,000	
	93,636	\$93,636	To cover unexpected election expenses.
	54,576	-\$54,576	Refund to EP their SOAH deposit funds remaining
		\$144,212	

II. EXPENDITURES			
A. Operational Expenses			
Electricity & Water		\$6,000	
Telecommunications Services	Phone/Internet	\$17,000	
Printing / Copying / Photo Processing		\$2,000	
Postage / Freight / Shipping		\$2,500	
Office Supplies / Canteen		\$9,000	
Furniture		\$1,500	
Computer Hardware / Supplies / AV Equipment	Non-Capital	\$6,000	
Computer Software Maintenance/Upgrades/Acquisitions		\$6,000	
Information Technology Monthly Maintenance	Integritex	\$17,400	
Board Meetings and Staff Meetings		\$2,000	
Subscriptions / Publications		\$4,200	
Advertising and Public Notices		\$4,000	8,000
Accounting System Operation and Maintenance		\$7,200	Two GMA required public notice ads are \$4,300 each
Bank and Payroll Processing Fees (Miscellaneous)	QB/Jourmyx	\$1,000	
Upgrades, and Repair and Maintenance:			
Fleet Maintenance / Repair		\$6,500	
Office Complex Maintenance / Offices / Lawn		\$11,400	
Facilities General Repair & Maintenance		\$5,000	
Leases:			
Postage Meter Lease		\$1,150	
Copter Lease and Maintenance	Quarterly Lease	\$9,500	
Directors Conferences / Travel		\$2,500	
Organizational / Staff Professional Dues and Memberships		\$6,100	
Insurance (Auto, Liability, Property, E&O, Public Bonds)		\$7,070	
Professional Development		\$16,500	
Conservation Credits	Revenue Deduction	\$19,149	
Total Operational Expenses		\$170,669	\$178,669
B. Salaries and Wages			
Salaries and Wages		\$838,061	
Interns		\$30,000	
Directors' Fees of Office	9000 Legislative Cup	\$40,000	
Total Salaries and Wages		\$908,061	\$908,061

C. Employment Taxes and Benefits, and Group Insurance			
Employment Taxes and Benefits			
Payroll Taxes	7.65%	\$69,467	\$69,467
Texas Workforce Commission Unemployment Taxes	1.6% in 2020	\$2,600	\$2,600
Workers Compensation Insurance	TML	\$3,812	\$3,812
Employee Pension Plan Contribution	7.50%	\$61,000	\$61,000
Total Employment Taxes and Benefits		\$136,879	\$136,879
Group Insurance			
Group Health Insurance (Employee only)	All Savers and SISlink	\$118,364	\$118,364
Group Health Insurance (Dependent Coverage)	25%	\$15,000	\$15,000
Dental Insurance (Employee only)	MetLife	\$8,150	\$8,150
Life Insurance (Employee only)	Unum	\$13,000	\$13,000
Vision Insurance (Employee only)	Ameritas	\$1,600	\$1,600
Estimated Healthcare Cost Increase		\$16,000	\$16,000
Total Group Insurance		\$172,114	\$172,114
Total Employment Taxes and Benefits, and Group Insurance		\$308,993	\$308,993
D. Professional Services			
Auditor (Annual)	Montemayor	13,000	13,000
Retirement Plan (Third Party Administration)	The Standard	28,000	28,000
Website and Database		5,000	5,000
Legal - General Services, and Special Services	Bakerstaff (Harris, Vay, Sledge)	135,000	135,000
Legislative Support	Sledge,law	36,000	36,000
SOAH EP Deposit Refund		0	53,404
Election Services	Travis, Hays, and Caldwell Counties	17,000	75,600
Total Professional Services		\$234,000	\$363,004
E. Team Expenditures			
Aquifer Science Team:			
Hydrogeologic Characterization		\$2,000	\$2,000
Water Chemistry Studies		\$2,800	\$2,800
Monitor Well, Equipment and Supplies		\$7,000	\$7,000
Contracted Support		\$23,000	\$23,000
Total Aquifer Science Team		\$34,800	\$34,800
Education and Outreach Team:			
Publications		\$750	\$750
Outreach		\$10,100	\$10,100
General Support		\$5,500	\$5,500
Equipment and Supplies		\$1,000	\$1,000
Contracted Support	Zavala	\$2,000	\$2,000
Total Education and Outreach Team		\$19,350	\$19,350
			Refund to EIP their SOAH deposit funds remaining.
			Actual final election expense

Regulatory Compliance Team:		
Projects and Services	\$5,000	\$5,000
Equipment and Supplies	\$2,500	\$2,500
Contracted Support	\$14,000	\$14,000
Total Regulatory Compliance Team	\$21,500	\$21,500
General Management & Administrative Team:		
Contracted Support	\$21,500	\$21,500
Logo Apparel / Equipment	\$1,500	\$1,500
Additional Administrative Expenses	\$16,400	\$16,400
Total General Management & Administrative Team	\$39,400	\$39,400
Total Teams Expenditures	\$115,050	\$115,050
TOTAL PROJECTED EXPENSES	\$1,736,773	\$1,873,777
		137,004
III. NON-CASH DISBURSEMENTS		
Depreciation Expense	\$50,000	\$50,000
Accrued Benefits Payable (Earned Vacation and Nonexempt Comp)	\$50,000	\$50,000
Total Non-Cash Disbursements	\$100,000	\$100,000
IV. PROJECTED POSITION		
Total District Expenditures	\$1,736,773	\$1,873,777
Total District Revenue	\$1,736,810	\$1,874,022
Current Net Gain / (Loss)	\$38	\$245
Contingency Fund	\$597,791	\$504,730
	As of 5.31.2020	As of 3.31.2021
Summary of Changes:		
Reduce interest income		
Add EIP deposit refund transfer		
Add Travis County election transfer from Contingency		
Change placement of remaining scholarship funds from FY 2020		
Increase advertising to cover \$8,500 in GMA 9/10- required public notices		

Item 5

Board Discussions and Possible Actions

d. Discussion on prerecorded presentation - Public Relations Training 101. Prerecorded Presentation (21 mins):
<https://vimeo.com/543640446>

Public Relations

OVERVIEW/BEST PRACTICES

Barton Springs Education Aquifer

1

OVERVIEW

- News Media
- Social Media
- Public Relations Scenarios for Board Directors
- PR Nightmares
- Next Steps

2

LOCAL NEWS MEDIA (MEDIA THAT MAY COVER DISTRICT NEWS)

- Newspaper**
 - Hays Free Press
 - Community Impact
 - Austin American-Statesman
 - Austin Business Journal
 - Austin Chronicle
 - Wimberley View
 - San Marcos Corridor News
 - San Marcos Daily Record
- Radio**
 - KLBJ Radio
 - KUT Austin
 - Wimberley Valley Radio
- Television**
 - KXAN
 - KVUE
 - KEYE
 - FOX 7 Austin
 - Spectrum News
 - Univision
 - Telemundo

3

nielsen NIELSEN RATINGS (SWEEPS)

Aust in DMA (Designated Market Area)

- KXAN
- KVUE
- KEYE
- FOX 7 Austin
- Univision
- Telemundo

Nielsen Ratings Periods (Sweeps)
February
May
July
November

Demographics - 18-49 Range (Advertising Rates Influenced by Demo)

4

STORY TOPICS DURING TELEVISION SWEEPS

- The dangers of being put under at dental offices
- Unsolved: The mysteries lurking in Lake Travis
- Dishonest Dentists
- Oh, ship!: How the VA broke a veteran's piece of art, refused to reimburse
- Mail-order marijuana: Drug Dealers Using Your Address
- Expensive trips – paid for with your tax dollars!



5

KNOW YOUR REPORTER AND NEWS OUTLET

- Research your reporter. Are they an investigative reporter? Google the stories they have covered in the past. This may give you an indication of the line of questioning.
- Research the news outlet. Television news stations have consultants and are branded. Some examples of branding are "Investigative", "In Depth", "Action News", "Getting You Answers", etc. Even newspapers are specific in their coverage. Austin American-Statesman and Austin Chronicle are very different publications. Again, research the outlet prior to the interview.
- Reporters are not obligated to give you their questions ahead of time. However, it is important to know what information they need. Tell them that you want to be prepared and have the information at your fingertips for the interview.
- If you do not have the answer for a specific question, be honest and say that you will find the answer: and get back to the reporter in a timely manner.
- Be friendly and accommodating.



6

INTERVIEW BEST PRACTICES

- DO'S**
 - Be Prepared!
 - Bridge Your Points
 - Keep Your Composure
 - Respond Positively to Negative Inquiries
 - Use Layman's Terms for the Public at Large (DO NOT USE ACRONYMS)
 - Stick to Your Area of Expertise
 - Smile!
 - Be Empathetic
- DON'TS**
 - Go "Off the Record"
 - Repeat Negative Words
 - Give Personal Opinions
 - Speculate
 - Give Hypotheticals
 - Say "No Comment"
 - Be Unsympathetic

Cited Source: The Ammerman Experience

7

SOCIAL MEDIA/PUBLIC FACING SITES – BEST PRACTICES

- Employees working for the District represent the District on and off duty. View your role on the board as the same.
- Do not make statements that are libelous, defamatory, profane, harassing, or obscene.
- Do not harass, belittle, or criticize a member of the public, employee, or fellow board member in any manner.
- If a District Board Director publishes content on any social media channels not associated with the District and it has something to do with your role as a board director or subjects associated with the District, use a disclaimer such as: "The postings on this site are my own and do not necessarily represent BSEACD's Board positions or opinions."

8

SOCIAL MEDIA/PUBLIC FACING SITES – BEST PRACTICES

- It is best to refrain from posting anything negative about work on social media.
- SOMEONE IS ALWAYS WATCHING!



9

PUBLIC RELATIONS SCENARIOS FOR BOARD

- Controversial
- Emergencies
- Legislative
- Election Campaign
- Community Groups



10

EVERYTHING YOU SAY PUBLICLY CAN BECOME A NEWS HEADLINE *

RECOMMENDATIONS:

Respond to media requests directly and then let General Manager/Communications & Outreach Manager know that you spoke with news outlet.

Contact General Manager/ Communications & Outreach Manager before you contact media for advice on response/assistance. This is especially important for sensitive or controversial topics.

11

TOP PUBLIC RELATIONS NIGHTMARES - EXAMPLES

Top PR nightmares:
What went wrong



12

COMMENTS ON SOCIAL MEDIA CHANNELS OR PUBLIC FACING SITES

Think before you tweet.....



Justine Sacco
@JustineSacco

Going to Africa. Hope I don't get AIDS. Just kidding. I'm white!

10:19 AM · 20 Dec 2013 from Hillingdon, London, United Kingdom

Justin Sacco, PR Director at iAC, boarded an 11-hour flight to South Africa after sending this tweet. By the time she landed, her tweet had caused a media firestorm and she no longer had a job.

13

NEXT STEPS

- Communications & Outreach Manager and General Manager are working on a "News Media and Social Media Policy" as part of an overall expanded strategic communications plan.

14

QUESTIONS/COMMENTS

dmarino@bseacd.org

15

Item 5

Board Discussions and Possible Actions

- e. Discussion and possible action on the Conservation Credit Policy.**



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

MEMORANDUM

Date: May 6, 2021

To: Board of Directors

From: GM and Administration Team

Re: Review of Current Conservation Credit Policy

Documents attached for reference in discussions:

1. Spreadsheet of Conservation Credit History
2. Spreadsheet of Individual Permittees receiving Credits for past 11 years
3. Conservation Credit Policy as stated in the District Rules (pp 94, 125-128,142)
4. Conservation Credit Policy
5. Results of April 2021 Permittee Survey – Conservation Credit Policy

Conservation Credit Totals by Fiscal Year

		Total Credits Earned and Distributed	Permittee Credit Earned	CoA Credit Earned	Total Amt Donated Back (Permittee + CoA)	
CC	FY 2020	\$ 20,183.63	\$ 12,614.77	\$ 7,568.86	\$ 9,745.63	(\$7,568.86 donated by CoA)
CC	FY 2019	\$ 19,148.06	\$ 11,967.54	\$ 7,180.52	\$ 11,710.58	(\$7,180.52 donated CoA)
CC	FY 2018	\$ 21,502.02	\$ 13,438.76	\$ 8,063.26	\$ 12,392.49	(\$8,063.26 donated CoA)
CC	FY 2017	\$ 23,297.49	\$ 14,560.93	\$ 8,736.56	\$ 4,073.42	
CC	FY 2016	\$ 32,382.54	\$ 20,239.09	\$ 12,143.45	\$ 3,839.61	
CC	FY 2015	\$ 38,190.11	\$ 23,868.82	\$ 14,321.29	\$ 6,783.69	
CC	FY 2014	\$ 29,067.95	\$ 18,167.47	\$ 10,900.48	\$ 3,244.64	
CC	FY 2013	\$ 46,443.60	\$ 29,027.25	\$ 17,416.35	\$ 130.00	
CC	FY 2012	\$ 37,526.05	\$ 23,453.78	\$ 14,072.26	\$ 3,356.08	
CC	FY 2011	\$ 25,894.11	\$ 16,183.82	\$ 9,710.29	\$ 3,584.84	
CC	FY 2010	\$ 36,063.31	\$ 22,539.57	\$ 13,523.74	\$ 841.53	
CC	FY 2009	\$ 48,861.44	\$ 30,538.40	\$ 18,323.04	\$ 1,479.90	*Scholarship donations began
CC	FY 2008	\$ 25,794.13	\$ 16,121.33	\$ 9,672.80	\$ -	
CC	FY 2007	\$ 68,082.30	\$ 42,551.44	\$ 25,530.86	\$ -	
CC	FY 2006	\$ 23,498.51	\$ 14,686.57	\$ 8,811.94	\$ -	
CC	FY 2005	\$ 13,607.82	\$ 8,504.89	\$ 5,102.93	\$ -	
CC	FY 2004	\$ 37,908.80	\$ 23,693.00	\$ 14,215.80	\$ -	*The calculation method was changed
CC	FY 2003	\$ 104,002.08	\$ 65,001.30	\$ 39,000.78	\$ -	
CC	FY 2002	\$ 123,662.05	\$ 77,288.78	\$ 46,373.27	\$ -	
CC	FY 2001	\$ 54,563.39	\$ 34,102.12	\$ 20,461.27	\$ -	
CC	FY 2000	\$ 19,773.44	\$ 12,358.40	\$ 7,415.04	\$ -	
CC	FY 1999	\$ 46,095.00	\$ 46,095.00	\$ -	\$ -	
CC	FY 1998	\$ 30,847.00	\$ 30,847.00	\$ -	\$ -	
CC	FY 1997	\$ 57,215.00	\$ 57,215.00	\$ -	\$ -	
CC	FY 1996	\$ 20,670.00	\$ 20,670.00	\$ -	\$ -	
CC	FY 1995	\$ 62,970.00	\$ 62,970.00	\$ -	\$ -	
CC	FY 1994	\$ 34,476.00	\$ 34,476.00	\$ -	\$ -	
CC	FY 1993	\$ 25,537.00	\$ 25,537.00	\$ -	\$ -	
CC	FY 1992	\$ 41,822.00	\$ 41,822.00	\$ -	\$ -	*Policy Changed
User rebates	FY 1991	\$ 63,323.00	\$ 63,323.00	\$ -	\$ -	
User rebates	FY 1990	\$ 2,824.00	\$ 2,824.00	\$ -	\$ -	
User rebates	FY 1989	\$ 25,961.00	\$ 25,961.00	\$ -	\$ -	
		\$ 1,177,061.63	Unearned revenue		\$ 61,182.41	
		In drought for 4 months or more during fiscal year				

Note - Conservation credits show up in the operational budget as a reduction in revenue.

Conservation Credit History
Fiscal Year 2010 through 2020

Permittee Receiving Conservation Credit	# of years Rcvd from FY10-FY20(11yrs)	Total Cons Credit Amount from FY10-FY20	FY2020 Credit Amt	FY2019 Credit Amt	FY2018 Credit Amt	FY2017 Credit Amt	FY2016 Credit Amt
Goforth Special Utility District	11	\$49,633.46	\$3,123.02	\$2,802.34	\$2,777.07	\$1,810.96	\$9,641.04
Cimarron Park Water Company, Inc.	11	\$12,122.43	\$981.95	\$928.23	\$946.44	\$865.30	\$822.76
Arroyo Doble Water System	11	\$4,477.30	\$424.51	\$413.60	\$402.62	\$339.53	\$339.31
Monarch Utilities, Inc.	10	\$24,086.96	\$3,546.40	\$833.77	\$1,853.67	\$3,000.06	\$2,694.14
Texas - Lehigh Cement Co - Plant System	10	\$4,651.05	\$504.94		\$258.74	\$441.54	\$656.55
Village of San Leanna	10	\$3,265.52	\$169.59	\$221.71	\$167.02	\$142.35	\$135.83
City of Buda	9	\$23,170.02			\$2,523.19	\$3,044.56	\$1,717.61
Creedmoor-Maha WSC	9	\$14,274.13	\$2,093.08	\$1,373.61	\$924.93	\$2,087.69	\$547.89
Centex Materials, Inc.	9	\$13,157.51	\$428.54	\$1,187.16	\$1,359.67	\$103.43	\$2,138.76
City of Hays Water - Elliott Ranch	9	\$4,771.68	\$55.69	\$684.17	\$379.83		\$477.00
Aqua Texas, Inc./Shady Hollow	8	\$8,167.68		\$801.30		\$566.70	
Aqua Texas, Inc./Leisurewoods	8	\$6,986.73		\$371.79		\$531.80	
Aqua Texas, Inc./Bliss Spillar	8	\$5,852.61		\$220.92		\$517.39	
City of Mountain City	8	\$3,747.56	\$280.17	\$285.42			
Huntington Utility Co., LLC	8	\$1,458.99		\$317.76	\$139.37		\$195.08
Aqua Texas, Inc./Onion Creek Meadows	7	\$1,375.71		\$95.20		\$269.94	
Marbridge Foundation	7	\$1,315.74		\$153.61	\$151.72		\$128.37
Slaughter Creek Acres Water Supply	7	\$1,004.67	\$88.25		\$86.72		
Aqua Texas, Inc./Bear Creek Park	7	\$996.62		\$90.97			
City of Hays Water Department	7	\$859.11	\$78.89		\$77.78		
Hays County Youth Athletic Association	7	\$718.40		\$113.53			\$129.93
Onion Creek Country Club - Edwards	6	\$4,578.98			\$376.05		
Oak Forest WSC - Edwards	6	\$2,104.88	\$139.14				
Ruby Ranch WSC - Edwards	6	\$1,687.74		\$198.32			
St. Andrews School	6	\$1,329.71	\$200.48	\$353.00			
Twin Creek Park Water Supply	5	\$632.23	\$80.68				
Hays Consolidated I.S.D.	4	\$1,704.13		\$243.15			
Ruby Ranch WSC - Trinity	4	\$1,267.65	\$193.40		\$122.02		\$484.60
Cook-Walden/Forest Oaks	4	\$497.73		\$54.15	\$63.26	\$94.74	
Mystic Oaks Water	4	\$333.89					
City of Kyle	3	\$2,738.35			\$770.43		
Oak Forest WSC - Trinity	3	\$330.18	\$93.71				\$130.22
Aqua Texas, Inc./Sierra West	2	\$968.77		\$223.83		\$744.94	
Weatherford, Thomas	2	\$225.46					
Manhaca Optimist Youth Sports Complex	2	\$146.13					
LBJ Wildflower Center	2	\$126.28	\$68.04				
Aqua Texas, Inc./Mooreland	2	\$124.80					
		\$204,890.79	\$12,550.48	\$11,967.54	\$13,380.53	\$14,560.93	\$20,239.09

Permittees who completed Conservation credit survey.

Above list does not include permittees with retired permits or permittees with only one conservation credit received within 11 year period.

for the next fiscal year and a production fee rate not to exceed 17 cents per thousand gallons regardless of the rate actually imposed on or remitted by the permittee.

3. When combined with the estimated total production fees anticipated to be received in the next fiscal year, the City of Austin water use fee shall not exceed 60 percent of the total funding.
 4. If the addition of the Shared Territory causes the annual City of Austin water use fee to exceed \$1 million, the District shall not require an assessment of greater than \$1 million annually as adjusted to reflect the percentage change during the preceding year in the Consumer Price Index.
- C. **Payment of Fees.** Payment of the City's water use fee may be made on a quarterly basis, with one quarter of the City's annual payment due on or before each of the following dates: September 5, December 5, March 5, and June 5. Payments received after the 15th day of the month will be considered late and subject to late payment fees set forth in Rule 3-8.7 (see also Rules 2-10 and 2-11).
- D. **Conservation Credits.** If the City of Austin is compliant with all District Rules applicable to each of the wells for which the City holds or should hold a permit from the District, then after the end of a District's fiscal year, the District will grant the City a credit against the amount of water use fee that the District has assessed the City as a non-permit holder for the then current fiscal year by an amount equal to 60% of the dollar amount of Conservation Program Credits that the District issued to all permit holders for the District's prior fiscal year.

3-1.20. GENERAL PERMITS BY RULE.

For wells of certain characteristics and in certain prescribed situations, the District may issue several different types of permits by rule, generally with abbreviated application documentation and timelines. General permits by rule do not require notice and public hearings and are used for administrative convenience when their use is not inconsistent with the District's overall mission. The District may issue a general permit by rule as an administrative action, provided the requirements of the permit are met.

- A. **General Requirements and Conditions for General Permits by Rule.**
1. Unless otherwise prohibited by the District and subject to the conditions and eligibility requirements specified for each general permit, wells are authorized to operate pursuant to this Section without an individual permit from the District.

3-5.6. LIEN FOR RECOVERY OF EXPENSES INCURRED BY DISTRICT.

- A. Reasonable expenses incurred by the District in plugging or capping a well constitute a lien on the land on which the well is located.
- B. The District shall perfect the lien by filing in the deed records of the county where the well is located an affidavit, executed by any person conversant with the facts, stating the following:
 - 1. The existence of the well;
 - 2. The legal description of the property on which the well is located;
 - 3. The approximate location of the well on the property;
 - 4. The failure or refusal of the owner or lessee, after notification, to close the well within ten days after the notification;
 - 5. The closing of the well by the District, or by an authorized agent, representative, or employee of the District; and
 - 6. The expense incurred by the District in closing the well.

3-5.7. PENALTIES.

Rule 3-8 penalties shall be applicable in cases of failure or refusal to plug abandoned wells, or cap wells not currently in use.

3-6. CONSERVATION.

3-6.1. CONSERVATION-ORIENTED RATE STRUCTURE.

The District encourages all water utilities to employ conservation-oriented rate structures as a matter of course.

3-6.2. CONSERVATION POLICY.

The District may implement conservation policies through incentive fee structures and amendments to its own production fees (for example, the Conservation Credits program of Section 3-6(4)).

3-6.3. USER CONSERVATION PLANS.

Each permittee is required to prepare, adopt, and implement UCPs consistent with these Rules.

- A. Contents of UCP. UCPs shall consider, as a minimum, the following:

1. Implementation of a conservation-oriented rate structure,
 2. Promotion and encouragement of voluntary conservation measures,
 3. Promotion and encouragement, installation, and use of water-saving devices,
 4. Promotion and encouragement of water efficient landscape practices,
 5. Financial measures that encourage conservation,
 6. Distribution of conservation information and other educational efforts, and
 7. Provision for ordinances, regulations or contractual requirements necessary for the permittee to enforce the UCP.
- D. **Compliance.** The District shall approve UCPs if they satisfy the objectives of this Rule. The permittee may revise or amend the UCP, as necessary, with approval by the District. Permittees must have a District-approved UCP prior to receiving a permit amendment. UCPs shall be prepared as part of the permit application and presented for District approval.
- E. **Update upon Renewal.** The UCP of each permit shall be updated upon permit renewal no less often than every five years. District staff will assist permittees in providing the latest and most appropriate guidance for such updates.

3-6.4. CONSERVATION CREDITS.

The District supports and encourages a permittee's efforts to conserve water and to reduce their annual pumpage as a result of conservation efforts. As a conservation incentive, the District may credit a permittee for a portion of their unused permitted amount that is attributed to the implementation of conservation measures applied to a water supply needed to meet demand. The District will undertake an annual audit of each permittee's account to determine the status or late payment of production fees or other fees, and the number of late or missing meter readings for each fiscal year. This accounting will be done during the first quarter of the fiscal year to determine a credit for the immediately preceding fiscal year.

When approving a Production Permit, the District must consider whether the proposed use of water is dedicated to a beneficial use at all times and therefore discourages speculation in permitting. The District seeks to have Production Permits tied tightly to actual use and need that will occur within the year. Therefore, in calculating a conservation credit, the maximum reported pumpage on an annual basis for the last three fiscal years (provided none of the last three fiscal years' annual reported pumpage totals represent an overpumpage of the fiscal year permit), will be used instead of the permitted pumpage as the basis of the credit. This will allow for a more

meaningful conservation credit audit and will not allow permitted pumpage that is in excess of actual use to skew the calculated credit.

If the audit indicates that a permittee's reported pumpage volume is less than the maximum amount pumped on an annual basis in the last three fiscal years, and the production fees paid by the permittee exceed the amount due for the reported pumpage, the permittee may receive, as a water conservation incentive, a calculated credit to the permittee's account as provided below for the ensuing fiscal year. No cash refunds will be made except when authorized by the Board.

A. Ineligibility.

1. If the audit indicates that a permittee's reported pumpage volume has exceeded the permitted pumpage volume, the permittee will be ineligible for a conservation credit. The permittee will be billed for the excess gallons pumped using the District Fee Schedule in effect during that fiscal year plus any other fees or late payment fees that may be imposed or required by the Board.
2. A permittee will be ineligible for a conservation credit if there has been falsification of a meter reading.
3. Permittees are required to submit timely meter readings and payments. Upon the occurrence of a second violation of either a late or missed meter reading or payment, the permittee will be ineligible for a conservation credit.
4. A permittee with a calculated credit of less than or equal to \$100 will be ineligible for a conservation credit.
5. A permittee will be ineligible for receiving conservation credits in any year in which certain forfeitures of drought management fees have occurred in accordance with Rule 3-7.8(B).

B. Calculation of Conservation Credit. The District will calculate the earned Conservation Credits, if any, for each permittee at the end of each fiscal year, using the formulas and parameters stipulated in the prevailing conservation credit policy.

C. Administration Fee. The District will retain 10% of the calculated Conservation Credit.

D. Criteria for Minimum Conservation Credit. Following are the minimum criteria required for an eligible permittee to receive 50% of their calculated Conservation Credit:

1. The permittee must be in compliance with District Rules and their Production Permit.
 2. Annual shrinkage or gross unaccounted for water must be less than or equal to 15%.
- E. Criteria for Additional Conservation Credit. Additional credit up to 40% of the calculated Conservation Credit will be available if the permittee implements and shows documentation for additional conservation measures as established by the District's Conservation Credit Policy.

The fact that a permittee may be eligible for a Conservation Credit does not relieve the permittee of the responsibility of making timely installment payments for the regular installment amount. Reduced payments or a payment(s) covered by the credit amount will be authorized by the District only after the District completes an audit and determines that a credit is due. Permittees who disagree with the audit may request additional accounting by the District.

3-7. DROUGHT.

3-7.1. PURPOSE.

The purpose of these Rules is to provide guidelines and procedures for the District to implement and administer a UDCP. Drought, or other uncontrollable circumstances, can disrupt the normal availability of groundwater supplies, causing water availability and water quality emergencies. This Rule establishes procedures intended to preserve the availability and quality of water during such conditions. The implementation of drought severity stages, aquifer warning conditions, and other procedures shall be at the direction of the District.

3-7.2. APPLICABILITY.

These Rules apply to all permittees within the District, although certain provisions differ in how they are applied within certain management zones. In addition, the District shall utilize public education and assistance programs to encourage compliance with this Rule by owners of wells exempt from permitting and all other water users located within the District's jurisdictional area.

These Rules are applicable to water users of the Barton Springs segment of the Edwards Aquifer and to users of groundwater from all other aquifers and water-bearing formations located within its jurisdictional boundaries.

3-7.3. DROUGHT STAGES AND TRIGGERS.

Drought severity stages for all management zones are triggered by declines in the rate of discharge at Barton Springs and/or increases in depth to water in the District's Drought Indicator Well. Drought stages may have different applicability and

3-7.8. IMPOSITION OF REGULATORY FEES.

During periods of District-declared drought, and starting after two full months of a drought period, a drought management fee will be imposed on all individual permittees permitted for more than 2,000,000 gallons annually (excludes all uses under general permits). This regulatory fee, net of any credits earned monthly by compliance with drought restrictions, will be paid annually in arrears, as a condition of permit renewals at the beginning of each fiscal year.

A. Fee Schedule.

1. For production zone casing with outside diameters (or for aggregated multiple-well systems, an average outside diameter of production wells) nominally 5.0 inches or less, the drought management fee will be \$100 per full month of declared drought, with a credit of \$100 per month applied for each month that the permittee does not exceed its monthly mandated restriction in the prevailing UDCP by more than five percent.
2. For production zone casing with outside diameters (or for aggregated multiple-well systems, an average outside diameter of production wells) nominally between 5.0 inches and 10.0 inches, the drought management fee will be \$250 per full month of declared drought, with a credit of \$250 per month applied for each month that the permittee does not exceed its monthly mandated restriction in the prevailing UDCP by more than five percent.
3. For production zone casing with outside diameters (or for aggregated multiple-well systems, an average outside diameter of production wells) nominally greater than 10.0 inches, the drought management fee will be \$500 per full month of declared drought, with a credit of \$500 applied for each month that the permittee does not exceed its monthly mandated restriction in the prevailing UDCP by more than five percent.

B. Forfeiture of Conservation Credits. Any permittee that has more than three months of drought management fees without an offsetting compliance-related credit, as described in the Fee Schedule of Rule 3-7.8(A) above, during the course of a single fiscal year forfeits the right to participate in the Conservation Credits program of Rule 3-6.4 for that year, unless the permittee achieves, on an aggregated basis over the applicable months of declared drought in that fiscal year, the mandatory curtailments required under the permittee's User Drought Contingency Plan.

3-7.9. VARIANCE.

A variance to the Rules of this Section and other drought-related provisions of these Rules may be granted by the Board to prevent severe economic or financial hardship, to prevent health hazards, to alleviate immediate and serious threat to public health

BSEACD Conservation Credit Policy

Policy Amended and Approved on 6/24/10 by the BS/EACD Board of Directors

Reference: 3-6.4. CONSERVATION CREDITS, District Rules & Bylaws

The District supports and encourages a permittee's efforts to conserve water and to reduce their annual pumpage as a result of conservation efforts. As a conservation incentive, the District may credit a permittee for a portion of their unused permitted amount that is attributed to the implementation of conservation measures applied to a water supply needed to meet demand. The District will undertake an annual audit of each permittee's account to determine the status or late payment of water use fees or other fees, and the number of late or missing meter readings for each fiscal year. This accounting will be done during the first quarter of the fiscal year to determine a credit for the immediately preceding fiscal year.

When approving a Production Permit, the District must consider whether the proposed use of water is dedicated to a beneficial use at all times and therefore discourages speculation in permitting. The District seeks to have Production Permits tied tightly to actual use and need that will occur within the year. Therefore, in calculating a conservation credit, the maximum reported pumpage on an annual basis for the last three fiscal years (as long as none of the last three fiscal years annual reported pumpage totals represent an overpumpage of the fiscal year permit), will be used instead of the permitted pumpage as the basis of the credit. This will allow for a more meaningful conservation credit audit and will not allow for permitted pumpage that may be in excess of actual use to skew the calculated credit.

If the audit indicates that a permittee's reported pumpage volume is less than the maximum amount pumped on an annual basis in the last three fiscal years, and the water use fees paid by the permittee exceed the amount due for the reported pumpage, the permittee may receive, as a water conservation incentive, a calculated credit to the permittee's account as provided below for the ensuing fiscal year. No cash refunds will be made except when authorized by the Board.

A. Ineligibility.

- (1) If the audit indicates that a permittee's reported pumpage volume has exceeded the permitted pumpage volume, the permittee will be ineligible for a conservation credit. The permittee will be billed for the excess gallons pumped using the fee schedule in effect during that fiscal year plus any other fees or late payment fees that may be imposed or required by the Board.
- (2) A permittee will be ineligible for a conservation credit if there has been falsification of a meter reading.
- (3) Permittees are required to submit timely meter readings and payment(s). Upon the occurrence of a second violation of either a late or missed meter reading or payment, the permittee will be ineligible for a conservation credit.
- (4) A permittee with a calculated credit of less than or equal to \$100.00 will be ineligible for a conservation credit.

- (5) A permittee will be ineligible for receiving conservation credits in any year in which forfeiture has occurred under Rule 3-7.9(B).
- (6) A permittee that receives more than one month of a credit of water use fees due to complete curtailment under Rule 3-7.7(B)(4) is ineligible for receiving conservation credits for the fiscal year that such curtailment occurs.

B. Calculation of Conservation Credit. The District will use the variables below to calculate the Conservation Credit. To ensure that the credit is based on conservation efforts and not on permitted pumpage that may be speculative in nature, the maximum reported pumpage on an annual basis for the last three fiscal years will be the basis of the credit. Following is the method by which the conservation credit will be calculated.

M = The maximum reported pumpage on an annual basis for the last three fiscal years, as long as none of the last three fiscal years annual reported pumpage total does not represent an overpumpage of the fiscal year Historical Production Permit. If any of the last three fiscal-year annual reported pumpage totals represent an overpumpage of that Permit, then it will be removed from the calculation.

A = The actual annual reported pumpage of the fiscal year immediately preceding the conservation credit audit.

P_h = The annual pumpage permitted by a Historical Production Permit for the current fiscal year under audit.*

$$\mathbf{M - A = Calculated Credit (in gals)}$$

$$\frac{\mathbf{Calculated Credit (in gals)}}{1000} \times \$0.17/1000 \text{ gals} = \mathbf{Calculated Credit (in dollars)}$$

* When a conservation credit is to be calculated based on the permitted pumpage volume (P_h), the volume used will be limited only to pumpage authorized by Historical Production Permits excluding any pumpage permitted by Conditional Production Permits. In concept, Conditional Production Permits provide an interruptible supply that is not intended to be relied upon on a firm-yield basis, particularly during drought conditions. This interruptible pumpage is to be considered surplus water supply that must be backed by an alternative firm-yield water source. Therefore, non-use of this conditionally permitted pumpage cannot be considered conservation and shall not be included in determining the effectiveness of the implemented conservation measures or conservation credit calculation.

A straight application of the calculation credit, $M - A = \text{Calculated Credit}$, can be seen in **Example #1**:

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	Historical Production
120	95	70	Permit = 120 million gals

A = 70
M = 120

120 – 70 = 50 million gallons, divided by 1,000 = 50,000 x .17 = \$8500 credit

BUT

If $M = A$, and $P_h \leq A + (.15 \times A)$, then $M = P_h$

If the maximum reported pumpage on an annual basis for the last three fiscal years (not including overpumpage years) is equal to the actual reported pumpage for the year under audit and the permitted pumpage amount is less than or equal to the actual reported pumpage for the year under audit plus a reasonable allowance for growth or other unpredictable needs, then the permitted pumpage amount will be used for M in the calculation.

Example #2:

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	Historical Production
85	90	98	Permit = 110 million gals

A = 98
M = 98

Substituting in formula above: 98 = 98, and 110 ≤ 113, then M = 110 so

110 – 98 = 12 million gallons, divided by 1,000 = 12,000 x .17 = \$2,040 credit

Example #3:

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	Historical Production
92	75	92	Permit = 106 million gallons

A = 92
M = 92

Substituting: 92 = 92, and 106 = 106, then M = 106 so

106 – 92 = 14 million gallons, divided by 1,000 = 14,000 x .17 = \$2,380 credit

If $M = A$, and $P_h > A + (.15 \times A)$, then $M = A + (.15 \times A)$

If the maximum reported pumpage on an annual basis for the last three fiscal years (not including overpumpage years) is equal to the actual reported pumpage for the year under audit and the permitted pumpage amount is greater than the actual reported pumpage for the year under audit plus a reasonable allowance for growth or other unpredictable needs, then the actual reported pumpage for the year under audit plus a reasonable allowance for growth or other unpredictable needs will be used for M in the calculation.

Example #4:

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	Historical Production Permit = 200 million gals
85	90	95	

A = 95
M = 95

Substituting: $95 = 95$, and $200 > 109$, then $M = 109$ so

$109 - 95 = 14$ million gallons divided by $1,000 = 14,000 \times .17 = \$2,380$ credit

If M = A, and P_h = A, then M = P_h

If the maximum reported pumpage on an annual basis for the last three fiscal years (not including overpumpage years) is equal to the actual reported pumpage for the year under audit and the permitted pumpage amount is equal to the actual reported pumpage for the year under audit, then the permitted pumpage amount will be used for M in the calculation.

Example #5:

<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	Historical Production Permit = 100 million gals
110	75	100	

We disregard Year 1 data because it represents an overpumpage year. That leaves us w/Years 2 & 3 data to analyze.

A = 100
M = 100

Substituting: $100 = 100$, and $100 = 100$, then $M = 100$ so

$100 - 100 = 0$ million gallons – Therefore a conservation credit is **not** available.

- C. Administration Fee. The District will retain 10% of the calculated Conservation Credit.

D. Criteria for Minimum Conservation Credit. Following are the minimum criteria required for an eligible permittee to receive 50% of their calculated Conservation Credit:

(1) The permittee must be in compliance with District Rules and Production Permit.

(2) Annual shrinkage or gross unaccounted-for water must be less than or equal to 15%.

E. Criteria for Additional Conservation Credit. Additional credit up to 40% of the calculated Conservation credit will be available if the permittee implements and shows documentation for additional conservation measures selected from Level A, B, or C options detailed in the Optional Activities for Conservation Credit below.

The fact that a permittee may be eligible for a conservation credit does not relieve the permittee of the responsibility of making timely installment payments for the regular installment amount. Reduced payments or a payment(s) covered by the credit amount will be authorized by the District only after the District completes an audit and determines that a credit is due. Permittees who disagree with the audit may request additional accounting by the District.

Optional Activities for Conservation Credit

The District recognizes that permitted well owners have differing applications and abilities regarding the selection and implementation of water conservation measures. The following list of optional activities is organized in three levels representing increasing levels of effort from Level A, mild effort, to Level C, significant effort. Each level has a corresponding percentage of credit. Documentation of implementation is required for each item in order to earn a percentage of the calculated conservation credit. In some cases, prior approval is required. Permitted well owners must be eligible for the minimum conservation credit per District Rule 3-1.17 A and 3-1.17 D prior to being eligible to apply any optional activities listed below for additional credit.

- A. Implementation of one (1) of the optional activities within Level A will result in the application of an additional 10% of the calculated conservation credit consistent with application of the minimum credit as described in Rule 3-1.17.
 - 1. Permittee distributes educational materials about indoor water usage at least four (4) times a year to customers or employees. Materials shall include information about the groundwater source, water quality concerns, and suggested actions to achieve conservation of water. Prior approval of materials by District is necessary.
 - 2. Permittee distributes educational materials about outdoor water usage at least four (4) times a year to customers or employees. Materials shall include information about the groundwater source, water quality concerns, and suggested actions to achieve conservation of water. Prior approval of materials by District is necessary.
 - 3. Permittee posts water conservation information next to every toilet, urinal, and faucet/spigot (indoors and outdoors) under the authority of the permittee. Prior approval of information to be posted by District is necessary.
 - 4. Permittee holds or hosts one workshop at their expense annually to educate customers/employees about water quality and quantity concerns. Prior approval of workshop agenda and content by District is necessary.
 - 5. All faucets, including but not limited to bathroom, kitchen, and laboratories, under authority of permittee has faucet aerators and, where showers exist, have low-flow showerheads. All restroom facilities under authority of permittee utilize low flow toilets or waterless urinals.

- B. Implementation of one (1) of the optional activities within Level B will result in the application of an additional 15% of the calculated conservation credit.
 - 1. Tariffs for residential water usage in residences show an increasing block strategy where the first tier includes no more than 5,000 gallons of water and the second tier includes no more than 15,000 gallons.

2. Tariffs for commercial water usage in show an increasing block strategy with a minimum of two tiers.
 3. All landscaped areas under the authority of the permittee irrigated with an automated system utilize a sensor, such as rain or soil moisture, to override a programmed irrigation period when it is not needed.
 4. Permittee creates and implements an ordinance, covenant, or other regulation within the permittee's authority that requires automatic irrigation systems to use auto-shutoff sensor devices such as rain or soil moisture, to override a programmed irrigation period when it is not needed.
 5. Permittee installs and utilizes a rainwater harvesting system for all outdoor landscape watering needs under authority of permittee.
 6. Residential per capita usage at or below 120 gallons.
 7. Permittee implements a policy of visual inspection for leak identification and makes necessary repairs.
 8. Permittee implements a meter calibration and replacement policy that requires annual calibration and checking for proper meter operation.
- C. Implementation of one (1) of the optional activities within Level C will result in the application of an additional 20% of the calculated conservation credit.
1. Permittee offers a rebate program for customers for any one of the following indoor fixtures or appliances: low-flow toilets, waterless urinals, washing machines, and dishwashers. Rebate program must be offered to a reasonable percentage of customers given the volume of service of the permittee.
 2. Permittee offers a rebate program for customers for reduction of turf area and exclusive use of native plants with low watering requirements. Rebate program must be offered to a reasonable percentage of customers given the volume of service of the permittee.
 3. Permittee offers rebate program for customers for installation of a rain water system in a commercial application to supplement or replace need for potable water.
 4. Permittee creates and implements an ordinance, covenant, or other regulation within the permittee's authority, such as language within a contract for service, that requires the exclusive use of native plants and turf grass with low water needs and requires the use of the District-supported five-day watering schedule.
 5. Residential per capita usage at or below 110 gallons.

6. Permittee employs a technological tool such as pressure sensing devices or listening equipment at least once each year to identify leaks in system and makes necessary repairs.
7. Permittee holds or hosts at their expense three (3) workshops annually to educate customers and/or employees about water quality and quantity concerns. Prior approval of workshop agenda and content by District is necessary to apply percentage toward conservation credit.
8. Permittee installs and utilizes a rainwater harvesting system for all potable indoor and outdoor watering needs for public buildings, community clubhouses, business offices, garages, or other similar structures under authority of permittee. Use of rainwater for potable indoor use must be appropriately treated and filtered.
9. Permittee is using reclaimed water, gray water, or treated effluent to replace at least 50% of non-potable water needs. Several activities can contribute to this total such as recirculating systems for vehicle washing combined with irrigation with graywater, for example.
10. Permittee contracts to purchase surface water to supplement to groundwater needs. Contract should be executed and binding under the terms of the contract.

Conservation Credit Policy - Permittee Survey

Q1 Please provide your permittee entity name that is on file with the District.

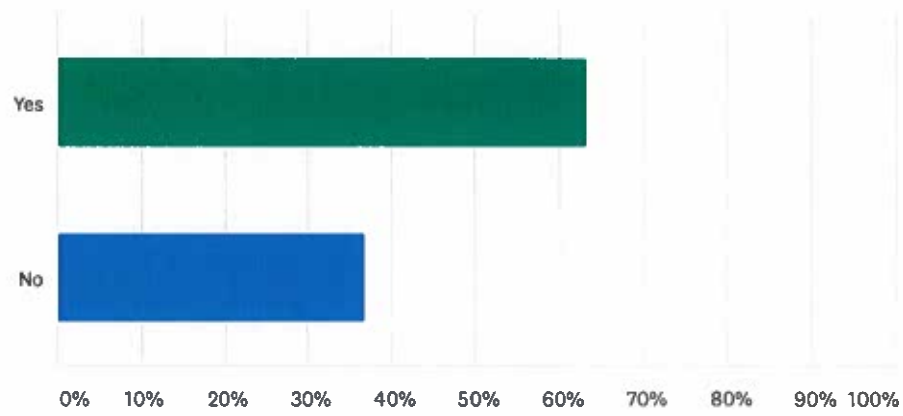
Answered: 19 Skipped: 0

#	RESPONSES	DATE
1	Manchaca Bible Fellowship - earned CC 2 yrs/ 11yrs	4/30/2021 9:43 AM
2	St. Andrew's Episcopal School - earned CC 6yrs/11 yrs	4/30/2021 9:37 AM
3	Monarch Utilities, Inc. - earned CC 10 yrs / 11yrs	4/29/2021 5:39 PM
4	cimarron park water co. inc. - earned CC 11yrs/ 11yrs	4/29/2021 4:22 PM
5	Slaughter Creek Acres WSC - earned CC 7yrs/ 11yrs	4/29/2021 7:48 AM
6	Lady Bird Johnson Wildflower Center - earned CC 2yrs/ 11yrs	4/28/2021 2:32 PM
7	City of Hays Water Department - earned CC 7yrs/ 11yrs	4/28/2021 12:02 PM
8	Centex Materials - earned CC 9yrs/ 11yrs	4/28/2021 12:01 PM
9	Village of San Leanna - earned CC 10yrs/ 11yrs	4/28/2021 11:57 AM
10	City of Buda - earned CC 9yrs/ 11yrs	4/27/2021 3:10 PM
11	Ruby Ranch Water Supply Corporation - earned CC 4yrs/ 11yrs	4/26/2021 8:47 PM
12	Hays Hills Baptist Church - never earned CC in 11yrs	4/26/2021 8:37 AM
13	City of Mountain City Water System - earned CC 8yrs/ 11yrs	4/23/2021 9:30 AM
14	White Knight Pest Control, Inc - never earned CC in 11yrs	4/22/2021 6:25 PM
15	Aknel Enterprises LLC or Soaring Dog Inc - never earned CC in 11yrs	4/22/2021 12:04 PM
16	Southwest Texas district Pentecostal Church - never earned CC in 11yrs	4/22/2021 10:34 AM
17	Goforth Special Utility District - earned CC 11yrs/ 11yrs	4/22/2021 10:13 AM
18	Onion Creek Inn - never earned CC 11yrs	4/22/2021 9:40 AM
19	Aqua Texas, Inc - earned CC 8yrs / 11yrs	4/22/2021 9:24 AM

Reasons for why a Permittee may not have earned a conservation credit: they are ineligible because they are a sm permittee, they had reporting or payment violations and didn't qualify, or they are a recent new permittee etc.

Q2 Have you received a conservation credit in the past 10 years?

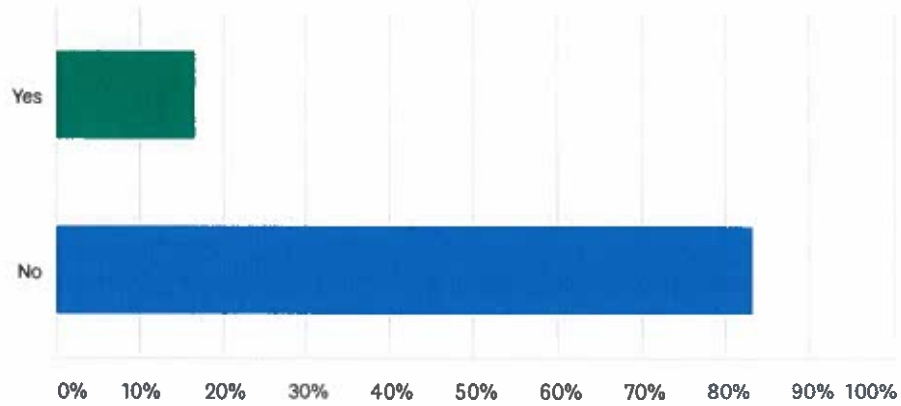
Answered: 19 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	63.16%	12
No	36.84%	7
TOTAL		19

Q3 If you received a conservation credit in the past, did you elect to donate it back to the District's Scholarship Program?

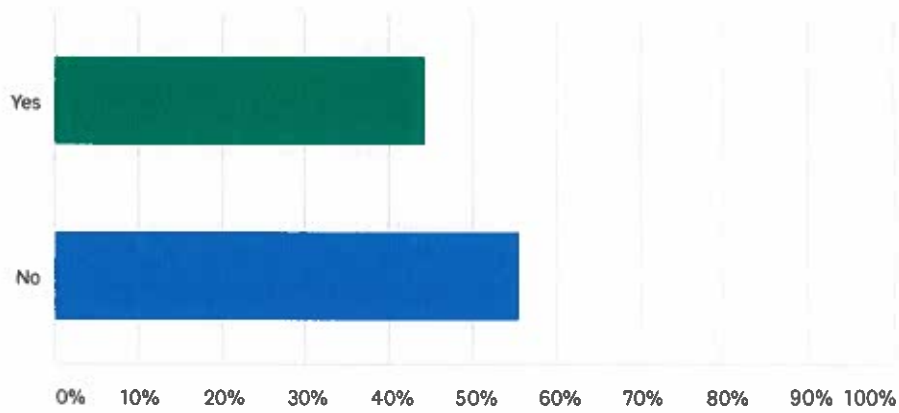
Answered: 18 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	16.67%	3
No	83.33%	15
TOTAL		18

Q4 If you received a conservation credit in the past, were you able to apply the credit to conservation practices, strategies, materials, etc?

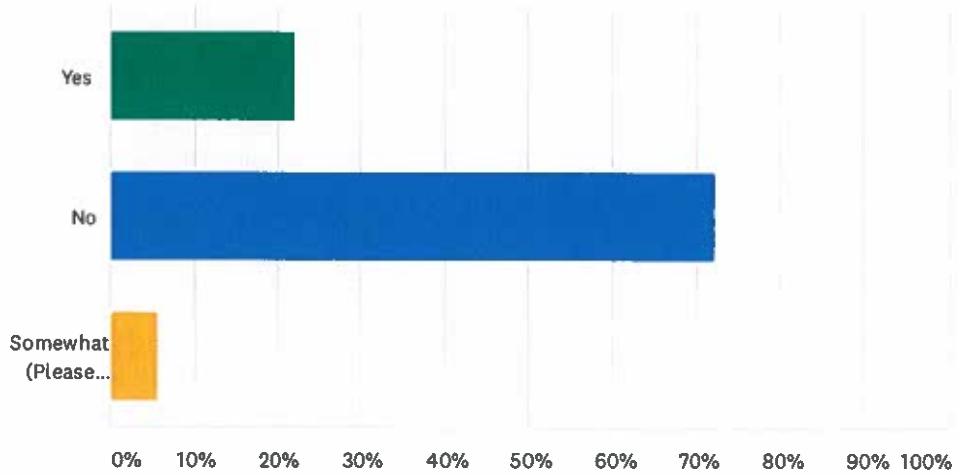
Answered: 18 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	44.44%	8
No	55.56%	10
TOTAL		18

Q5 Do you use the conservation credit to measure the success of your conservation measures?

Answered: 18 Skipped: 1

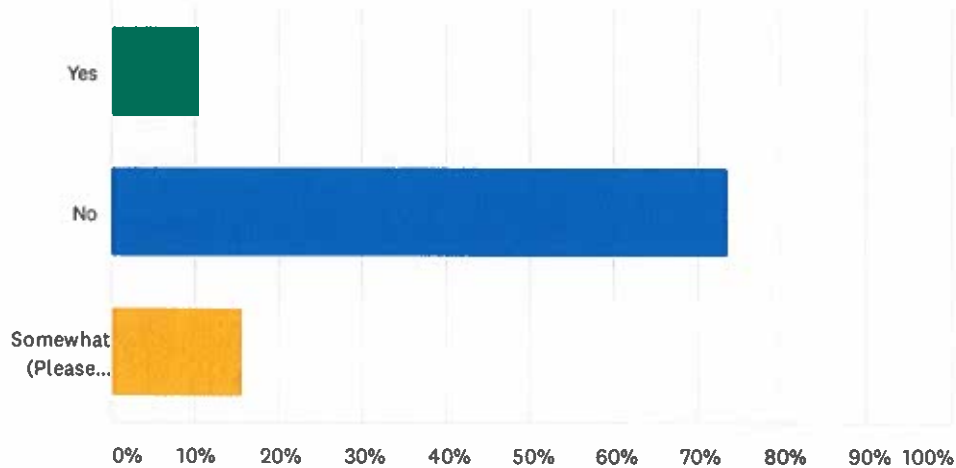


ANSWER CHOICES	RESPONSES	
Yes	22.22%	4
No	72.22%	13
Somewhat (Please Describe)	5.56%	1
TOTAL		18

#	SOMEWHAT (PLEASE DESCRIBE)	DATE
1	I would if I had one.	4/22/2021 12:04 PM

Q6 If you were not able to earn a conservation credit, would that reduce your willingness or ability to implement conservation practices and strategies?

Answered: 19 Skipped: 0

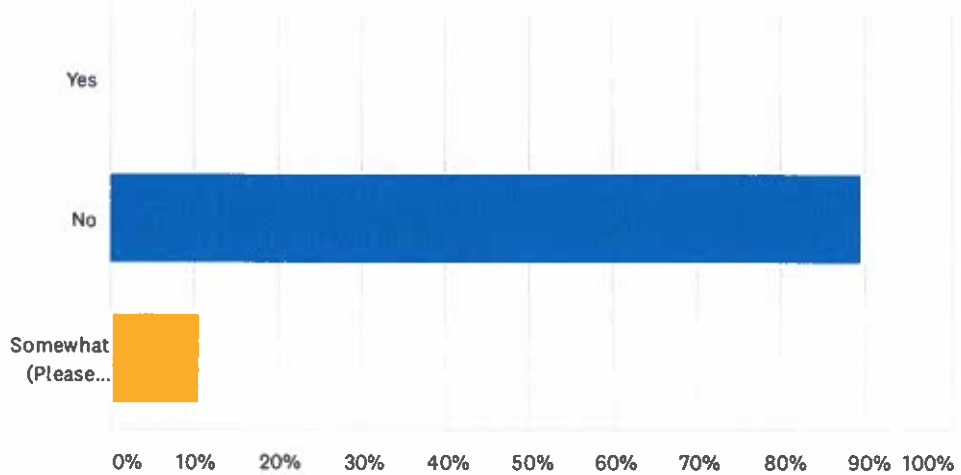


ANSWER CHOICES	RESPONSES	
Yes	10.53%	2
No	73.68%	14
Somewhat (Please Describe)	15.79%	3
TOTAL		19

#	SOMEWHAT (PLEASE DESCRIBE)	DATE
1	It might hinder the expansion of conservation programs.	4/29/2021 5:39 PM
2	If there is a conservation credit, there is always more incentive to change behavior. I am not at this property, but can more likely remind conservative behavior if there is a potential financial benefit. We should always conserve either way, but we all know that financial benefit can change behavior for the better.	4/22/2021 6:25 PM
3	We already have in place many different conservation strategies. We have signs in the bathroom asking to limit water usage and to reuse towels. We have rain water collection tanks to help us water the gardens. We use mulch in the gardens to stop water evaporation.	4/22/2021 9:40 AM

Q7 If the Board of Directors discontinued the conservation credit program, would this significantly impact your operations or financial status?

Answered: 19 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	89.47%	17
Somewhat (Please Describe)	10.53%	2
TOTAL		19

#	SOMEWHAT (PLEASE DESCRIBE)	DATE
1	Everything helps with a new business...	4/22/2021 12:04 PM
2	It can be very hard to stay under the allotment depending on the flow of business. We are using the water only for necessary reasons and yet we sometimes still struggle during drought times.	4/22/2021 9:40 AM

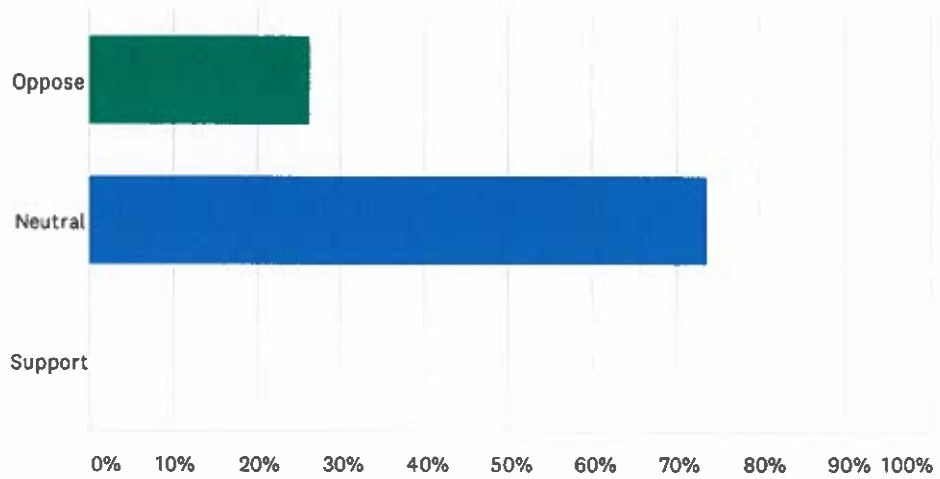
Q8 If you answered yes to the question above, please describe how you have applied your conservation credit?

Answered: 2 Skipped: 17

#	RESPONSES	DATE
1	N/A	4/30/2021 9:43 AM
2	systems to recycle our process water	4/28/2021 12:01 PM

Q9 What would your position be if the District discontinued the Conservation Credit Program?

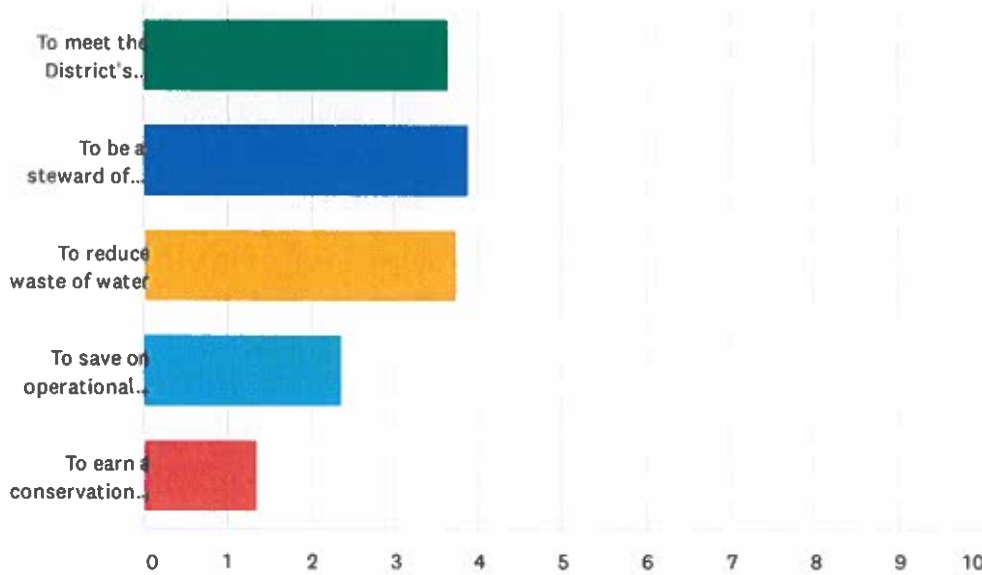
Answered: 19 Skipped: 0



ANSWER CHOICES	RESPONSES	
Oppose	26.32%	5
Neutral	73.68%	14
Support	0.00%	0
TOTAL		19

Q10 Please rank in order the primary reasons for why you establish and implement conservation measures as a groundwater permit holder? 1-most important, 5-less important

Answered: 19 Skipped: 0



	1	2	3	4	5	TOTAL	SCORE
To meet the District's requirements to conserve and curtail during drought	31.58% 6	21.05% 4	26.32% 5	21.05% 4	0.00% 0	19	3.63
To be a steward of groundwater resources	31.58% 6	42.11% 8	15.79% 3	5.26% 1	5.26% 1	19	3.89
To reduce waste of water	26.32% 5	31.58% 6	36.84% 7	0.00% 0	5.26% 1	19	3.74
To save on operational costs	5.26% 1	5.26% 1	15.79% 3	68.42% 13	5.26% 1	19	2.37
To earn a conservation credit from BSEACD	5.26% 1	0.00% 0	5.26% 1	5.26% 1	84.21% 16	19	1.37

Q11 Please share any additional thoughts, concerns, or considerations.

Answered: 19 Skipped: 0

#	RESPONSES	DATE
1	None	4/30/2021 9:43 AM
2	none	4/30/2021 9:37 AM
3	I believe this is a valuable program.	4/29/2021 5:39 PM
4	The district has always said that they needed to charge user fees based on permitted pumpage where they could develop an operational BUDGET. This was what created the conservation credit that they would partially refund if we didn't pump our permitted amount. We are able to develop an annual operating budget and we have to charge our customers based on metered use and not before use. We have always strongly believed that the district could also charge based on metered use and not on permitted use, therefore there would be no reason for so called conservation credits.	4/29/2021 4:22 PM
5	if the program is discontinued, I would hate for the scholarship program to suffer.	4/29/2021 7:48 AM
6	None.	4/28/2021 2:32 PM
7	N/A	4/28/2021 12:02 PM
8	We continue to manage our operation with the goal of conserving the groundwater for future use.	4/28/2021 12:01 PM
9	None	4/28/2021 11:57 AM
10	None	4/27/2021 3:10 PM
11	No additional concerns	4/26/2021 8:47 PM
12	Thank you for the survey!	4/26/2021 8:37 AM
13	The credit was not significant enough to impact our financial operations.	4/23/2021 9:30 AM
14	I am not aware of this credit in that we don't believe we have received this. We would be happy to get it and if it is substantial, then that would likely incentivize behavior in the future.	4/22/2021 6:25 PM
15	I think the credit is important to motivate those who are struggling and/or selfish.	4/22/2021 12:04 PM
16	none	4/22/2021 10:34 AM
17	NA	4/22/2021 10:13 AM
18	I believe it is important to monitor and regulate the usage of ground water but at the same time the regulation should be there to stop abuse and not make regular folks struggle.	4/22/2021 9:40 AM
19	N/A	4/22/2021 9:24 AM

Item 5

Board Discussions and Possible Actions

f. Discussion and possible action related to a legislative update by Sledge Law Group.

Item 5

Board Discussions and Possible Actions

g. Discussion and possible action related to Cause No. D-1-GN-20-000835 in 250th Judicial District Court of Travis County, TESPAs v. BSEACD and Needmore, Water LLC.

Item 6

General Manager's Report Discussion and possible action topics

- a. Update on personnel matters.**
- b. Update on Aquifer conditions and status of drought indicators.**
- c. Update on upcoming board committee activities**
- d. Review of Status Report and update on team activities/projects.**
- e. Upcoming events of possible interest.**

**STATUS REPORT UPDATE
FOR THE MAY 13, 2021 BOARD MEETING**

Summary of Significant Activities – Prepared by Staff Leads

Upcoming Dates of Interest

- ASR for Texas: May 4, 2021 (Austin)
- Texas Groundwater Association Convention – August 1-4, 2021
- Texas Groundwater Summit 2021 (TAGD) – Aug 31-Sep 2 – Registration now open
- Texas Water Development Board (TWDB) “Water for Texas” 2021 Conference – September 27-29 – Early registration opens soon
- Public Comments for Texas Water Development Board State Water Plan due by 5:00 p.m., Wednesday, May 26

DROUGHT MANAGEMENT

Drought Status and Water-Level Monitoring (Justin)

Drought was officially declared at the October 8 Board meeting. On May 6, the Lovelady well had a level of 465.5 ft msl, about 14 ft below the drought trigger level. On May 6, Barton Springs was flowing at 57.8 cfs, well above the drought trigger point due to 3 to 4 inches of rain between April 29 and May 1. Area creeks were flowing including Onion Creek, providing recharge to Antioch Cave and the Edwards Aquifer.

Drought Communication (David, Michael)

Staff has updated District resources and the website to reflect the current Alarm drought stage. Regular social media posts are being scheduled to remind users to conserve and reduce all non-essential groundwater use. Educational resources have been prepared and are available upon request for permittees. Digital educational downloads are available on the website with the Drought Media Tool-Kit located on the Drought Education Page and includes links to other helpful resources. <https://bseacd.org/drought-edu/>

Written permittee notifications and public notice of drought conditions were mailed and emailed out. November was the first month that drought curtailments took effect. Drought Management Fees (DMFs) are now being assessed for permittees over pumping their drought targets. Permittees that are over pumping their drought targets receive a letter and an email stating that they will be assessed the DMFs. Drought curtailments will continue to be in place until drought restrictions are lifted.

Permittee Drought Compliance (Michael, Erin)

Permittees have not submitted meter readings at this time. Data will be available at the Board Meeting.

Month	Drought Status	Curtailment Requirement	DMFs
October 2020	NA	Drought Declared Oct 8 th , 2020. No curtailments required until Nov 1, 2021.	NA
November 2020	1 st full month of declared Drought Stage II	20% curtailment in effect <i>(Month 1 - Compliance evaluated early December)</i>	NA
December 2020	2 nd full month of declared Drought Stage II	20% curtailment in effect <i>(Month 2 - Compliance evaluated early January)</i>	NA
January 2021	3 rd full month of declared Drought Stage II	20% curtailment in effect <i>(Month 3 - Compliance evaluated early February)</i>	DMF in effect. (Invoice mailed in Feb – duc by Aug 5 th .)
February 2021	4th full month of declared Drought Stage II	20% curtailment in effect <i>(Month 4 - Compliance evaluated early March)</i>	DMF in effect. <i>DMFs Waived due to winter storm events.</i>
March 2021	4th full month of declared Drought Stage II	20% curtailment in effect <i>(Month 4 - Compliance evaluated early April)</i>	DMF in effect. (Invoice mailed in Apr – duc by Aug 5 th .)

April 2021	5 th full month of declared Drought Stage II	20% curtailment in effect <i>(Month 5 - Compliance evaluated early May)</i>	DMF in effect. <i>(Invoice mailed in May - due by Aug 5th.)</i>
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DISTRICT PROJECTS

GMA Joint Planning

➤ ***GMA 10 Coordination (Michael, Vanessa)***

A GMA 10 meeting was held on April 20, 2021 and the GMA took action to approved adopting proposed DFCs. The next GMA 10 meeting will be held in August, meeting details to be determined later. More information can be found at www.gma10.org

BSEACD now serves as the GMA 10 chair and will guide the discussions and planning activities at the GMA 10. The primary activities of focus for the 2021 years is the adoption of DFCS and the development of the explanatory report. We continue to coordinate internally on long-term goals related to DFC revisions and DFC monitoring compliance. Staff is actively collaborating in planning discussions internally, and with neighboring GCD representatives and TWDB staff.

➤ ***Explanatory Report Development (Michael, Jeff)***

GM and staff are coordinating a significant planning effort to review technical reports and to update content for the explanatory report that is scheduled to be completed by Summer 2021. Staff is coordinating with the team from Plum Creek GCD to review the previous explanatory report and identify areas of revision. Currently, staff is in the internal review process of the Freshwater Edwards, Saline Edwards and the Trinity Explanatory Reports.

Trinity Aquifer Sustainable Yield Study & Planning

➤ ***Advisory Workgroup Planning (Kendall, Vanessa)***

Staff presented an updated and revised timeline for the project at the March board meeting. GM and staff are continuing to review research on sustainability goals, metrics and thresholds. Staff has met with our facilitator four times to discuss the project timeline, communication, and certain components of an Advisory Work Group. Staff has begun internal discussions to evaluate the level of public participation, the fundamental objectives of the Advisory Work Group, the scope, and process and workflow to engage the participants, all of which will be incorporated into the Advisory Work Group Plan. Staff recently met with the facilitator to discuss the process overview and is working to finalize the level of participant engagement. Staff has the goal of holding the first meeting with the Sustainable Yield Advisory Working Group in summer.

➤ ***Technical Evaluations (Brian)***

Aquifer Science staff continue to collect data on the geology and hydrogeology related to the Trinity Aquifers. We are evaluating water-level data for a number of Trinity wells to looks for long-term trends. We are working with Hays County to install Trinity monitor wells in the Jacob's Well area. On March 3, Hays County began drilling a water well near EP that will be used for water supply for the county and also will proved water levels in three zone of the Trinity. Drilling and installation of this well was completed by March 19. Work on the first phase of the District's own numerical modeling has been completed. This phase involved the development of a steady-state model. We are currently converting the steady-state model into a transient model. We are members of a technical committee to guide the development of a numerical groundwater model of the aquifers influenced by the Blanco River. Planning and

funding of the Blanco River/Trinity model (BRATWURST) are close to being finalized with ongoing discussions between Hays County, Meadows Center, and Southwest Research Institute. Hays County has committed to providing \$500,000 to the project. This should allow for complete funding of the model. However, there is insufficient funding for a decision support system.

Habitat Conservation Plan (Brian, Erin)

- **COA/BSEACD Technical Meeting:** In December, Aquifer Science hosted a virtual meeting with staff from the City of Austin Watershed Protection Department to discuss activities related to the HCPs of each entity and to share data and reports about these activities.
- **MAC Meeting & Annual Report:** Staff prepared the annual report for review by the Management Advisory Committee (MAC). The MAC met on 1/26/2021 for its annual meeting and provided minimal edits and comments. The comments were incorporated into the final report and the report was submitted to USFWS on 2/25/21.
- **Implementation Schedule:** Staff is reviewing previous planning documents and will develop a new implementation timeline and schedule to guide project tasks and activities for the 1-3 year timeframe.
- **Planning for Technical Tasks:** Aquifer Science staff are coordinating studies at Barton Springs with COA staff. These studies include measurement of dissolved oxygen in the Barton Springs pool and the installation of a monitor well. The Watershed Protection Department has offered to install monitoring equipment in Barton Springs Pool to measure dissolved oxygen as the springs experience wet to drought conditions.

Database Management System - Intera Inc (Michael, Kendall)

Intera continues to work on modules for completion and deployment. Staff had internal meetings with Intera on May 4, 2021 to discuss the progress of the project which included scheduling changes and providing Intera with information regarding Drought and Query builder. Meetings with Intera are scheduled throughout the next few months to review mockups and to review other sections of the database. Staff will likely need to spend more time on this project to get it finalized.

ILA Commitments (Brian)

The District has ILA commitments with Hays County and HTGCD to install two monitor wells in the Jacob's Well Area. Information from these wells will be used to better understand the flow system that delivers Middle Trinity groundwater to Jacob's Well, and to develop our numerical groundwater models. Installation of these monitor wells should be completed by late summer 2021. We are currently working with a driller for cost estimates. And we are discussing with Hays County staff the location of one of the wells on Hays County park property.

The ILA with COA is intended to coordinate studies for the respective HCPs such as scientific feasibility studies and monitoring evaluations; to collaborate on the planning of future Kent Butler Summits; and to exchange technical information regularly on an annual basis.

Status update – An annual technical meeting was held in December 2020. In January 2021, the annual MAC meeting was held. Kent Butler Summit small group discussions took place in

Jan- Feb 2021. COA/BSEACD plan to have additional discussions and planning efforts to coordinate the details of the DO studies and the monitor well installation.

Kent Butler Summit Planning (Vanessa, David)

A COA/BSEACD small group discussion has been put on hold but we are in discussions and looking for options to reschedule that for summer or fall 2021.

Region K Planning Activities (Vanessa)

No update.

Strategic Planning Preparation (Vanessa):

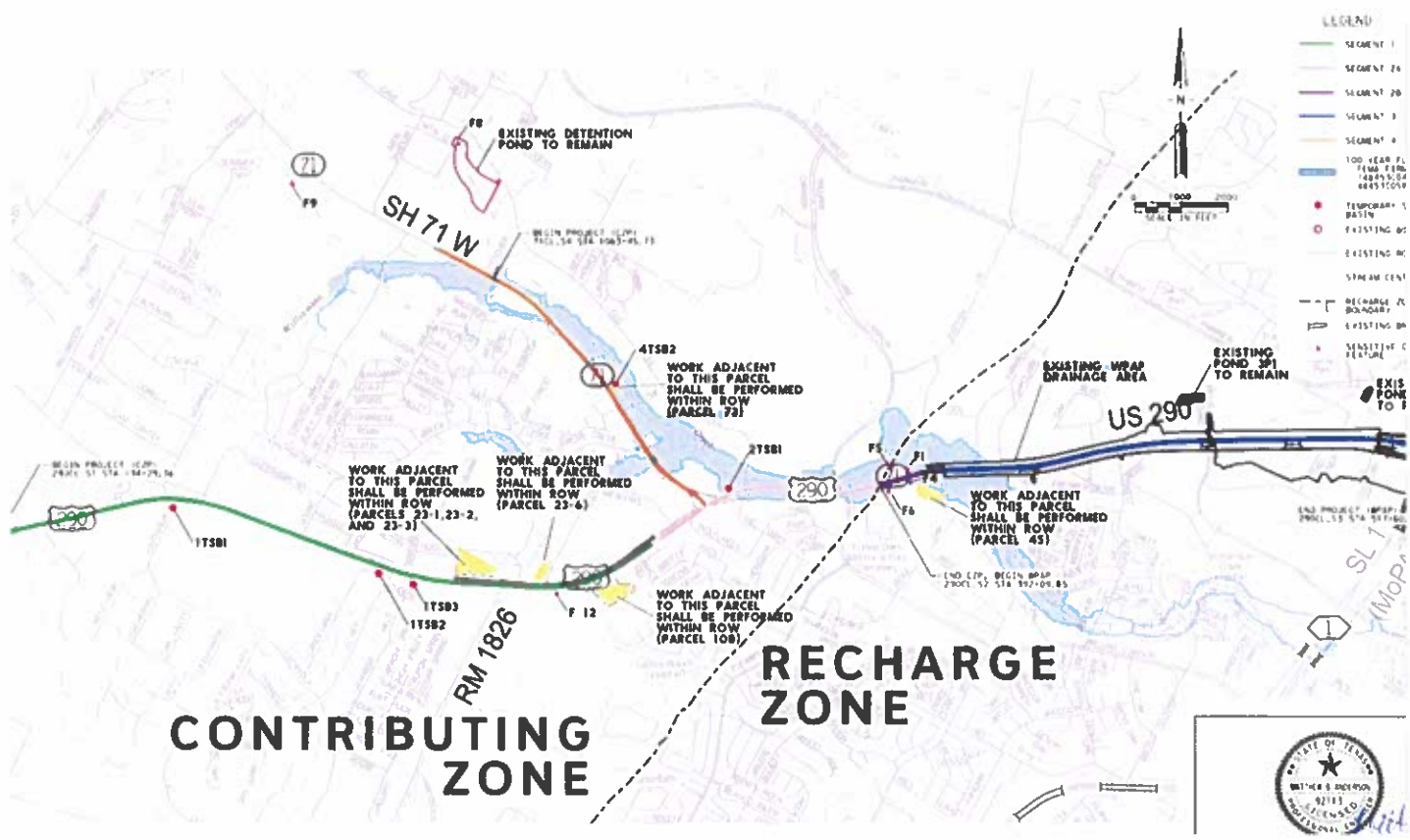
The schedule for strategic planning workshop discussions:

- Part 1 Strategic Planning – Saturday 5/15 @ 9 am to noon (virtual) all board & staff.
- Part 2 Strategic Planning – Wednesday 5/19 @ 4 pm to 7 pm (virtual) all board & staff.

WPAPs

Staff recently received the OAK Hill Parkway Project WPAP and CZP for Clearing and Grading Phase

Oak Hill Parkway project traverses both the Edwards Aquifer Recharge Zone and Contributing Zone. The project will be divided into 4 segments and an offsite detention pond.



Phasing structure

Work Type	Work Elements	EAPP Permit to Include
Grading	<ul style="list-style-type: none"> Clearing and grubbing Grading/Excavation Retaining Walls, Sound Walls City of Austin Water and Wastewater Lines <p>Note: Wastewater line within Recharge Zone will go thru EAPP SCS application approval process.</p>	<ul style="list-style-type: none"> WPAP & CZP plans Right to possess and use of ROW TCEQ Site Plan <p>Note: Plan sheets related to Impervious Cover will not be provided.</p>
Offsite Detention Pond	<ul style="list-style-type: none"> Clearing and grubbing Construction of earthen dam/berm up to 20 ft high, 700 ft long with concrete spillway Site access and maintenance pad 	<ul style="list-style-type: none"> CZP Exception plan Right to possess and use of ROW Signed and sealed plans for full construction Plan sheets related to Impervious cover and Permanent BMPs
Wastewater Line in Recharge Zone	<ul style="list-style-type: none"> City of Austin wastewater line within Recharge Zone Wastewater line that is extended from Recharge Zone to the next manhole in Contributing Zone 	<ul style="list-style-type: none"> SCS plan Right to possess and use of ROW Signed and sealed plans for full construction Plan sheets for temporary BMPs
Full Construction (Final Design)	<ul style="list-style-type: none"> Final Pavement, Bridges, Drainage Structures Permanent BMPs 	<ul style="list-style-type: none"> WPAP and CZP plans Right to possess and use of ROW TCEQ Site Plan

WPAP – RZ

This phase of construction will include clearing, grubbing, grading, and water lines. Temporary BMPs include rock filter dams, silt fences soil retention blankets and inlet protection. Permanent BMPs and water quality basins will not be constructed during this phase are not included in this WPAP. Water quality basins will be roughly graded and serve as temporary sediment and hazardous material traps during construction. A final permit phase will be provided at a later date when impervious cover and permanent water quality ponds and BMPs will be permitted. The GA identified 13 features and 4 were identified as sensitive (F-1, F-4, F-5, F-6). All sensitive features seem to have a 50 ft no-construction buffer as protection.

CPZ – CZ

This phase of construction will include clearing, grubbing, grading, and permanent wall construction and water and wastewater lines. Temporary BMPs will be same as in WPAP. F-12 has been identified and will have 50 ft no-construction buffer and 200 ft watershed catchment.

Training, Presentations, and Conferences (All Teams):

- ***Aquifer Science:*** *In late April, Brian Smith attended a virtual conference held by the Association of Environmental and Engineering Geologists. He also presented a talk about the construction at the Mopac Intersections project at this conference. In early May, he attended a conference on ASR in Texas.*
- ***Regulatory Compliance:*** *NA*
- ***Administration:*** *PFIA (Public Funds Investment Act) biennial training as required by TWC Chapter 36.*
- ***Communications and Outreach:*** *NA*
- ***General Manager:*** *Board Governance Workshop 4/22*
- ***All Staff:*** *Cybersecurity Training TAGD*

New Maps, Publications, or Reports:

A list of recent publications can be found at: <https://bseacd.org/scientific-reports/>

The latest eNewsletter published in April 2021 can be found at:

<https://bseacd.org/publications/newsletters/>

LITIGATION AND LEGISLATION

Litigation and SOAH Activities (Vanessa)

- **Electro Purification Production Permit:**

Current Activity: On April 14th the GM and counsel met with EP to discuss their desired requests relating to amending their permit application request. We discussed administrative processes and options relating to the pending permit as well as the GM's current position statement.

Recent Background: On March 9th the GM issued a letter to EP returning the July 17, 2017 application of Electro Purification LLC and explaining that there is no further action that the GM intends to take in connection with the remand. On March 11th the applicant, EP, responded to the GM's 3/9 letter, stating that they interpret the EP application to still be active and necessitating Board Action.

The District submitted pre-filed testimony and a revised GM Position Statement in December 2020. Depositions were scheduled for Jan-Feb 2021. On Jan 11, 2021 EP filed a Notice of Nonsuit and request to remand the application back to the District. On Jan 15, 2021, the District filed a response to the applicant's Notice of Nonsuit and requested that the ALJs find that with a nonsuit, that EP has withdrawn the application. On Jan 25, 2021 EP filed a response disagreeing with the District's request that the ALJs find the application withdrawn. On Feb 4, 2021, the ALJs dismissed the EP matter and remanded the matter back to the District. The original hearing on the merits will no longer be set for the dates of April 12-16 & 19-20, 2021.

- **Needmore Water LLC:**

On 5/4/21 TESPAs provided a settlement offer to the District and Needmore for consideration. Discussions are pending input from the parties. Under the current District Court schedule, TESPAs has a brief due on May 24, Needmore and the District's Reply Brief is due June 21, TESPAs may file a Response Brief on July 20 and the hearing before District Judge Crump is August 19.

87th Legislature Bill Activity (Vanessa, Kendall)

Of note, there is now a CSSB 152 for Senator Perry's S.B. 152 filed by Senator Perry that is an omnibus groundwater bill. This bill focuses on attorney's fees, petitions to GCDs for rulemaking, and permit notices to affected persons. CSSB 152 removes the attorney's fees component; more information is described in the confidential legislative report provided in Board backup.

The GM is working with SledgeLaw Group to track bill activity that will affect the District and groundwater regulation in general. GM and staff are tracking the legislative initiatives and participating in the following subcommittees at TWCA and TAGD committees.

RULEMAKING, PERMITTING, AND ENFORCEMENT

Rulemaking (Michael, Kendall)

The Regulatory Compliance team has developed draft documents to amend District Rules and enforcement procedures that pertain to two rulemaking areas in particular. The staff continues to meet internally and will schedule a meeting with the rules committee as needed. Staff will present rule concepts and updated timelines as those are developed. The two areas of focus for the rulemaking efforts are:

- Improving the rule language relating to enforcement violations and penalties for over pumping of annual permits.
 - a. Staff has meet internally to discuss the changes
 - b. Next step is review by legal advisor and rules committee meeting
- Open up permit criteria relating to Conditional Class A permits that would allow for more firm yield permit options for small volume permittees.

Staff estimated the number of new permits and an associated volume (range) that could result from the rule change. Staff then meet with our consultant Kirk Holland in early March to discuss potential impacts to the HCP. Staff is planning to discuss concepts with our attorney Bill in April or May. Staff will also review our take methodology and meet with Kirk again in April or May.

Enforcement and Compliance Matters (Michael, Erin)

<i>Compliance/Enforcement</i>			
<i>Permittee or Entity Name</i>	<i>Aquifer</i>	<i>Use Type</i>	<i>Notes</i>
Well on Polk Rd	Not sure	Commercial	Staff received complaint from citizen regarding well supplying businesses and homes and being charged and water quality issues. Staff has not been able to get ahold of the property owner. Further steps to be determined.
Vintage Oak Wedding Venue	Middle Trinity	Commercial/Irrigation	Site visit was made on 5-7-21. Determination of whether or not a permit is required is pending further info and investigation.
Aqua Texas – Bliss Spillar	Edwards	PWS	Pre-Enforcement Meeting on 5/4/21

Permitting Activity (Michael, Erin)

<i>In Review</i>				
<i>Application Type</i>	<i>Aquifer</i>	<i>Applicant Name</i>	<i>Use Type</i>	<i>Volume Request</i>
Plugging	Edwards	Moon Valley Nursery	Domestic	0
Plugging	Edwards	Emerson at Buda Apartments	Domestic	0
LPP	Upper Trinity	Julie Escamilla	Domestic	500,000
LPP	Waiting on Paperwork	Mary Burton	Domestic	500,000
Change of Ownership	Edwards	James Stinson	Agricultural/Livestock Commercial	430,000

Change of Ownership	Edwards	Ford Restaurant Group	Commercial	1,875,000
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Recently Approved

<i>Application Type</i>	<i>Aquifer</i>	<i>Applicant Name</i>	<i>Use Type</i>	<i>Volume Request</i>
LPP	Edwards	Brian Carter	Domestic	500,000
Exempt	Cow Creek	Joey Schonefeld	Domestic	Exempt
LPP	Middle Trinity	David Robertson	Domestic	500,000
LPP	Upper Trinity	Jose & Maria Martinez	Domestic	500,000
Exempt	Non-Producing	Matthew Janiga	Geothermal	Non-Producing

AQUIFER STUDIES (Brian)

Permitting Hydrogeologic Studies:

- Aqua Texas Inc- Aquifer Science staff has been involved with Aqua Texas as they are drilling a Lower Trinity well in Chaparral Park.
- Aquifer Science staff are reviewing plans for a Trinity well at Ski Quest east of IH-35.

Groundwater Studies: *Dye Tracing, Water Quality, Aquifer Characterizations*

- Colemans Canyon- As part of the Jacob's Well study, we are collecting data from domestic wells in the area. A dye-trace study will be conducted this year with Hays County, EAA, and HTGCD.
- Planning for installation of two monitor wells near Jacob's Well.
- Kinder Morgan Permian Highway Pipeline – WQ Workgroup: Planning for a meeting in May with parties interested in conducting some form of groundwater monitoring related to the pipeline.

Field Activities:

- Antioch- Continuing to maintain the system and to collect data on flow into the vault.
- Well Monitoring- Continuing to maintain equipment in numerous monitor wells and to download and interpret data.

Trinity Aquifer Modeling Development:

- BRAT Modeling- Waiting for Meadows Center to give SWRI the go-ahead to start the model. This should start by late May now that funding for the project has been completed.
- In-house model- Working to transition the steady-state model into a transient model
- DSS Tool -A small project is underway by a consulting company in Nebraska to develop a Groundwater Evaluation Tool (GET) for the Trinity Aquifers using the District's in-house model. This work is being paid for by a grant from the Environmental Defense Fund.

COMMUNICATIONS AND OUTREACH
(David Marino)

Website: During the month of April a few new banners were added, including a Stage II banner and a banner for the newsletter. The Kent S. Butler Scholarship deadline information was also moved up in spotlights. The Spring Newsletter was uploaded to the website, along with videos for the latest BSEACD board meetings. I held a virtual meeting to touch base with our contracted website help, Brian Zavala. I spoke to him about his availability moving forward and our interest to do a refresh on the District’s current website.

Website Analytics 2021			Top Website Pages Visited		
Month	Total Page Views	Unique Visitors	March	April	May
March	3,386	2,608	Homepage 1,358 Views	Homepage 1,339 Views	
April	3,782	2,846	Scholarships 192 Views	Scholarships 331	
			Maps 140	Maps 155	
			Agendas 123 Views	Agendas 141 Views	
			About Us/Staff 94 Views	About Us/Staff 109	

Kent S. Butler Groundwater Scholarship Applicants: The Kent S. Butler Groundwater Scholarship Applicants were due on Tuesday, April 20. We received six applicants. All applicants were sent to the judges. Judges returned the results on Friday, April 30. The top three winners will be presented during the May 13 Board Meeting.

Conservation Credit Policy Survey: Communications and Outreach put together a survey and sent out to permittees on the conservation credit policy and how they would feel if the District did away with it. Results came back April 30. There will be a presentation at the May 13 Board Meeting.

Strategic Communications and Outreach Plan – Communications & Outreach started working on an expanded strategic communications plan for the District which includes policy on public terms of use for social media, media protocol, press release procedure, etc. This is a work in-progress and I will present a draft to General Manager in mid-May and then to the communications subcommittee in late May.

Videos (Uploaded to YouTube and Twitter/Facebook):

- BSEACD Social Media Promo - <https://www.youtube.com/watch?v=8H7t7j1LoD8>
- What is the role of BSEACD - <https://www.youtube.com/watch?v=lfAqk7sRY3M&t=1s>
- The Antioch Cave – <https://www.youtube.com/watch?v=TYWSe7x2hsI>
- Barton Springs Pool Quick Video - <https://www.youtube.com/watch?v=XHdRbb2iLVM>
- BSEACD Promo - <https://www.youtube.com/watch?v=Lc2lrwFqCmc>

Barton Springs Pool - https://www.youtube.com/watch?v=xAh2w1y_Q5I&t=3s
Administrative Professionals Day: https://www.youtube.com/watch?v=BqvNkc_zGnA
Earth Day: <https://www.youtube.com/watch?v=9r8DWXVxauA>

Social Media (Twitter & Facebook): Here is everything we shared in April on social media: Groundwater Essay Scholarship Essay Contest Deadline, TWDB Draft State Water Plan, TWDB Water Weekly report, Spring eNews, Water Wise Wednesday: Lawn and Garden Practices, BSEACD Promo Video, Throwback Thursday: Karst Goat Cave Preserve, Barton Springs Pool, shared information about Soil and Water Stewardship Week from Texas State Soil and Water Conservation Board, shared information on rain forecast from National Weather Service, shared the latest Water Weekly report from Texas Water Development Board, promoted the District's social media channels by posting promo video, Water Wise Wednesday – Irrigation Self-Audit, rain barrels getting rain. The top performing post on Facebook for the month of April was the Antioch Cave with over 2.3K views. The top performing post on Twitter for the month of April was a picture we shared of our rain barrels getting water thanks to the rain. It had 73 impressions. The top performing video on YouTube for the month of April was Antioch Cave with 56 views.

Media/Public Relations Presentation for Board of Directors: I put together a presentation for the board regarding best practices for media/public relations. It has been recorded and uploaded to VIMEO for Board Directors and will be on the May 13 Board Meeting Agenda.

BSEACD Featured in Travis County Earth Day Videos: Communications & Outreach set up a video shoot with Brian Smith and Travis County Commissioner Ann Howard. The commissioner did a few video segments with Brian at Barton Springs Pool for Earth Day.
Barton Springs Part 1: https://www.youtube.com/watch?v=EK_9kKrNgY4
Barton Springs Part 2: https://www.youtube.com/watch?v=Bq_L7SV0Iak

Spring Newsletter: The Spring eNews went out on Tuesday, April 13, ahead of schedule (originally scheduled for April 15). Link to newsletter: <https://bit.ly/3dXxQSq>. Spring eNews was sent out to all subscribers, posted on the website under spotlights, on the newsletter page, and a banner was placed the top of the website, and it was shared on social media.

Media Inquiries: Hays Free Press reached out about the Sawyer-Cleveland Partnership, Ltd Texas Pollutant Discharge Elimination System Permit. I sent Reporter Sahar Chmais the TCEQ Draft Permit. I also told her that BSEACD would be submitting a comment letter as part of the hearing on Tuesday, April 20.

Save Barton Creek Association Press Conference: I attended the Save Barton Creek Association Press Conference regarding the Sawyer-Cleveland Draft Permit. Residents and Save Barton are against it. A TCEQ Draft Permit hearing took place on April 20. The permit was withdrawn by TCEQ.

Texas AWWA and Rogue Water Lab Utility Communication Webcast Series: Attended webcast and best communication practices.

FY 2022 Budget: Communications & Outreach has completed proposed FY 2022 Budget and it has been submitted to General Manager and Dana Wilson for review.

GENERAL ADMINISTRATION
(April 2 – May 6, 2021)

Accounts Receivable/Permittee Cycle Billings

On April 16, invoices went out for May monthly permittee production fees. Currently, 4th quarter and June monthly production fee billings are in process, with a May 16 billing date.

Budget 2021 Revision and Budget 2022 Preliminary Version

Draft Preliminary Budget FY 2022 is in process. The FY 2021 Budget Revision is an agenda item at the May 13 Board Meeting.

Drought Assessments - DMFs (Drought Management Fees)

Drought letters are mailed out monthly, during drought, to permittees to notify them of any drought compliance target chart issues.

DMFs were assessed in April to apply to March pumpage. Currently, assessments are being made to apply to April drought targets.

Financial Reporting – Website Transparency Section (Texas Comptroller’s Office)

These are four separate reports and in different format (data over formatting) than the four monthly financial reports that are included in Board backups.

Transparency Star-related: Most current, available financial reports are to be posted on our website and accessible within three clicks, as required by the Texas Comptroller of Public Accounts Transparency Star Program. Balance Sheets, Profit and Loss Statements, and Check Registers (Operating and Payroll) through April 2021 have been posted on the District website.

Miscellaneous

Cyber security training.

EP deposit remainder has been refunded to depositor.

Quarterly payroll tax reporting January–March 2020 was due end of April.

The Administration Team typically has repetitive monthly tasks e.g. monthly bank reconciliations, daily phone answering, monthly adjusting journal entries, accounts payable, contract/grant/project tracking, monthly meter reading reporting, office maintenance and repairs, budget monitoring, payroll, bi-weekly payroll journal updates, directors’ compensation, pre-pays, DMFs, etc. These types of tasks are not listed in this report because they are repetitive. Administration status reports are generally more summarized than the other teams, as we list our extra-ordinary tasks outside of our routine tasks, and aren’t involved in projects as much as the other teams.

Item 7

Director's Reports

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

Item 8

Adjournment