



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

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**Thursday, November 10, 2022**

**5:00 PM**

**IN-PERSON**

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Notice is given that a **Regular Meeting** of the Board of Directors (Board) of the Barton Springs/Edwards Aquifer Conservation District will be held on **Thursday, November 10, 2022** commencing at **5:00 p.m.** at the **District office, located at 1124 Regal Row, Austin, Texas.**

This meeting will be audio recorded and the recording will be available on the District's website after the meeting.

Public Comments at the Board Meeting – Please complete a comment card prior to the start of the 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.**

**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.**
- 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 October 13, 2022 Regular Meeting & Public Hearing. **Not for public review at this time**
  - c. Approval of the Master Services Contract with INTERA, Inc. for groundwater-related technical support. **NBU**

d. Approval of the Master Services Contract with Austin Alliance Group. **Pg. 26**

**4. General Manager's Report. Discussion and possible action. Topics**

- a. Review of key team activities/projects. **Pg. 31**
- b. Aquifer status update.
- c. Upcoming events of possible interest.

**5. Staff Presentation.**

Staff will present on permitting under district rules related to applications found to have the Potential for Unreasonable Impacts.

**6. Discussion and possible action.**

- a. Discussion and possible action related to finalizing the November 8, 2022 General Election and qualifying directors for office including, but not limited to approval of Director bonds. **NBU**
- b. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments. **NBU**
- c. Discussion and possible action related to adoption of the Groundwater Management Area 10 Desired Future Conditions and relevant aquifer designations by Resolution #111022-01. **Pg. 50**

**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.**

**Please note:** This agenda and available related documentation, if any, have been posted on the District website, [www.bseacd.org](http://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.

## **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 October 13, 2022 Regular Meeting and Public Hearing.**
- c. Approval of the Master Services Contract with INTERA, Inc. for groundwater-related technical support.**
- d. Approval of the Master Services Contract with Austin Alliance Group.**

## **Financial Reports – October 2022**

### **November 10, 2022 Board Meeting**

**1. Profit and Loss Budget vs Actual**

September 1, 2022 through October 31, 2022

**2. Profit and Loss Previous Year Comparison**

September 1, 2022 through October 31, 2022

**3. Balance Sheet Previous Year Comparison**

As of October 31, 2022 (compared to October 31, 2021)

**4. Check Register – TRUIST Bank Account**

October 1, 2022 through October 31, 2022

**These reports are pre-E-O-Y pre-audit adjustments.  
(Most adjustments have been made but others may be made after  
the final audit report is presented.)**



**1. Profit and Loss Budget vs Actual**

September 1, 2022 - October 31, 2022

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

September 1, - October 31, 2022

	Sept 1, 2022 - Oct 31, 2022	Budget	% of Budget	Notes
<b>INCOME</b>				
4400.0 · Interest Income	3,532.28	1,600.00	220.77%	Increase due to market change.
4625.0 · MISCELLANEOUS INCOME	40,090.36	0.00	100.0%	\$39,875 Intra Database Remittance
4800.0 · USAGE AND PRODUCTION FEES	521,379.01	1,619,554.00	32.19%	Permittees, Co/AWU, Transport and Annual Renewals
4810.0 · OTHER FEES	6,475.00	12,300.00	52.64%	Well Development, Applications, DMFs, Pluggings, etc. (includes \$2500 permit special provision)
<b>TOTAL INCOME</b>	<b>571,476.65</b>	<b>1,633,454.00</b>	<b>34.99%</b>	
<b>EXPENSE</b>				
6000.0 · UTILITIES	3,241.15	22,000.00	14.73%	
6005.0 · Print/Copy/Photo Services	979.90	2,000.00	49.0%	High due to envelopes order.
6007.0 · Postage/Freight/Shipping	300.00	2,000.00	15.0%	
6010.0 · Office Supplies	556.45	6,000.00	9.27%	
6010.2 · Office Furniture	0.00	1,000.00	0.0%	
6011.0 · Comp Hardware - Plotter Supplies	545.00	6,000.00	9.08%	In general, meant to cover two employee desktop replacements
6014.0 · Software Acquisition and Upgrades	212.50	6,000.00	3.54%	
6015.0 · IT Monthly Maintenance	4,560.40	44,100.00	10.34%	
6016.0 · Meeting Expense	444.59	4,500.00	9.88%	
6017.3 · Sponsorships	0.00	3,750.00	0.0%	
6019.0 · Subscriptions/Publications	0.00	5,000.00	0.0%	
6020.0 · Advertising	332.00	4,000.00	8.3%	
6021.0 · MISCELLANEOUS EXPENSES	8.00	0.00	100.0%	
6022.0 · Accounting System Operation	671.20	6,000.00	11.19%	
6023.0 · MAINTENANCE	1,846.63	21,500.00	8.59%	Office and Auto
6025.4 · Facilities Repairs	4,400.00	0.00	100.0%	A/C Repair (included in above budget of 21,500).
6040.0 · LEASES	1,614.90	9,650.00	16.74%	Copier and Postage Machine
6065.0 · DIRECTOR EXPENSES	0.00	2,500.00	0.0%	
6066.0 · Directors Compensation	1,100.00	25,000.00	4.4%	
6075.0 · DUES and MEMBERSHIPS	2,610.00	6,100.00	42.79%	
6080.0 · COMMUNICATIONS AND OUTREACH	145.76	17,050.00	0.86%	



	Sept 1, 2022 - Oct 31, 2022	Budget	% of Budget	Notes
6081.0 · REGULATORY COMPLIANCE	975.00	7,500.00	13.0%	
6084.92 · GENERAL MANAGEMENT	0.00	5,000.00	0.0%	
6089.0 · AQUIFER SCIENCE	374.84	15,000.00	2.5%	
6095.0 · CONTRACTED SUPPORT	1,950.00	40,750.00	4.79%	New placement (moved out of Team Budgets)
6100.0 · INSURANCE - DISTRICT	1,091.24	7,047.00	15.49%	Property, Auto, Liability, E&O
6150.0 · INSURANCE - GROUP	10,752.13	150,860.00	7.14%	Health, Dental, Life, Disability, Vision
6160.0 · LEGAL SERVICES	5,775.00	121,000.00	4.77%	General Matters
6170.0 · PROFESSIONAL SERVICES	12,998.97	183,860.00	7.07%	Audit, Elections, Database, Retirement Fees
6179.0 · LEGISLATION	1,000.00	0.00	100.0%	
6180.0 · PROFESSIONAL DEVELOPMENT	1,476.05	20,000.00	7.38%	
6199.0 · SALARIES AND WAGES	127,166.32	852,865.00	14.91%	
6203.0 · TAXES & BENEFITS	33,501.38	128,327.00	26.11%	
6690.0 · Reconciliation Discrepancies	0.00	0.00	0.0%	
6800.0 · PROJECTS	0.00	17,500.00	0.0%	Sustainability Studies 12k, Abandoned Wells 3k, Antioch 2.5K
<b>TOTAL EXPENSE</b>	<b>220,629.41</b>	<b>1,743,649.00</b>	<b>12.65%</b>	
<b>NET ORDINARY INCOME</b>	<b>350,847.24</b>	<b>-110,195.00</b>		Negative effect (shortfall) to budget before accounting for the transfers to balance the budget, shown below.
<b>OTHER INCOME</b>				
9000.00 · Transfer from Reserves	0.00	110,200.00	0.0%	\$107,200 FROM General and \$3000 from TexPool Aquifer Reserve (General sub-account)
<b>TOTAL OTHER INCOME</b>	<b>0.00</b>	<b>110,200.00</b>	<b>0.0%</b>	
<b>NET INCOME</b>	<b>350,847.24</b>	<b>5.00</b>		This is the difference between the negative amount in Net Ordinary Income before the transfers in from other accounts, needed to balance the budget.



**2. Profit and Loss - Previous Year Comparison**

September 1, 2022 – October 31, 2022

**BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT  
PROFIT AND LOSS - PREVIOUS YEAR COMPARISON  
September 1 - October 31, 2022**

	Sept 1 - Oct 31, 2022	Sept 1 - Oct 31, 2021	\$ Change	% Change
<b>INCOME</b>				
4400.0 · Interest Income (increase due to market change)	3,532.28	89.11	3,443.17	3,863.96%
4625.0 · MISCELLANEOUS INCOME	40,090.36	471.94	39,618.42	8,394.8%
4800.0 · USAGE AND PRODUCTION FEES (Permittees, CoA, Transport, Annual Renewals)	521,379.01	493,474.91	27,904.10	5.66%
4810.0 · OTHER FEES (well development, applications, pluggings)	6,475.00	5,486.50	988.50	18.02%
<b>TOTAL INCOME</b>	<b>571,476.65</b>	<b>499,522.46</b>	<b>71,954.19</b>	<b>14.41%</b>
<b>EXPENSE</b>				
6000.0 · UTILITIES	3,241.15	3,878.85	-637.70	-16.44%
6005.0 · Print/Copy/Photo Services	979.90	63.67	916.23	1,439.03%
6007.0 · Postage/Freight/Shipping	300.00	300.00	0.00	0.0%
6010.0 · Office Supplies	556.45	900.50	-344.05	-38.21%
6010.2 · Office Furniture	0.00	57.35	-57.35	-100.0%
6011.0 · Comp Hardware-Plotter Supplies	545.00	738.99	-193.99	-26.25%
6014.0 · Software Acquisition & Upgrades	212.50	0.00	212.50	100.0%
6015.0 · IT Monthly Maintenance	4,560.40	2,860.00	1,700.40	59.46%
6016.0 · Meeting Expense	444.59	326.79	117.80	36.05%
6019.0 · Subscriptions/Publications	0.00	199.00	-199.00	-100.0%
6020.0 · Advertising	332.00	0.00	332.00	100.0%
6021.0 · MISCELLANEOUS EXPENSES	8.00	-125.87	133.87	106.36%
6022.0 · Accounting System Operation	671.20	511.95	159.25	31.11%
6023.0 · MAINTENANCE (Office and Auto)	1,846.63	2,818.31	-971.68	-34.48%
6025.4 · Facilities Repairs (A/C repairs)	4,400.00	0.00	4,400.00	100.0%
6040.0 · LEASES	1,614.90	1,614.90	0.00	0.0%
6065.0 · DIRECTOR EXPENSES	0.00	0.00	0.00	0.0%
6066.0 · Directors Compensation	1,100.00	1,500.00	-400.00	-26.67%
6075.0 · DUES AND MEMBERSHIPS	2,610.00	2,665.00	-55.00	-2.06%
6080.0 · COMMUNICATIONS AND OUTREACH	145.76	1,270.00	-1,124.24	-88.52%
6081.0 · REGULATORY COMPLIANCE	975.00	0.00	975.00	100.0%
6084.92 · GENERAL MANAGEMENT	0.00	282.36	-282.36	-100.0%
6089.0 · AQUIFER SCIENCE	374.84	1,062.93	-688.09	-64.74%
6095.0 · CONTRACTED SUPPORT	1,950.00	0.00	1,950.00	100.0%

	Sept 1 - Oct 31, 2022	Sept 1 - Oct 31, 2021	\$ Change	% Change
6100.0 · INSURANCE - DISTRICT (Property, Liability, Auto, E&O)	1,091.24	493.62	597.62	121.07%
6150.0 · INSURANCE - GROUP (Employee Health, Dental, Life/Disability, Vision)	10,752.13	18,935.03	-8,182.90	-43.22%
6160.0 · LEGAL SERVICES	5,775.00	7,547.50	-1,772.50	-23.49%
6170.0 · PROFESSIONAL SERVICES (Audit, Election, Database, Retirement Fees)	12,998.97	13,548.87	-549.90	-4.06%
6179.0 · LEGISLATION	1,000.00	1,000.00	0.00	0.0%
6180.0 · PROFESSIONAL DEVELOPMENT	1,476.05	1,410.61	65.44	4.64%
6199.0 · SALARIES AND WAGES	127,166.32	120,489.68	6,676.64	5.54%
6203.0 · TAXES & BENEFITS	33,501.38	14,921.31	18,580.07	124.52%
6690.0 · Reconciliation Discrepancies	0.00	0.00	0.00	0.0%
<b>TOTAL EXPENSE</b>	<b>220,629.41</b>	<b>199,271.35</b>	<b>21,358.06</b>	<b>10.72%</b>
<b>NET INCOME</b>	<b>350,847.24</b>	<b>300,251.11</b>	<b>50,596.13</b>	<b>16.85%</b>



### **3. Balance Sheet - Previous Year Comparison**

As of October 31, 2022  
(compared to October 31, 2021)

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

As of October 31, 2022

	October 31, 2022	October 31, 2021	\$ Change	% Change
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
1000.0 · Cash in Bank-Checking Truist	72,638.39	87,210.71	-14,572.32	-16.71%
1010.0 · Cash in Bank - Payroll Truist	31,312.31	25,856.06	5,456.25	21.1%
1030.0 · TexPool Funds - General				
1030.1 · Aquifer Protection Reserve	53,750.00	52,050.00	1,700.00	3.27%
1030.21 · Cash Flow Reserve	175,000.00	175,000.00	0.00	0.0%
1030.0 · TexPool Funds - General - Operational	964,123.25	791,868.23	172,255.02	21.75%
<b>Total 1030.0 · TexPool Funds - General</b>	<b>1,192,873.25</b>	<b>1,018,918.23</b>	<b>173,955.02</b>	<b>17.07%</b>
1040.0 · TexPool Funds - Contingency	508,334.29	504,797.28	3,537.01	0.7%
1045.0 · TexPool Funds - Reserve (Vacation and Comp Payable)	65,014.00	61,063.48	3,950.52	6.47%
<b>Total Checking/Savings</b>	<b>1,870,172.24</b>	<b>1,697,845.76</b>	<b>172,326.48</b>	<b>10.15%</b>
<b>Accounts Receivable</b>				
1200.0 · Accounts Receivable				
1200.1 · A/R DMF (Drought Management Fees)	750.00	200.00	550.00	275.0%
1200.0 · Accounts Receivable - Other (billed invoices not yet received)	48,101.15	29,207.15	18,894.00	64.69%
<b>Total Accounts Receivable</b>	<b>48,851.15</b>	<b>29,407.15</b>	<b>19,444.00</b>	<b>66.12%</b>
<b>Other Current Assets</b>				
1100.0 · Petty Cash	300.00	300.00	0.00	0.0%
1300.0 · Pre-paid Expenses	13,271.71	14,135.01	-863.30	-6.11%
1499.0 · Undeposited Funds-A/R payments (received, posted, not yet deposited)	0.00	14,495.45	-14,495.45	-100.0%
<b>Total Other Current Assets</b>	<b>13,571.71</b>	<b>28,930.46</b>	<b>-15,358.75</b>	<b>-53.09%</b>
<b>Total Current Assets</b>	<b>1,932,595.10</b>	<b>1,756,183.37</b>	<b>176,411.73</b>	<b>10.05%</b>



	October 31, 2022	October 31, 2021	\$ Change	% Change
<b>Fixed Assets</b>				
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	52,363.03	52,363.03	0.00	0.0%
1430.0 · Accumulated Depreciation	-608,852.24	-608,852.24	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%
<b>Total Fixed Assets</b>	<b>293,054.31</b>	<b>293,054.31</b>	<b>0.00</b>	<b>0.0%</b>
<b>Other Assets</b>				
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%
<b>Total Other Assets</b>	<b>-25,470.00</b>	<b>-25,470.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>TOTAL ASSETS</b>	<b>2,200,179.41</b>	<b>2,023,767.68</b>	<b>176,411.73</b>	<b>8.72%</b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>Credit Cards</b>				
2007.0 · Truist VISA	0.00	1,231.42	-1,231.42	-100.0%
<b>Total Credit Cards</b>	<b>0.00</b>	<b>1,231.42</b>	<b>-1,231.42</b>	<b>-100.0%</b>
<b>Other Current Liabilities</b>				
2100.0 · Deferred Revenue	75,741.00	75,741.00	0.00	0.0%
2110.0 · Direct Deposit Liabilities	1,035.01	1,035.00	0.01	0.0%
2200.0 · Fica & Medicare Withheld	-11.31	35.52	-46.83	-131.84%
2220.0 · Federal Income Tax Withheld	-1,065.01	-1,035.01	-30.00	-2.9%
2230.0 · Employer Fica & Med Payable	-150.56	-103.73	-46.83	-45.15%
2250.0 · TWC Unemployment Tax Payable	9.00	0.29	8.71	3,003.45%
2270.0 · Payroll Liabilities	1,222.21	0.09	1,222.12	1,357,911.11%
2300.0 · Accrued Vacation Payable	77,546.76	55,256.73	22,290.03	40.34%
<b>Total Other Current Liabilities</b>	<b>154,327.10</b>	<b>130,929.89</b>	<b>23,397.21</b>	<b>17.87%</b>
<b>Total Liabilities</b>	<b>154,327.10</b>	<b>132,161.31</b>	<b>22,165.79</b>	<b>16.77%</b>

	October 31, 2022	October 31, 2021	\$ Change	% Change
<b>Equity</b>				
3000.0 - Fund Balance	1,284,836.71	1,181,186.90	103,649.81	8.78%
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	350,847.24	300,251.11	50,596.13	16.85%
<b>Total Equity</b>	<b>2,001,111.21</b>	<b>1,846,865.27</b>	<b>154,245.94</b>	<b>8.35%</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>2,155,438.31</b>	<b>1,979,026.58</b>	<b>176,411.73</b>	<b>8.91%</b>

**4. Check Register**

TRUIST BANK  
October 1 – October 31, 2022



**BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT**

**MONTHLY CHECK REGISTER**

**October 1, 2022 - October 31, 2022**

Type	Date	Num	Name	Memo	Amount	Balance
Check	10/04/2022	26494	Jan-Pro of Austin	October Office Cleaning 10/1/2022 - 10/31/2022	-270.00	122,511.66
Check	10/04/2022	26495	Wex Bank	ExxonMobil Card - Gasoline through September 23	-93.62	122,241.66
Check	10/04/2022	26496	Orsak Landscape Services	Lawn Service 9/16/2022	-65.00	122,148.04
Check	10/04/2022	26497	Waste Management	Trash and Recycle Dumpsters 10/1/2022 - 10/31/2022	-485.75	122,083.04
Deposit	10/04/2022			Deposit (permittee production fees, 1 LPP, 1 plugging)	23,148.68	121,597.29
Liability Check	10/06/2022	1062022	Reliance Trust Company	Employee Bi-weekly Retirement	-4,174.56	144,745.97
Liability Check	10/07/2022	1072022	United States Treasury	74-2488641 Employee Bi-weekly Payroll Liabilities	-8,547.67	140,571.41
Check	10/07/2022	26498	Charter Communications	Internet Service 9/30/2022 through 10/29/2022	-231.19	132,023.74
Check	10/07/2022	26499	TAGD	TAGD Membership Renewal FY 2023	-2,390.00	131,792.55
Check	10/07/2022	26500	Quill Corporation	Toner, pens, flags	-52.99	129,349.56
Check	10/07/2022	26501	TML Intergovernmental Risk Pool	10/1/2022-10/1/2023 Work Comp/Auto/E&O/Liability Ins.	-9,083.62	120,265.94
Check	10/07/2022	26502	Lofus, Timothy T.	TWCA Conference San Antonio 10/5-10/7/2022 TL	-981.05	119,284.89
Transfer	10/10/2022			Funds Transfer - Transfer for Payroll	-23,000.00	96,284.89
Check	10/12/2022	26503	Ready Refresh	Water Delivery 9/9/22-10/8/22	-120.91	96,163.98
Check	10/12/2022	26504	The Standard	Quarterly Retirement fees 7/1-9/30/22	-7,436.47	88,727.51
Check	10/12/2022	26505	Edwards Aquifer Research & Data Ctr	August water samples	-975.00	87,752.51
Check	10/12/2022	26506	Enhanced Air Solutions	Inside AC Replacement Copy Room	-3,400.00	84,352.51
Check	10/14/2022	26507	Montemayor Britton Bender PC	Audit Retainer and Progress	-5,562.50	78,790.01
Check	10/14/2022	26508	CIT Technology Fin Serv, Inc	October Copier Lease	-675.00	78,115.01
Check	10/14/2022	26509	Telco Experts	October Phone	-459.62	77,655.39
Check	10/14/2022	26510	The Geological Society of America	2023 Membership Renewal JC	-95.00	77,560.39
Transfer	10/17/2022			Funds Transfer	30,000.00	107,560.39
Check	10/18/2022	26511	Enhanced Air Solutions	AC Cleaned and Purified - Main Room	-1,000.00	106,560.39
Check	10/18/2022	26512	Orsak Landscape Services	Lawn Service - both lots	-140.00	106,420.39
Check	10/18/2022	26513	City of Austin	Water Service 9/9/22 - 10/1/22	-21.86	106,398.53
Check	10/18/2022	26514	Sam's Club	Supplies - Batteries	-267.94	106,130.59
Check	10/18/2022	26515	Hays Free Press	Public Hearing Ad - Management Plan	-68.00	106,062.59

Type	Date	Num	Name	Memo	Amount	Balance
Check	10/18/2022	26516	GateHouse Media Texas Holding	Public Hearing Ad - Management Plan	-264.00	105,798.59
Check	10/19/2022	26517	SledgeLaw Group	September 2022 Legislative Consulting	-1,000.00	104,798.59
Check	10/19/2022	26518	Jourmyx, Inc.	Timekeeping Annual Renewal -Year 3 of 3 through 11/14/2023	-4,188.00	100,610.59
Liability Check	10/20/2022	10202022	Reliance Trust Company	Employee Bi-weekly Retirement	-4,174.56	96,436.03
Liability Check	10/20/2022	26519	AFLAC	October Employee-paid Supplemental Insurance	-107.30	96,328.73
Liability Check	10/20/2022	26520	Sun Life Assurance	November Life/Disability/Dental/Vision Insurance	-1,368.08	94,960.65
Check	10/20/2022	26521	Fidelity Security Life Insurance Co	November Gap Insurance	-848.21	94,112.44
Check	10/20/2022	26522	Pitney Bowes Global Financial Svcs	Postage Meter Replenishment	-300.00	93,812.44
Liability Check	10/21/2022	EFT10212022	United States Treasury	74-2488641 Employee Bi-weekly Payroll Liabilities	-8,547.65	85,264.79
Deposit	10/21/2022			Deposit-production fees, 2 new well apps, 2 LPPs, 1 plugging	14,369.50	99,634.29
Liability Check	10/24/2022	EFT10252022	United States Treasury	74-2488641 Director Compensation Liability	-45.90	99,588.39
Transfer	10/25/2022			Funds Transfer - Payroll	-25,000.00	74,588.39
Check	10/28/2022	26523	GSI Environmental	MODFLOW GW Vistas Modeling Support - Task Order 5	-1,950.00	72,638.39
					-49,873.27	72,638.39
					<b>-49,873.27</b>	<b>72,638.39</b>

**Master Services Contract for Certain Services Requested by  
Barton Springs / Edwards Aquifer Conservation District  
To Be Delivered Under Task Orders Issued To  
Austin Alliance Group (AAG)**

This agreement establishes the contractual provisions by which the Barton Springs/Edwards Aquifer Conservation District (hereinafter “District”), 1124 Regal Row, Austin Texas 78748, Tel. 512-282-8441, a local political subdivision of the State of Texas; will engage AAG as a contractor (hereinafter “Contractor”), 723 W. University Ste 110-416, Georgetown, TX 78626. This agreement is made by the District and the Contractor (hereinafter collectively “the Parties”) with an effective date of November 14th, 2022, and will terminate no later than August 31, 2027, subject to the funding limitation and term provisions of Section III below.

**Section I  
Engagement of Contractor**

The District is a political subdivision of the State and is responsible for the protection, conservation, and management of groundwater within its jurisdictional boundaries in the Austin/Central Texas area. The Contractor is **AAG**. The District agrees to engage the Contractor to supply certain services, specified generally below and more specifically by individual task orders authorizing specific work under the terms and conditions set forth in this contract, and the Contractor agrees to perform such services under the terms and conditions set forth in this contract and the individual task orders if any. No minimum amount of contracting is guaranteed under this Master Services Contract, and the District reserves the right, in its sole discretion, to issue task orders to the Contractor.

**Section II  
Scope, Compensation and Deliverables**

Work will be authorized for performance only under negotiated task orders pursuant to this Master Services Contract. The scope of services to be provided by the Contractor under the task order will be identified in each task order. Task orders may be approved by the General Manager. As of the effective date, there is no task order that has been approved.

The work under each task order will be compensated on a time-and-materials basis. Each task order will define a cost of less than \$5,000.00 for that task order service with any hourly rates billed in minute increments. No commitment shall have been made by the District, and the Contractor is under no obligation to commence work, until such a task order has been made by the District and accepted by the Contractor, both in writing. Executed task orders shall become a part of this Agreement and upon execution, shall be considered notice to the Contractor to proceed. Work on each task order will be invoiced separately, generally at the completion of the task order, unless otherwise negotiated. District will pay all undisputed amounts promptly in accordance with Texas Government Code §2251.021(a) no later than 30 days after the presentation of an accurate invoice receipt.

The type and schedule for Deliverables will be specified by the individual authorizing task orders.



### **Section III Term, Termination**

The term of this master services contract ends on August 31, 2027, and the Contractor warrants its capability and willingness to perform the work until this termination date. It is acknowledged by the Contractor that funds for this agreement are budgeted only for the then current fiscal year, ending August 31.

The District may terminate this agreement with or without cause at any time and will pay the Contractor for any incurred or irrevocably committed costs to that date. Contractor may terminate this agreement with 30 days' written notice.

### **Section IV Relationship of Parties, Liaison**

The parties intend and agree that the Contractor, in performing the specified services, will act as an independent contractor and not as an employee of the District and that the Contractor retains control of the work and the manner in which it is performed. The above notwithstanding, Contractor understands that the District intends for its staff to be collaboratively engaged with the Contractor and to assist the Contractor in the performance of these services. Contractor will be free to contract for similar services to be performed by her for other clients while Contractor is under contract with the District, provided no conflict of interest exists or arises with the District and that the services to be provided by Contractor to such other persons do not interfere with the substantive and timely performance of Contractor's obligations under this contract. Contractor is not to be considered an agent or employee of the District, will not have the rights of an employee of the District, and is not and will not be or become entitled to participate in any pension plans, bonus, or similar benefits that the District provides its employees. The District's General Manager will be the District's representative and authority for contractual matters of scope, schedule, and budget.

### **Section V Miscellaneous**

- a. Venue for all claims and disputes arising under or related to this contract shall be and lie exclusively in the state and county courts of Travis County, Texas, USA, and the federal district court of the Western District of Texas, Austin Division.
- b. The laws of the State of Texas, excepting its choice of laws and provisions, shall govern this contract and its interpretation, construction and application, and any disputes or claims arising under or related to this contract.
- c. This is the complete agreement between the parties concerning the subject matter hereof, and no prior oral or written provisions, undertakings, understandings, promises or representations shall have or be given effect to modify, limit, negate or augment the provisions of this contract. This contract may be amended only by writing duly executed by both parties.
- d. Notices given in relation to this contract shall be in writing and shall be deemed given (i) when delivered personally to the recipient's address appearing in the opening paragraph of this contract; (ii) three (3) business days after being deposited in the U.S. Mail, postage prepaid, and addressed to the recipient's address as stated in the opening paragraph of this contract; or (iii) upon delivery by a

national courier service, capable of tracking and documenting shipping and delivery, to the recipient at the address stated in the opening paragraph of this contract.

- e. In the event, any provision of this contract is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this contract shall be valid and enforceable to the maximum extent permitted by law.
- f. No term or provision of this contract shall be deemed to be waived and no consent to any breach or default shall be deemed unless such waiver or consent be in writing signed by the party against which such waiver or consent is asserted; the terms of this contract shall not be deemed to be amended by any such event of waiver or consent unless in a writing expressly stating such amendment; and any waiver by either party, whether express or implied, shall not imply consent or waiver of any term or provision on any other occasion, or any consent to any different breach or default.
- g. Descriptive headings or captions in this contract are for convenience only and shall not affect the construction or application of this contract. Words having established technical or trade meanings in the industry shall be so construed. Listings of items shall not be exclusive unless expressly so stated, but shall include other items, whether similar or dissimilar to those explicitly listed, as the context reasonably requires. No rule of construction requiring interpretation against the drafting party shall be applied or given effect. Words of any gender used herein shall be deemed to include words of any other gender; and use of the singular or the plural herein shall include the other, unless context requires otherwise.
- h. When mediation is acceptable to the parties in resolving a dispute arising under or related to this contract, the parties agree to use the Dispute Resolution Center of Austin, Texas, as the provider of mediators for mediation. Unless the parties are satisfied with the results of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation must remain confidential as described in TEX. CIV. PRAC. & REM. CODE ANN. § 154.073, unless the parties agree in writing to waive such confidentiality. Neither party may be compelled to arbitrate any dispute or claim arising under or related to this contract without its express consent.
- i. Confidential Information. Contractor agrees to hold and keep strictly confidential any information, documents or other records disclosed to Contractor by the District that are identified by the District as confidential, sensitive, proprietary or otherwise privileged under the law; and to promptly advise the District in writing if such confidential information is provided to or accessed by unauthorized persons.

The parties executed this agreement in Austin, Texas on the 10<sup>th</sup> day of November, 2022.

**For Barton Springs/Edwards Aquifer  
Conservation District**

**For AAG**

Contractor:

\_\_\_\_\_  
Timothy T. Loftus, Ph.D.  
General Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Approved as to Form:**

\_\_\_\_\_  
William D. Dugat, III  
Counsel

\_\_\_\_\_  
Date

## **Item 4**

### **General Manager's Report Discussion and possible action topics**

#### **Topics**

- a. Review of key team activities/projects.**
- b. Aquifer status update.**
- c. Upcoming events of possible interest.**

## Summary of November Team Activities and On Deck for December 2022/January 2023

### **Aquifer Science Team**

#### November Activities:

- Reviewing and responding to comments from in-house model Technical Advisory Committee
- Reviewing Trinity water-level data for responses to deepening drought

#### On Deck:

- Recalibrating the model; running model with various drought scenarios and pumping scenarios.
- Incorporating comments from the TAC into the in-house model.
- Submitting proposal to the City of Austin for funds to install HCP monitor well at Barton Springs

### **Administration Team**

#### November Activities:

- December monthly billings, and 2<sup>nd</sup> quarter billings on 11/16/2022.
- Drought Management Fees now being assessed. Details in Status Report.
- Compile FY 2022 Annual Report and Appendix B for approval at December board meeting.

#### On Deck: (December)

- Annual Financial Audit/Montemayor Board Presentation \* Annual Payroll Audit/Dylong/TML
- Retirement Plan – Pension Review Board Annual Reporting (after audit is completed).

### **Regulatory Compliance Team**

#### November Activities:

- Staff continues to work on new applications and assisting permittees with drought compliance.
- Staff will continue to analyze monthly pumpage to confirm compliance of drought curtailments.
- Staff will meet with Aqua reps to reaffirm UDCP provisions and how to better maintain compliance.
- EP/landowner wells.

#### On Deck:

- Staff will begin end of the fiscal year tasks (compilation of annual report sections, etc.).

### **Policy and Project Team**

#### November Activities:

- Preparation for Board presentations (debrief and sustainable yield policy).
- GMA 10 coordination.
- Kick off database project with LRE.

#### On Deck:

- Ongoing TWCA and TAGD legislative committees.
- Ongoing sustainable yield data compilation, research, and internal discussions.
- Support reg comp team on compilation of annual report and other issues as necessary.

### **Communications and Outreach Team**

#### November Activities:

- Touch base with Colorado River Alliance on Groundwater to Gulf Summit.
- New drought video with Brian Smith.
- Send out monthly drought update via iconcontact.
- Put out additional drought signage as needed/continue to share on social media.
- Regional Water Quality Planning Meeting on Nov. 18, 2023 – In-Person.

#### On Deck

- Start thinking of field trip for legislative/political entities to educate folks on the District. Work with Hill Country Alliance
- Talk to Blayne Stansberry about doing a video profile for the board. Communications and Outreach plans to do a video profile on each member that can be included on their bio portion of the website.

**STATUS REPORT UPDATE  
FOR THE NOVEMBER 10, 2022 BOARD MEETING**

**Summary of Significant Activities – Prepared by Staff Leads**

**Upcoming Dates of Interest**

- Texan by Nature Conservation Summit – November 2 (Dallas)
- Water for Texas – January 23-25 (Austin) – 2023
- Groundwater Management Districts Association Winter Conference – January 23-26, 2023 – (Simons Island, GA)
- TWGA Annual Convention – January 25-27 – San Marcos (2023)
- TAGD Winter Business Meeting – January 31-February 1 – Pflugerville (2023)
- The Sinkhole Conference – March 27-31 Tampa (2023)
- Government Social Media Conference – May 2-4 Reno (2023)
- TAGD Spring Business Meeting – June 6-7 Pflugerville (2023)



## **DROUGHT MANAGEMENT**

### **Drought Status and Water-Level Monitoring (Justin)**

We are currently in a status of Stage 3 Alarm Drought since it was officially declared by General Manager Tim Loftus on October 20, 2022. One of the District's drought triggers, Lovelady Monitor Well, passed below its Critical Drought (Stage III) trigger on October 17, 2022.

October rainfall showed improvement by providing an average of 1.8 inches across the District, but this welcomed rain couldn't turn around declining aquifer water levels and spring flow. October in Austin normally produces about 3.9 inches of rain. This year it joins all months, except February and August, in coming up short of its annual average. Because of this, drought conditions in the Texas Hill Country continue to worsen. We have received 17 inches - 12 inches behind annual average rainfall - from January through October.

Several factors, including climate patterns in the tropical Pacific Ocean, have contributed to lower rainfall totals. ENSO (El Nino/Southern Oscillation, the whole La Niña and El Niño system) has the greatest influence on weather and climate during the Northern Hemisphere cold season. NOAA's Climate Prediction Center (CPC) released its official winter weather outlook on October 20th. Climate scientists forecast that La Niña conditions (declared by NOAA on 10/14/21) are favored to continue through the summer and into the first months of 2023. The continuation of La Niña means that we are predicted to receive drier-than-average and milder-than-average conditions for the southern tier of the country, including Texas.

Sure enough, October in the Hill Country started off much warmer and drier than it's supposed to be. It wasn't until Oct. 16 that the area recorded its first dose of measurable rain, breaking a 38-day stretch. This continued dryness has both aquifer levels and spring flows approaching historic lows.

On November 3, the Lovelady well had a level of 462.1 ft msl, 0.6 ft below the trigger level for Stage 3 drought and about 5 ft above Stage 4 exceptional drought. Lovelady crossed under the Stage 2 trigger on May 26 and under Stage 3 on October 17.

Also on November 3, Barton Springs was flowing at 24 cfs (10-day average), 14 cfs below the Stage 2 drought trigger point of 38 cfs. The Stage 3 trigger is 20 cfs. Barton Springs crossed under the Stage 2 drought trigger in late June and could cross into Stage 3 in December if we receive no more rain. The USGS and BSEACD staff continue to make discharge measurements to ensure accurate stage-discharge real-time reporting.

### **Drought Communication (David, Erin)**

**Critical Drought (Stage III) Declaration:** General Manager Tim Loftus declared Critical Drought (Stage III) on October 20, 2022. Press release went out to media and was shared on all of the District's communications channels (social media, website, via enews). Stage III signs, flyers, and mail inserts are available for permittees.

Critical Drought Press Release: <https://bseacd.org/uploads/Aquifer-District-Declares-Critical-Stage-III-Drought-FINAL-2.pdf>

**Critical Drought Signage:** Communications and Outreach and Regulatory Compliance Team (Erin Swanson and Alyssa Gilbert) put out Critical Drought signage in the District's permittee areas. Some of the District's permittees have also come by to pick up signage. Below is what the District has put up, along with specific permittees who have picked up signs.

Signage Put Out by Staff

FM 150/Kyle (Including Rollingwood Neighborhood) – 8 Signs

Bliss Spillar/FM 1626 – 10 Signs

Wyldeewood Neighborhood – 2 Signs

Lowden Lane – 1 Sign

Ranch Road 12 – 10 Signs

Hilliard Road – 10 Signs

Permittee Signage Pick-Up

Arroyo Doble H20 – 2 Signs

Mountain City Water Utility – 4 Signs

Elliot Ranch PGMS – 4 Signs

## DISTRICT PROJECTS

### GMA Joint Planning

➤ ***GMA 10 Coordination (Tim)***

The TWDB has informed the GMA 10 representatives that the desired future conditions explanatory report and other materials for GMA 10 are administratively complete in accordance with 31 TAC §356.33. Interim GMA 10 Coordinator, Daniel Meyer, is polling members for a December meeting date whereby an RFQ will be finalized and released and a permanent Coordinator will be chosen.

### Trinity Aquifer Sustainable Yield Study & Planning

➤ ***Policy Concepts and Advisory Workgroup Planning (Kendall)***

The GM and staff are continuing to research and compile policy concepts related to sustainable yield and unreasonable impacts. Staff is planning to bring high level concepts to the Board in December.

Staff has met with a facilitator Kimberley Horndeski with Community Consulting LLC multiple times throughout 2021 to discuss planning aspects of bringing together an Advisory Work Group. The Advisory Work Group would be made up of water professional that would help advise the District on policy aspects of our sustainable yield study. However, we are waiting to meet with the facilitator again until we have a better understanding of how we plan to work through the unreasonable impact factors and what data and information are needed to assess the factors.

***Technical Evaluations (Brian, Jeff)***

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 look for long-term trends, and looking closely at impacts from the deepening drought. We worked with Hays County and Wimberley Valley Watershed Association to install two Trinity monitor wells in the Jacob's Well area in March and April 2022. The in-house model will allow for simulation of different pumping and drought scenarios over time. Several different pumping scenarios have been run and a draft report has been completed. Our next step with the model is to run different drought scenarios, including drought of record. We have hired a consulting firm, GSI, to assist us with the model. We are members of a technical committee to guide the development of a numerical groundwater model (BRAAT or BRATWURST) of the aquifers influenced by the Blanco River. Southwest Research Institute started work on the BRAAT model in September of 2021 but contracting issues stalled development of the model. Modelling efforts restarted in July 2022 after the contracting issues were resolved. A meeting of the technical committee was held on August 22, 2022. A meeting with the District's Technical Advisory Committee (TAC) for the In-house Model (IHM) was held on October 5. The committee consists of 12 professionals with knowledge of the hydrogeology of central Texas and of numerical groundwater models. A one-hour presentation was made to the TAC followed by a one-hour discussion. Some of the committee members have provided written comments of model construction and the results of various modeling scenarios. We are evaluating those comments at this time.

### **Habitat Conservation Plan (Brian)**

- **Planning for Technical Tasks:** Aquifer Science staff are coordinating studies at Barton Springs with COA staff. These studies include measurement of dissolved oxygen (DO) in the Barton Springs pool and the installation of a monitor well within Zilker Park and south of the pool. 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. Deployment of this equipment will take place after the monitor well is installed. We will submit an application for a grant from the City of Austin this month (November) to pay for the installation of a monitor well in Zilker Park. The purpose of the monitor well is to understand how groundwater flows from the deeper portions of the Edwards Aquifer to the springs and how DO is distributed vertically in the aquifer. The HCP identified low levels of DO as a threat to the endangered salamanders. A potential remedy for low DO during severe drought is augmentation of DO in the shallow aquifer so that the threat of low DO is reduced.

### **Database Management System - Intera Inc (Tim/Kendall)**

The new database project is underway with LRE Water. The Chief Technology Officer, Kelly Close, is expected to visit the District on November 16.

### **ILA Commitments (Brian)**

The District has an ILA with COA 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. An annual technical meeting is held between BSEACD and COA in December each year to discuss each organization's activities related to their respective HCPs. The COA and BSEACD plan to have additional discussions in the fall of 2022 to coordinate the details of the DO studies and the monitor well installation near Barton Springs.

### **Region K Planning Activities (Tim)**

The GM attended a Region K meeting on October 26th.

### **Strategic Planning Implementation (Tim):**

This project is currently on hold as other projects are being prioritized.

### **Training, Presentations, and Conferences (All Teams):**

- Aquifer Science: 17<sup>th</sup> Sinkhole Conference, Tampa, Florida, March 27-31, 2023
- Regulatory Compliance: N/A
- Administration: N/A
- Communications and Outreach: N/A
- General Manager: N/A

### **New Maps, Publications, or Reports:**

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

## LITIGATION AND LEGISLATION

### Litigation and SOAH Activities (Kendall)

There is no activity to report.

## RULEMAKING, PERMITTING, AND ENFORCEMENT

### Rulemaking (Erin, Kendall)

If there is direction from the Board, staff will initiate a narrow rulemaking effort on administrative or procedural changes regarding rules related to the potential for unreasonable impacts (PUI). Staff has had discussions internally and with legal counsel regarding the Enforcement Plan, including drought enforcement. Other areas that are being discussed are notice language and change of ownership timelines. However, the enforcement plan analysis and any rule changes are on a temporary hold so staff can prioritize work on sustainable yield concepts and other preparations that have been suggested by our attorney.

### Drought (Erin)

- Assisted David (Communications) with replacing all Stage II drought signs with new Stage III signs. Replaced signs along FM 1626, FM 150, Wyldwood Road, Hilliard Road, and RR 12. Added a new sign location on Lowden Lane. Took Alyssa to familiarize her with locations.
- Will continue monthly pumpage analysis to determine all permittee's compliance status of drought curtailments.
- Will continue to assist permittees in ensuring they successfully comply with their UDCPs and Stage II drought curtailments for October.

### Enforcement and Compliance Matters (Erin)

<i>Compliance/Enforcement</i>			
<i>Permittee or Entity Name</i>	<i>Aquifer</i>	<i>Use Type</i>	<i>Notes</i>

### Permitting Activity (Erin, Alyssa)

<i>Upcoming</i>				
<i>Application Type</i>	<i>Aquifer</i>	<i>Applicant Name</i>	<i>Use Type</i>	<i>Volume Request</i>
LPP	Middle Trinity	Van Zyl, Jean	Domestic	500,000
Exempt – Domestic	Middle Trinity	Cavanaugh, Mandy	Domestic	7GPM – Exempt
LPP	Middle Trinity	Pimentel, Sandra	Domestic	500,000
<i>In Review</i>				
<i>Application Type</i>	<i>Aquifer</i>	<i>Applicant Name</i>	<i>Use Type</i>	<i>Volume Request</i>
IPP - >2 MIL	Middle Trinity	DC Southfork/Creedmoor	PWS	195,000,000
COO	Edwards	United Properties	Irrigation	150,000
IPP	Middle Trinity	Stinson, James	Commercial/PWS	TDB
IPP	Lower Trinity	Stinson, James	Commercial/PWS	TDB
Exempt – Domestic	Middle Trinity	Tucker, Matthew	Domestic	7GPM – Exempt
LPP	Middle Trinity	Knell, Robert and Anne	Domestic	500,000
LPP	Edwards	Tidblom, Stu	Domestic	500,000

***Recently Approved***

<b><i>Application Type</i></b>	<b><i>Aquifer</i></b>	<b><i>Applicant Name</i></b>	<b><i>Use Type</i></b>	<b><i>Volume Request</i></b>
Exempt – Domestic	TBD	Zimitz, Diedre	Domestic	7GPM - Exempt
LPP	Edwards/UT	Melchor, Jose Luis	Domestic	500,000
Plugging	Edwards	Whittington, Keith	Plug	0 - Plugging
IPP < 2 MIL	Middle Trinity	Collins, Phil	Commercial	1,950,000
LPP	Edwards	Alexander, Jan	Domestic	500,000

## **AQUIFER STUDIES**

**(Brian)**

### **Permitting Hydrogeologic Studies:**

- Working with Regulatory Compliance on permitting issues as needed.

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

- Coleman's Canyon- Hydraulic conductivity testing was conducted at the Coleman's Canyon multiport well in July. We are continuing to collect water-level data from the multiport well every month to 6 weeks. We have ordered transducers to install in these wells but delivery has been delayed
- Remaining TWDB water-quality sampling with isotopes was completed in July.
- There are no dye-trace studies planned at this time because of minimum to no flow in streams and springs.

### **Field Activities:**

- Cooperating with USGS and City of Austin staff to confirm accurate real-time gauge reporting at Barton Springs and Lovelady. Conducting bi-weekly to monthly field measurements.
- Updating telemetry monitoring equipment at the Needmore index well (Amos). Reviewing pumping and water-level data as we get deeper into drought.
- Antioch- Continuing to maintain the system and to collect data on flow into the vault (when there is flow).
- Well monitoring- Because of drought, we are increasing the amount of time maintaining equipment in numerous monitor wells and downloading and interpreting data.

### **Trinity Aquifer Modeling Development:**

- BRAAT (BRATWURST) modeling: Southwest Research Institute started work on this model in September 2021, but activity was on hold as funding issues were resolved. SWRI restarted the project in late July.
- In-house model: The model has been calibrated and we have run the model to evaluate different drought and pumping scenarios. A draft report on the model was completed in May 2022 and a presentation was made to the Board. A meeting with the Technical Advisory Committee was held on October 5.

**COMMUNICATIONS AND OUTREACH**  
**(David Marino)**  
**October 2022**

**Website:** During the month of October, a number of items were added to the spotlights page, including: The Aquifer Zone Newsletter – October 2022, Next Board Meeting: November 10, 2022, Aquifer District Declares Critical Drought Stage (Stage III), District Office Closes at 4 PM on Friday, Oct. 14, Longtime Board Director Craig Smith Steps Down From the Board, Barton Springs and Lovelady Level Check – Oct. 10, 2022 *BSEACD Newsroom* page was also updated with latest press releases, upcoming meetings, videos, etc. <https://bseacd.org/publications/bseacd-newsroom/>. The two USGS graphics on the drought status page are now larger.

Website Analytics 2021		Top Page Searches			
Month	Total Page Views	Unique Page Views	August	September	October
July	4,327	3891	Homepage 752 Views	Homepage 547 Views	Homepage 608 Views
August	4,731	4,184	Aquifer Science Drought Status 364 Views	Drought Information 216 Views	Drought Information 504 Views
September	3,375	3,039	Publications/Maps 167 Views	Water Conservation 187 Views	Drought-Edu 255 Views
October	3,781	3,323	Drought Information 143 Views	Drought Status 154 Views	Drought Status 223 Views
			About the Aquifers 128 Views	Newsletters 154 Views	Publications/Maps 141 Views

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Mountain City Water Utility – 4 Signs

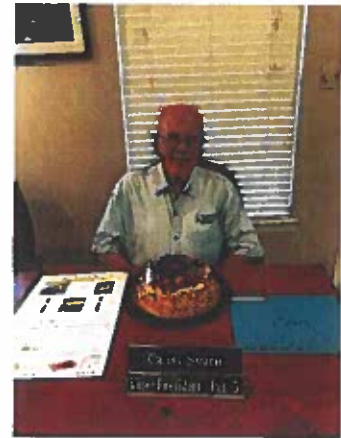
Elliot Ranch PGMS – 4 Signs

**The Aquifer Zone Newsletter – October 2022:** Communications and Outreach released the newsletter for October 2022. The latest issue includes the following articles/videos:

- Message From General Manager Tim Loftus
- Critical Drought Declaration (Stage III)
- All About Drought
- Drought Information Website
- Drought Status for Area Municipalities
- How to Check the District's Drought Status
- Longtime Director Craig Smith Steps Down From the Board
- November General and Special Elections Canceled
- Employee Spotlight
- Community Meeting Video
- What is Slug Testing?
- Groundwater Sampling Helps us Better Understand Edwards-Trinity Aquifers
- Barton Springs University
- Environmental Advocate Jack Goodman Passes Away
- BSEACD Snap Shots

The Aquifer Zone Newsletter – October 2022: <https://bit.ly/3NmPnEX>

**Director Craig Smith Retirement:** Director Craig Smith's last board meeting was Thursday, Oct. 13. Mr. Smith decided not to run for reelection earlier this year. Mr. Smith was honored at the board meeting and was given a retirement party. A press release also went out to highlight Director Smith's contributions to the District during his long tenure.



**Craig Smith Stepping Off Board Press Release:**

<https://bseacd.org/uploads/Longtime-Director-Craig-Smith-Steps-Down-From-the-Board-.pdf>

Communications and Outreach also put together a few videos on Director Smith. You will find them under the video section of this status report.

**Groundwater to the Gulf:** The Colorado River Alliance plans to bring back Groundwater to the Gulf in 2023. Historically, the District has assisted with this program. The District plans to work with the Colorado River Alliance in planning the event for 2023. Katie Bedrich, with the Colorado River Alliance, and Communications and Outreach have been touching base on the future event. We will be meeting more in the coming months.

**Drought Information Website Page:** Throughout the month of October the drought information has been updated with the latest graphs and drought information. <https://bseacd.org/regulatory/droughtinformation/>.

**Monthly Drought Update:** Communications and Outreach is putting out a monthly drought alert via icontact. It is also shared on the District's social media channels and website. For this month's alert, the District considered the Critical Drought Declaration (Stage III) a drought updated.

Critical Drought Enews Announcement: <https://bit.ly/3NjEGTw>

**Ethics Policy Review:** Communications and Outreach, General Manager Tim Loftus, and the District's HR firm have been reviewing ethics policies and evaluating what may need to be updated. Ultimately, any changes would go before the board.

**Regional Water Quality Planning Group Meeting:** Communications and Outreach is now coordinating and setting up these meetings. The next meeting is scheduled for Friday, November 18 at 11:30 a.m. This meeting will take place in person at Hyde Park Bar & Grill West Gate.

**TAGD Media Relations Cheat Sheet:** Communications and Outreach Manager is on TAGD's Information & Education Committee. We are assisting TAGD in creating a communications toolkit for groundwater districts. This document will serve as a guide for employees in Texas groundwater districts and how to oversee communications for a variety of platforms and it also addresses how to communicate during specific situations. Communications and Outreach Manager finished the Media Relations Cheat Sheet as part of the plan. It is now under review.

### **Media Articles:**

The District received substantial media attention in October largely due to the Critical Drought Declaration. KXAN even invited us to do a live interview. Brian Smith spoke with them about critical drought and the drought in general.



#### Critical Drought Declaration - KXAN Live Interview

<https://www.kxan.com/news/local/austin/barton-springs-edwards-aquifer-district-hits-critical-drought-level-for-the-1st-time-since-2013/>

#### Critical Drought Declaration - CBS Austin

<https://cbsaustin.com/news/local/barton-springs-edwards-aquifer-conservation-district-enters-critical-drought-restrictions>

#### Critical Drought Declaration - KVUE

<https://www.kvue.com/article/weather/texas-drought/barton-springsedwards-aquifer-district-enters-critical-drought-stage/269-c4de540d-ad03-441d-b8dd-460ded63d686>

#### Critical Drought Declaration – FOX

<https://www.fox7austin.com/news/critical-drought-barton-springs-edwards-aquifer-conservation-district>

#### Critical Drought Declaration – Hays Free Press

<https://haysfreepress.com/2022/10/26/bseacd-general-manager-declares-stage-iii-critical-drought/>

#### Dried Up: Hydrologists dig into Jacob’s Well, prepare for explosive Hill Country growth – KXAN

<https://www.kxan.com/texas-water/dried-up-hydrologists-dig-into-jacobs-well-prepare-for-explosive-hill-country-growth/>

#### BSEACD director steps down after 24 years – Hays Free Press

<https://haysfreepress.com/2022/10/26/bseacd-director-steps-down-after-24-years/>

## Videos:

Happy Halloween

<https://www.youtube.com/watch?v=0Fy2AA9QEdo>

Board Director Craig Smith Stepping Off Board

[https://www.youtube.com/watch?v=\\_5PYUEKgOWE&t=223s](https://www.youtube.com/watch?v=_5PYUEKgOWE&t=223s)

Longtime Director Craig Smith Steps Down From the Board – Staff Messages

<https://www.youtube.com/watch?v=RX4pOd7eslA&t=3s>

Happy World Teachers Day

<https://www.youtube.com/watch?v=hrbPdSZ7Amo>

## Press Releases:

Aquifer District Declares Critical Drought (Stage III)

<https://bseacd.org/uploads/Aquifer-District-Declares-Critical-Stage-III-Drought-FINAL-2.pdf>

Longtime Director Craig Smith Steps Down From the Board

<https://bseacd.org/uploads/Longtime-Director-Craig-Smith-Steps-Down-From-the-Board-.pdf>

**Social Media (Twitter, Facebook, Instagram, Nextdoor):** The Aquifer Zone Newsletter – October 2022, Rain Video – October 28, 2022, National Weather Service Forecast, Water Weekly Report – October 27, 2022, Critical Drought Signage Going Up, Critical Drought Declaration – CBS Austin Interview, Critical Drought Declaration – KXAN Live Interview, KXAN Visit, Imagine a Day Without Water, Aquifer District Declares Critical Drought (Stage III) Press Release, Director Craig Smith Video Highlighting His Tenure, Rain Picture, District Office to Close at 4 p.m. on October 14, 2022, Director Craig Smith Video – Staff Thank You, Director Craig Smith Stepping Down From the Board Press Release, Board Meeting Reminder, Water Weekly Report – October 11, 2022, Happy Earth Science Week, Barton Springs and Lovelady Level Check – Oct. 10, 2022, Next Board Meeting is Oct. 13, 2022, National Weather Service Forecast, KXAN Interview with Principal Hydrogeologist Brian Smith and Natalie Ballew, Groundwater Division Director for Texas Water Development Board Photos, Barton Creek Photos, Happy World Teacher’s Day – Oct. 5, 2022, Edwards Limestone Photo

## BSEACD Monthly Social Media Roundup/Groundwater News

Social Media Roundup (October 2022):

<https://bseacd.org/uploads/BSEACD-Social-Media-Roundup-October-2022-1.pdf>

Monthly Groundwater News/Dates of Interest (October 2022):

<https://bseacd.org/uploads/BSEACD-Monthly-Groundwater-News-Dates-of-Interest-October-2022.pdf>

*The top performing post on Facebook for the month of October was a photo of Edwards Limestone on Oct. 4. It reached 569 people. The top tweet on Twitter for the month of October was “Aquifer District Declares Critical Drought”. It had 274 impressions and 20 engagements. The top performing video on YouTube for the month of October was “Happy World Teachers Day” with 33 views. The top performing post on Nextdoor for the month of October was “Aquifer District Declares Stage III Drought?” handout. It had 6,104 Impressions.*

## **GENERAL ADMINISTRATION**

(October 7, 2022 – November 4, 2022)

### **Accounts Receivable/Permittee Cycle Billings**

On November 16, December monthly billings and 2<sup>nd</sup> quarter billings (Dec/Jan/Feb) will go out.

### **Annual Report and Appendix B**

The 2022 versions of these reports will be presented to the Board in December. The annual financial audit report is Appendix A of our Annual Report, and the Management Plan's *Assessment of Progress Toward Management Goals and Objectives* is Appendix B of the Annual Report.

### **Annual Financial Audit – Began on October 3, 2022**

The annual financial audit has begun and will last through the end of the audit process in December when the report is presented to the Board by the auditor. Included in the audit is a section that is written by District-administration called the **Management Discussion and Analysis (MD&A)** which is a narrative that provides an overview and summary-level analysis of the significant activities and situations that have financial reporting significance. Still in process.

### **Audit – Payroll - Annual Texas Municipal League (TML) Workers' Compensation Insurance**

In addition to the Annual Financial Audit through Montemayor, we also have a payroll audit through Dylong and Associates for our TML Workers' Compensation Insurance, as they require. This audit is based on our insurance policy timeline rather than our fiscal year. This audit reconciles quarterly taxes paid to gross payroll, and requires explanation of any and all differences from the previous year's numbers. Scheduled in November.

### **Drought Management Fees (DMFs)**

Tracking monthly DMFs began in October (for September pumpage). Three DMFs were assessed at \$250/each for a total of \$750 (Bliss Spillar, Hays County Youth, and Industrial Asphalt).

### **Financial Reporting – Website Transparency Section (Texas Comptroller's Office)**

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 September 2022 should be posted on the District website.

### **Tax Reporting**

Submitted 3rd quarter 2022 payroll taxes (TWC C-3, IRS 941).

*The Administration Team typically has repetitive monthly tasks e.g. monthly bank reconciliations, monthly adjusting journal entries, accounts payable, payroll, contract/grant/project tracking, office maintenance and repairs, budget monitoring, bi-weekly payroll journal updates, directors' compensation, pre-paids, DMFs, posting public meetings, preparing meeting backups, 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, while supporting all other teams.*

## **Item 5**

### **Staff Presentation**

**Staff will present on permitting under district rules related to applications found to have the Potential for Unreasonable Impacts.**

## **Item 6**

### **Board Discussions and Possible Action**

- a. Discussion and possible action related to finalizing the November 8, 2022 General Election and qualifying directors for office including, but not limited to approval of Director bonds.**

## **Item 6**

### **Board Discussions and Possible Actions**

**b. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.**



## **Item 6**

### **Board Discussions and Possible Actions**

**c. Discussion and possible action related to adoption of the Groundwater Management Area 10 Desired Future Conditions and relevant aquifer designations by Resolution #111022-01.**

**STATE OF TEXAS** §  
§  
**COUNTIES OF HAYS, TRAVIS** §  
**AND CALDWELL** §

**RESOLUTION #111022-01**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT ADOPTING THE GROUNDWATER MANAGEMENT AREA 10 DESIRED FUTURE CONDITIONS AND RELEVANT AQUIFER DESIGNATIONS**

**WHEREAS**, the District Representatives of Groundwater Management Area (GMA) 10 comprises representatives designated by each of the Groundwater Conservation Districts (GCDs) located wholly or partially within the boundaries of GMA 10, as defined by the Texas Water Development Board: Barton Springs/Edwards Aquifer Conservation District, Comal Trinity GCD, Edwards Aquifer Authority, Kinney County GCD, Medina County GCD, Plum Creek Conservation District, and Uvalde County Underground Water Conservation District;

**WHEREAS**, On October 20,2022, the Texas Water Development Board issued a letter to Groundwater Management Area 10 stating the desired future conditions explanatory report and other materials required by the Texas Water Code §36.108 (d-3) as administratively complete in accordance with 31 Texas Administrative Code §356.33;

**WHEREAS**, Texas Water Code §36.108 (d-4) states, after a district receives notification from the Texas Water Development Board that the desired future conditions resolution and explanatory report under Subsection (d-3) are administratively complete, the district shall adopt the applicable desired future conditions in the resolution and report;

**WHEREAS**, the Texas Legislature has determined that no DFC for the Edwards Aquifer within the Edwards Aquifer Authority (EAA)'s jurisdiction is required to be established by the joint planning in GMA 10, and that the EAA is statutorily excluded from the requirement to participate as a voting member of the GMA for joint planning of other aquifers;

**WHEREAS**, the District Representatives has further subdivided the Edwards Aquifer in GMA 10 on the basis of considerations prescribed in 36.108(d) and other relevant scientific and hydrogeological data to establish different DFCs, as authorized by Chapter 36.108(d-1), into the Western GMA Subdivision and the Northern GMA Subdivision;

**WHEREAS**, the District representatives of GMA 10 have identified the following as relevant aquifers for joint planning purposes:

1. Freshwater Edwards, Northern Subdivision
2. Saline Edwards, Northern Subdivision
3. Freshwater Edwards, Western Subdivision (relevant only in Kinney County)

4. Trinity (relevant down dip of its recharge zone)
5. Austin-Buda (relevant only in Uvalde County)
6. Leona Gravel (relevant only in Uvalde County);

**WHEREAS**, the members of the District Representatives for GMA 10 have:

- evaluated available scientific information concerning the hydrogeologic characteristics of the relevant aquifers,
- considered previous DFCs and the ability of the member GCDs to achieve their performance standards;
- conducted additional studies as needed to further assess the aquifer performance and impacts of groundwater production on other resources,
- evaluated the results of groundwater availability modeling by the TWDB of alternate groundwater management scenarios, and
- considered the nine factors for establishing DFCs that are stipulated in Chapter 36.108(d);

**WHEREAS**, GMA 10 timely proposed DFCs for the relevant aquifers before the statutorily required date of May 1, 2021, and held public meetings in accordance with posting and notice requirements of State law to discuss the proposed DFCs and to receive input from stakeholders and the public on the proposed DFCs;

**WHEREAS**, the District Representatives have determined that the proposed DFCs for each relevant aquifer: 1) provide a balance between achieving the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater and control of subsidence in the management area; and 2) provide for the reasonable long-term management of groundwater resources consistent with the management goals under Section 36.1071(a). :

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Barton Springs Edwards Aquifer Conservation District adopts the following Desired Future Conditions for the relevant aquifers in GMA 10:

1. Freshwater Edwards Aquifer in the Northern GMA Subdivision:
  - a. Springflow at Barton Springs during average recharge conditions shall be no less than 49.7 cfs averaged over an 84-month (7-year) period; and
  - b. springflow of Barton Springs during extreme drought conditions, including those as severe as a recurrence of the 1950s drought of record, shall be no less than 6.5 cfs average on a monthly basis;
2. Saline Edwards Aquifer in the Northern GMA Subdivision:

No more than 75 feet of regional average potentiometric surface drawdown due to pumping when compared to pre-development conditions;
3. Freshwater Edwards Aquifer in the Western GMA Subdivision:

The water level in well 70-38-902 shall not fall below 1,184 ft. mean sea level;

4. Trinity Aquifer, in the hydrologically confined zone downdip of the Trinity outcrop:
  - a. Outside of Uvalde and Bexar Counties: Average regional well drawdown not exceeding 25 feet during average recharge conditions (including exempt and nonexempt use)
  - b. In Uvalde County: No (zero) regional well drawdown (including exempt and nonexempt use)
  - c. In Bexar County: Non-relevant for joint planning purposes
  - d. In Plum Creek GCD: Non relevant for joint planning purposes
  
5. Austin-Buda Limestone Aquifer(s), relevant in Uvalde County only:
  - a. Buda Limestone: No drawdown (including exempt and nonexempt use)
  - b. Austin Chalk: No drawdown (including exempt and nonexempt use)
  
6. Leona Gravel Aquifer, relevant in Uvalde County only:  
No drawdown (including exempt and nonexempt use)

**AND IT IS SO ORDERED.**

In favor \_\_\_\_\_ Opposed \_\_\_\_\_

PASSED AND APPROVED THIS 10<sup>TH</sup> DAY OF NOVEMBER, 2022

\_\_\_\_\_  
Blayne Stansberry, President

ATTEST:

\_\_\_\_\_  
Christy Williams, Secretary

# Texas Water Development Board

P.O. Box 13231, 1700 N. Congress Ave.  
Austin, TX 78711-3231, [www.twdb.texas.gov](http://www.twdb.texas.gov)  
Phone (512) 463-7847, Fax (512) 475-2053

October 20, 2022

Mr. Daniel Meyer  
Groundwater Management Area 10 Interim Coordinator  
Plum Creek Conservation District  
1101 W San Antonio St  
Lockhart, TX 78644

Dear Mr. Meyer:

The purpose of this letter is to notify you that the desired future conditions explanatory report and other materials for Groundwater Management Area 10 required by Texas Water Code §36.108(d-3) are administratively complete in accordance with 31 Texas Administrative Code § 356.33.

On December 21, 2021, we received the final packet for desired future conditions adopted by groundwater conservation district representatives in Groundwater Management Area 10. Your submission included: (1) the explanatory reports and the adopted desired future conditions for the relevant aquifers; (2) the signed resolution; (3) the postings, minutes, and voting record for the public meeting in which the desired future conditions were adopted; and (4) contact information for the groundwater management area coordinator. On May 5, 2022, we requested clarification regarding items required to evaluate the materials for administrative completeness. We received final clarifications regarding these items on June 8, 2022.

We will provide you with modeled available groundwater values for these aquifers no later than 180 days after the date of this letter in accordance with 31 Texas Administrative Code § 356.35. Please contact Jean Perez of our Groundwater staff at 512-936-4017 or [jean.perez@twdb.texas.gov](mailto:jean.perez@twdb.texas.gov) if you have any questions or need any further information.

Respectfully,

Jeff Walker  
Digitally signed by  
Jeff Walker  
Date: 2022.10.07  
11:18:54 -0500

Jeff Walker  
Executive Administrator

c w/o enc: Matt Nelson, Office of Planning  
Natalie Ballew, Groundwater Division  
Temple McKinnon, Water Supply Planning  
Sarah Lee, Water Supply Planning

## Our Mission

Leading the state's efforts in  
ensuring a secure water future  
for Texas and its citizens

## Board Members

Brooke T. Paup, Chairwoman | George B. Peyton V, Board Member  
Jeff Walker, Executive Administrator



## **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**