



BOARD MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Wednesday, May 10, 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, May 10, 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 9:01 a.m. on Wednesday, May 10, 2023. Five directors were present at the meeting constituting a quorum, including President Scadden, Director Norton, Director Davis, Director Hennings, and Director Hunt. Also present were General Manager Lane Cockrell and District staff member Virginia Smith, District volunteer Pete Golde, Tom Smith, Guy Leblanc, Christy Muse, and Annie Borden. The following individuals participated remotely by videoconference call: Audrey Cooper and Cole Ruiz with Lloyd Gosselink, Radu Boghici, hydrogeologist with Hays Trinity Groundwater Conservation District ("Hays Trinity GCD"), David Smith, Board Member of Hays Trinity GCD, and Jon White with the Travis County staff.
2. **Announcements** – No announcements were presented.
3. **Public Comments** – No public comments were presented under this agenda item.
4. **Discuss and possibly act on approving previous meeting minutes** – President Scadden presented the minutes for the March 30, 2023 special joint meeting with Hays Trinity GCD, and the minutes of the April 12, 2023 regular board meeting. A motion was made by Director Hunt to approve the minutes of the March 30, 2023 joint meeting. Motion seconded by Director Davis. Motion carried 5 Ayes – 0 Nays – 2 Absent. A motion was made by Director Hennings to approve the minutes of the April 12, 2023 regular meeting. Motion seconded by Director Hunt. Motion carried 5 Ayes – 0 Nays – 2 Absent.
5. **Receive, discuss, and take action as necessary on Board Committee Reports:**
 - a. **Finance** – This agenda item was taken out of numerical order due to time constraints. Pete Golde provided a report to the Board regarding the financial reports dated April 30, 2023. The balance sheet indicated assets totaling \$185,888.67 and liabilities totaling \$3,157.74. The fiscal year to date profit and loss report indicated expenses totaling \$159,844.55, gross profit totaling \$151,122.96, and net income totaling \$-8,721.59 through April 2023. Pete Golde provided a summary of the checks issued by the District since the last board meeting, a summary of expenses by vendor, a fiscal year to date summary of expenses by budgetary line item, and reconciliation change reports for the District's General Fund checking account and Travis County ILA Escrow Fund checking account.



- b. **Legislative** – Director Davis reported that SB 28 by Senator Perry would allow the Texas Water Development Board (“TWDB”) to provide additional financial assistance for certain water programs and reported that SB 28 will likely pass. Director Davis reported that the Texas House of Representatives is busy holding hearings on Senate bills. Director Davis reported that SB 156 by Senator Perry, which would remove the guarantee that groundwater conservation districts recover attorneys fees and court costs when they prevail in a civil suit, has been referred to the House Natural Resources Committee. General Manager Cockrell reported that Vanessa Puig-Williams contacted the District requesting the District’s support for HB 3990, which would authorize a study of surface water and groundwater interactions. General Manager Cockrell reported that after guidance from the District’s legal counsel, General Manager Cockrell signed on to show the District’s support for the bill.
- c. **Science & Outreach** – Director Hennings reported that the District does not have any planned outreach events coming up in the immediate future. Director Hennings requested that the Board and District Staff notify her of any upcoming outreach events or activities that the District could participate in. General Manager Cockrell reported that the District’s webpage received 536 visits during the month of April. General Manager Cockrell reported that other GMA 9 member districts have expressed interest in organizing stakeholder outreach meetings to inform and encourage stakeholders to become involved in the joint planning process at GMA 9.
- d. **Rules** – President Scadden requested that District Staff add a permanent agenda item to future agendas for the Board Rules Subcommittee.

President Scadden adjourned the open meeting at 10:58 a.m. for a temporary break. President Scadden reconvened the open meeting at 11:05 a.m. A quorum of five directors remained present, including President Scadden, Director Norton, Director Davis, Director Hennings, and Director Hunt.

6. **General Manager’s Report:**

- a. **Summary of permitting, application, and registration inquiries and submissions** – General Manager Cockrell provided a summary of the permit applications and registrations submitted to the District during the month of April. General Manager Cockrell reported that the District received sixteen (16) new well registrations, six (6) well drilling authorization applications for new wells, one (1) application to plug or cap an existing well, and no new operating permit or general permit applications during the month of April. General Manager Cockrell reported that meter readings submitted by reporting well owners for the month of April show total production of 30.2 acre-feet (9,848,840 gallons).
- b. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – General Manager Cockrell reported that the next GMA 9 meeting will be held on July 25, 2023 at the Cow Creek GCD offices in Boerne, Texas. General Manager Cockrell



reported that staff from the Texas Department of Licensing and Regulation (“TDLR”) held an informational session for District Staff regarding TDLR’s well drilling and licensing requirements for well drillers. General Manager Cockrell reported that the next Texas Alliance of Groundwater Districts (“TAGD”) business meeting will be held on June 6 and 7, 2023 at the Courtyard Marriott in Pflugerville, Texas. General Manager Cockrell reported that the American Groundwater Trust will also hold their Texas Groundwater Conference on June 6 and 7 at the Norris Conference Center in Austin, Texas. Finally, General Manager Cockrell reminded the Board of the deadline to complete their mandatory cybersecurity awareness training.

- c. **Overview of current District groundwater monitoring program** – General Manager Cockrell presented data from the District’s St. Stephen’s School monitoring well, showing a seasonal fluctuation in water levels in the Lower Trinity Aquifer. General Manager Cockrell presented data from the District’s Lakeside monitoring well, showing water level measurements of the Middle Trinity Aquifer and Lower Trinity Aquifer. General Manager Cockrell reported that water levels in Lake Travis have declined below the 640 feet elevation.
 - d. **Other items of interest not requiring Board action** – No action taken under this agenda item.
7. **Discuss and possibly act on matters related to District drought stage status and drought management methodology** – General Manager Cockrell presented a chart of drought intensity levels for Travis County from early March 2023 through May 2, 2023. General Manager Cockrell reported that drought conditions have generally improved in Travis County after recent rains. General Manager Cockrell reported that the highest level of drought intensity covering at least 25% of Travis County is currently D1 Drought, though the District has not met the threshold to declare a lower level of drought intensity yet under the District Rules. General Manager Cockrell presented a map of the current drought intensity levels for Travis County and the District. General Manager Cockrell reported that the National Weather Service projects continued drought improvements through the end of May, as May is typically the wettest month in Central Texas, but that drought conditions are expected to persist and possibly intensify over the summer months. No action taken under this agenda item.
8. **Discuss and possibly act on matters related to District staffing** – General Manager Cockrell requested that the Board consider approving additional administrative support for District Staff. General Manager Cockrell reported that the volume of administrative work related to submitted permit applications and registrations has made it difficult for existing staff to process them in a timely manner. General Manager Cockrell requested that the Board consider approving funding for a part-time administrative staff position to help the District process its current backlog of permit applications. General Manager Cockrell reported that the District has roughly \$18,000.00 remaining in its budget under the line item for a hydrogeologic field technician, which the District does not currently employ. General Manager Cockrell reported that if approved, he could draft a job posting for the part-time position. President Scadden voiced his support for hiring additional administrative staff and requested that the role require the individual to work from the District office at least part



of the work week to help assist members of the public who may stop by the office with questions. General Manager Cockrell also reported that the District may consider purchasing desks and office chairs for District staff. General Manager Cockrell reported that the District may need to purchase a new computer and set up a new email address for any new staff. General Manager Cockrell reported that he will prepare a job description and posting for the position before the next scheduled Board meeting. No action taken under this agenda item.

9. **Discuss and possibly act on matters related to final INTERA report evaluating 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 numerical order due to time constraints. General Manager Cockrell presented the final Evaluation of Mirasol Springs Proposed Well Application report prepared by INTERA. General Manager Cockrell reported that the Board and Hays Trinity GCD both provided feedback to INTERA regarding their draft report, and that INTERA incorporated the edits and feedback from both districts. General Manager Cockrell reported that the final report will be distributed and made available to the public. Guy Leblanc provided public comments to the Board under this agenda item regarding the draft INTERA report and the proposed Mirasol Springs Development. Guy Leblanc expressed concerns regarding the potential impacts of Clancy Utility Holdings, LLC's proposed groundwater production, and expressed concerns about how the Mirasol Springs Development will ensure that homeowners within the development will not use groundwater for irrigation purposes. Tom Smith provided public comments to the Board under this agenda item and expressed concerns regarding potential impacts to endangered species found in the Roy Creek Canyon watershed and urged the Board to consider the impact of climate change on water availability when making permitting decisions. Christy Muse provided public comments to the Board under this agenda item and asked that the Board consider the connection between surface water and groundwater when making permitting decisions. President Scadden reported that District Staff have scheduled a meeting with the District's legal counsel to discuss the permitting process and the District's legal authority and responsibilities regarding permitting. President Scadden reported that the Board plans to hold a public workshop on June 7, 2023, with the District's legal counsel regarding the permitting process and contested case hearings to ensure the Board is prepared for future permit hearings. President Scadden reported that INTERA has fulfilled their work order and suggested that the final report is ready for adoption at this time. A motion was made by Director Hunt to approve the final Evaluation of Mirasol Springs Proposed Well Application report prepared by INTERA. Motion seconded by Director Davis. Motion carried 5 Ayes – 0 Nays – 2 Absent. President Scadden asked General Manager Cockrell to release the final report to the public, and asked members of the public to please refrain from contacting INTERA directly, and instead contact the District with any questions they may have. Radu Boghici, hydrogeologist for Hays Trinity GCD, reported that the Hays Trinity GCD Board has not yet adopted the final report from INTERA, but speculated that the Hays Trinity GCD Board will likely adopt the report at their next meeting.
10. **Discuss and possibly act on matters related to implementing District rules** – This agenda item was taken out of numerical order due to time constraints. Director Hunt reported on the status of the Board Rules Subcommittee and provided a presentation to the Board regarding groundwater strategies to conserve spring flow in the Hamilton Pool area of Travis County. Director Hunt reported that the District's management plan instructs the District to use the best available science for



regulatory decision-making, and to manage groundwater resources in a fashion that tends to improve the sustainability of aquifers as a water supply for the community and to preserve spring flows and base-flows of streams. Director Hunt reported that groundwater conservation districts are empowered with the ability to create special management zones within their boundaries for the purpose of better managing groundwater resources. Director Hunt proposed the creation of a management zone in the Hamilton Pool area of the District to allow the District to better manage the spring flows and base-flows in that area. Director Hunt reported that Hays Trinity GCD established a special management zone in their district around the Jacob's Well area to better manage spring flows. Director Hunt reported that the Board needs to determine what the overall goal for the proposed management zone would be and proposed that the Board focus on minimizing the effects from pumping on the Middle Trinity Aquifer springs during drought conditions. Director Hunt presented a map of the Hamilton Pool area and the watersheds on the western side of the District and reported that the Board would need to define a clear geographic boundary for the proposed management zone. Director Hunt reported that defining the geographic boundary as a watershed boundary may help stakeholders better understand the boundaries of the management zone. The Board discussed possible geographic boundaries for the proposed management zone in the Hamilton Pool watershed. Director Hunt reported that with the establishment of a special management zone, the District could establish specific desired future conditions ("DFCs") during joint planning for the management zone, the District could establish well spacing and construction guidelines for wells in the management zone, or the District could possibly limit production from the Middle Trinity Aquifer within the management zone. Director Hunt reported that the next step would be for the Board Rules Subcommittee to meet and report back to the full Board, and to establish a stakeholder process for receiving input from the public and from Travis County and other stakeholders.

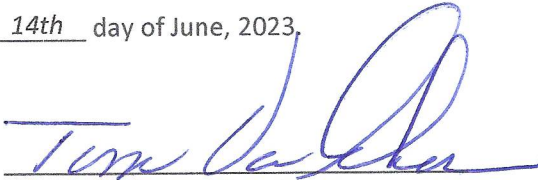
General Manager Cockrell reported that he will transition to presenting the District Drought Compliance Report on a quarterly basis because the District Rules assess drought compliance on a quarterly basis. General Manager Cockrell reported that the District received a general permit application requesting more than two million gallons per year for non-exempt domestic use. General Manager Cockrell reported that the District Rules give the General Manager discretion to approve general permit applications without referral to the Board, however the rules give the General Manager discretion to refer applications as needed. General Manager Cockrell reported that he may refer this general permit application to the full Board for consideration because of the volume of groundwater requested. No action taken under this agenda item.

11. **Discuss and possibly act on matters related to FY 2023 Interlocal Agreement with Travis County –** General Manager Cockrell reported that the District has utilized all the remaining rollover funding from the fiscal year 2022 interlocal agreement with Travis County, approximately \$23,877.87. General Manager Cockrell reported that he submitted a second invoice for reimbursement to Travis County under the fiscal year 2023 interlocal agreement for funding. General Manager Cockrell provided an itemized overview of the funding categories in the 2023 interlocal agreement, the funding allocation in each category, the amount of money spent under each category, and the amount remaining as of February 6, 2023. No action taken under this agenda item.



12. **Discuss and possibly act on matters related to a Board Workshop for reviewing procedures related to permitting actions by the District** – President Scadden reported that the Board workshop will be held on Wednesday, June 7, 2023 at 9:00 a.m. at the District’s office, and reported that the District’s legal counsel will provide a presentation regarding procedures related to the permitting process. No action taken under this agenda item.
13. **Discuss and establish possible agenda items for future Board Meetings** – President Scadden requested that a reoccurring agenda item be added to future agendas for the Board Rules Subcommittee. General Manager Cockrell reported that the Board must consider adopting the DFCs and proposed non-relevant aquifers for the District. General Manager Cockrell reported that Jim Truitt with Mirasol Capital invited the Board to tour the Mirasol Springs Development property, and that he will update the Board regarding the potential site visit. No action taken under this agenda item.
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 June 14, 2023 at 9:00 a.m. at the District’s office.
15. **Adjourn** – A motion was made by Director Hunt to adjourn the meeting at 11:46 a.m. Motion seconded by Director Hennings. Motion carried 5 Ayes – 0 Nays – 2 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 14th day of June, 2023.


Tim Van Ackeren, Secretary