

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Special Meeting and Public Hearing via  
Telephone & Videoconference  
September 10, 2020**

Board members present at commencement: Blayne Stansberry, Bob Larsen, Mary Stone and Blake Dorsett. Craig Smith arrived at 4:36 p.m. Staff present included: Vanessa Escobar, Michael Redman, Dana Wilson, Brian Smith, Brian Hunt, Kendall Bell-Enders, Justin Camp, Erin Swanson, Lane Cockrell, Jackie Vay, Oriya Villarreal and Tammy Raymond. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

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

**1. Call to Order.**

President Stansberry called the virtual meeting to order at 4:00 p.m., noting that a quorum of the Board was present.

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

There were no 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.
- b. Approval of minutes of the Boards August 13, 2020 Special Meeting.

Director Stone moved approval of Consent Agenda Items 3.a. and b. noting a correction to the minutes.

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

**4. Public Hearing.**

**On January 3, 2020, Ruby Ranch Water Supply Corp. (RRWSC), P.O. Box 1585, Buda, TX, 78610, filed an Aquifer Storage and Recovery (ASR) application with the Barton Springs/Edwards Aquifer Conservation District (District). RRWSC is applying for a Storage and Recovery Permit that authorizes the production of Class D Conditional Edwards Aquifer water during times of non-drought periods for the purposes of injection, storage, and recovery from an ASR recovery well. RRWSC is requesting a Class D Conditional Permit to withdraw up to 15,000,000 gallons/year from the Edwards Aquifer; this permit class is reserved for ASR projects and is 100% curtailed during drought. The RRWSC ASR project involves the production of Edwards Aquifer water for injection into the Middle Trinity Aquifer for subsequent recovery and use as public water supply. The ASR project and associated wells are located at 2053 Ruby Ranch Road, Buda, TX, 78610.**

President Stansberry opened the Public Hearing at 4:04 p.m.

There were no public comments on the application.

Ms. Bell-Enders presented on the relevant ASR events to date, a summary of the Ruby Ranch ASR application, volume request, well location, and recoverability.

Dr. Brian Smith presented on the ASR pilot project, including injection and recovery volumes, hydrogeology, and water quality.

The Board asked questions regarding volumes, recoverability, arsenic mobilization, and water quality sampling.

Mr. David Pyne of ASR Systems LLC (District Consultant), and Don Rauschuber were available to answer questions.

Mr. Thomas Doebner of Ruby Ranch Water Supply Corporation said that this is a real milestone for the region and the District. He thanked staff for working closely with them on the permit and thanked the Board for hearing their request.

President Stansberry closed the Public Hearing at 5:48 p.m.

## **5. Discussion and Possible Action.**

### **5a. Discussion and possible action related to the Ruby Ranch Aquifer Storage and Recovery application as described in the Public Hearing.**

Ms. Bell-Enders stated that staff has reviewed the above referenced application and has determined that the application has satisfied all the requirements pursuant to District Rule 3-1.4.A and that the required documentation and payment of fees have been satisfied.

The District's staff recommended approval of the ASR Source and Recovery Permit which authorizes:

1) The annual production of 15,000,000 gallons per year under an Edwards Class D Conditional Production Permit and 2) the recovery of 100% of total stored volume. District staff recommended approval of the above-referenced ASR Source and Recovery Permit with the following special provisions:

1. Ruby Ranch WSC shall submit a revised recoverability analysis along with the submittal of the required operations report within five years of permit issuance (September 2025). The analysis should be conducted once the target buffer volume is established and should be based on any data collected from the previous five years.

2. Ruby Ranch WSC shall comply with and submit to the District in a timely manner, copies of any and all water-quality sampling requirements or reports as identified in authorization letters from TCEQ's Water Supply Division (dated December 11, 2019) and Underground Injection Control Division (dated February 18, 2020).

3. Additional samples shall be collected from ASR well #5 upon commencement of recovery and at the conclusion of each three-month recovery cycle or any recovery cycle that is less than three months in duration. The samples should be analyzed for water quality parameters that include arsenic, conductivity, total dissolved solids, dissolved oxygen, iron, and manganese.

4. Additional samples shall be collected from Edwards well #4 prior to injection at the conclusion of each three-month injection cycle or any injection cycle that is less than three months in duration. The samples should be analyzed for water quality parameter dissolved oxygen.

5. All applicable results and reports (identified in provisions 2- 4 above) shall be compiled and submitted to the District within 30 days of collection and no later July 1st of each year. TCEQ sampling parameters or requirements do not need to be duplicated.

6. Ruby Ranch shall take all necessary steps to ensure water quality of the native aquifer (Cow Creek Formation) is protected due to operations of an ASR project. If arsenic concentrations in the recovered water from ASR well #5 exceed 8.0 µg/L for two consecutive sampling periods or exceeds the MCL of 10 µg/L in any single sampling period Ruby Ranch WSC shall:

- i. Notify District staff in writing within 10 business days of lab results if the arsenic concentrations exceeds the above thresholds;
- ii. Collect arsenic samples from the ASR well #5 every month during recovery;
- iii. Schedule meeting(s) with TCEQ and the District to discuss and specify what operational controls or treatment would be adequate to reduce the mobilization of arsenic and reduce any risk to the aquifer; and

7. Following implementation of operational controls or treatment identified by TCEQ and the District (provision 6 iii & iv above) and in the event that arsenic concentrations exceed 10 µg/L in the recovered water for 3 consecutive sampling months, Ruby Ranch WSC will submit plans to the District for implementing additional controls, treatment, and monitoring to reduce the arsenic concentrations and to assess movement of arsenic within the aquifer.

8. Ruby Ranch WSC shall coordinate with the District to obtain groundwater monitoring data for District scientific multiport monitoring well 58-57-513.

After discussion, Director Stone moved approval of the Ruby Ranch Aquifer Storage and Recovery application with Special Conditions 1-8 noted by staff.

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

**5b. Discussion and possible action on approval of annual permits for the following permittees:**

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

Ms. Escobar stated that in August the Board approved all of the permittees excluding the over pumpers listed.

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 5:58 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 6:39 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

Director Larsen moved to approve the seven permittees that were denied at the last meeting.

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

Dr. Larsen directed staff to send letters to the permittees with the overpumpage amounts and to set up meetings to bring all of them back into compliance.

**5c. Discussion and possible action on the 2020 Director Election including, but not limited to, cancelling the election for precincts 1 and 3, declaring unopposed candidates elected, approving main early voting polling sites and dates and hours of early voting, and approval of Resolution #09102020-01 regarding Travis County voting machines.**

Ms. Wilson reported that Dan Pickens is running unopposed for Precinct 1, taking Mary Stone's seat, and Blake Dorsett is running unopposed in Precinct 3. We will cancel the election for those Precincts. Dr. Larsen and Christy Williams are running for the Precinct 4 position.

Director Smith moved to cancel the election for Precincts 1 and 3, declare the unopposed candidates elected, approve the early voting polling sites, dates, and hours, and approval of Resolution #091022020-01 regarding Travis County voting machines.

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

**6. General Manager's Report.** *(Note: Topics discussed in the General Manager's Report are intended for general administrative and operational information-transfer purposes. The Directors will not take any action unless the topic is specifically listed elsewhere in this agenda for consideration. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.)*

**Topics**

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

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

**7. Directors' Reports.**

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

- Meetings and conferences attended or that will be attended;
- Board committee updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

Board members that had outside and Zoom meetings gave reports.

**8. Adjournment.**

Without objection, President Stansberry adjourned the meeting at 7:12 p.m.

Approved by the Board on October 8, 2020

By: Blayne Stansberry  
Blayne Stansberry, President

Attest: Blake Dorsett  
Blake Dorsett, Board Secretary