



## BOARD MEETING MINUTES

### SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Wednesday, October 11, 2023, at 9:30 a.m.

A quorum of the Southwestern Travis County Groundwater Conservation District Board of Directors held a regular board meeting on Wednesday, October 11, 2023, 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 9:34 a.m. on Wednesday, October 11, 2023. Six directors were present at the meeting constituting a quorum, including President Scadden, Director Davis, Director Hunt, Director Leva, Director Norton, and Director Urie. Also present were General Manager Lane Cockrell and District Regulatory Compliance Specialist Virginia Smith, District volunteer Pete Golde, and Juli Hennings. The following individuals participated remotely by videoconference call: Ty Embrey and Audrey Cooper with Lloyd Gosselink, CJ Bennett with Bullock, Bennett & Associates, LLC, Vicky Kennedy with Travis County, Jon White, and Bill Dugat.
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 minutes for the September 13, 2023 regular board meeting to the Board for consideration. A motion was made by Director Davis to approve the minutes for the September 13, 2023 meeting. Motion seconded by Director Urie. Motion carried 6 Ayes – 0 Nays – 1 Absent.
5. **Receive, discuss, and take action as necessary on Board Committee Reports:**
  - a. **Finance** – Pete Golde provided a report to the Board regarding the financial reports dated September 30, 2023. The balance sheet indicated assets totaling \$175,109.13, and liabilities totaling \$3,954.66. The fiscal year to date profit and loss report indicated expenses totaling \$258,411.09, gross profit totaling \$238,113.04, and net income totaling \$-20,298.05 through September 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 the reconciliation change report for the District's general fund and escrow account.
  - b. **Legislative** – Director Davis reported that she is tracking the implementation of new legislation on produced water and how that might impact groundwater. Ty Embrey reported that Governor Abbott called a third Special Session of the Texas Legislature, primarily focused on education issues.

- c. **Science & Outreach** – General Manager Cockrell reported that he prepared a press release describing the amendments to the District Rules that were passed in August. General Manager Cockrell reported that the press release will also include information on the Hamilton Pool Management Zone stakeholder group. General Manager Cockrell reported that the District’s website received 798 unique visits during the month of September. Director Norton reported that he attended an online conference in September for the Southern Plains Drought Early Warning System and provided information to the Board regarding several presentations. Juli Hennings reported that October 11 is National Fossil Day and presented photos of dinosaur tracks taken from Bull Creek. Director Hunt presented a piece of limestone and fossilized coral to the Board.
  
- d. **Rules** – Director Hunt reported that the Rules Subcommittee has discussed creating a stakeholder group to receive public input regarding potential rules and management strategies for the Hamilton Pool Management Zone. President Scadden asked whether or not stakeholder group meetings would be open to all members of the public to attend and provide feedback. Director Hunt reported that stakeholder group meetings should be open to the public to receive as much feedback as possible, and to provide the public with information on the benefits of establishing the management zone. Director Davis raised the possibility of holding stakeholder meetings at several different locations throughout the District to promote public participation. Director Hunt raised the possibility of contracting a professional facilitator to manage the stakeholder process, and asked whether the General Manager has authority to hire a facilitator on a temporary basis. Ty Embrey reported that the Board could request General Manager Cockrell to advertise for a facilitator, and then bring it before the Board at the next meeting for final approval. General Manager Cockrell reported that the District has funds allocated under professional services that could be used to cover the expenses associated with a meeting facilitator, and reported that he could bring a list of proposed facilitators to the Board for discussion in November.

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 well registrations received by the District during the month of September 2023. General Manager Cockrell reported that the District received one (1) new well registration, one (1) new well drilling authorization application, and one (1) new general permit application during the month of September. General Manager Cockrell reported that the District received two (2) new water utility service connections in September, and that meter readings submitted by reporting well owners for the month of September show total production of 25.4 acre-feet (approximately 8.3 million gallons), for a total of 427.3 acre-feet (approximately 139.5 million gallons) reported for fiscal year 2023. General Manager Cockrell reported that the District received 43 reported water service connections during fiscal year 2023, while 65 new connections were projected in the District’s budget for fiscal year 2023.

- 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 November 28, 2023, at 10 a.m. at the Cow Creek GCD offices in Boerne, Texas. General Manager Cockrell reported that GMA 9 has partnered with the Hill Country Alliance and the Texas Water Development Board (“TWDB”) to host three public educational meetings to raise awareness about the region’s groundwater and public involvement in the regional planning process. General Manager Cockrell reported that the three meetings are currently planned for Comal County on October 18, Kendall County on November 1, and Kerr County on November 6, and raised the possibility of hosting a meeting within the District as well. General Manager Cockrell reported that the Texas Commission on Environmental Quality (“TCEQ”) received a petition to form Travis County MUD 28 for a proposed development on Hamilton Pool Road for approximately 84 homes sites using water from West Travis County Public Utility Agency (“West Travis County PUA”). General Manager Cockrell reported that he will monitor the application to see if the development anticipates installing groundwater wells for any portion of the development.
  
- c. **Overview of current District groundwater monitoring program** – General Manager Cockrell reported that he and Director Hunt visited several monitoring sites in Travis County that Director Hunt established for the ongoing Hamilton Pool Source Water Protection study. General Manager Cockrell reported that the District will take over many of the monitoring sites as the study approaches completion. General Manager Cockrell reported that the District recently collaborated with Barton Springs/Edwards Aquifer Conservation District (“BSEACD”) and Hays Trinity GCD staff to collect water-level data from wells that were included in the 2018 potentiometric map of the Middle Trinity Aquifer published by the BSEACD. The new data was collected as part of the “2023 Trinity Drought Water Level Synoptic” and will be compared to 2018 water levels to assess how the aquifer responds spatially and temporally to severe drought.
  
- d. **Other items of interest not requiring Board action** – No action taken under this agenda item.

Director Leva left the open meeting at 10:27 a.m. A quorum of five directors remained present, including President Scadden, Director Davis, Director Hunt, Director Norton, and Director Urie.

- 7. **Presentation regarding Phase II Report: Hydrogeology of Hamilton Pool and Reimers Ranch Source Water Protection Study** – Director Hunt provided a presentation to the Board regarding the UT Bureau of Economic Geology’s Hamilton Pool Source Water Study. Director Hunt reported that Travis County engaged the UT Bureau of Economic Geology to conduct a study on the hydrogeologic conditions in Hamilton Pool, as data in this area has historically been lacking. Director Hunt reported that the goal of the study is to develop a better understanding of the groundwater resources in the Hamilton Pool and Reimers Ranch area and to develop a monitoring well network in that area. Director Hunt presented photos of core samples taken of the Cow Creek and Hensel formations, and hydrographs showing water level measurements taken at Reimers Ranch and Pouge Springs. Director Hunt presented a potentiometric map of data taken from the Middle Trinity Aquifer in the Hamilton Pool area. Director Hunt thanked Vicky Kennedy, Travis County, and other contributors for their support. General Manager Cockrell asked how the timing of this report may impact the District’s

stakeholder process for developing rules for the Hamilton Pool Management Zone. Director Hunt reported that ideally these processes would happen in tandem, and that this report on Hamilton Pool could help inform the decision-making of the stakeholder group. No action taken under this agenda item.

8. **Discuss and possibly act on matters related to District drought stage status** – General Manager Cockrell presented maps of Texas and Travis County showing the current drought stage status as of October 3, 2023. General Manager Cockrell reported that much of the hill country, including the entirety of the District, is currently under D-4 Drought. General Manager Cockrell presented a graph of historic Lake Travis water levels to the present, showing how lake levels during the current drought compare to those during previous major droughts. General Manager Cockrell reported that above normal precipitation is expected in October according to the National Weather Service but that drought is expected to continue. Director Norton reported that he virtually attended the Texas State Climatologist’s meeting on October 10, and reported that drought conditions are expected to remain the same. No action taken under this agenda item.
9. **Discuss and possibly act on matters related to District staffing and holidays** – General Manager Cockrell reported that the District has only received two applications to date for the part-time administrative position, and that staff are exploring other potential posting locations for the job description. Director Hunt recommended posting the job description on other websites, including Indeed. General Manager Cockrell reported that the District offices will be closed on November 23 and 24 for the Thanksgiving holiday, and on December 25 and 26 for the Christmas holiday. General Manager Cockrell proposed closing the District office for remainder of the week of Christmas to allow staff additional time with their families. General Manager Cockrell reported that the District Rules allow well drillers to make certain emergency repairs without District authorization to immediately restore water supply, should any emergencies arise while the District’s office is closed. A motion was made by Director Hunt to close the District office from December 27, 2023 through December 29, 2023. Motion seconded by Director Urie. Motion carried 5 Ayes – 0 Nays – 2 Absent.
10. **Discuss and possibly act on matters related to Scope of Work for GMA 9 Joint Planning from Advanced Groundwater Solutions** – General Manager Cockrell reported that at the August meeting the Board discussed a proposed scope of work from Advanced Groundwater Solutions, LLC (“AGS”) for consulting services for the fourth joint planning cycle for GMA 9. General Manager Cockrell reported that the final scope of work from AGS is unchanged from the previous proposed version from August, and that the proposed budget estimates a total cost of \$181,400 for consulting services to GMA 9 to be split between the member districts. General Manager Cockrell reported that AGS’s consulting services are necessary for the GMA 9 districts to develop revised Desired Future Conditions (“DFCs”) for the next joint planning cycle. A motion was made by Director Hunt to approve the scope of work for Advanced Groundwater Solutions, LLC for Groundwater Management Area 9 joint planning. Motion seconded by Director Davis. Motion carried 5 Ayes – 0 Nays – 2 Absent.
11. **Discuss and possibly act on matters related to invoice from LRE Water for services related to regional hydrogeologic study** – General Manager Cockrell reported that LRE Water submitted an invoice to the District in the amount of \$18,115.00 for services related to the ongoing regional 3D stratigraphic model project. General Manager Cockrell reported that LRE Water also provided the

District with a memorandum providing a summary of the current status of the project. General Manager Cockrell reported that the updated project completion date is January 31, 2024, which may allow additional time for core samples from the District's proposed monitoring well in northern Travis County to be analyzed and for related data to be included in the final model and report. General Manager Cockrell reported that the District could consider requesting a no-cost extension if needed to ensure adequate time for data from the proposed monitoring well to be included. A motion was made by Director Norton to approve payment of the September invoice from LRE Water, LLC in the amount of \$18,115.00. Motion seconded by Director Urie. Motion carried 5 Ayes – 0 Nays – 2 Absent.

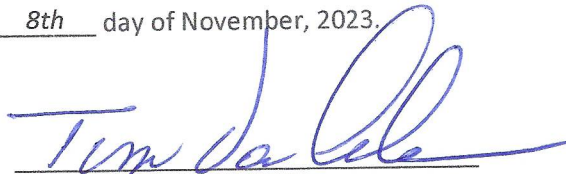
12. **Discuss and possibly act on matters related to proposed monitoring well in northern Travis County, including revised estimate from Geoprojects International** – General Manager Cockrell reported that he requested and received an updated quote from Geoprojects after the Board's discussion last month regarding the possibility of installing a monitoring well in the Lower Trinity Aquifer with a piezometer in the Middle Trinity Aquifer, instead of a dedicated Middle Trinity Aquifer monitoring well. General Manager Cockrell reported that the total estimated cost for the revised project is \$48,275.00, including coring services. General Manager Cockrell reported that funding for this project is included in the interlocal agreement with Travis County for fiscal year 2023. General Manager Cockrell reported that he is scheduled to meet with the Travis County Emergency Services District No. 1 Board of Directors to obtain permission to drill the well on fire station property. General Manager Cockrell reported that data from this monitoring well will be included in the regional hydrogeologic study with LRE Water. President Scadden discussed that the Board already authorized General Manager Cockrell and himself to negotiate and execute an agreement with Geoprojects International. No action taken under this agenda item.
  
13. **Discuss and possibly act on matters related to FY 2023 and FY 2024 Interlocal Agreements with Travis County** – General Manager Cockrell provided a report to the Board regarding the remaining funding categories under the fiscal year 2023 interlocal agreement with Travis County. General Manager Cockrell reported that as of the date of the District's last invoice, \$27,037.12 remains unspent under the line item for groundwater monitoring, and \$81,026.25 remains unspent under the line item for the regional hydrogeologic study and monitoring well. However, General Manager Cockrell reported that these funds have been requested to pay for expenses related to the District's groundwater monitoring well to be installed by Geoprojects International, and the regional hydrogeologic study with LRE Water. General Manager Cockrell provided a summary of the funding categories to be included under the fiscal year 2024 interlocal agreement and Travis County, including \$50,000.00 for hydrogeologic and scientific studies, and \$125,000.00 for personnel and legal expenses. General Manager Cockrell reported that the Travis County Commissioners Court approved a total of \$175,000.00 in funding for the District. General Manager Cockrell reported that he will work with Vicky Kennedy at Travis County to draft an interlocal agreement for approval by the Board and Travis County. No action taken under this agenda item.
  
14. **Discuss and possibly act on matters related to applications submitted for authorization to drill two Lower Trinity Aquifer test wells near the intersection of Reimers-Peacock Rd and Hwy 71, and authorization to conduct an aquifer test under potential drought conditions** – General Manager Cockrell reported that Canfield Connors, LLC applied for authorization to drill two Lower Trinity test wells near Reimers-Peacock Road and Highway 71, and authorization to conduct an aquifer test under an Aquifer Test Well General Permit. General Manager Cockrell reported that under District

Rules the general manager has the authority to authorize the drilling of test wells and to grant or deny an application for an Aquifer Test Well General Permit under most circumstances. However, General Manager Cockrell reported that District Rule 3.5(C)(6) requires Board approval for aquifer tests performed under an Aquifer Test Well General Permit that are requested to be conducted during D-3 or D-4 drought. General Manager Cockrell reported that the applicant seeks to produce 57,000 gallons of water during the aquifer test, which will be collected into storage tanks for future beneficial use. General Manager Cockrell recommended that the Board approve the aquifer test once the District returns to D-3 level drought, and noted that the applicant is willing to let the District use one of the test wells as a monitoring well following the test. General Manager Cockrell reported that the purpose of the test wells would be to determine the feasibility of installing future groundwater wells to serve a potential development. Director Davis and President Scadden raised concerns regarding the proposed aquifer test's potential impacts to existing residential groundwater wells in the area and stress on the aquifer due to current drought conditions. A motion was made by Director Hunt to authorize General Manager Cockrell to coordinate with the applicant for authorization to drill two test wells and perform the proposed aquifer test under the condition that the applicant monitor impacts on nearby wells, and that General Manager Cockrell work with the applicant to develop criteria or conditions under which the test would halt due to unreasonable impacts. Motion seconded by Director Davis. Motion carried 4 Ayes – 1 Nays – 2 Absent.

15. **Discuss and possibly act on matters related to application submitted to drill a domestic well on property near Lake Travis in a flood-prone area** – General Manager Cockrell reported that an applicant submitted an application to drill a domestic well on a lake-front property near Lake Travis within the 100-year floodplain. General Manager Cockrell reported that District Rule 4.2(B)(4) requires the steel casing of wells in flood prone areas to be completed at least 36 inches above the 100-year flood plain, whereas comparable state requirements only require casing to extend at least 36 inches above ground level in flood-prone areas. General Manager Cockrell reported that under the current District Rules, the applicant's well would need to stick up over 20 feet above ground level. General Manager Cockrell reported that the Board approved a similar variance in 2022 allowing an applicant to follow state standards under 16 Texas Administrative Code § 76.100(a)(3) guidance instead of District Rule 4.2(B)(4), provided they also agreed to regular well inspections to ensure the well seal remains watertight. A motion was made by Director Hunt to grant a variance of District Rule 4.2(B)(4) and allow the applicant to follow 16 Texas Administrative Code § 76.100(a)(3) regarding the required height of casing for wells located in flood-prone areas. Motion seconded by Director Urie. Motion carried 5 Ayes – 0 Nays – 2 Absent. General Manager Cockrell suggested revising the District Rules in the future to address this issue.
16. **Discuss and establish possible agenda items for future Board Meetings** – President Scadden reported that the November agenda will include an item for the election of Board officers and will include an item to discuss the fiscal year 2024 interlocal agreement with Travis County. General Manager Cockrell reported that an agenda item will be needed to discuss the stakeholder process for the Hamilton Pool Management Zone. General Manager Cockrell reported that the Board may also need to hold a special meeting later in November to consider proposed rules amendments relating to export fees, and to consider a possible interlocal agreement with Hays Trintiy GCD relating to coordinated management of Clancy Utility Holdings, LLC's proposed groundwater production.

17. **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 held on Wednesday, November 8, 2023, at 9:30 a.m. at the District’s office, and that a special meeting may be scheduled for Wednesday, November 29, 2023 at 9:30 a.m. at the District’s office.
18. **Adjourn** – A motion was made by Director Davis to adjourn the meeting at 12:17 p.m. Motion seconded by Director Hunt. Motion carried 5 Ayes – 0 Nays – 2 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 8th day of November, 2023.



Tim Van Ackeren, Secretary