

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
Videoconference & In-person
February 10, 2022**

Board members present at commencement: Blayne Stansberry, Dan Pickens, Christy Williams, and Lily Lucas. Craig Smith arrived at 5:24 p.m. Staff present included: Tim Loftus, Brian Smith, Dana Wilson, Michael Redman, Erin Swanson, Justin Camp, David Marino, Jeff Watson, and Tammy Raymond. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development) 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

1. Call to Order.

President Stansberry called the meeting to order at 5:00, noting that a quorum of the Board was present.

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

There were no public comments of a general nature.

3. Consent Agenda.

3a. 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 February 10, 2022 Regular Meeting.

Director Pickens moved approval of consent agenda items 3a. and 3b, noting an invoice from Bickerstaff, Heath in the amount of \$7671.00.

Director Williams seconded the motion and it passed unanimously with a vote of 4 to 0.

4. General Manager's Report.

Topics

- a. Review of Status Report and update on team activities/projects.**
- b. Aquifer status update.**

- c. **Update on District/Hill Country development activities.**
- d. **Upcoming events of possible interest.**

Staff gave updates on the items above.

5. Discussion and possible action.

5a. Discussion and possible action related to the application filed by Aqua Texas – Bliss Spiller for a Historic Trinity Production Permit to withdraw up to 6,000,000 gallons of water annually from a new Lower Trinity well as discussed on January 13, 2022.

President Stansberry stated that the Board extended the comment period on this application at the last meeting. She explained that Mr. Bill Bunch of Save Our Springs Alliance submitted comments and signed up to speak.

Mr. Bunch was not in attendance.

Ms. Meagher expressed her concerns regarding the well drilling process, and the possible depletion of water from her well.

Dr. Loftus stated that staff would give a presentation to address Mr. Bunch’s comments.

Director Smith arrived at 5:24 p.m.

Mr. Redman explained that the term “Historic use Status” is defined in our rules as a non-exempt well in the Saline Edwards, Upper, Middle and Lower Trinity Management Zones, and a “Historic Production Permit” is authorized with historic use status. He went on to explain the Tier requirements.

Dr. Smith gave a presentation on the different aquifers and how they work. He said that due to the aquatards, water from the lower Trinity will not flow into the Edwards at the location of the Bliss Spiller well; therefore, it will not affect the surrounding wells.

After further discussion, President Stansberry asked for the staff’s recommendation.

Dr. Loftus stated that staff recommends approval of the application.

Director Smith stated that he will not vote on this application until the Notice of Alleged Violation (NOAV) on Aqua Texas is resolved.

After further discussion, President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) at 6:05 p.m.

President Stansberry stated that no final actions or decisions would be made while in Executive Session.

The Board reconvened into open session at 6:18 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

President Stansberry asked what kind of information could we learn from a lower Trinity well?

Dr. Smith explained that static levels of non-pumping would give us long term data. It would help us understand what this well is doing along with other wells in the area.

Director Pickens moved to accept the staff's recommendation with Aqua Texas installing monitoring equipment.

Director Williams seconded the motion.

Director Smith made a supplement motion to postpone action until the next meeting to see the out-come of the NOAV.

The motion failed due to no second.

President Stansberry asked for a vote on Director Pickens original motion.

The motion passed with a vote of 4 to 1. Director Smith voted nay.

5b. Discussion and possible action regarding a presentation by legal counsel of a draft illustrative plan redistricting the director precincts including but not limited to developing and/or finalizing a plan for future adoption; setting a meeting to consider other plans; and/or, setting a hearing for receiving public comment.

Mr. Dugat gave a presentation on draft illustrative plans with options for changes to Director Precincts 1 through 4. He explained that there are no changes needed in Precinct 5. He asked if any of the Directors would like to see additional plans, and if so, explained the next steps.

After discussion, Director Pickens moved to set a date of March 3, 2022 to receive public comments on the current draft illustrative plans, and to set a Public Hearing on March 10, 2022 to hear public comments, and possibly adopt final plans.

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

6. Directors' Reports.

Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Board committee updates;

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

Board members gave reports on activities they have been involved with.

7. Adjournment.

With no objection, President Stansberry adjourned the meeting at 6:47 p.m.
Approved by the Board on March 10, 2022.

By: Blayne Stansberry
Blayne Stansberry, Board President

Attest: Christy Williams
Christy Williams, Board Secretary