



MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS

Regular Monthly Meeting

Wednesday, February 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, February 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** – President Scadden called the public meeting to order at 9:30 a.m. on Wednesday, February 12, 2025. Four directors were present at the meeting constituting a quorum, including President Scadden, Director Davis, 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, Cole Ruiz and Andres Castillo with Lloyd Gosselink, Lynn Sherman on behalf of JPD Backyard Finance, LLC, Elaine Davenport, Blaine Williams and Annie Borden with Save the Pedernales, and Josh Bennett. The following individuals participated remotely by videoconference call: Audrey Cooper and Ty Embrey with Lloyd Gosselink, Blain Shanklin, Kodi Sawin with Shield Ranch, Kyle McDaniel with JPD Backyard Finance, LLC, Danna Oakes with West Cypress Hills, and Ken Jenkins with My Government Online.
2. **Announcements** – Cole Ruiz introduced Andres Castillo, an associate with Lloyd Gosselink, to the Board of Directors. President Scadden thanked him for being at the Board meeting.
3. **Public Comments** – Annie Borden presented public comments to the Board of Directors on behalf of Save the Pedernales regarding the Mirasol Springs development and thanked the Board and District Staff for their consideration and work addressing stakeholder concerns over the development.
4. **Discussion and possible action on approving previous meeting minutes** – President Scadden presented draft minutes for the January 15, 2025 regular board meeting for consideration. A motion was made by Director Davis to approve the minutes for the January 15, 2025 regular board meeting. Motion seconded by Director Van Ackeren. Motion carried 4 Ayes – 0 Nays – 3 Absent.
5. **Presentation, discussion, and possible action regarding My Government Online Permitting Software** – This agenda item was taken out of number order due to time constraints. General Manager Cockrell provided an update to the Board and reported District staff have considered ways to streamline the District's permitting process, and that My Government Online is a potential software solution for the District. Ken Jenkins with My Government Online provided a presentation

to the Board regarding the software's features and functionality. Ken Jenkins reported that My Government Online was developed by the South Central Planning and Development Commission in Louisiana, a governmental agency similar to a council of governments in Texas. Ken Jenkins reported that the Commission developed the My Government Online permitting software in the aftermath of Hurricane Katrina to assist local governments with rebuilding. Ken Jenkins reported that many cities and counties in Texas utilize My Government Online for their permitting programs, including Travis County, Hays County, and the City of Bee Cave. Ken Jenkins then provided a walk through of the My Government Online platform, demonstrating the permit application portal that the public could use.

General Manager Cockrell reported that if the Board decides to move forward with My Government Online, District staff would work with My Government Online to configure the District's portal and import all the District's permit and reporting forms. Once the portal is active, General Manager Cockrell reported that permittees would be able to submit meter readings, driller's reports, permit applications, and other information through the portal, and that applicants could track the status of their applications through the portal. President Scadden asked whether My Government Online allows for collaboration between governmental entities, for example between cities and counties. Ken Jenkins reported that yes, My Government Online would allow the District to share information with Travis County. General Manager Cockrell reported that the fee for My Government Online would be \$300.00 per month based on the number of applications and forms the District expects to process annually through the platform. A motion was made by Director Van Ackeren to authorize President Scadden and General Manager Cockrell to negotiate and execute an interlocal agreement with South Central Planning and Development Commission to license My Government Online permitting software for District use. Motion seconded by Director Davis. Motion carried 4 Ayes – 0 Nays – 3 Absent.

6. **Discuss, consider, and possibly act to reopen the administrative record associated with the JPD Backyard Finance, LLC Operating Permit Application to consider new evidence offered by JPD Backyard Finance, LLC, concerning Permit No. OP-LT-JPD-240320, issued by the Board on June 18, 2024** – This agenda item was taken out of number order due to time constraints. General Manager Cockrell provided background information to the Board and a refresher on the timeline related to JPD Backyard Finance, LLC's permit application and the contested case. Cole Ruiz reported that on March 20, 2024 the Board held a permit hearing on JPD Backyard Finance, LLC's application and moved to grant the permit for landscape irrigation use only, not to exceed 3.506 acre-feet per year, and that the Board did not authorize JPD Backyard Finance, LLC to use groundwater for their detention pond. Cole Ruiz reported that JPD Backyard Finance, LLC submitted a request for contested case and referral to the State Office of Administrative Hearings ("SOAH") subsequently on April 9, 2024, and that the parties have since participated in a prehearing conference at SOAH and an informal settlement meeting. Cole Ruiz reported that JPD Backyard Finance, LLC would like to present new information to the Board relevant to their application, and that the Board may decide whether to reopen the administrative record associated with the application and hold another hearing on the application in March.

Lynn Sherman provided a presentation to the Board on behalf of JPD Backyard Finance, LLC regarding the new information relevant to their permit application. Lynn Sherman reported that the National

Pollutant Discharge Elimination System (“NPDES”) is a federal regulatory program to control stormwater runoff and related pollution. Lynn Sherman reported that NPDES regulations are implemented locally by the City of Bee Cave, which requires JPD Backyard Finance, LLC’s detention ponds for stormwater runoff. Lynn Sherman reported that the City of Bee Cave is also located in the contributing zone of the Edwards Aquifer, and that JPD Backyard Finance, LLC’s detention ponds had to also comply with TCEQ requirements. Lynn Sherman clarified that JPD Backyard Finance, LLC’s detention ponds are not vanity ponds, they are required to comply with stormwater runoff requirements under the NPDES, and that a certain amount of groundwater is required to keep the clay beds of the detention ponds wet to prevent cracking. General Manager Cockrell reported that District staff’s recommendation would be to reopen the administrative record related to JPD Backyard Finance, LLC’s permit application to allow for additional discussion and consideration related to this new information. A motion was made by Director Huber to reopen the administrative record associated with JPD Backyard Finance, LLC’s permit application and Permit No. OP-LT-JPD-240320 at a future meeting. Motion seconded by Director Davis. Motion carried 4 Ayes – 0 Nays – 3 Absent. President Scadden requested that JPD Backyard Finance, LLC provide the District with a water balance schematic and piping diagram showing how stormwater runoff and rainwater will flow through the applicant’s system.

7. **Discussion and possible action regarding proposed new wells requiring Board authorization to reduce required spacing from property lines** – General Manager Cockrell provided an update to the Board regarding pending variance requests from the District’s spacing requirements under the District Rules. General Manager Cockrell reminded the Board that the District Rules allow the Board to take into consideration if the property was platted before the District’s spacing rules were in effect. General Manager Cockrell presented one variance request for a domestic well to be located on a 2.9-acre lot on Likeness Road in Spicewood. General Manager Cockrell reported that the property is a unique case because it was initially platted in 1995, but was subsequently replatted in 2001 to combine it with two surrounding lots and then reverted to the original three lots in 2022. General Manager Cockrell reported that the changes made to the plat in 2022 may constitute a subdivision of the property in accordance with the District Rules, in which case the current well spacing requirements under District Rules would apply. General Manager Cockrell reported that the well site currently contemplated has the well located approximately 55 feet from the neighboring property line, less than the 100-foot setback required by the District Rules. General Manager Cockrell reported that the property is located outside of the service area of any water utilities. Blain Shanklin, the property owner, reported that there aren’t any existing wells or septic tanks on the neighboring properties. A motion was made by Director Huber to deny the variance request associated with the proposed well to be located on Likeness Road. The motion died without a second. A motion was made by Director Van Ackeren to grant the variance request associated with the proposed well to be located on Likeness Road, on the condition that future wells drilled on adjacent lots must comply with the District’s spacing rules. Motion seconded by President Scadden. Motion carried 3 Ayes – 1 Nay – 3 Absent.
8. **Receive, discuss, and take action as necessary on Board Committee Reports:**
 - a. **Finance** – General Manager Cockrell provided a report to the Board regarding the financial reports dated January 31, 2025. The balance sheet indicated assets totaling

\$114,787.73, and liabilities totaling \$5,328.94. The fiscal year-to-date profit and loss report indicated expenses totaling \$85,469.95, gross profit totaling \$33,136.26, and net income totaling \$-52,333.69 through January 2025. General Manager Cockrell 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 revenue and expenses by budgetary line item. President Scadden noted that outstanding service connection fees have still not been submitted by Buddy's RV Resort and instructed General Manager Cockrell to send a Notice of Violation to request compliance.

- b. **Legislative** – This agenda item was taken out of number order due to time constraints. Ty Embrey with Lloyd Gosselink provided a presentation to the Board regarding relevant legislation filed to date during the 89th Texas Legislative Session. Ty Embrey reported that both Chairman Perry and Governor Abbott have made water infrastructure a priority this legislative session, including the development of brackish groundwater and desalination plants. Ty Embrey reported that several bills have been filed to directly amend Chapter 36 of the Texas Water Code, including a bill that would allow groundwater districts to use the export fees they charge permittees to create a mitigation fund for wells impacted by production. Ty Embrey also reported that a bill was filed to amend the petition for inquiry process for districts at the TCEQ. General Manager Cockrell reported that he and Rep. Goodwin's office are coordinating with Sen. Eckhardt's office to develop a Senate companion for HB 1529, filed by Rep. Goodwin.

Elaine Davenport provided public comments under this agenda item, and requested a quick explanation regarding HB 1529 to amend the District's enabling act. General Manager Cockrell reported that the bill would increase the maximum production fee that the District is authorized to charge permittees from 20 cents per thousand gallons to 50 cents per thousand gallons.

- c. **Science** – No action was taken under this agenda item.
 - d. **Outreach** – No action was taken under this agenda item.
 - e. **Rules** – President Scadden reported that the Board Rules Subcommittee is working to schedule a meeting to work on rule amendment recommendations.
- 9. **Discussion and possible action on matters related to District drought stage status** – President Scadden reported that there have been no significant changes to the District's drought stage status. No action was taken under this agenda item.
 - 10. **Discussion and possible action regarding joint planning in GMA 9, including information related to DFCs and other matters related to DFCs** – This agenda item was postponed due to time constraints.
 - 11. **Discussion and possible action regarding District public outreach and education** – Director Huber provided a presentation to the Board regarding public outreach and education resources available

for the District to utilize. Director Huber reported that the Hill County Alliance and Edwards Aquifer Authority have educational materials available for other organizations to distribute and provided information to the Board regarding various outreach materials she compiled. Director Huber reported that she also has a file of PowerPoint presentations from past events she has presented at that the District could repurpose for future outreach events. Director Huber presented a draft outreach plan for the District and reported that it will be important for the District to identify which key topics the District should focus on for outreach, including drought, rainwater harvesting, and conservation among others. No action was taken under this agenda item.

12. **Discussion and possible action regarding FY 2025 Interlocal Cooperation Agreement with Travis County** – President Scadden reported that General Manager Cockrell submitted the District's first invoice under the fiscal year 2025 Interlocal Agreement to Travis County for review. President Scadden reported that he, Director Huber, and General Manager Cockrell have a meeting scheduled with Travis County Commissioner Howard on February 19 to discuss various matters including possible ways to streamline the ILA invoicing process. No action was taken under this agenda item.

13. **General Manager's Report:**

- a. **Summary of permitting, application, and registration inquiries and submissions** – General Manager Cockrell provided a summary to the Board of the permit applications and well registrations received by the District during the month of January 2025. General Manager Cockrell reported that the District received five (5) applications to drill new wells, and two (2) applications to plug or cap an existing well.
 - b. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – General Manager Cockrell reported that the next GMA 9 meeting is scheduled for February 18, 2025, at the Upper Guadalupe River Authority's office in Kerrville, Texas, and that a remote videoconference participation option will be available.
 - c. **Overview of current District groundwater monitoring program** – General Manager Cockrell presented a hydrograph and summary of data collected from the District's Lakeside monitoring well and nearby Lake Travis levels. General Manager Cockrell provided an update on new monitoring wells installed near Hamilton Pool by UT BEG in collaboration with Travis County.
 - d. **Other items of interest not requiring Board action** – General Manager Cockrell reported that the District's office lease has been extended, that he and President Scadden have an upcoming meeting with West Travis County Public Utility Agency General Manager Jennifer Riechers, that the District office will be closed Monday, February 17th for President's Day, and that Texas Water Day at the Capital is scheduled for March 3, 2025,
14. **Discuss and establish possible agenda items for future Board Meetings** – No action was taken under this agenda item.

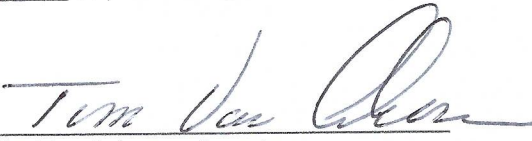
15. **Discuss and possibly act on setting the date, time, and location for the next Board Meeting –** President Scadden reported that the next regular board meeting will be held on March 12, 2025, at 9:30 a.m. at the District's office.
16. **Adjourn** – A motion was made by Director Davis to adjourn the open meeting at 12:30 p.m. Motion seconded by Director Huber. Motion carried 4 Ayes – 0 Nays – 3 Absent.

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

Tim Van Ackeren, Secretary

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 March 12, 2025, at 9:30 a.m. at the District's office.
16. **Adjourn –** A motion was made by Director Davis to adjourn the open meeting at 12:30 p.m. Motion seconded by Director Huber. Motion carried 4 Ayes – 0 Nays – 3 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 12th day of March, 2025.


Tim Van Ackeren, Secretary