



BOARD MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Wednesday, December 14, 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, December 14, 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 9:02 a.m. on Wednesday, December 14, 2022. Six directors were present at the meeting constituting a quorum, including President Scadden, Director Van Ackeren, Director Hennings, Director Davis, Director Hunt, and Director Norton. Also present were General Manager Lane Cockrell, Pete Golde, Virginia Smith, Nick Soto-Kerans, and David Smith, Secretary-Treasurer for Hays Trinity Groundwater Conservation District ("Hays Trinity GCD"). The following individuals participated remotely by videoconference call: Audrey Cooper, Cole Ruiz, and Ty Embrey with Lloyd Gosselink.
2. **Announcements** – President Scadden wished the Board of Directors, District staff, and members of the public happy holidays, and thanked District staff for their hard work this year.
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 November 9, 2022 regular board meeting for the Board's consideration. A motion was made by Director Davis to approve the minutes of the November 9, 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 provided a report to the Board regarding the financial reports dated November 30, 2022. The balance sheet indicated assets totaling \$179,044.50 and liabilities totaling \$3,649.72. The fiscal year to date profit and loss report indicated expenses totaling \$31,649.30, gross profit totaling \$15,591.56, and net income totaling \$-16,057.74 through November 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 expenses by budgetary line item.
 - b. **Legislative** – Director Davis reported that bill pre-filing for the 88th Texas Legislature began on Monday, November 14, 2022. Director Davis reported that Senator Charles Perry filed SB 156 allowing certain landowners to file petitions for rulemaking with groundwater conservation districts, and that several bills have been filed regarding ad valorem taxation. Director Davis reported that the Texas Alliance of Groundwater Districts



("TAGD") will begin holding legislative meetings in February for participating members, and that TAGD was asked to provide testimony regarding the mitigation of impacts associated with large scale groundwater export projects. Director Davis reported that the Texas Produced Water Consortium report was published and provided a copy to the Board. Ty Embrey reported that many landowners in Lee, Milan, and Burleson Counties are complaining that water levels are dropping in their domestic groundwater wells as a result of the Vista Ridge groundwater export project, and Senator Perry and other members of the Texas Legislature are looking at ways to protect private property rights and possible mitigation. Ty Embrey reported that the Texas Water Conservation Association ("TWCA") groundwater committee has published a list of legislative priorities and bills that the committee plans to support during the upcoming session, and that TWCA members are interested in reforming the petition for inquiry process for groundwater districts.

- c. **Science & Outreach** – Director Hennings reported that the November edition of the Community Impact newspaper included an article about inflows to the highland lakes, and reported that inflows to the highland lakes in 2022 were the lowest ever recorded. Director Hennings provided a copy of the article to the Board for review. Director Hunt reported that the UT Bureau of Economic Geology is collecting data in western Travis County, and that two students have been working with Director Hunt to prepare water level maps and compare spring flows in western Travis County. Director Hunt reported that the UT Bureau of Economic Geology is working to map the geometry of the aquifers in Travis County and to analyze water budgets to better understand the potential impact of future groundwater production on the aquifers. Nick Soto-Kerans reported that he is working with Director Hunt and General Manager Cockrell to analyze geological data from several wells in the District to better understand the stratigraphy and lithology and explore how lithology may impact recharge and groundwater availability. General Manager Cockrell reported that traffic to the District's website increased in November, with 524 unique visits to the District's website in November up from roughly 400 in October.

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 November. General Manager Cockrell reported that the District received five (5) new well registrations and three (3) well drilling authorization applications for new wells during the month of November. General Manager Cockrell reported that the District did not receive any new permit applications during the month of November. General Manager Cockrell reported that meter readings submitted by reporting well owners show total reported production of 23.8 acre-feet for the month of November. General Manager Cockrell reported that District staff have not yet mailed out informational post cards to well owners regarding the District's well registration and permitting requirements, and that staff plan to begin sending out post cards to well owners after the holidays.



- b. **Drought stage status and outlook** – General Manager Cockrell reported that drought conditions have improved slightly in Central Texas due to precipitation in November. General Manager Cockrell reported that the National Weather Service reported that long term rainfall deficits remain significant in the Hill County, and that winter temperature and precipitation outlooks lean warmer and drier than normal.
- c. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – General Manager Cockrell reported that he did not attend the most recent GMA 9 joint planning meeting on December 9, 2022, and that he will contact the committee to obtain information from the missed meeting.
- d. **Overview of current District groundwater monitoring program** – General Manager Cockrell presented a graph of data collected from the District’s Lakeside Monitoring Well showing Cow Creek water levels, Lake Travis elevation levels, and Lower Trinity Aquifer water levels. General Manager Cockrell reported that Cow Creek water levels have declined roughly eight feet since April 2022, and Lake Travis elevation levels have declined by twenty feet over the same time period. General Manager Cockrell reported that Lower Trinity Aquifer levels have fluctuated over the calendar year, declining as much as thirty feet over the summer, but water levels have shown some recovery over the last two months. President Scadden raised the question of whether or not any permit holders located around the District’s Lakeside Monitoring Well use groundwater for the purpose of irrigating golf courses. General Manager Cockrell reported that almost all the surrounding wells are exempt domestic wells, and that no large irrigation wells are located in proximity. General Manager Cockrell also presented a graph of hourly water levels taken from the District’s Lakeside Monitoring Well from November 1, 2022 to December 1, 2022. General Manager Cockrell reported that water levels in the monitoring well fall reliably every day around midnight, and recover throughout the day. Director Hunt reported that there could be lag time in the pumping impacting the District’s monitoring well. President Scadden raised the question of whether other domestic groundwater wells are experiencing this daily fluctuation in water level. General Manager Cockrell reported that the District recently installed a transducer on a neighboring groundwater well and should have that data soon. Virginia Smith raised the possibility that the daily fluctuation in water levels could be caused by water storage tanks re-filling at a specific time.
- e. **Other items of interest not requiring Board action** – General Manager Cockrell reported that he compiled available water-quality data from TWDB for wells in the District to evaluate dissolved strontium concentrations after elevated strontium concentrations were detected in recent groundwater samples from several wells in the District. General Manager Cockrell presented a map showing available dissolved strontium data for wells in the District and presented a summary of the results to the Board. General Manager Cockrell reported that the Environmental Protection Agency (“EPA”) has established a health advisory level of 4,000 ug/L for dissolved strontium, and that concentrations at or



above that level could pose a health risk. General Manager Cockrell reported that strontium concentrations exceed the health advisory level in numerous wells across the District, but that not all affected wells are used for human consumption and many of those that are used for human consumption employ a water treatment system that may reduce potential health risks. General Manager Cockrell proposed that the District coordinate with Travis County and the Travis County Health Department to assess the potential health risks of elevated strontium concentrations in groundwater and to develop an appropriate response if needed. Director Hunt suggested that the District look at which aquifer the impacted wells are completed in to determine if the elevated strontium levels are confined to a particular aquifer. General Manager Cockrell reported that District staff have shared the results of the District's water sampling with each well owner, and provided additional information and testing resources to individuals whose wells showed elevated strontium concentrations.

General Manager Cockrell reported that the District received results of isotope analyses for groundwater samples collected from two wells in the District, and presented the results to the Board. General Manager Cockrell reported that radiocarbon dating suggests the approximate age of water in one well as 34,340 years-old, and 15,540 years-old in another well. General Manager Cockrell reported that he met with the director of Mirasol Capital on December 2, 2022, to discuss the Clancy Utility Holdings, LLC permit application. General Manager Cockrell reported that Intera's evaluation of Clancy Utility Holdings, LLC's permit application should be completed soon. General Manager Cockrell reported that District staff held pre-development meetings with Crawford Winery and a commercial nursery in the Spicewood area, and that both developments will likely need to submit permit applications to the District. General Manager Cockrell reported that the District's auditor is working to complete the District's fiscal year 2021 and 2022 financial audits, and that he is working to provide the auditor with additional information.

7. **Discuss and possibly act on matters related to electing Board officers** – President Scadden reported that the Board must annually consider the election of Board officers. After some discussion, a motion was made by Director Hunt to elect Board officers for the 2023 calendar year as follows: President Rick Scadden, Vice President Tricia Davis, Treasurer Jim Urie, and Secretary Tim Van Ackeren. Motion seconded by Director Hennings. Motion carried 6 Ayes – 0 Nays – 1 Absent.
8. **Executive Session to consult with Counsel and discuss matters related to electing Board officers** – No action taken under this agenda item.
9. **Discuss and possibly act on matters related to implementing District Rules** – General Manager Cockrell presented the Drought Compliance Report for November 2022 showing the compliance of permittees with the District's drought restrictions. 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 production. General Manager Cockrell reported that the Drought Compliance Report shows that four permittees exceeded the District's drought restrictions for the month of



November. General Manager Cockrell reported that the permittees with the largest permitted volumes generally demonstrated compliance with the District's drought restrictions. General Manager Cockrell reported that all permittees have submitted User Drought Contingency Plans as required by the District Rules. When asked, General Manager Cockrell reported that the District's preferred approach to drought enforcement is to utilize outreach and education to encourage voluntary compliance, but that District Rules do allow the District to impose penalties on permittees that exceed the District's drought restrictions. No action taken.

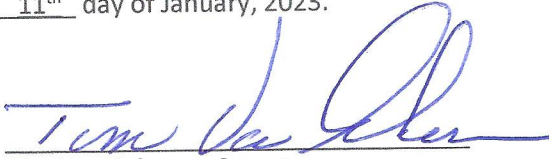
10. **Discuss and possibly act on matters related to District apparel for Directors and Staff** – General Manager Cockrell reported that Director Hennings previously raised the possibility of purchasing District shirts or apparel for staff and Directors to wear while meeting with members of the public. General Manager Cockrell reported that he identified a company that offers custom embroidered shirts and that the cost of ordering embroidered shirts could range up to approximately \$50.00 each. The Board discussed the various color and options available for District apparel. A motion was made by President Scadden to approve the procurement of one apparel item and one magnetic name tag for each member of the Board of Directors, and two apparel items, one hat, and one magnetic name tag for each District staff member. Motion seconded by Director Van Ackeren. Motion carried 6 Ayes – 0 Nays – 1 Absent.
11. **Discuss and possibly act on matters related to District drought stage status and drought management methodology** – General Manager Cockrell reported that the District is still under the D3 Extreme Drought Stage. General Manager Cockrell reported that drought conditions in Travis County have improved over the last two weeks, but the District has not yet met the criteria under the District Rules to declare a lower stage of drought. General Manager Cockrell reported that if drought conditions improve enough for the District to declare a lower drought stage before the next Board of Directors meeting, he will issue a press release to the public declaring the lower drought stage. Director Norton presented maps and data from the U.S. Drought Monitor for the month of November. Director Norton presented the U.S. Drought Monitor map of Texas for November 22, 2022 showing portions of Central Texas are under the most extreme level of drought. 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, and that Director Norton has attended several of these meetings. Director Norton presented a U.S. Drought Monitor map of Texas from the 2011 drought, showing most of the state under extreme drought conditions. Director Norton raised the question of whether the District's drought stage declarations should be based on drought conditions throughout Travis County, or just conditions within the District. Director Hunt reported that the TWDB's analysis of drought is based on the resources prepared by the U.S. Drought Monitor. President Scadden raised the possibility of leaving the drought stage thresholds in the District Rules the same as they currently are, but including a review of drought conditions within the District in the Board's review of drought conditions each month. No action taken.
12. **Discuss and possibly act on matters related to FY 2023 Interlocal Agreement with Travis County** – General Manager Cockrell reported that the Travis County Commissioners Court approved the Interlocal Agreement ("ILA") for fiscal year 2023 on December 13, 2022. General Manager Cockrell



reported that he provided a presentation to the Travis County Commissioners Court regarding the District's activities at the same meeting. General Manager Cockrell reported that he will begin working with Vicky Kennedy at Travis County to get the District's first invoice submitted under this new ILA. General Manager Cockrell reported that the fiscal year 2023 ILA includes funding for the District and Travis County to participate in a regional hydrogeologic study with Clearwater UWCD and Central Texas GCD. General Manager Cockrell reported that he has reached out to both districts to discuss scheduling a meeting on the hydrogeologic study. No action taken.

13. **Discuss and establish possible agenda items for future Board Meetings** – President Scadden requested that an agenda item be added to discuss a potential agreement for the proposed regional 3D hydrogeologic study.
14. **Discuss and possibly act on setting the date, time, and location for the next Board Meeting** – President Scadden reported that the next Board of Directors meeting will be held on January 11, 2023, at 9:00 a.m. at the District's office.
15. **Adjourn** – A motion was made by Director Davis to adjourn the open meeting at 10:56 a.m. Motion seconded by Director Hunt. Motion carried 6 Ayes – 0 Nays – 1 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 11th day of January, 2023.


Tim Van Ackeren, Secretary