



Meeting MINUTES

OF THE

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Via Telephone Conference

In accordance with the order of the Office of the Governor issued March 16, 2020, the SWTCGCD Board of Directors conducted a Special Board Meeting as a remote access only meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). The meeting was open to the public and instructions for accessing the conference call were provided in advance with the Notice of Meeting

Wednesday, May 27, 2020 at 10:00 am

1. Call to order, declare meeting open to the public, take roll and declare quorum status

Director and Board President Scadden called the meeting of the Southwestern Travis County Groundwater Conservation District (SWTCGCD or District) Board of Directors to order at 10:01 AM on Wednesday May 27, 2020. Seven District Directors were present on the conference call constituting a quorum, including Directors Davis, Hennings, Dower, Scadden, Hunt, Van Ackeren and Urie. Also present were General Manager Kodi Sawin, Kirk Holland, Ty Embry with Lloyd Gosselink, and Stephanie Curry.

At the request of Director Scadden all present introduced themselves.

2. Public comments

Director Scadden called for public comments. There were no public comments.

3. Discuss and possibly act on matters related to formulating District Rules, including setting a Public Hearing on the rulemaking at some future Board meeting.

General Manager, Kodi Sawin, and Kirk Holland led a discussion of selected subjects and recommendations from the Rules Committee previously appointed by the District Board. The discussion started with a brief review of what District Rules are and how they will be used in the Management of the District. General Manager Sawin explained that the Groundwater Management Plan that the District has developed can be thought of as the overarching strategy for operating the District while the Rules are the tactical details of how the District will implement and achieve the strategies.

The next item of discussion was whether to strive to develop a full or complete set of District Rules or to prepare a partial set of Rules with the goal of faster implementation. The Rules Committee recommendation is to work toward development of a full set of Rules. After discussion of the relative pros and cons, the consensus of the Directors was to proceed with working toward



development of a full set of Rules with the understanding that this can be revisited if the process gets bogged down on a specific policy issue.

The next item of discussion was the basis for developing the SWTCGCD Rules. Kirk Holland reminded the Board that the draft Groundwater Management Plan was initially prepared using the Blanco Pedernales GCD Management Plan as a template. An outline for the SWTCGCD Rules has been developed based on the Rules from the Blanco Pedernales GCD and the Comal Trinity GCD. The latter being useful as they have more recently been established (both the GCD and the Rules). The SWTCGCD Rules will also be developed with consideration of the relevant Barton Springs Edwards Aquifer Conservation District (BSEACD) Rules with the desire to utilize the beneficial provisions while trying to avoid the complexity of the BSEACD Rules. The group agreed that to the extent practical, it is advantageous to have the SWTCGCD Rules consistent with the Rules of our neighboring GCDs. The Board consensus confirmed this approach.

The next item for discussion centered around developing a definition for Domestic Use of groundwater for the SWTCGCD Rules. This is an important definition in general for groundwater management and specifically as it pertains to certain exempt uses. This discussion included the use of groundwater for domestic irrigation and a concern for groundwater wells used for irrigation at households that have their primary potable water supplied by a water utility. The Rules Committee had previously reviewed the definition of Domestic Use used by our neighboring GCDs and the Texas Commission on Environmental Quality (TCEQ) to help develop a draft definition for the SWTCGCD. Note that the TCEQ definition applied to surface water not groundwater.

After in depth discussion, the Board agreed on the following two definitions by consensus.

1. Definition of Domestic Use – “The use of groundwater by a person or household in which a well produces groundwater for personal needs such as drinking and personal hygiene; for household purposes such as heating, cooking, sanitation, and cleaning; or for other, outdoor uses such as maintaining swimming pools; watering of domestic animals kept as pets; and irrigating landscape vegetation, gardens, or orchards. Domestic Use does not include groundwater used to support activities for which consideration is given or received, or for which the product of the activity is sold.”

2. Definition of Livestock Use – “The use of groundwater produced by a well for domesticated horses, cattle, goats, sheep, swine, poultry, ostriches, emus, rheas, fish, exotic deer and antelope, and other similar animals involved in farming or ranching operations, including maintaining no more than 50,000 gallons of groundwater storage in ponds, lakes, tanks, reservoirs, or other surface impoundments used for holding water located on the person’s property. Dogs, cats, birds, reptiles, small mammals, potbellied pigs, and other animals typically kept as domestic pets are not considered livestock. Livestock-type animals kept as pets or in a pet-like environment are not considered livestock.

The Rules Committee will continue to develop additional definitions for incorporation in the District Rules and make recommendations to the Board.

The next item for discussion was whether the District Bylaws should be embedded in the District Rules. The District Bylaws were previously approved by the Board. The Rules Committee had



considered this question and recommended that the Bylaws should be referenced in the Rules but not included in the Rules in their entirety. The consensus of the Board was to follow this recommendation.

The meeting participants also had a general discussion about permitting groundwater wells and an explanation of the use of General Permit-By-Rule type permits for some non-exempt wells such as larger irrigation wells, monitoring wells, test wells, and fire suppression/firefighting wells that would otherwise require individual operating permits.

Drought management and the trigger for declaring various stages of draught were discussed. The Rules Committee recommended: 1. Mandatory drought plans for permittees, triggers and required curtailments for non-exempt wells, and voluntary curtailments for exempt wells; 2. Use of the US Drought Monitor weekly classification for Travis County or for Travis, Hays, and Blanco Counties, evaluated monthly; and 3. Tiered drought curtailments, need metering on non-exempt wells, and monthly meter readings and reporting. After discussion and looking at the online Drought Monitor the consensus was to accept the recommendations with the specific decision to use just Travis County as the basis for the drought classification. The Rules Committee will develop more specific recommendations of the timing and duration for various drought declarations.

4. Adjourn

On a motion by Director Van Ackeren and a second by Director Urie, the Board voted to adjourn the meeting – 7 ayes to 0 nays. The meeting was adjourned at 12:40 PM.

PASSED, APPROVED AND ADOPTED THIS 10th day of June 2020

Tim Van Ackeren, Secretary