



MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

Regular Board Meeting

Wednesday, November 13, 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, November 13, 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, November 13, 2024. Five directors were present at the meeting constituting a quorum, including President Scadden, Director Davis, Director Phillips, Director Huber, and Director Van Ackeren. Also present were General Manager Lane Cockrell, District Regulatory Compliance Specialist Virginia Smith, District Administrative and Hydrogeology Assistant Barbara Reyes, Josh Bennett, Blaine Williams, Elaine Davenport, Matt Welch with Mirasol Springs, Victoria Rose representing Save Our Springs Alliance, Annie Borden, Mike Barron, Director on the West Travis County Public Utility Agency Board of Directors, Charlie Flatten, General Manager for Hays Trinity GCD, Ed McCarthy representing Clancy Utility Holdings, LLC, Jim Truitt with Clancy Utility Holdings, LLC, and Pete Golde. The following individuals participated remotely by videoconference call: Audrey Cooper and Cole Ruiz with Lloyd Gosselink, Jody Askins, Jonathan Thompson, Tom Smith, Kelly Zabcik, Karen Hadden, Sydney Christman, Tyson McKinney, Christy Muse, Doug Wierman, P.G., with The Meadows Center at Texas State University, Michael Markowski, Lew Adams, Radu Boghici, P.G., hydrogeologist with Hays Trinity GCD, Laura Thomas, Assistant General Manager with Hays Trinity GCD, and Dana Thomas with the City of Austin.
- 2. Announcements** – President Scadden announced that on November 6, 2024, he, General Manager Cockrell, and Director Van Ackeren attended a public meeting regarding the West Travis County Public Utility Agency (“West Travis County PUA”) proposal to provide water service to the Mirasol Springs development. President Scadden also announced that on November 18 he and Brian Hunt are presenting at the County-to-County Workshop hosted by the Hill Country Alliance. Director Huber reported that she met with Travis County Commissioner Ann Howard regarding various western Travis County matters including the West Travis County PUA proposal to provide water service to the Mirasol Springs development. President Scadden reported that he will work with General Manager Cockrell to schedule a meeting with Commissioner Howard to discuss groundwater matters.
- 3. Public Comments** – No public comments were presented.

4. **Discuss and possibly act on approving previous meeting minutes** – President Scadden presented draft minutes for the October 9, 2024 regular board meeting to the Board for review and consideration. A motion was made by Director Davis to approve the minutes of the October 9, 2024 meeting as presented. Motion seconded by Director Van Ackeren. Motion carried 5 Ayes – 0 Nays – 2 Absent.

5. **Receive, discuss, and possibly act on update regarding West Travis County PUA’s proposal to provide service to Mirasol Springs development** – General Manager Cockrell reported that the West Travis County PUA was originally scheduled to consider a proposal to provide retail water service to the Mirasol Springs development at their Board of Directors meeting on October 17, 2024. However, General Manager Cockrell reported that West Travis County PUA postponed their decision on the proposal until their upcoming November meeting. General Manager Cockrell reported that Travis County Commissioner Ann Howard and the West Travis County PUA held a public meeting on November 6 to give the public an opportunity to ask questions about the proposal and share their concerns. General Manager Cockrell provided a copy of the service availability letter prepared by the General Manager of the West Travis County PUA for the Mirasol Springs development to the Board, and provided an overview of the service conditions proposed in the letter. General Manager Cockrell presented a map showing the route of the proposed pipeline extension. General Manager Cockrell reported that the proposal includes water service for a second phase of the Mirasol Springs development, which had not been previously disclosed and may include additional commercial development. General Manager Cockrell reported that Mirasol Springs has a firm water contract with LCRA for surface water, but it is currently unclear whether that contract would be transferred to West Travis County PUA as a condition of service.

President Scadden reported that during the November-6 public meeting, members of the West Travis County PUA Board expressed reservations about approving service to Mirasol Springs unless the developer agrees to not use groundwater for any use. Director Huber asked where the proposed pipeline would tie into West Travis County PUA’s existing infrastructure. Mike Barron, Director on the West Travis County PUA Board of Directors, reported that the West Travis County PUA has already approved a waterline to the Peacock Preserve development near Hamilton Pool Road that could be extended to the Mirasol development, but that the potential timeline for construction would take until sometime in 2027. General Manager Cockrell reported that the West Travis County PUA proposal would provide water service for up to 347 Living Unit Equivalents (“LUEs”), which is equivalent to approximately 175 acre-feet per year. General Manager Cockrell reported that this is a significant increase compared to the volume requested by Clancy Utility Holdings, LLC’s combined groundwater permit applications, which is between 80 and 90 acre-feet per year.

President Scadden asked whether Clancy Utility Holdings, LLC would consider withdrawing their groundwater permit applications if West Travis County PUA approves providing service. Ed McCarthy reported that he could not comment on that matter at this time, until more information is available. Victoria Rose representing Save Our Springs Alliance presented public comments and requested that the Board communicate with West Travis County PUA and request that they delay taking any action on the proposed pipeline for at least 90 days. Victoria Rose reported that Save Our Springs Alliance is still concerned about the use of groundwater in the Mirasol Springs development, particularly from the proposed agricultural use wells in the development. Blaine Williams presented public comments

to the Board regarding the proposed pipeline to serve the Mirasol development and reported that the Travis County Commissioners Court issued a letter to West Travis County PUA about the proposal, and provided a copy to General Manager Cockrell and the Board. Blaine Williams expressed his hope that the development utilizes rainwater collection for irrigation instead of groundwater.

Josh Bennett provided public comments to the Board, and echoed support for the Board coordinating with West Travis County PUA to request a 90-day extension in their consideration of providing service to Mirasol Springs. Tom Smith presented public comments to the Board regarding the proposed pipeline, and also requested that the Board coordinate with West Travis County PUA Board to request a 90-day delay in consideration of the pipeline. Tom Smith reported that Travis County has already requested a 30-day delay of any development by West Travis County PUA. Karen Hadden provided public comments to the Board regarding the proposed development, and echoed support for Tom Smith's proposal of a 90-day delay in any development. Lew Adams provided public comments to the Board and expressed concerns about the Mirasol Springs development's potential discharge of treated effluent. Elaine Davenport presented public comments to the Board on behalf of the Stagecoach Ranch HOA and requested that the Board do everything they can to incentivize rainwater harvesting in future developments.

Doug Wierman, P.G., with the Meadows Center at Texas State University presented information regarding the paper he published in 2015 studying the long-term impacts of the Highway 290 pipeline on groundwater use. Doug Wierman reported that the Highway 290 pipeline was installed to promote future development in the Dripping Springs area, and that pipeline is much larger than the proposed pipeline to the Mirasol Springs development, and that the two cases are not really comparable. Director Huber expressed support for sending a letter to the West Travis County PUA Board requesting that they hold off on taking any official Board action for 90 days due to the ongoing contested case and fact finding to be conducted by the Board. A motion was made by Director Huber to instruct General Manager Cockrell to coordinate with President Scadden and Director Huber to prepare a letter to the West Travis County PUA about the proposal to provide service Mirasol Springs development, requesting a 30-day delay in any action. Motion seconded by Director Van Ackeren. Motion carried 5 Ayes – 0 Nays – 2 Absent.

President Scadden adjourned the open meeting at 11:30 a.m. for a temporary break. President Scadden reconvened the open meeting at 11:41 a.m. A quorum of five directors remained present.

6. **Discuss and possibly act on matters related to *Covered Applications and Prohibited Technology Policy*** – General Manager Cockrell reported that Governor Abbott issued a directive instructing state agencies and political subdivisions to prohibit the use of certain apps, including TikTok, on any government-owned devices. General Manager Cockrell reported that the District is required to adopt a policy prohibiting the use of TikTok and other covered applications on District-owned or leased devices, and that the Texas Department of Information Resources developed a model policy for adoption by governmental entities. General Manager Cockrell presented the draft policy to the Board for consideration. A motion was made by Director Davis to approve the Covered Applications and Prohibited Technology Policy. Motion seconded by Director Phillips. Motion carried 5 Ayes – 0 Nays – 2 Absent.

7. **Discuss and possibly act on matters related to potential management strategies for the Hamilton Pool Management Zone** – No action was taken under this agenda item.

8. **Discuss and possibly act on matters related to District drought stage status** – This agenda item was taken out of number order due to time constraints. General Manager Cockrell presented a map from the U.S. Drought Monitor showing drought conditions in Travis County as of November 5, 2024, showing that roughly 50% of the District is experiencing D-3 Extreme Drought, and 96.6% of the District is experiencing at least D-2 Severe Drought. General Manager Cockrell recommended that the Board increase the declared drought stage to at least D-2 Severe Drought, which requires a 20% mandatory curtailment in accordance with the District Rules. General Manager Cockrell also presented other drought-related information including current drought severity in Blanco and Hays counties, showing that those counties are also experiencing D-3 Extreme Drought. After discussion, the Board’s consensus was to increase the declared drought stage for the District to D-3 Extreme Drought, and President Scadden instructed District Staff to issue a press release on the increase.

9. **Receive, discuss, and possibly act on update regarding contested case hearings** – General Manager Cockrell provided an update to the Board regarding the ongoing contested case hearings at the State Office of Administrative Hearings (“SOAH”). General Manager Cockrell reported that Clancy Utility Holdings, LLC filed their pre-filed testimony with SOAH in accordance with the scheduling order in that case. General Manager Cockrell reported that a prehearing conference is scheduled for November 20, 2024 in the JPD Backyard Finance, LLC contested case. No action was taken under this agenda item.

10. **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 October 31, 2024. The balance sheet indicated assets totaling \$161,433.72 and liabilities totaling \$4,787.19. The fiscal year to date profit and loss report indicated expenses totaling \$20,120.67, gross profit totaling \$12,425.72, and net income totaling \$-7,694.95 through October 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** – No action was taken under this agenda item.

 - c. **Science** – No action was taken under this agenda item.

 - d. **Outreach** – No action was taken under this agenda item.

 - e. **Rules** – No action was taken under this agenda item.

Director Davis left the open meeting at 12:18 p.m. A quorum of four directors remained present, including President Scadden, Director Van Ackeren, Director Huber, and Director Phillips.

11. General Manager's Report:

- a. **Summary of permitting, application, and registration inquiries and submissions** – General Manager Cockrell presented a summary of three (3) applications that require a variance from the District's spacing rules from property lines, including the following: 1) one exempt domestic well to be located on Cordill Lane on a 2.03 acre tract that was platted in 2020; 2) one exempt domestic well to be located on Whitney Drive on a 0.2057 acre tract that was platted before the District was created; and 3) one exempt domestic well to be located on Blue Cat Lane on a 0.12 acre tract that was platted before the District was created. No action was taken under this agenda item.
- b. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – This item was skipped due to time constraints.
- c. **Overview of current District groundwater monitoring program** – This item was skipped due to time constraints.
- d. **Other items of interest not requiring Board action** – This item was skipped due to time constraints.

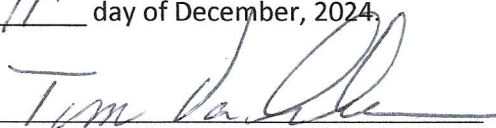
12. **Discuss and possibly act on matters related to holiday office hours and potential closures** – General Manager Cockrell reported that the District's policy states that holiday office hours and closures will be consistent with Travis County's approved holidays schedule. General Manager Cockrell reported that Travis County and the District will be closed on Thursday and Friday, November 28 and 29. However, General Manager Cockrell proposed that the District's office close the entire week of Christmas. After some discussion, the Board's consensus was to close the District's office from Monday, December 23 to Friday, December 27, with District staff paid during that time.

13. **Discuss and establish possible agenda items for future Board Meetings** – President Scadden reported that the Board will need to continue their discussion on Hamilton Pool Management Zone management strategies and have the annual election of Board officers at the next regular board meeting.

14. **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 December 11, 2024, at 9:30 a.m. at the District's office.

15. **Adjourn** – A motion was made by Director Van Ackeren to adjourn the open meeting at 12:39 p.m. Motion seconded by Director Phillips. Motion carried 4 Ayes – 0 Nays – 3 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 11th day of December, 2024.


Tim Van Ackeren, Secretary