



BOARD MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Wednesday, February 8, 2023, at 9:00 a.m.

A quorum of the Southwestern Travis County Groundwater Conservation District Board of Directors held a regular board meeting on Wednesday, February 8, 2023, at 9:00 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 9:00 a.m. on Wednesday, February 8, 2023. Five directors were present at the meeting constituting a quorum, including President Scadden, Director Van Ackeren, Director Norton, Director Davis, and Director Urie. Also present were General Manager Lane Cockrell and District staff members Virginia Smith and Nick Soto-Kerans; Wade Oliver with INTERA; Ed McCarthy with Clancy Utility Holdings, LLC; Charlie Flatten, General Manager of Hays Trinity Groundwater Conservation District (“Hays Trinity GCD”); and Christy Muse, Lew Adams, Tom Smith, Bryan Cisner, Elaine Davenport, Marisa Bruno, and Tom Griffith. The following individuals participated remotely by videoconference call: Audrey Cooper, Cole Ruiz, and Ty Embrey with Lloyd Gosselink; Travis County Commissioner Ann Howard; Laura Thomas, Assistant General Manager, and Bruce Moulton, Vice President, with Hays Trinity GCD; Vicky Kennedy with Travis County; Neil Deeds, PhD, PE with INTERA; Hunter Harris and Bill Bullock with BVA; Jim Pritchard with Prichard & Associates; Bob Adkins, Kelly Zabcik, Crystal Datri, Scott Dunaway, David Glover, CJ Bennett, Jody Askins, District volunteer Pete Golde, and interns Constance Marshall and Nakul Nagaraj.
- 2. Announcements** – President Scadden thanked the members of the public and all parties present at the meeting for attending, and asked that all parties maintain decorum during the meeting.
- 3. Public Comments** – No public comments were presented under this agenda item.
- 4. Discuss and possibly act on approving previous meeting minutes** – This agenda item was taken out of number order due to time constraints. President Scadden presented the minutes for the January 11, 2023 regular board meeting for the Board's consideration. A motion was made by Director Davis to approve the minutes of the January 11, 2023 regular board meeting as presented. Motion seconded by Director Urie. Motion carried 5 Ayes – 0 Nays – 2 Absent.
- 5. Receive, discuss, and take action as needed on presentation regarding INTERA's evaluations of potential impacts of proposed groundwater production from Clancy Utility Holdings, LLC (a.k.a. Mirasol Springs development) permit application** – This agenda item was taken out of number order due to time constraints. Wade Oliver with INTERA provided a presentation to the Board of Directors and members of the public regarding INTERA's evaluations related to the proposed Mirasol Springs development and associated permit applications. Wade Oliver reported that the purpose of this presentation is to provide a progress report on INTERA's evaluations to estimate potential impacts



of the proposed Mirasol Springs development on water levels and spring flows. Wade Oliver provided a summary of the evaluation process, in which INTERA developed a conceptual model, which utilizes existing data to characterize the hydrogeologic system in question, then used the conceptual model to develop a numerical model in MODFLOW, which was used to estimate impacts with and without pumping. Wade Oliver presented maps showing the Mirasol property boundary and surrounding areas, locations of proposed pumping wells on the Mirasol property, local watersheds, and generalized local and regional groundwater flow directions for the Middle Trinity Aquifer. Wade Oliver presented a cross section showing geologic units and the conceptual groundwater flow system for the study area and reported that the evaluations focused on the units of the Middle Trinity aquifer that are saturated in the study area, the Hensel Sand and Cow Creek Limestone. Wade Oliver presented maps showing the model grid and structure. He reported that the INTERA model boundary measures 6-miles by 6-miles and is based on grid cells in the Groundwater Availability Model ("GAM") for the Hill Country portion of the Trinity Aquifer. At President Scadden's request, Wade Oliver provided an overview of GAMs developed by the Texas Water Development Board ("TWDB"). Wade Oliver reported that cells in INTERA's model measure 1/8th of a mile on each side, which makes it a more appropriate tool to analyze local impacts of pumping compared to the GAM, which uses larger grid cells appropriate for regional modeling. Wade Oliver presented maps showing model boundary conditions, surface geology, recharge and discharge areas, and existing pumping wells used in the model. Wade Oliver explained that the INTERA model is a steady-state model and that average recharge was used in this assessment. Wade Oliver presented draft modeling results of potential impacts associated with proposed pumping at the Mirasol Springs development, which consisted of maps showing drain outflow difference and water-level changes, and a table showing estimated volumetric impacts in acre-feet per year to local springs and seeps, and to regional groundwater flow. Wade Oliver reported that draft model results suggest that the total groundwater volume requested for the proposed Mirasol development (approximately 85 acre-feet per year) would result in the following impacts: Hamilton Springs, which feeds Hamilton Pool, may experience a reduction of 2.7 acre-feet per year in flow; Roy Creek Springs and nearby seeps may experience a reduction of 20.4 acre-feet per year in flow; other springs and seeps along the Pedernales River may experience a combined reduction of 44.7 acre-feet per year in flow; and 17.2 acre-feet per year may be captured from the regional groundwater flow system. Wade Oliver reported that these estimates represent modeled impacts based on average recharge conditions.

President Scadden reported that Southwestern Travis County GCD and Hays Trinity GCD have collaborated on engaging INTERA to evaluate the potential hydrogeologic impacts associated with the Mirasol Springs development because the development is partially located in each district. President Scadden reported that Clancy Utility Holdings, LLC, submitted permit applications to each district associated with the development. President Scadden reported that after INTERA completes their analysis, each district will need to evaluate the results, hold permit hearings, and make a decision on the permit applications in accordance with each district's rules. Charlie Flatten, General Manager of Hays Trinity GCD, introduced himself to the public and reported that the Hays Trinity GCD Board of Directors is considering the same draft evaluations and information from INTERA. President Scadden reported that this agenda includes an item for the Board of Directors to consider authorizing a change order in scope and budget for INTERA to evaluate potential impacts of proposed groundwater production by Clancy Utility Holdings, LLC, under drought conditions. President



Scadden reported that the Board and Wade Oliver will receive public comments and questions from the public.

Tom Griffith provided public comments, and asked if Clancy Utility Holdings, LLC's permit will be limited to 85 acre-feet per year. General Manager Cockrell reported that the total volume of groundwater requested in the permit applications submitted to both districts is 85 acre-feet per year, and that the applications state that groundwater is intended to serve as a back up to the development's primary water source, which will be supplied through a surface water contract with LCRA. General Manager Cockrell reported that Clancy Utility Holdings would need to apply for a permit amendment if they required more groundwater in the future. Lew Adams provided public comments, and asked whether INTERA's model is an annual model. Wade Oliver reported that INTERA's model is a steady-state model.

President Scadden reported that the Board will consider authorizing a change order in scope and budget in the next agenda item for INTERA to evaluate the potential impacts under drought conditions. Tom Smith provided public comments and asked if INTERA's model takes into consideration the impacts of climate change. Wade Oliver reported that average recharge conditions used in the model are based on historical data, not projections, and that the steady-state model doesn't incorporate changes over time. Wade Oliver provided an overview of how climate change may impact aquifers and reported that elements of climate change could be incorporated into assumptions about recharge and water use. Travis County Commissioner Ann Howard commented that members of the public may find more credibility in the models if they were run with drought conditions taken into consideration. Christy Muse provided public comments, and asked whether INTERA's additional evaluations may include a statement of impact regarding overall reduction in inflows to the Pedernales River. The Board of Directors and Wade Oliver answered additional questions regarding the GAM and spring flows.

6. **Discuss and possibly act on change order in scope and budget for additional INTERA evaluations of potential impacts of proposed groundwater production from Clancy Utility Holdings, LLC (a.k.a. Mirasol Springs development) permit application** – President Scadden reported that the Board of Directors may consider authorizing a change order in scope and budget for additional INTERA evaluations of potential impacts associated with proposed groundwater production by Clancy Utility Holdings, LLC, to include modeling potential impacts during drought conditions. General Manager Cockrell reported that if the Board authorizes this change order and additional budget, INTERA has estimated that they will complete the additional evaluations by next month, and will be prepared to present the additional findings at the March Board meeting. General Manager Cockrell reported that the change order would require an additional estimated cost of approximately \$8,000.00 and reported that the Hays Trinity GCD Board of Directors has not yet had a chance to consider or approve a change order for INTERA. A motion was made by Director Davis to approve the additional change order in scope and budget for INTERA and to authorize General Manager Lane Cockrell to take any actions necessary to authorize the change order with INTERA. Motion seconded by Director Norton. Motion carried 5 Ayes – 0 Nays – 2 Absent. President Scadden thanked Wade Oliver and INTERA for their work and the presentation.



President Scadden adjourned the open meeting at 10:38 a.m. for a short break. President Scadden reconvened the open meeting at 10:45 a.m. Five members of the Board of Directors remained present, including President Scadden, Director Van Ackeren, Director Norton, Director Davis, and Director Urie.

7. Receive, discuss, and take action as needed on hydrogeologic study presentations

- a. **Characterizing Small Perennial Springs During Drought Conditions, Western Travis County, Texas (Constance Marshall)** – General Manager Cockrell reported that Constance Marshall and Nakul Nagaraj, University of Texas at Austin undergraduate students, would not be able to present at this time because of their class schedules and the time spent on previous agenda items. General Manager Cockrell reported that he will reschedule their presentations for a future meeting.
- b. **Delineation of Springsheds Using Potentiometric Surfaces, Southwest Travis County, Central Texas (Nakul Nagaraj)** – No action taken under this agenda item.
- c. **Lower Cretaceous Stratigraphy of Western Travis County, Central Texas (Nick Soto-Kerans)** – Nick Soto-Kerans provided a presentation to the Board regarding his research into Lower Cretaceous stratigraphy of the Middle Trinity aquifer units in western Travis County. Nick Soto-Kerans reported that effective conservation of water resources depends on a solid understanding of aquifer host rock. Nick Soto-Kerans reported that his research questions focused on whether the divergence in flow observed in western Travis County is geologically or structurally controlled, and how variations in unit thickness and lithology affect storage, groundwater flow, and water quality in the Middle Trinity aquifer in western Travis County. Nick Soto-Kerans reported that previous work by Director Hunt and others examined changes in thickness and lithology of the Hensel unit from west to east in Hays County and highlighted the need for more focused study in western Travis County. Nick Soto-Kerans presented a map of the study area and transect, which extends east-northeast from the Pedernales River west of Hamilton Pool to the District’s Lakeside Monitoring Well. Nick Soto-Kerans presented photos of cuttings and core samples analyzed for the study and reported that he conducted geologic field work with Director Hunt to analyze geologic outcrops and collect other geologic data in the study area. Nick Soto-Kerans provided a summary of the results of his analysis of core samples and presented a lithostratigraphic cross section and summary of how lithology and structure vary along the study transect. General Manager Cockrell reported that Nick Soto-Kerans’ research will be published in a technical memo that will be available to the public.

- 8. Discuss and possibly act on matters related to potential Interlocal Agreement with Clearwater UWCD and Central Texas GCD for proposed regional hydrogeologic study** – General Manager Cockrell reported that he met with staff from Clearwater UWCD and Central Texas GCD to discuss the proposed regional hydrogeologic study and prepare a draft interlocal agreement between the districts. General Manager Cockrell reported that the districts will engage LRE Water to perform the study through an existing agreement between Clearwater UWCD and LRE Water. President Scadden reported that funding is included for this hydrogeologic study in the District’s fiscal year 2023 interlocal agreement with Travis County. General Manager Cockrell reported that Clearwater UWCD



and Central Texas GCD have not yet approved the draft interlocal agreement, but that both boards plan to consider the agreement at their respective meetings later this month. General Manager Cockrell presented a draft interlocal agreement to the Board for consideration. General Manager Cockrell provided an explanation of the proposed study area for this regional hydrogeologic study to the members of the public present. A motion was made by Director Davis to approve the Interlocal Agreement Related to the Four County Regional Groundwater Studies in Bell, Burnet, Williamson, and Travis Counties. Motion seconded by Director Van Ackeren. Motion carried 5 Ayes – 0 Nays – 2 Absent.

9. **Discuss and possibly act on matters related to District office lease agreement** – General Manager Cockrell reported that Travis County prepared a License Agreement for the Board’s consideration to continue the District’s office lease. General Manager Cockrell reported that the District’s lease amount will continue to be \$1.00 a year, and that the terms of the new agreement are equivalent to the District’s previous agreement. General Manager Cockrell reported that if this draft License Agreement is approved by the Board, a signed copy must be returned to Travis County for final approval by the Travis County Commissioners Court. A motion was made by Director Van Ackeren to approve the License Agreement with Travis County and to authorize General Manager Lane Cockrell to carry out any actions necessary to finalize the agreement with Travis County. Motion seconded by Director Davis. Motion carried 5 Ayes – 0 Nays – 2 Absent.
10. **Discuss and possibly act on matters related to reestablishing District Rules Committee** – President Scadden reported that the Board’s recent discussions regarding changing the District’s drought stage methodology necessitates the re-establishment of the District Rules Committee. President Scadden reported that Director Hunt volunteered to participate on the District Rules Committee and requested that two additional Board members participate. Director Davis and Director Norton both agreed to participate on the District Rules Committee. President Scadden reported that the District Rules Committee will be composed of Director Hunt, Director Davis, Director Norton, and General Manager Cockrell.
11. **Discuss and possibly act on matters related to District financial audits** – General Manager Cockrell reported that the District’s auditors are wrapping up the fiscal year 2021 financial audit and continue to work on the fiscal year 2022 financial audit. Pete Golde reported that the District’s auditor has been very thorough and they are conducting a full audit of the District’s financial policies and documents. Pete Golde reported that the District’s auditor requested that the District implement a capitalization policy, and reported that the District’s auditor recommended that the District capitalize fixed assets that meet certain criteria. Pete Golde reported that the auditor provided a draft proposed capitalization policy that would require the capitalization of fixed assets valued at over \$5,000.00. General Manager Cockrell reported that the District’s auditor will present a summary of the results and recommendations related to the fiscal year 2021 and 2022 financial audits at the March Board meeting. No action taken.
12. **Discuss and possibly act on establishing a District Capitalization Policy** – General Manager Cockrell presented the draft Capitalization Policy recommended by the auditor for the Board’s consideration.



A motion was made by Director Van Ackeren to adopt the District Capitalization Policy. Motion seconded by Director Urie. Motion carried 5 Ayes – 0 Nays – 2 Absent.

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

- a. **Finance** – Director Urie and Pete Golde provided a report to the Board regarding the financial reports dated January 31, 2023. The balance sheet indicated assets totaling \$152,325.91 and liabilities totaling \$3,627.42, which represent payroll taxes that had not yet been paid at the end of January. The fiscal year to date profit and loss report indicated expenses totaling \$69,948.13, gross profit totaling \$27,194.10, and net income totaling \$-42,754.03 through January 2023. 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. Pete Golde highlighted the cost of the District’s financial audits for the Board under the fiscal year to date profit and loss report. Pete Golde presented a general fund reconciliation report dated February 5, 2023 to the Board. General Manager Cockrell raised the possibility of the Board implementing paid Health and Safety or Administrative Leave to compensate District employees when severe or dangerous weather conditions prevent District staff from completing their normal work week. General Manager Cockrell reported that this is consistent with Travis County’s policy for county employees during winter storms and other extreme weather events. President Scadden voiced support for this change and suggested that the Board could take action to approve paid Health and Safety Leave for employees. After additional discussion by the Board, paid Health and Safety leave was approved by consensus for use by District employees during extreme weather events, subject to review and approval by the Board President. President Scadden suggested that the Board should consider revising the District’s personnel policy to memorialize this change.
- b. **Legislative** – Director Davis reported that Senator Charles Perry has set the hearing schedule for the Senate Water, Agriculture, and Rural Affairs Committee, and reported that the Committee will meet on Monday mornings at 8:00 a.m. Director Davis reported that recordings of committee hearings are often posted online to Texas Legislature Online for those interested.
- c. **Science & Outreach** – General Manager Cockrell reported that the District’s website received 482 unique visits during the month of January, which was a small increase from December. General Manager Cockrell reported that he will work on rescheduling Constance Marshall and Nakul Nagaraj’s presentations to the Board. President Scadden reported that he gave a presentation to the Bee Cave City Council on January 24, 2023 regarding District activities and groundwater resources.

14. General Manager’s Report:

- a. **Summary of permitting, application, and registration inquiries and submissions** – This agenda item was taken out of order due to time constraints. General Manager Cockrell provided an update on the permit applications and well registrations submitted to the District during the month of January. General Manager Cockrell reported that the District



received one (1) new well registration, five (5) authorization applications to drill new wells, and three (3) well drilling authorization applications to plug or cap an existing well in January. General Manager Cockrell reported that the District received one (1) new operating permit application in January. General Manager Cockrell reported that the District did not receive any reported water utility service connections in January. General Manager Cockrell reported that meter readings submitted by reporting well owners for the month of January show total production of 16.9 acre-feet (5,501,300 gallons), and that additional meter readings for January would likely be submitted before the February-10 deadline.

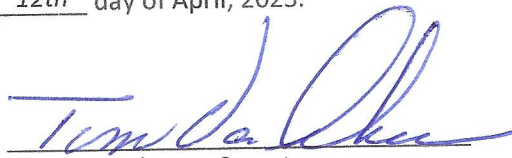
- b. **Drought stage status and outlook** – General Manager Cockrell reported that the National Weather Service has projected continued warmer and drier than normal conditions, but that there was a chance for above-average precipitation for February, which could improve drought conditions in Travis County. General Manager Cockrell reported that drought conditions in the District remain in the D-2 Severe Drought stage.
 - c. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – General Manager Cockrell reported that the next GMA 9 joint planning meeting is currently scheduled for February 21, 2023 in Boerne, Texas at the Cow Creek GCD offices. General Manager Cockrell reported that the TAGD Winter Regular Business Meeting and GCD Boot Camp scheduled for February were canceled due to winter weather. General Manager Cockrell reported that those meetings may possibly be rescheduled for March 9 and 10, 2023. General Manager Cockrell reported that TAGD is considering rescheduling their next legislative committee meeting for March 10 as well. General Manager Cockrell reported that Texas Water Day at the Capitol will be held on February 27, 2023.
 - d. **Overview of current District groundwater monitoring program** – General Manager Cockrell provided a brief summary of monitoring level data obtained by District staff in February. General Manager Cockrell reported that data shows that Lower Trinity aquifer levels are up ten to twenty feet from levels in summer 2022, and Middle Trinity aquifer levels are up five feet from summer 2022 levels. General Manager Cockrell reported that three new WellIntel systems were installed at monitoring wells in the District in January. General Manager Cockrell presented a map of where the new WellIntel equipment was installed in the District, and presented data obtained from one of the wells.
 - e. **Other items of interest not requiring Board action** – No action taken under this agenda item.
15. **Discuss and possibly act on matters related to District drought stage status and drought management methodology** – General Manager Cockrell reported that the District is currently under D-2 Severe Drought stage, which suggests a 20% voluntary curtailment in groundwater production for exempt wells and general permits, and requires a 20% mandatory curtailment for operating permittees. General Manager Cockrell presented a map of Travis County and charts showing the most



recent drought intensity data for both Travis County and the District. General Manager Cockrell reported that the data available shows that the District is experiencing a higher level of drought intensity than Travis County as a whole. General Manager Cockrell reported that Virginia Smith prepared a month-over-month analysis to show the changes in drought conditions in the District, which still shows the majority of District territory under D-3 Drought Stage. Director Norton reported that he still attends the weekly videoconference meetings led by Texas State Climatologist Dr. John Nielsen-Gammon, but that there haven't been any major changes in drought status or outlook. General Manager Cockrell recommended that the Board continue to consider data regarding drought conditions within the District's boundaries when declaring drought stages, along with data for Travis County. No action taken.

16. **Discuss and possibly act on matters related to implementing District Rules** – No action taken under this agenda item.
17. **Discuss and possibly act on matters related to FY 2023 Interlocal Agreement with Travis County** – General Manager Cockrell reported that he submitted the District's first invoice for funding under the fiscal year 2023 interlocal agreement with Travis County, which included a statement of anticipated expenses. No action taken.
18. **Discuss and establish possible agenda items for future Board Meetings** – President Scadden requested that General Manager Cockrell add a standing agenda item for the District Rules Committee to future agendas. General Manager Cockrell reported that the District's auditor will provide a presentation at the March Board meeting, and INTERA may present again in March as well.
19. **Discuss and possibly act on setting the date, time, and location for the next Board Meeting** – President Scadden reported that the next meeting will be scheduled for March 8, 2023, at 9:00 a.m. at the District's office.
20. **Adjourn** – A motion was made by Director Davis to adjourn the meeting at 12:18 p.m. Motion seconded by Director Urie. Motion carried 5 Ayes – 0 Nays – 2 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 12th day of April, 2023.


Tim Van Ackeren, Secretary