



BOARD MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Wednesday, July 17, 2024, at 9:30 a.m.

A quorum of the Southwestern Travis County Groundwater Conservation District Board of Directors held a regular monthly board meeting on Wednesday, July 17, 2024, at 9:30 a.m. at the District's office at 8656 W. Highway 71, Building A, Suite 224, Austin, Texas 78735. The meeting was open to the public and a videoconference remote participation option was provided, instructions for accessing the remote videoconference were provided with the Public Notice of Meeting.

1. **Call to order, declare meeting open to the public, take roll and declare quorum status** – President Scadden called the public meeting to order at 9:30 a.m. on Wednesday, July 17, 2024. Six directors were present at the meeting constituting a quorum, including Director Scadden, Director Davis, Director Phillips, Director Van Ackeren, Director Leva, and Director Urie. Also present were General Manager Lane Cockrell, District Regulatory Compliance Specialist Virginia Smith, District Administrative and Hydrogeology Assistant Barbara Reyes, General Counsel Cole Ruiz with Lloyd Gosselink, Pete Golde, Lynn Sherman representing JPD Backyard Finance, LLC, Ed McCarthy representing Clancy Utility Holdings, LLC, Matt Welch with Mirasol Springs, and Jim Truitt with Mirasol Capital. The following individuals participated remotely by videoconference call: Audrey Cooper with Lloyd Gosselink, Landon Marino with Preservation Ranch, Blaine Williams, Casey Cooper, David Armbrust, Elaine Davenport with the Stagecoach Ranch HOA, Joe Castillo and Kyle McDaniel with JPD Backyard Finance, LLC, Jon White with Travis County, Christy Muse, and Tom Smith.
2. **Announcements** – No announcements.
3. **Public Comments** – No public comments were presented.
4. **Discuss and possibly act on approving previous meeting minutes** – President Scadden presented the draft minutes for the June 12, 2024 regular board meeting for consideration. A motion was made by Director Van Ackeren to approve the minutes for the June 12, 2024 regular board meeting as presented. Motion seconded by Director Urie. Motion carried 6 Ayes – 0 Nays – 1 Absent.
5. **Receive, discuss, and possibly act on update regarding Hamilton Pool Management Zone stakeholder process** – This agenda item was taken out of order due to time constraints. Christy Muse, project facilitator for the Hamilton Pool Management Zone stakeholder group, provided a presentation to the Board regarding the results of the stakeholder process. Christy Muse reported positive results from the stakeholder process and presented draft recommendations for the Hamilton Pool Management Zone to the Board for review. Christy Muse reported that the stakeholder group ultimately prepared eleven different recommendations for the Hamilton Pool Management Zone, ranging from education and outreach initiatives, to establishing desired future conditions specific to the management zone and establishing special permit conditions. Christy Muse reported that the stakeholder group saw great participation and that all sixteen stakeholders participated in the process of developing the final recommendations for the management zone. Christy Muse provided



a summary to the Board of all eleven recommendations described in the final report generated by the stakeholder group. Christy Muse reported that the report and recommendations will be in draft form to allow for any public comments or proposed edits before finalizing. Elaine Davenport with the Stagecoach Ranch HOA reported that the Hamilton Pool Management Zone stakeholder group process was a positive experience and requested that the Board consider continuing the stakeholder group in some way. General Manager Cockrell presented a final invoice total in the amount of \$13,810.00 for Christy Muse's work as facilitator for the stakeholder group, which includes the original agreed upon fee of \$13,500.00 and reimbursement for expenses totaling \$310.00. A motion was made by Director Van Ackeren to approve the final invoice for Christy Muse's facilitator services for the Hamilton Pool Management Zone stakeholder group. Motion seconded by Director Phillips. Motion carried 6 Ayes – 0 Nays – 1 Absent.

6. **Discuss and possibly act on update regarding contested case hearings** – Cole Ruiz provided an update to the Board regarding the outstanding contested case matters referred to the State Office of Administrative Hearings ("SOAH"). Cole Ruiz reported that his office filed a request to docket the Clancy Utility Holdings, LLC permitting matter with SOAH, and requested potential dates for a prehearing conference, though SOAH has not yet assigned an administrative law judge or issued a preliminary order in that matter. President Scadden asked Ed McCarthy to provide an update regarding the status of Clancy Utility Holdings, LLC's ongoing contested case before the Hays Trinity GCD Board of Directors. Ed McCarthy reported that Clancy Utility Holdings, LLC participated in a thirty-day deliberation period with the protestants of their application at Hays Trinity GCD, but that ultimately negotiations did not result in any progress, though the parties may participate in mediation at SOAH. General Manager Cockrell reported that the District executed an interlocal agreement with SOAH for the referral of the JPD Backyard Finance, LLC contested case matter, and that the District is awaiting the applicant's SOAH deposit. Lynn Sherman reported that Kyle McDaniel will coordinate with the District to submit JPD Backyard Finance, LLC's deposit to the District. President Scadden reported that after the June regular board meeting, the District issued a permit to JPD Backyard Finance, LLC, to produce water in the interim period while this case is processed at SOAH. No action taken under this agenda item.
7. **Discuss and possibly act on matters related to proposed new wells that require Board authorization to reduce required spacing from property lines** – General Manager Cockrell reminded the Board that District Rules include a default setback requirement for proposed new wells from surrounding property lines, but allows the Board to grant a variance under certain circumstances. General Manager Cockrell presented a list of seven (7) Well Drilling Authorizations that have requested variances from standard District spacing requirements for property lines. First, General Manager Cockrell presented a Well Drilling Authorization Application for a new exempt domestic well to be located on Whitney Drive on a 0.155-acre tract that was platted in 1970, for which District Staff recommended approving the variance request. Next, General Manager Cockrell presented a Well Drilling Authorization Application for a new exempt domestic well to be located on Hazy Hollow Drive on a 10.16-acre tract that was platted in 2004, for which District Staff recommended requiring at least a 100-foot set back from property lines. Next, General Manager Cockrell presented a Well Drilling Authorization Application for an exempt residential irrigation well to be located on Yaupon Holly Lane on a 2-acre tract that was platted in 2013, for which District Staff recommended requiring



a 100-foot set back from property lines. Fourth, General Manager Cockrell presented a Well Drilling Authorization Application for a residential irrigation well to be located on Mirador Drive on a 6.422-acre tract that was platted in 2000, for which District Staff recommended requiring a 100-foot set back from property lines. Next, General Manager Cockrell presented a Well Drilling Authorization Application for an exempt domestic well to be located on River Road on a 4.5-acre tract that was platted in 1991, for which District Staff recommended requiring a 100-foot set back from property lines. Next, General Manager Cockrell presented a Well Drilling Authorization Application for an exempt domestic well to be located on Dominion Hill on an 8.7-acre tract platted in 1992, for which District Staff recommended requiring a 100-foot set back from property lines. Finally, General Manager Cockrell presented a Well Drilling Authorization Application for an exempt domestic well to be located on Jim Bridger Drive on an 8.992-acre tract platted in 2007, for which District Staff recommended requiring a 100-foot set back from neighboring property lines. A motion was made by President Scadden to accept District Staff's recommendations to approve the variance request for the well to be located on Whitney Drive, and to deny the other six requests. Motion seconded by Director Leva. Motion carried 6 Ayes – 0 Nays – 1 Absent.

8. **Discuss and possibly act on matters related to District drought stage status** – General Manager Cockrell reported that the District's current declared drought stage is D-2 Severe Drought, which requires 20% curtailment. General Manager Cockrell presented a map from the U.S. Drought Monitor showing drought conditions in Travis County and the District as of July 9, 2024, which reflect that the entire District is currently experiencing D-0 Abnormally Dry conditions. General Manager Cockrell presented a week-by-week breakdown of drought conditions in the District since the end of April, reflecting that drought conditions have decreased from D-2 to D-0 over the spring and early summer. However, General Manager Cockrell reported that Lake Travis levels are currently only 40.5% full at approximately 634 ftMSL, and that NOAA anticipates a strong chance for above normal temperatures in the District throughout the rest of the summer. Additionally, General Manager Cockrell reported that Hays Trinity GCD and Barton-Springs Edwards Aquifer Conservation District are both at Critical Drought and Stage II Alarm Drought, respectively. Based on this information and other hydrologic conditions, General Manager Cockrell recommended that the District remain at D-2 Severe Drought. No action taken under this agenda item.
9. **Discuss and possibly act on matters related to Director vacancy** – President Scadden reminded the Board that he invited former County Commissioner Karen Huber to attend the Board of Director's June meeting to see how the Board operates and consider an appointment to fill the current Board vacancy. President Scadden reported that Karen Hubert is still considering joining the Board and that he hopes the Board will have a candidate to appoint to fill this vacancy in August. No action taken under this agenda item.
10. **Discuss and possibly act on matters related to establishing an FY 2025 District Budget** – President Scadden reported that the Board will need to re-form its Budget Committee to develop a draft budget for fiscal year 2025 for initial consideration at the August regular board meeting. President Scadden reported that the Budget Committee previously comprised Director Van Ackeren, President Scadden, Director Urie, General Manager Cockrell, and Pete Golde. After some discussion, the Board reached a consensus decision and re-formed the Budget Committee with the same membership. Pete Golde



reported that the Board may need to adopt some final amendments to the fiscal year 2024 budget to reflect changes to some line items. President Scadden requested that an agenda item be added to the August agenda for the Board to consider amendments to the fiscal year 2024 budget, in addition to reviewing the draft budget for 2025. No action taken under this agenda item.

11. Receive, discuss, and take action as necessary on Board Committee Reports:

- a. **Finance** – Pete Golde provided a report to the Board regarding the financial reports dated June 30, 2024. The balance sheet indicated assets totaling \$191,205.30, and liabilities totaling \$4,077.08. The fiscal year to date profit and loss report indicated expenses totaling \$328,409.00, gross profit totaling \$282,177.28, and net income totaling \$-46,169.52 through June 2024. Pete Golde provided a summary of the checks issued by the District since the last board meeting, a summary of expenses by vendor, and a fiscal year to date summary of expenses by budgetary line item.
- b. **Legislative** – Director Davis reported that the Senate Water, Agriculture, and Rural Affairs Committee has an interim meeting scheduled for September. Cole Ruiz reported that TCEQ recently published draft rules implementing SB 2440, which requires counties and municipalities to require groundwater availability certifications for platted subdivisions. Cole Ruiz reported that the TCEQ is reviewing public comments submitted on the draft rules.
- c. **Science & Outreach** – No action taken under this agenda item.
- d. **Rules** – No action taken under this agenda item.

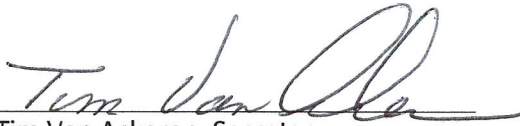
12. General Manager's Report:

- a. **Summary of permitting, application, and registration inquiries and submissions** – General Manager Cockrell provided a summary of the permit applications and well registrations received by the District during the month of June. General Manager Cockrell reported that the District received one (1) new well registration, nine (9) new well drilling authorization applications, two (2) new applications to plug or cap an existing well, and one (1) operating permit application during the month of June. General Manager Cockrell reported that total groundwater production reported by permittees for the month of June was approximately 31.6 acre-feet (10.3 million gallons), for a total of 275.7 acre-feet (89.9 million gallons) for fiscal year 2024.
- b. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – General Manager Cockrell reported that the next GMA 9 joint planning meeting will be held on September 17, 2024, at the Cow Creek GCD offices in Boerne, Texas. General Manager Cockrell also noted that he attended a Lower Colorado Regional Water Planning Group (Region K) meeting on July 10, 2024, and that the next meeting will be held on October 16. General Manager Cockrell reminded the Board that the Texas Alliance of Groundwater Districts will be holding their annual summit on August 20 through the 22 at the Hyatt Regency Hill Country in San Antonio, Texas.



- c. **Overview of current District groundwater monitoring program** – General Manager Cockrell provided an overview of the District’s monitoring well program. General Manager Cockrell presented a hydrograph for the District’s Lakeside monitoring well, showing water-level data for the Middle and Lower Trinity aquifers and Lake Travis levels. General Manager Cockrell also presented a hydrograph for the St. Stephen’s monitoring well, showing a steady decline in groundwater levels since 2019, with seasonal fluctuations sometimes exceeding thirty feet.
 - d. **Other items of interest not requiring Board action** – General Manager Cockrell reminded the Board that the deadline to complete their annual cybersecurity training is August 31, 2024. Additionally, General Manager Cockrell reported that Canyonside at Falconhead West submitted a permit application to the District and installed a meter on their well. General Manager Cockrell provided an update on the Regional 3D Stratigraphic Model study and staffing matters.
13. **Receive, discuss, and possibly act on update regarding Interlocal Cooperation Agreement with Travis County** – General Manager Cockrell reported that the second and third invoices submitted to Travis County under the fiscal year 2024 interlocal agreement were paid on July 10, 2024. General Manager Cockrell reported that the District has been invoicing Travis County on a monthly basis for expenses incurred during the prior month. General Manager Cockrell reported that he submitted an invoice on July 1 to Travis County for expenses incurred through June 30. General Manager Cockrell provided a report to the Board reflecting the funding remaining under the fiscal year 2024 interlocal agreement in each funding category. No action taken under this agenda item.
14. **Discuss and establish possible agenda items for future Board Meetings** – President Scadden requested that agenda items be added to the next agenda for the Board to consider the draft budget for fiscal year 2025, and for the Board to consider engaging auditing services for fiscal year 2024.
15. **Discuss and possibly act on setting the date, time, and location for the next Board Meeting** – President Scadden reported that the next regular board meeting will be held on Wednesday, August 14, 2024, at 9:30 a.m. at the District’s office.
16. **Adjourn** – A motion was made by Director Urie to adjourn the open meeting at 11:06 a.m. Motion seconded by Director Davis. Motion carried 6 Ayes – 0 Nays – 1 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 14th day of August, 2024.


Tim Van Ackeren, Secretary