



MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

Regular Monthly Meeting

Wednesday, March 12, 2025, 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, March 12, 2025, 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** – Director Davis called the public meeting to order at 9:30 a.m. on Wednesday, March 12, 2025. Six directors were present at the meeting constituting a quorum, including Director Davis, Director Phillips, Director Leva, Director Van Ackeren, Director Urie, and Director Huber. Also present were General Manager Lane Cockrell, District Regulatory Compliance Specialist Virginia Smith, District Administrative and Hydrogeology Assistant Barbara Reyes, Cole Ruiz with Lloyd Gosselink, and Natalie Ballew with the Texas Water Development Board. The following individuals participated remotely by videoconference call: Audrey Cooper with Lloyd Gosselink, Danna Oakes with West Cypress Hills, Lynn Sherman representing JPD Backyard Finance, LLC, and Sydney Christman with McCarthy and McCarthy.
2. **Announcements** – No announcements were presented.
3. **Public Comments** – No public comments were presented under this agenda item.
4. **Discussion and possible action on approving previous meeting minutes** – Director Davis presented the draft minutes for the January 30, 2025 board workshop for consideration. A motion was made by Director Phillips to approve the minutes for the January 30, 2025 workshop as presented. Motion seconded by Director Van Ackeren. Motion carried 5 Ayes – 0 Nays – 1 Absent – 1 Abstaining. Director Urie abstained from voting as he was not present at the January 30, 2025 meeting. Director Davis then presented the draft minutes for the February 12, 2025 regular board meeting. A motion was made by Director Van Ackeren to approve the minutes for the February 12, 2025 regular board meeting. Motion seconded by Director Huber. Motion carried 4 Ayes – 0 Nays – 1 Absent – 2 Abstaining. Director Leva and Director Phillips abstained from voting as they were not present at the February 12, 2025 meeting.

President Scadden joined the open meeting at 9:34 a.m. A quorum of seven directors remained present, including President Scadden, Director Davis, Director Phillips, Director Leva, Director Van Ackeren, Director Urie, and Director Huber.

5. **Receive, discuss, and possibly act on presentation regarding the joint groundwater planning process and desired future conditions** – GM Cockrell introduced Natalie Ballew, Groundwater Division Director at the Texas Water Development Board (TWDB), who gave a presentation on the joint planning process required by Texas law. She explained that groundwater conservation districts must participate in joint planning within their Groundwater Management Area (GMA) to develop Desired Future Conditions (DFCs) for the aquifers they manage. These DFCs are submitted to TWDB, which then uses them to calculate Modeled Available Groundwater (MAG) using its Groundwater Availability Models (GAMs). Ballew noted a timing gap between the development of DFCs/MAGs and the State Water Plan, meaning DFCs adopted in the 2026 planning cycle will not be reflected until the 2032 Plan. She explained that DFCs typically focus on limiting aquifer drawdown or preserving spring flows and that districts must manage groundwater production to meet these goals. MAG values help districts evaluate and make permitting decisions. She also presented a map showing changes in MAG from the 2016 to 2021 planning cycles, highlighting how MAG can vary with changes to DFCs. Ballew confirmed the District is part of GMA 9 and summarized the current DFCs for that area. President Scadden and GM Cockrell expressed concern about the current DFCs for the District's aquifers and whether they are achievable. President Scadden thanked Ballew for her presentation. No action was taken on this item.

6. **Receive, discuss, and possibly act on update regarding joint planning in GMA 9, updating desired future conditions, and related matters** – GM Cockrell reported that GMA 9's current DFC for the Trinity Aquifer allows for an average drawdown of approximately 30 feet through 2060 throughout GMA 9, consistent with "Scenario 6" in TWDB's GAM Task 10-005. He noted that this DFC presents limitations that member districts hope to address in the current joint planning cycle. Cockrell explained that in some areas of GMA 9, drawdown has already exceeded or is projected to exceed the 30-foot limit, despite pumping estimates remaining well below the Modeled Available Groundwater (MAG). He also noted that the current DFC treats the Middle, Upper, and Lower Trinity aquifers as a single unit, even though scientific evidence shows they are hydrologically distinct and function independently. GM Cockrell added that many groundwater management areas in Texas have begun adopting district-specific DFCs rather than DFCs for the entire management area. GM Cockrell summarized GAM Task 10-005, the basis for the current DFC, and presented monitoring well data from within the District dating back to 2008, the baseline year for the current DFC, showing an average drawdown of 56.22 feet in the Trinity Aquifer, which exceeds the 30-foot limit set by the current DFC. GM Cockrell pointed out that, because only three wells in the District have reliable data going back to 2008, this average may not be representative of average conditions across the entire District. GM Cockrell outlined potential next steps for the current planning cycle, including developing District-specific DFCs for each Trinity Aquifer unit, creating a separate DFC for the Hamilton Pool Management Zone, and establishing a new baseline year to improve DFC compliance monitoring. President Scadden expressed concern regarding adopting DFCs that are realistic and achievable. Cole Ruiz reported that districts that are unable to meet their DFCs could face a petition for inquiry through the TCEQ and advised the District to consider the achievability of proposed DFCs before making final decisions. GM Cockrell outlined ways to strengthen the scientific basis for DFCs, including refining pumping estimates, expanding the District's monitoring network, conducting additional groundwater studies, and developing an improved numerical model for the District. He

also stressed the importance of engaging stakeholders early and consistently throughout the joint planning process. No action was taken under this item.

7. **Discussion and possible action on matters related to District drought stage status** – GM Cockrell presented a map showing drought conditions in Travis County as of March 4, 2025, showing the entirety of the District currently under D-3 Extreme Drought, consistent with the District's current declared drought stage. Based on current conditions and outlook, GM Cockrell recommended that the District remain at D-3. President Scadden directed staff to issue a press release informing the public that the District remains in D-3 Extreme Drought and to include information on water conservation and District drought curtailments. No action was taken under this item.
8. **Discussion and possible action regarding authorization for the Ranch at Fall Creek, LP to conduct an aquifer test under a Test Well General Permit at 26905 W. State Hwy 71, Spicewood, TX 78669 during drought conditions** – GM Cockrell reported that the District Rules require Board authorization for an applicant to conduct an aquifer test from a test well during D-3 drought conditions. GM Cockrell reported that the Ranch at Fall Creek, LP, requests to conduct an aquifer test to produce up to 1,200 gallons at 5 gallons per minute, and that the produced water will be pumped into a storage tank for future use. GM Cockrell reported that he evaluated potential impacts to surrounding wells, and concluded that estimated impacts would be negligible. GM Cockrell reminded the Board that the District Rules require applicants to plug any test wells after conducting an aquifer test, or apply to convert the well for a different beneficial use. Director Huber expressed concerns regarding approving an aquifer test during current drought conditions. GM Cockrell reported that District Staff would recommend Board approval of the request to conduct the aquifer test, as the estimated impacts to surrounding wells and the aquifer are minimal and the produced water will be stored for future use. After discussion, a motion was made by Director Phillips to authorize the proposed aquifer test by Ranch at Fall Creek, LP. Motion seconded by Director Urie. Motion carried 6 Ayes – 1 Nay.
9. **Discussion and possible action regarding proposed new wells requiring Board authorization to reduce required spacing from property lines** – This agenda item was taken out of number order due to time constraints. GM Cockrell presented one variance request submitted by an applicant for a proposed domestic well to be located along Cordill Lane on a 2.03-acre tract that was platted in October 2020. GM Cockrell reported that there are no wells located on the surrounding properties, however the tract size and the location of the septic system on the property make it difficult for the applicant to comply with the District's 100-foot setback spacing requirement from surrounding property lines. GM Cockrell reported that the plat notes for the property require the property to utilize rainwater harvesting for at least some of their domestic use, and noted that the property is located outside the service area of any water utilities. GM Cockrell reported that District Staff recommend approval of the variance request under the condition that the well must be located at least 50 feet from neighboring property lines and cemented using positive displacement technique to a minimum depth of 100 feet from the surface, consistent with District Rules. Director Huber expressed concerns about the location of any potential septic systems located on surrounding properties that could serve as a source of contamination. A motion was made by President Scadden to approve the variance request for the proposed well on Cordill Lane. Motion seconded by Director Leva. Motion carried 5 Ayes – 2 Nays.

10. **Receive, discuss, and possibly act on update regarding contested case hearings** – This agenda item was taken out of number order due to time constraints. Cole Ruiz reported that the parties to the Clancy Utility Holdings, LLC contested case hearing at the State Office of Administrative Hearings (“SOAH”) have agreed to another extension to abate that matter until May 27, 2025 to allow additional time for settlement discussions. President Scadden reported that he and GM Cockrell met with Jennifer Riechers, GM at the West Travis County PUA, and reported that the West Travis County PUA was surprised that the contested case matter related to the Mirasol development hasn’t been withdrawn yet. Cole Ruiz reminded the Board that at the February 12, 2025 board meeting, the Board voted to re-open the administrative record in the JPD Backyard Finance, LLC matter, and reported that he is coordinating with counsel for JPD Backyard Finance to determine their availability for a hearing. Lynn Sherman provided public comments on behalf of JPD Backyard Finance, LLC, and reported that he and his client are working to provide additional reports and information to the Board from their experts within the next two weeks. Cole Ruiz reported that the Board will need to hold a second hearing to re-open the record and hear new arguments and evidence presented by JPD Backyard Finance, LLC regarding their permit application. No action was taken under this item.

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

- a. **Finance** – GM Cockrell provided a report to the Board regarding the financial reports dated February 28, 2025. The balance sheet indicated assets totaling \$172,153.51, and liabilities totaling \$5,425.74. The fiscal year-to-date profit and loss report indicated expenses totaling \$115,682.28, gross profit totaling \$120,617.57, and net income totaling \$4,935.29 through February 2025. GM Cockrell provided a summary of checks issued by the District since the last board meeting, a summary of expenses by vendor, and a fiscal year-to-date summary of revenue and expenses by budgetary line item.
- b. **Legislative** – Cole Ruiz reported that there have been a number of bills filed that impact funding for water supply projects and state water planning. Cole Ruiz reported that Sen. Kolkhorst filed SB 718 to establish a fund for groundwater science and innovation, which would help provide districts with funding to develop groundwater modeling and science. Cole Ruiz reported that the bill filing deadline for general bills is March 14, 2025, and that the House and Senate Committees are working to schedule hearings. Cole Ruiz provided the Board with an update regarding relevant groundwater legislation, including HB 1633, which would require districts to consider any impacts to surrounding exempt wells when determining whether to grant or deny a permit.
- c. **Science** – GM Cockrell reported that Brian Hunt (UT BEG) is developing a proposal for continued groundwater study in collaboration with Travis County to evaluate aquifer conditions in the District.
- d. **Outreach** – GM Cockrell reported that staff developed a draft brochure regarding rainwater harvesting for the District to provide to permit applicants and distribute at outreach events. Barbara Reyes reported that the second week of March is National Groundwater Awareness Week, and that she has planned a social media campaign for the

District's accounts with information about the importance of groundwater, aquifer science, and the District's activities. Barabara Reyes and GM Cockrell reported that the District is partnering with the Texas A&M Agrilife Extension to distribute water quality testing kits to interested well owners as part of the Extension Service's Well Water Checkup event.

- e. **Rules** – GM Cockrell reported that the Board Rules Subcommittee held their first meeting to discuss and prioritize potential rules revisions related to the Hamilton Pool Management Zone, and that the Subcommittee plans to meet again on April 3 to review and discuss draft redline changes to the District Rules.
12. **Discussion and possible action regarding implementation and enforcement of District Rules** – GM Cockrell reported that District staff issued a Notice of Violation to BenTree RV ("BenTree") via email and certified mail, outlining outstanding requirements and providing a deadline for compliance. GM Cockrell reported that the District may hold a Show Cause hearing and potentially assess civil penalties if BenTree does not comply with District Rules. GM Cockrell reported that he will consult with the District's general counsel to determine next steps, including potential assessment of penalties for noncompliance. No action was taken under this item.
13. **Discussion and possible action regarding FY 2025 Interlocal Cooperation Agreement with Travis County** – GM Cockrell reported that the District received payment for its first invoice submitted under the fiscal year 2025 interlocal agreement with Travis County, and that invoice #2025-002 was submitted on March 6, 2025. GM Cockrell provided an update to the Board regarding the remaining funding available under each funding category in the agreement, showing \$94,582.04 total remaining. GM Cockrell reported that the priority deadline to submit the District's funding request for fiscal year 2026 is fast approaching, and that the District has received estimates from hydrogeology firms for the development of a refined numerical groundwater model for the District that could potentially be funded by the FY 2026 interlocal agreement with Travis County. GM Cockrell reported that quotes for the study have ranged from roughly \$200,000 to over \$400,000. GM Cockrell reported that he is working to draft the District's funding request for fiscal year 2026 for submission by the end of the week. A motion was made by Director Huber to authorize GM Cockrell and President Scadden to coordinate to finalize and submit the District's fiscal year 2026 funding request to Travis County. Motion seconded by Director Van Ackeren. Motion carried 7 Ayes – 0 Nays.
14. **General Manager's Report:**
- a. **Summary of permitting, application, and registration inquiries and submissions** – GM Cockrell provided a summary to the Board of the permit applications and well registrations received by the District during the month of February 2025. GM Cockrell reported that the District received three (3) new well registrations, one (1) new well drilling authorization application, one (1) new application to plug or cap an existing well, and two (2) operating permit applications during the month of February 2025.
 - b. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – GM Cockrell reported that the next GMA 9 meeting is scheduled for April 15, 2025 at 10

AM at the Cow Creek GCD offices in Boerne, Texas. GM Cockrell reported that the County-to-County Workshop hosted by the Texas Association of Counties is scheduled for March 26 in Austin, Texas.

- c. **Overview of current District groundwater monitoring program** – No action was taken under this item.
 - d. **Other items of interest not requiring Board action** – GM Cockrell reported that dates in early May are under consideration for the Hamilton Pool Management Zone stakeholder group reunion meeting. GM Cockrell reported that the District executed an interlocal agreement with MyGovernmentOnline to begin implementing the District's online permitting portal.
15. **Discuss and establish possible agenda items for future Board Meetings** – GM Cockrell reported that the next meeting will include a permit hearing on Archangel Catholic School's permit application and a hearing to reopen the administrative record and hear new information regarding the JPD Backyard Finance, LLC permit application.
16. **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 Thursday, April 10, 2025 at 9:30 a.m. at the District's office.
17. **Adjourn** – A motion was made by Director Huber to adjourn the open meeting at 1:04 p.m. Motion seconded by Director Leva. Motion carried 7 Ayes – 0 Nays.

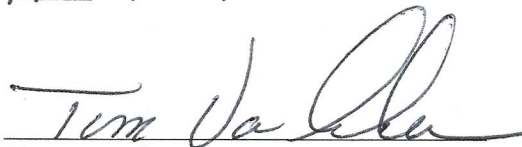
PASSED, APPROVED, AND ADOPTED THIS THE _____ day of May, 2025.

Tim Van Ackeren, Secretary

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PASSED, APPROVED, AND ADOPTED THIS THE 14th day of May, 2025.


Tim Van Ackeren, Secretary