



MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

Regular Monthly Meeting

Thursday, April 10, 2025, at 9:30 a.m.

A quorum of the Southwestern Travis County Groundwater Conservation District Board of Directors held a regular monthly board meeting on Thursday, April 10, 2025, 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 9:30 a.m. on Thursday, April 10, 2025. Seven directors were present at the meeting constituting a quorum, including President Scadden, Director Davis, Director Phillips, Director Leva, Director Huber, Director Van Ackeren, and Director Urie. Also present were General Manager Lane Cockrell, District Regulatory Compliance Specialist Virginia Smith, Cole Ruiz with Lloyd Gosselink, Pete Golde, Ed McCarthy representing Archangel Catholic School of Austin, Bryan Boyd, P.G., with Bullock, Bennett & Associates, LLC on behalf of Archangel Catholic School of Austin, Tom Prevost, Keili Smith, and Audra McCleary with Archangel Catholic School of Austin. The following individuals participated remotely by videoconference call: Audrey Cooper with Lloyd Gosselink, Danna Oakes with Cypress Ranch WCID No. 1, Vicki Kennedy and Brianna McBride with Travis County, and Sydney Christman with McCarthy and McCarthy.
2. **Announcements** – No announcements were presented.
3. **Public Comments** – No public comments were presented under this item.
4. **Discussion and possible action on approving previous meeting minutes** – President Scadden reported that District staff are working to finalize the minutes for the March 12, 2025 regular board meeting and that no action is needed at this time. No action was taken under this item.
5. **Public hearing on the operating permit application for Archangel Catholic School of Austin** – GM Cockrell provided an overview to the Board of the operating permit application submitted by Archangel Catholic School of Austin. GM Cockrell reported that the applicant submitted their operating permit application to the District on October 28, 2024, and that after supplementing their application to provide aquifer test data and information requested by District staff, the application was deemed administratively complete on February 20, 2025. GM Cockrell reported that District staff's recommendations on the permit application were revised on April 4, 2025 to clarify proposed permit conditions, and that the revised recommendations were shared with the applicant and the Board. GM Cockrell reported that the applicant has requested that the hearing on their operating

permit application be postponed until the May regular meeting to allow additional time for them to review and consider staff's proposed permit conditions. GM Cockrell added that the District Rules require the District to hold a hearing within 60 days of deeming an application administratively complete and that District staff recommend granting the applicant's request to postpone the hearing until the May regular meeting. Cole Ruiz, District General Counsel, recommended that the Board open the permit hearing on Archangel's application to receive their request for postponement in the administrative record.

President Scadden called the permit hearing on the operating permit application of Archangel Catholic School of Austin to order at 9:36 a.m. A quorum of seven directors remained present. Ed McCarthy provided comments to the Board of Directors on behalf of Archangel Catholic School of Austin and reported that the request for a postponement was made by the applicant to allow additional time to consider the revised proposed special permit conditions the applicant received from District staff on April 4. Ed McCarthy reported that Archangel Catholic School of Austin is currently reviewing the proposed permit conditions to assess whether compliance is feasible. Ed McCarthy reported that Archangel Catholic School of Austin is a nonprofit entity, and that some of the special permit conditions proposed by District staff could require significant expenditures, including potentially installing a rainwater harvesting system on the applicant's property, and that Archangel Catholic School of Austin's Board of Directors needs to evaluate potential costs associated with those requests. A motion was made by Director Davis to grant the extension requested by the applicant and to postpone the operating permit hearing until the May regular meeting. Motion seconded by Director Huber. Motion carried 7 Ayes – 0 Nays. President Scadden closed the public hearing on the operating permit application of Archangel Catholic School of Austin at 9:39 a.m.

6. **Discussion and possible action on the operating permit application for Archangel Catholic School of Austin** – No action was taken under this item.
7. **Receive update, discuss, and consider possible action on ongoing contested case hearings** –
 - a. **Clancy Utility Holdings, LLC** – Cole Ruiz provided an update to the Board regarding the status of the Clancy Utility Holdings, LLC ("Clancy") contested case hearing pending at SOAH. Cole Ruiz reported that the case is still abated until May 27, 2025 to allow time for the parties to discuss settlement. Ed McCarthy provided comments to the Board of Directors on behalf of Clancy, and reported that Clancy's groundwater permits at Hays Trinity GCD are also under abatement, and that they have a meeting scheduled with Save The Pedernales to discuss their concerns with both applications. Ed McCarthy reported that Clancy is also working with Travis County and recently received feedback regarding their Texas Land Application Permit (TLAP) and is working to address the County's comments and concerns. Ed McCarthy reported that Clancy is still moving forward to secure retail water service from West Travis County PUA and is currently working on negotiating the placement of the pipeline to serve the Mirasol development within a conservation easement. Ed McCarthy reported that Clancy plans to request temporary authorization to produce groundwater for construction purposes in the future.

- b. **JPD Backyard Finance, LLC** – Cole Ruiz provided an update to the Board regarding the status of the JPD Backyard Finance, LLC (“Backyard”) contested case hearing pending at SOAH. Cole Ruiz reminded the Board that they voted in February to reopen the administrative record in the Backyard case to hear additional evidence from the applicant about the proposed use of the requested groundwater. Cole Ruiz reported that the applicant has requested an extension to allow them additional time to submit briefs to the Board before the Board holds another hearing. Cole Ruiz reported that the hearing will likely be held in May, but that the current abatement granted by the Administrative Law Judge at SOAH expires on April 30, 2025. President Scadden expressed concerns that the current permit issued to Backyard is set to expire in June, and that if the applicant is unable to submit additional evidence into the administrative record before that date the Board will need to consider the permit renewal in June anyway. Cole Ruiz proposed communicating with counsel for Backyard to ensure that they’re aware of their current permit’s expiration date, and to ensure they understand the importance of submitting their brief and additional evidence to the Board for hearing in May.
- 8. **Receive update, discuss, and consider possible action on the implementation and enforcement of District Rules** – GM Cockrell summarized the alleged violations of the District Rules by Bentree RV Park (AKA Buddy’s Backyard RV Resort). GM Cockrell reported that Bentree has a public water supply well on their property to supply water to RV slips on the property, which is considered an Existing Well under the District Rules. GM Cockrell reported that new water service connections to public water supply wells activated after the adoption of the District Rules require the well owner to submit a service connection reporting form and payment of applicable connection fees. GM Cockrell reminded the Board that Bentree has thus far failed to comply with the reporting requirements for new water service connections under the District Rules. GM Cockrell reported that he issued a Notice of Violation letter to Bentree on March 4, 2025 by certified mail as directed by the Board of Directors, notifying Bentree of the violations, the potential for a show cause hearing, and the potential assessment of civil penalties against them if they fail to comply with applicable District Rules. GM Cockrell reported that Bentree responded to the Notice of Violation on March 31, 2025, and reported that they believe that District Rules regarding water service connections do not apply to their development because their public water system was constructed prior to October 1, 2020.

GM Cockrell reported that District staff’s recommendation is for the District’s general counsel to issue a Notice of Alleged Violation and for the Board to order a show cause hearing to evaluate Bentree’s compliance with District Rules. Cole Ruiz reported that the District must provide notice to Bentree at least 20 days prior to holding a show cause hearing and reported that the Board may discuss and impose civil penalties at the hearing if Bentree is found in violation of District Rules. Cole Ruiz reported that the District may not recover attorney fees associated with enforcement actions like this. GM Cockrell reported that each water service connection requires a fee of \$200.00 under District Rules, and that Bentree RV Park has failed to submit payment to the District for roughly \$16,000.00 in water service connections for their RV slips. GM Cockrell reported that Bentree does submit monthly meter readings and quarterly production fees to the District, but they have not submitted water service connection fees and reports for each RV slip. A motion was made by Director Davis to authorize the District’s general counsel, Lloyd Gosselink, to issue a Notice of Alleged Violation to

Bentree, and to coordinate with GM Cockrell to schedule a show cause hearing. Motion seconded by Director Van Ackeren. Motion carried 7 Ayes – 0 Nays.

9. **Receive update, discuss, and consider possible action on proposed new wells requiring Board authorization to reduce required property line setbacks** – No action was taken under this item.
10. **Discussion and possible action on matters related to District drought stage status** – GM Cockrell presented a map of Travis County showing data from the U.S. Drought Monitor through April 1, 2025, reflecting that roughly 43% of the District's territory is under D-4 Exceptional Drought. GM Cockrell added that conditions have not yet met the 50% threshold to declare a higher drought stage, and that staff's recommendation is to remain at D-3 Extreme Drought until the threshold has been reached to increase the declared drought stage to D-4. President Scadden suggested that the Board authorize GM Cockrell to declare D-4 Exceptional Drought if conditions reach the threshold before the May regular Board meeting. The Board's consensus was to authorize GM Cockrell to declare a higher drought stage and issue notice if the threshold is reached for D-4.
11. **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 March 31, 2025. The balance sheet indicated assets totaling \$180,675.17, and liabilities totaling \$10,980.92. The fiscal year-to-date profit and loss report indicated expenses totaling \$144,213.84, gross profit totaling \$152,115.61, and net income totaling \$7,901.77 through March 2025. Pete Golde provided a summary of checks issued by the District since the last board meeting, a summary of expenses by vendor, and a fiscal year-to-date summary of revenue and expenses by budgetary line item.
 - b. **Legislative** – Cole Ruiz provided an update to the Board on the status of activity at the 89th Texas Legislature. Cole Ruiz reported that roughly 133 bills have been filed that relate to groundwater specifically, and roughly 98 more bills that relate to open government have been filed, including changes to the Public Information Act and Open Meetings Act. Cole Ruiz reported that both bills amending the District's enabling act have been referred to committee, but neither have been scheduled for hearing yet. GM Cockrell reported that HB 1400, which would create a new groundwater science fund administered by the TWDB, was voted favorably out of the House Natural Resources Committee, and provided an update on SB 2660 related to granting Hays Trinity GCD authority to charge production fees.
 - c. **Science** – No action was taken under this item.
 - d. **Outreach** – GM Cockrell reported that the Texas A&M Agrilife Extension Service offers a well water 'check-up' program, through which they partner with local groundwater districts to offer discounted water quality analyses to well owners. GM Cockrell reported that the District recently partnered with Texas A&M Agrilife Extension to conduct a well water check-up event, and that eight well owners in the District submitted water samples from their wells for testing. GM Cockrell added that there has been a significant increase in the District's social media

traffic thanks to Barbara Reyes' hard work, and that staff issued a press release regarding District drought status as directed by the Board at the April meeting.

- e. **Rules** – President Scadden reported that the Board Rules Subcommittee and District staff are working to prepare draft redline edits to the District Rules to implement some of the recommendations from the Hamilton Pool Management Zone stakeholder group. President Scadden reported that the Rules Subcommittee will be scheduling another subcommittee meeting soon to continue working on their recommendations.
12. **Discussion and possible action regarding FY 2025 Interlocal Cooperation Agreement with Travis County** – GM Cockrell reported that the District's second invoice under the fiscal year 2025 interlocal agreement with Travis County was paid on April 2, 2025, and that he is working to submit a third invoice. GM Cockrell reported that he submitted the District's request for fiscal year 2026 funding to Travis County on March 14, 2025, which included a request for continued operational funding in the amount of \$200,000 and a request for an additional \$200,000 to develop a numerical groundwater model to benefit the District and County. GM Cockrell reported that the FY26 funding request proposes a multi-year agreement with an initial one-year term with optional annual extensions for up to five years, similar to the District's office lease agreement with Travis County. GM Cockrell reported that the Travis County Commissioners Court requested additional information regarding the proposed groundwater model, and that GM Cockrell responded to that request for information on March 24, 2025. No action was taken under this item.
13. **General Manager's Report:**
- a. **Summary of permitting, application, and registration inquiries and submissions** – GM Cockrell provided a report to the Board regarding the well registrations and permit applications received by the District in March 2025. GM Cockrell reported that the District received one (1) new well registration, five (5) new well drilling authorization applications, one (1) new operating permit application, two (2) new general permit applications, and three (3) new long-term water utility service connections.
 - b. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – GM Cockrell reported that Barbara Reyes attended the County-to-County Workshop held in Austin on March 26, 2025. GM Cockrell reported that the next GMA 9 joint planning meeting is scheduled for April 15, 2025, at 10:00 a.m. at the Cow Creek GCD office in Boerne, Texas. GM Cockrell reported that Dr. Robert Mace is scheduled to give a presentation on correlative groundwater allocations on April 14, 2025 via webinar, and provided a link to the Board.
 - c. **Overview of current District groundwater monitoring program** – GM Cockrell presented a graph of water level data from the District's Lakeside Monitoring well showing a decrease of 1.19 feet in Middle Trinity Aquifer levels over the last month, and a decrease of 7.04 feet in Lower Trinity Aquifer levels.
 - d. **Other items of interest not requiring Board action** – GM Cockrell reported that the Hamilton Pool Management Zone stakeholder reunion is currently scheduled for May 6, 2025 from

3:00-6:00 PM, at the Westcave Outdoor Discovery Center. GM Cockrell reported that District staff met with MyGovernmentOnline on March 28, 2025 to begin implementing the District's online permitting portal and that District staff are also evaluating electronic payment processing vendors that can be integrated with the District's MyGovernmentOnline portal, so well owners can submit their application and production fees online instead of mailing or delivering a check.

14. **Discuss and establish possible agenda items for future Board Meetings** – President Scadden reported that the next Board meeting will include agenda items to address the administrative record in JPD Backyard Finance, LLC's permitting case, discussion of enforcement against Bintree RV Park, and discussion of electronic payment processing for the District's website. Director Huber also proposed the creation of a Board Administrative Subcommittee to assist staff between Board meetings and to work on professional development for the Board and staff.
15. **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 May 14, 2025 at 9:30 a.m. at the District's office. The Board also tentatively scheduled meetings for June 12, July 9, and August 13, 2025.
16. **Adjourn** – A motion was made by Director Davis to adjourn the open meeting at 11:26 a.m. Motion seconded by Director Leva. Motion carried 7 Ayes – 0 Nays .

PASSED, APPROVED, AND ADOPTED THIS THE _____ day of May, 2025.

Tim Van Ackeren, Secretary

3:00-6:00 PM, at the Westcave Outdoor Discovery Center. GM Cockrell reported that District staff met with MyGovernmentOnline on March 28, 2025 to begin implementing the District's online permitting portal and that District staff are also evaluating electronic payment processing vendors that can be integrated with the District's MyGovernmentOnline portal, so well owners can submit their application and production fees online instead of mailing or delivering a check.

14. **Discuss and establish possible agenda items for future Board Meetings** – President Scadden reported that the next Board meeting will include agenda items to address the administrative record in JPD Backyard Finance, LLC's permitting case, discussion of enforcement against Bentree RV Park, and discussion of electronic payment processing for the District's website. Director Huber also proposed the creation of a Board Administrative Subcommittee to assist staff between Board meetings and to work on professional development for the Board and staff.
15. **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 May 14, 2025 at 9:30 a.m. at the District's office. The Board also tentatively scheduled meetings for June 12, July 9, and August 13, 2025.
16. **Adjourn** – A motion was made by Director Davis to adjourn the open meeting at 11:26 a.m. Motion seconded by Director Leva. Motion carried 7 Ayes – 0 Nays .

PASSED, APPROVED, AND ADOPTED THIS THE 14th day of May, 2025.


Tim Van Ackeren, Secretary