



Minutes for Regular Meeting and Public Hearing of the Hays Trinity Groundwater Conservation District

**Meeting Date: Thursday, June 3, 2021
Time: 6:00 pm
Via Videoconference**

Pursuant to notices posted April 29 and May 28, 2021, the Hays Trinity Groundwater Conservation District Board of Directors met in a Public Hearing & Meeting and was called to order by the President, Holly Fults, at 6:02 p.m.

The initial quorum call was answered as follows: Holly Fults, President; Linda Kaye Rogers, Vice President; John Worrall, Secretary/Treasurer; Doc Jones, Director.

A quorum was present.

Staff Present: Charlie Flatten, General Manager; Philip Webster, Hydrogeologist; Laura Thomas, Office Administrator; Keaton Hoelscher, Geo Technician.

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General Public Comment(s): Jimmy Skipton, Susan Cook.

Invited Comment: Greg Ellis.
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Announcements: None.

General Manager's Report:

- May 2021: 18 new well registrations, 11 new single-family public water supply connections.
- Update on Groundwater Management Area 9 (GMA 9).
- BRATWURST update: The Blanco River Aquifer Tool for Water and Understanding Resiliency and Sustainability Trends modeling project currently completing Task Order for County.
- Mirasol Springs: Staff inspected well sites and property on May 27.
- Horseshoe Ridge RV: Staff met with the development team on June 2.
- Website project: developer selection in process.

Status of Drought Briefing: Our drought triggers at:

- As of June 1, drought triggers at Pedernales River at Johnson City and the Blanco River at Wimberley are still running in drought stage. Staff recommends District remain in 20% Alarm Drought Stage.
- Jacobs Well Spring 10-Day average discharge rate as of May 31, 2021 is 3.74 cfs – move from 30% to 20% curtailment for the JWGMZ, by rule.
- After 5.8" of rain in May, the Palmer Hydrologic Drought Index (NOAA) is in a state of no **atmospheric** drought conditions for Hays County. NOAA 3-month weather forecast predicts a 33% chance that average rainfall rates will be similar and average temperatures will be higher than those typically observed.
- The District encourages a variety of groundwater conservation measures, including the cultivation of deep-rooted native grasses and robust rainwater storage systems.

Monitor Run and Science Update:

- May Monitoring Run: May 12 and 13. Most wells “stable” at historically low levels. Watching to see if and when May rains affect levels in next couple months’ runs.
- Combining Unit 3 mapping with flow measurements, water quality, and water level data to investigate the relationship between Barton Creek and the Trinity Aquifer.
- Regional Recharge Study Zone: workplan developed outlining projects and data collection plans.
- Investigating potential surface water contributions to the Trinity Aquifer throughout Goldenwood and neighboring areas.
- On May 14th, the District received notification of the ‘Howard Ranch Commercial Park’ project. The site is located south of the RR12 and FM 150 intersection. It is described as a commercial subdivision that includes condominiums. The District is currently working on its response to the TCEQ for this project.
- On May 21st, the District was notified of the ‘Parten Ranch Phase 4’ project, located at Nutty Brown Road and FM 1826. The project includes construction of a 73-acre single family development with impervious cover and utilities. The District sent response to the TCEQ on June 1st.

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Consent Items

- 1. Approval of May 2021 Bank Reconciliations & Monthly Invoices**
- 2. Approval of April 2021 Financial Reports, Balance Sheets and, Budget to Actual Report**
- 3. Approval of May 6, 2021 Board Meeting Minutes**

After brief discussion, the following motions were made:

VP Rogers moved to approve Consent Items 1 through 3. Director Jones seconded.

The motion prevailed by the following vote:

Aye: Doc Jones, Holly Fults, Linda Kaye Rogers, , John Worrall,

Nay: None

Absent: Toby Shelton.

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Public Hearing

6:20 PM Public Hearing Open

4. Groundwater Management Area 9 (GMA-9) Proposed Desired Future Conditions and Proposed Non- Relevant Aquifer Classifications.

Public Comment: Vanessa Puig-Williams, Jimmy Skipton, Susan Cook.

GM Flatten gave a description of GMA-9 DFC planning process and next steps. President Fults noted that written comments are accepted through June 30, 2021. Public comments made during this hearing as well as written comments received at the District office will be provided to the GMA-9.

6:52 PM Public Hearing Closed

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Discussion and Possible Action

- 5. (clerical error: there was no item 5 on the posted agenda)**

6. Adjustment of NOAV (Notice of Alleged Violation) assessments:

Notices of Alleged Violations were sent to all HTGCD permittees who produced more groundwater than agreed to in their Operating Permits. Three permittees were to attend the board meeting to reach an agreement on settlement terms.

After Board and staff discussion with representatives from Fall Creek Vineyards, the following motion was made.

VP Rogers moved to table action on the Fall Creek Vineyards NOAV until after a time when staff and Fall Creek develop a plan going forward to address causes of overages and improve compliance. Director Jones seconded.

The motion prevailed by the following vote:
Aye: Doc Jones, Holly Fults, Linda Kaye Rogers
Nay: John Worrall
Absent: Toby Shelton.

In the absence of representatives from Serenity Farmhouse Inn, and in the interest of gathering additional information on the nature of the overages, the following motion was made:

VP Rogers moved to table discussion of the Serenity Farmhouse Inn NOAV until the July 1, 2021 Board meeting. Director Jones seconded.

The motion prevailed by the following vote:
Aye: Doc Jones, Holly Fults, Linda Kaye Rogers, John Worrall
Nay: None
Absent: Toby Shelton.

After reviewing receipts submitted by mail from representatives of Creek Road Ranch and following Board and staff discussion, the following motion was made:

Treasurer/Secretary Worrall moved to credit the invoice to Creek Road Ranch for their invoice #1441 showing line leak repairs in the amount of \$170.59. Director Jones seconded.

The motion prevailed by the following vote:
Aye: Doc Jones, Holly Fults, Linda Kaye Rogers, John Worrall
Nay: None
Absent: Toby Shelton.

7. Authorization to file suit: NOAV non-responding permittee:

Item 7 was not taken up by the board.

8. Standstill Agreement with DSWSC (Dripping Springs Water Supply Corp.) status report:

In Director Shelton’s absence, President Fults delivered his message that although there had not been a formal meeting with DSWSC on the Agreement, which expired June 1, 2021, he had multiple discussions with some members of the Board and President Mark Key who expressed no desire to extend the agreement deadline and that President Key does not see a benefit to a lawsuit.

Executive Session

At 8:59 pm, on Direction of the President and Pursuant to Texas Government Code Chapter 551, including Section 551.071 and 551.074, the Board, Attorney Greg Ellis, and GM Flatten moved into Executive Session to discuss Agenda Item #8.: Standstill Agreement with DSWSC status report.

No Action was taken.

10:04 p.m.: Reconvened from Executive Session.

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Discussion Only

9. Legislative update: With the close of the 87th Texas Legislature on May 31, Greg Ellis, Lawyer and Gov't Relations for the District, gave his final legislative update of the session. He noted that no major and few minor groundwater bills passed. He noted few changes to the Texas Open Meetings Act and Public Information Acts. He mentioned the Governor's intention to call at least one Special Session of the Legislature to address Redistricting and other matters. Census Data is due no later than September 30.

10. Future Board Meeting venues : With the expected end of the Governor's Orders suspending portions of the Open Meetings Act pertaining to in-person meetings and the expected resumption of in-person meetings, Board and Staff discussed possible locations for future in-person Board meetings. Director Worrall asked Board to consider beginning meetings at 5pm in an effort for Board Meetings to end by 8pm. The Board expressed their desire for meetings to occur in Dripping Springs and Wimberley areas as equally as possible given location availability.

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Future Agenda Items:

President Fults requests discussion item about potential Board Meeting venues. State Climatologist John Nielson-Gammon will be the July 2021 Water Wise presentation. Strike "Potential new rules based on pending legislation and stakeholder group formation" from future agenda. Add any tabled NOAV items to next agenda. VP Rogers requests: to add additional discussion of Rule 16, Study Zone; to add discussion of Howard Ranch groundwater use due to community interest relayed to VP Rogers; to add discussing Redistricting help to next agenda.

Motion to Adjourn:

Director Jones moved to adjourn. Vice President Rogers seconded.
The motion prevailed by the following vote:
Aye: Doc Jones, John Worrall, Holly Fults, Linda Kaye Rogers,
Nay: None
Absent: Toby Shelton.

Meeting Adjourned, 10:25 p.m.
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Approved: Holly Fults 07/01/2021
Holly Fults
President

Approved: John Worrall 07/01/2021
John Worrall
Secretary/Treasurer