

**Notice of Open Meeting/Public Hearing of the
Hays Trinity Groundwater Conservation District Board of Directors**



Notice is given that the Board of Directors meets at **6:00 pm on Tuesday, August 27, 2019**: Sunset Canyon Baptist Church, 4000 East Hwy 290, TX. 78620. Agenda items may be taken in any order at the discretion of the Board. HTGCD agendas, approved meeting minutes and any available Backup Materials have been posted on the District website, www.haysgroundwater.com under Quick Links/Agendas/Meeting Year/ Meeting Date

6:00 PM

Executive Session

The Board of Directors of the Hays Trinity Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the posted matters listed on this agenda, as authorized by the Texas Government Code Chapter 551 including Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters). No final action or decision will be made in Executive Session.

- Call to Order
- Roll Call – Declare a Quorum: Linda Kaye Rogers '20, Doc Jones '22, John Worrall '22, Holly Fults '22, and Jeff Shaw '20
- General Comments and Announcements from Board & Staff with no discussion or possible action

General Manager's Report The purpose of the General Manager's Report is to discuss topics that are intended for general administration and operational information dissemination. The HTGCD Board will not take any Action unless the topic is specifically stated elsewhere within the agenda.

- Standing Topic Updates: New Connections and Registrations, TCEQ Projects, HTGCD Website, Announcements, and monthly Status of Drought Briefing

Science Update The purpose of the Science Update is to discuss topics that are intended for information dissemination. The HTGCD Board will not take any Action unless the topic is specifically stated elsewhere within the agenda.

- Review status of projects, water level update, TCEQ projects, and science informational updates

Public Comments Concerning Non-Agenda Items only limited to 3 minutes each. To address the Board of Directors, please complete and submit a Public Comment Card to the District staff. No action may be taken by the Board of Directors during Public Comments.

Consent Items The following agenda items may be considered and approved as one motion. A Board member or a citizen may request any item be removed from the consent agenda for Discussion and Possible Action as a separate item.

1. Approval of Bank Reconciliations & Monthly Invoices **John Worrall**
2. Approval of Monthly Financial Report, Balance Sheet and Budget to Actual Report **John Worrall**
3. Approval of June 19th and July 17th 2019 Board Meeting Minutes **Rogers / Worrall**

Discussion Only: Public Comments will be heard prior to Board review, limited to 3 minutes each.

4. Discussion only regarding an update from the Dripping Springs wastewater treatment plant utility commission representatives **Linda Kaye Rogers**

Discussion and Possible Action: Public Comments will be heard prior to Board review, limited to 3 minutes each. Backup material, if available, can be reviewed on the District's website under Quick Links / Agendas / Meeting Year / Meeting Date

5. Discussion and Possible Action regarding settlement agreement offer **Linda Kaye Rogers**
6. Discussion and Possible Action regarding Regional Recharge Study Management Zone **Linda Kaye Rogers**
7. Discussion and Possible Action regarding HTGCD draft Rule 15 **Linda Kaye Rogers**
 - Board to determine releasing draft rule for 20-day public review and comment

Hearing Items Public Comments will be heard prior to Board review, 3 minutes each

- 8. Discussion and Possible Action: Operating Permit Application **Rick Broun**
 - o **New groundwater application: Lauren Concrete:**
 - o Location: 4901 West Hwy 290, Dripping Springs
 - o Requested: 24.94 acre feet per year
 - o Use: Industrial
 - o District staff recommendation: 3-year renewable “phased in” operating permit of 21 acre feet. This recommendation would allow 15 acre feet (prorated) maximum 2019, 18 acre feet maximum in 2020, and 21 acre feet in 2021, monthly meter production recording with quarterly reporting to HTGCD, and mandatory drought cutback curtailments.
 - o Formal Contested Case Letter Deadline Expiration Date, July 2, 2019

The HTGCD Board of Directors shall review and discuss the permit application, hear staff recommendations and hear the applicant without motion or action. If a formal protest was timely filed (July 2, 2019) the application shall be found contested and the Board shall: close the Hearing, declare application Contested, and move to open a Pre-Hearing Conference. If the application is not formally contested, the HTGCD Board may take action on the application. The applicant may contest the Board’s action by filing a formal contested case letter within ten days after the Board’s action. The applicant is considered to have Standing and shall be heard at an Evidentiary Hearing.

Pre-Hearing Conference:

The Pre-Hearing Conference shall take place immediately following the permit application Hearing and only applies to non-applicants to determine Standing. The HTGCD Board of Directors to hear those who are contesting and determine if they have Standing. For those with Standing, the Board may:

- a. Recommend a Continuance and allow parties to resolve the application amongst themselves and report back to HTGCD within 30 days; or
- b. The parties schedule an Evidentiary Hearing with a Hearing examiner; or
- c. Upon the request of the applicant or protestant, the Board may delegate to SOAH

Future Agenda Items

Motion for Adjournment

The Hays Trinity Groundwater Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-858-9253 at least 24 hours in advance if accommodation is needed.

The District will accept written comments two (2) days prior to the scheduled Board meeting. Hearing item proposals may be reviewed or copied at the District office.

This notice shall be provided to the Hays County Clerk when concerning Rulemaking, Joint Planning and application for a Permit or Permit Amendment. The notice shall also be posted at a place convenient to the public at the HTGCD administrative office and on the HTGCD website not less than three (3) days prior to the scheduled meeting in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Government Code.

Posted by: Rick Broun

*Center Lake Business Park: 14101 Hwy 290 W, Bldg.100, Ste. #212, Austin, Texas 78737
 Mail: P. O. Box 1648 Dripping Springs, TX 78620
 E-mail: Phone: 512-858-9253 Fax: 512-858-2384 website: www.haysgroundwater.com*

CERTIFICATE OF POSTING: HB 3357, Section 551.054.... Effective September 1, 2015

The above Notice of Meeting was posted on Thursday, August 22, 2019 at a place convenient to the public at the HTGCD administrative office. A copy of the notice can also be reviewed on the HTGCD website under Agendas.

Chapter 36 Texas water Code: Groundwater Conservation Districts

The District shall provide notice to the county clerk concerning Rulemaking 36.101(d)(2), Joint Planning 36.108(e)(2), and application for a Permit or Permit Amendment 36.404(c)(2)