



BOARD MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Wednesday, November 9, 2022, 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, November 9, 2022, 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, November 9, 2022. Six directors were present at the meeting constituting a quorum, including President Scadden, Director Van Ackeren, Director Urie, Director Davis, Director Norton, and Director Hennings. Also present were General Manager Lane Cockrell, Pete Golde, Virginia Smith, and Tom Griffith. The following individuals participated remotely by videoconference call: Audrey Cooper and Cole Ruiz with Lloyd Gosselink, and Lew Adams.
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 October 12, 2022 regular board meeting for the Board's consideration. A motion was made by Director Davis to approve the minutes of the October 12, 2022 regular board meeting. Motion seconded by Director Hennings. Motion carried 6 Ayes – 0 Nays – 1 Absent.
5. **Receive, discuss, and take action as necessary on Board Committee Reports:**
 - a. **Finance** – Pete Golde and Director Urie provided a report to the Board regarding the financial reports dated October 31, 2022. The balance sheet indicated assets totaling \$187,336.57 and liabilities totaling \$3,564.89. The fiscal year to date profit and loss report indicated expenses totaling \$13,682.38, gross profit totaling \$6,001.54, and net income totaling \$-7,680.84 through October 2022. 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 revenues and expenses by budgetary line item.
 - b. **Legislative** – Director Davis reported that the Texas Sunset Advisory Commission will hold a meeting on November 10, 2022, to report on sunset decisions for the Texas Commission on Environmental Quality ("TCEQ"). Director Davis reported that bill pre-filing for the 88th Texas Legislative Session begins on November 14.



- c. **Science & Outreach** – Director Hennings reported that there had been no recent developments related to science and outreach. General Manager Cockrell reported that the District’s website received 404 site visits during the month of October, down from 454 site visits during the month of September.

6. **General Manager’s Report:**

- a. **Summary of permitting, application, and registration inquiries and submissions** – General Manager Cockrell provided an update on the permit applications and well registrations submitted to the District during the month of October. General Manager Cockrell reported that the District received two (2) new well registrations during the month of October, and three (3) new well drilling authorization applications for new wells. General Manager Cockrell reported that the District did not receive any new general permit or operating permit applications during the month of October. General Manager Cockrell reported that meter readings submitted for the month of October show total production of 25.1 acre-feet. General Manager Cockrell reported that the District received one (1) new water utility service connection during the month of October. General Manager Cockrell reported that District staff are working to send post cards regarding the District’s permitting and well registration requirements to neighborhoods in the District with a high density of groundwater wells. General Manager Cockrell reported that Virginia Smith has compiled a list of addresses to send the post cards to, and that he is working to prepare a draft post card and will provide a draft to the Board of Directors for review. President Scadden asked whether or not the District is now receiving all water utility service connections from water utilities operating within the District. General Manager Cockrell reported that District staff believe that permittees are reporting water utility service connections in a timely manner.
- b. **Drought stage status and outlook** – General Manager Cockrell reported that the U.S. Drought Monitor shows that drought conditions have intensified in Travis County since October, and that the District is currently under the D3 Severe Drought Stage. General Manager Cockrell reported that the National Weather Service has projected higher than normal temperatures and drier conditions for Central Texas for November. General Manager Cockrell and Director Hennings presented a graph from the National Weather Service showing 2022 precipitation for the Austin-area compared to the 30-year average, showing that precipitation for 2022 is well below average totals.
- 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 will be held on December 9, 2022, at the Cow Creek GCD offices in Boerne, Texas, and that a videoconference option will be available. General Manager Cockrell reported that the GMA 9 districts have worked to develop a new website for GMA 9 to provide additional information to the public about the joint planning process. General Manager Cockrell reported that the Texas Water Development Board (“TWDB”) is working to create a Texas Water Data Hub to allow members of the public and researchers to access, search, and index water data from across the state.



- d. **Overview of current District groundwater monitoring program** – General Manager Cockrell presented data from the District’s Lakeside Monitoring Well showing water level and daily precipitation levels from April 2022 to present. General Manager Cockrell reported that District staff have recently had issues accessing data remotely from the District’s telemetered monitoring wells. General Manager Cockrell reported that data from the Lakeside Monitoring Well can be used to help understand the relationship between aquifer levels and Lake Travis elevation levels at the site. General Manager Cockrell reported that the Lakeside Monitoring Well is located in proximity to the Travis Settlement subdivision, which includes a large number of homes with domestic groundwater wells. President Scadden asked whether the District is sharing data from its monitoring well program with GMA 9 or other entities. General Manager Cockrell stated that the District has not yet made its monitoring data available on the District’s website, but that the District will share its monitoring well data with GMA 9 and with the TWDB for inclusion in the TWDB’s Water Data Interactive program, which would allow members of the public and other GCDS to access the monitoring well data. Tom Griffith made public comments and raised the question of whether Lower Trinity Aquifer levels are more impacted by fluctuations in pumping than aquifer recharge because of its confined nature. General Manager Cockrell confirmed that generally, water-level recovery in the Lower Trinity Aquifer is more closely linked to reduced groundwater pumping than recharge. General Manager Cockrell reported that water level data from the Lakeside Monitoring Well shows that the Middle Trinity and Lower Trinity Aquifers in that area are isolated from each other and constitute different systems. Director Davis raised the question of what the District can do to address drawdown in the aquifer in order to meet the Desired Future Conditions (“DFCs”). President Scadden stated that the Board will need to carefully consider how to address this matter, as the District may face public backlash if the District denies permit applications or limits groundwater pumping in order to meet the DFCs in the future.
- e. **Other items of interest not requiring Board action** – General Manager Cockrell reported that the District received a public information request for documents related to INTERA’s evaluations related to Clancy Utility Holdings, LLC’s permit application, (a.k.a. Mirasol project) including the scope of work. General Manager Cockrell reported that he spoke with representatives for INTERA about the public information request and they approved of the District releasing the responsive documents. General Manager Cockrell reported that the public information request specifically sought INTERA’s scope of work and work order, and that he spoke with the District’s legal counsel and INTERA before releasing the responsive documents. General Manager Cockrell reported that he has been in communication with the attorney and project manager for Clancy Utility Holdings, LLC, regarding Clancy’s amended permit application. General Manager Cockrell reported that INTERA has begun their evaluations related to Clancy Utility Holdings, LLC’s permit application, and that District staff will meet with INTERA next week regarding INTERA’s progress and conceptual model. General Manager Cockrell raised the possibility of the District holding an informational public meeting regarding the Mirasol development and



Clancy Utility Holdings, LLC's permit application to provide information to the public ahead of the public hearing. General Manager Cockrell reported that Hays Trinity GCD has not declared the permit application they received from Clancy Utility Holdings, LLC, administratively complete yet. President Scadden providing public information and raised concerns about such a meeting devolving into negative ranting and venting.

7. **Discuss and possibly act on matters related to District drought stage status and drought management methodology** – General Manager Cockrell reported that the District passed the threshold to re-enter the D3 Severe Drought Stage on November 1, 2022. General Manager Cockrell reported that from September 6 to October 4 the District was under the D2 Drought Stage based on data from the U.S. Drought Monitor. Director Norton provided a presentation to the Board regarding the data and methodology used by the U.S. Drought Monitor to calculate drought stages. Director Norton reported that the U.S. Drought Monitor publishes drought intensity maps for the United States on a weekly basis based on data from NOAA, NDMC, and USDA. Director Norton reported that the U.S. Drought Monitor is not a statistical model, although it includes numerical inputs including the Palmer Drought Severity Index. Director Norton reported that state climatologists, National Weather Service staff, extension agents, and hydrologists all contribute information and data to the U.S. Drought Monitor. Director Norton reported that the Texas State Climatologist, Dr. John Nielsen-Gammon, hosts a weekly videoconference meeting to discuss Texas drought status and receive input on the weekly national drought monitor report. Director Norton presented a copy of the most recent U.S. Drought Monitor map for November 1, 2022, to the Board, showing 8.6% of the District is under D4 level drought, and 91.4% of the District is under D3 level drought. Director Norton presented the TWDB's standard precipitation index for October 2022, showing Travis County and Central Texas under abnormal to moderate drought conditions. Director Norton also presented rainfall data collected by the Lower Colorado River Authority ("LCRA") for Central Texas. General Manager Cockrell raised the possibility of the Board considering data from multiple sources, including data on Lake Travis water levels, when considering drought stage status in the future. Director Davis raised the possibility of revising the District's drought status outlook to just consider drought conditions within the District and not Travis County as a whole. No action taken.
8. **Discuss and possibly act on matters related to implementing District Rules** – President Scadden raised the possibility of amending the District Rules to require new permit applicants to implement additional water conservation practices. Director Hennings reported that some cities are requiring new housing developments to implement water conservation practices, including putting restrictions on the landscaping used for residential homes. Pete Golde reported that LCRA implemented restrictions on lawn irrigation for customers in the past. Director Van Ackeren reported that some homeowners associations have implemented rules regarding conservation practices for lawn irrigation. Director Davis questioned whether wells used solely for lawn irrigation are considered domestic under the District Rules, and whether or not those wells should be permitted.

General Manager Cockrell reported that he prepared a Drought Compliance Report regarding permittees' compliance with the District's drought restrictions and curtailments. General Manager Cockrell provided a copy of the Drought Compliance Report for October 2022 to the Board for consideration. General Manager Cockrell reported that the Drought Compliance Report includes the



monthly permitted production amount for each permittee, the adjusted monthly production amount based on each month's drought curtailment, and the permittee's reported pumpage. General Manager Cockrell reported that several permit holders have exceeded drought curtailments under the D3 and D2 drought stages. General Manager Cockrell reported that District staff will reach out to the permittees that have exceeded the District's drought curtailments. No action taken.

9. **Discuss and possibly act on matters related to results of recent water-quality sampling and potential District response** – General Manager Cockrell reported that District staff conducted sampling of several groundwater wells throughout the District, and water-quality testing results show high levels of strontium in several wells. General Manager Cockrell reported that the levels of strontium detected in several wells exceed the maximum advisable health levels considered safe by the Environmental Protection Agency and could pose potential health risks. General Manager Cockrell reported that District staff contacted and notified the effected well owners and encouraged them to submit treated tap water samples for additional testing to ensure their water is safe for consumption. General Manager Cockrell reported that the USGS has published informational resources about strontium in groundwater. General Manager Cockrell raised the possibility of the District publishing information or notifying the public about the levels of strontium detected in groundwater within the District, but cautioned that the District should avoid causing any unnecessary panic. General Manager Cockrell reported that the District submitted the collected water samples for full isotope analysis, but that the District has not received the results back yet. General Manager Cockrell reported that he will draft a press release regarding the strontium levels detected, and that he will provide the draft press release to the Board for review. General Manager Cockrell suggested publishing press releases in both the Austin American Statesman and in the Community Impact newspaper. President Scadden stressed the importance of the District acting quickly to distribute information to the public in a timely manner. No action taken.
10. **Discuss and possibly act on matters related to tour of Roy Creek Canyon** – President Scadden thanked General Manager Cockrell for coordinating with Lew Adams, the owner of Roy Creek Canyon, to schedule a tour for the Board. President Scadden reiterated that this tour is for educational purposes for the Board and is in no way intended to show preference in any permitting decisions. General Manager Cockrell reported that the Board will not discuss permitting during the tour of Roy Creek Canyon, and that the Board and District staff will remain impartial. General Manager Cockrell reported that the tour is scheduled for November 10, 2022, at 10:00 a.m., weather permitting, and that notice of the tour has been posted in accordance with the Texas Open Meetings Act since a quorum of Directors may be present. General Manager Cockrell reported that he notified representatives for Clancy Utility Holdings, LLC, about the Board's planned tour of Roy Creek Canyon, and that their representatives may attend as well. No action taken.
11. **Discuss and possibly act on matters related to designating a District Representative and Alternative District Representative for the fourth GMA 9 planning cycle** – President Scadden reported that General Manager Cockrell is the District's current District Representative to GMA 9 for joint planning and suggested that the Board name an alternate representative in the event that General Manager Cockrell is unable to attend a GMA 9 meeting. A motion was made by Director Hennings to designate General Manager Lane Cockrell as the District Representative for Southwestern Travis County GCD



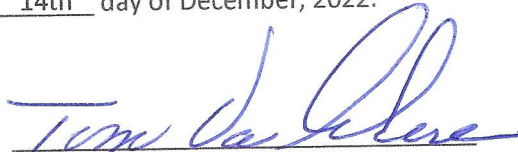
to GMA 9, and to designate President Scadden as the alternative representative. Motion seconded by Director Urie. Motion carried 4 Ayes – 0 Nays – 3 Absent.

12. **Discuss and possibly act on matters related to FY 2022 and FY 2023 Interlocal Agreements with Travis County** – General Manager Cockrell reported that Vicky Kennedy with Travis County plans to send out a final draft of the fiscal year 2023 Interlocal Agreement (“ILA”) to the Board for consideration. General Manager Cockrell reported that once the Board approves the fiscal year 2023 Interlocal Agreement, an agenda item will be placed on the Travis County Commissioners Court’s agenda to approve the agreement. President Scadden reported that he and General Manager Cockrell plan to provide a presentation to the Travis County Commissioners Court regarding the District’s activities and use of ILA funds. No action taken.
13. **Discuss and possibly act on matters related to adopting District policies** – President Scadden reported that the District is required by Chapter 36 of the Texas Water Code to adopt an ethics policy, a travel expenditure policy, a professional services policy, and a management information policy. President Scadden reported that General Manager Cockrell provided draft policies to the Board for review and consideration. General Manager Cockrell reported that he received feedback from the Board regarding each policy and presented final drafts of each.
 - a. Ethics Policy – A motion was made by Director Hennings to adopt the Ethics Policy as presented. Motion seconded by Director Van Ackeren. Motion carried 6 Ayes – 0 Nays – 1 Absent.
 - b. Travel Expenditure Policy – A motion was made by Director Norton to adopt the Travel Expenditure Policy as presented. Motion seconded by Director Hennings. Motion carried 6 Ayes – 0 Nays – 1 Absent.
 - c. Professional Services Policy – A motion was made by Director Davis to adopt the Professional Services Policy as presented. Motion seconded by Director Norton. Motion carried 6 Ayes – 0 Nays – 1 Absent.
 - d. Management Information Policy – A motion was made by Director Urie to adopt the Management Information Policy as presented. Motion seconded by Director Davis. Motion carried 6 Ayes – 0 Nays – 1 Absent.
14. **Discuss and possibly act on matters related to District hydrogeologic consultant** – General Manager Cockrell reported that he, Director Hunt, and Charlie Flatten with Hays Trinity GCD plan to meet with INTERA staff regarding their conceptual model and numerical model to assess the potential impacts of the Clancy Utility Holdings, LLC, permit application. No action taken.
15. **Discuss and establish possible agenda items for future Board Meetings** – President Scadden requested that an agenda item be added for the Board to consider the annual election of Board officers. General Manager Cockrell reported that the next agenda will also include a workshop to discuss and establish procedures for Board permit hearings.
16. **Discuss and possibly act on setting the date, time, and location for the next Board Meeting** – President Scadden reported that the next regular Board of Directors meeting will be held on December 14, 2022, at 9:00 a.m. at the District’s office.



17. **Adjourn** – A motion was made by Director Van Ackeren to adjourn the open meeting at 12:11 p.m. Motion seconded by Director Urie. Motion carried 6 Ayes – 0 Nays – 1 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 14th day of December, 2022.


Tim Van Ackeren, Secretary