

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, Texas
Tuesday, March 5, 2013
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Tuesday, March 5, 2013 at the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

Board Members Present:

Leland Gersbach, President
Wallace Biskup, Vice President
Judy Parker, Secretary
Bill Bartlett, Director
David Cole, Director

Public Advisory Committee:

Henry Bunke
Bradley Ware
Bill Schumann

Staff:

Dirk Aaron
Shelly Chapman
Todd Strait

Guest:

Tim Brown (Bell County)
Pete Dilillo

Workshop was convened with Board President, Leland Gersbach, at 1:30p.m.

Workshop:

General Manager, Dirk Aaron, mentioned that Mike Gershon was running late and asked for Board approval to begin with Workshop item #4. Board was agreeable.

4. Presentation by Staff on Website and Web Maps.

Education Coordinator, Todd Strait, presented and demonstrated the layout of the new Website and Web Maps to the Board, PAC, and Guests present at the meeting. Todd also fielded questions regarding the Website and Web Maps.

1. Discuss the issues and status of the potential listing of the Salado Salamander.

Attorney, Mike Gershon stated that the deadline for written comments to U.S. Fish & Wildlife Services (USFWS) is March 11th. The District does plan to submit comments. Mike is working with Tim Brown on two issues: 1.) should the Salamander be listed? 2.) should there be a critical habitat designation? Mike mentioned the reason USFWS designates a critical habitat is to provide extra protection for the survival of the species. USFWS is concerned that the way land is used and developed could impact water quality and recharge which in turn will affect the species. Mike stated that it is his legal opinion that USFWS will designate the Salamanders as "endangered" unless political pressure is put on USFWS. Tim Brown commented that political pressure would only delay the listing, not get rid of it. USFWS will be looking at the science to make the designation. Dirk Aaron has put together some maps of the springs. Dirk, Mike, and Tim are working together to try and cut out some of the designated areas for critical habitat. USFWS has asked to meet with CUWCD to discuss and gain a better understanding of the District's gauging system. They want to know the reliability and accuracy of the system, how we measure, when we measure, and where we measure. Mike commented that as long as the orifice of the springs remains moist, that provides suitable habitat for the salamander. Dirk commented that in the letter to USFWS the District will defend on behalf of the Stakeholders CUWCD's gauging system and the Board's decision to move forward with USGS. Proposed date of the final listing is August 22, 2013.

2. Discuss potential amendments to the current Edwards (BFZ) Drought Management Plan.

Mike Gershon discussed different approaches of the Edwards Aquifer Authority and Barton Springs Edwards Aquifer Conservation District. EAA has changed its program several times. Mike has worked with several districts at improving the effectiveness of their drought programs. He gave examples of a few of those options. The goal of the plan should be to establish what needs to be done when we see

spring levels and aquifer levels beginning to decline. How do we stop the decline? Mike stated that the best program for CUWCD would be similar to the Barton Springs program. He listed the similarities of the Barton Springs district with CUWCD. Mike gave examples of drought stages and restrictions that might be considered. He stated that the District needs to look at weather patterns as well. It is important to bring in the Permit Holders and Stakeholders that will be affected by the plan and seek input and ideas from them. Leland inquired about the next step. How does the District proceed at this point? Dirk commented that we need to go ahead and bring the stakeholders in for a table top discussion to educate them and get “buy-in” from them.

3. Discuss Legislative issues.

Dirk Aaron updated the Board on the Legislative issues of this session. He gave the Board a list of high priority bills that are currently being discussed.

Workshop closed and Board Meeting convened with Board President, Leland Gersbach, at 4:10 p.m.

1. Invocation and Pledge of Allegiance:

Vice President, Wallace Biskup, gave the invocation.
Director, Bill Bartlett, lead the Pledge of Allegiance.

2. Public Comment.²

None

3. Approve minutes of the February 12, 2013 Board Meeting and Workshop.

Vice President, Wallace Biskup, moved to accept the minutes as they stand. Director, David Cole, seconded the motion. **Motion carried 5-0.**

4. Discuss, consider and take action if necessary to accept the monthly financial report as presented.

Dirk Aaron brought to the Board’s attention changes made to the Balance Sheet and that account numbers were added to the Chart of Accounts based on the suggestions and recommendations of the Auditor. Dirk also mentioned that the Financials are an action item on the agenda and, therefore, become a matter of public record and will be posted on the website in accordance with the Public Information Act.

Secretary, Judy Parker, moved to accept the monthly Financial Report as presented. Director, Bill Bartlett, seconded the motion. **Motion carried 5-0**

5. Discuss, consider and take appropriate action if necessary on the request for extension of the following drilling permit.

a. D-10-004 for Armstrong Water Supply Corporation (N2-10-001P).

Dirk Aaron informed the Board that the District received a letter from Glenda Liles with Armstrong WSC requesting an extension to their drilling permit. The drilling permit for Armstrong Water Supply Corporation (WSC) was approved by the Board on July 20, 2010; seven extensions have been granted moving the expiration date to March 5, 2013.

Armstrong WSC’s environmental study was approved by the Texas Parks and Wildlife Department. They have been working with the US Department of Agriculture—Rural Development for a loan and anticipated funds are available to Armstrong WSC from CoBank (the Commitment) to provide them with credit for facilities outlined in the cover letter presented in November to Clearwater UWCD Board. Glenda Liles, Office Manager, had provided a cover letter in November saying that the funds were procured from CoBank to drill the new well and also three new pump stations.

She has sent the District a letter (February 21, 2013) stating that Armstrong signed a contract with the engineering firm of Tabor & Associates in Waco. Dirk Aaron contacted them for an opportunity to discuss the drilling requirements, pumping test and the Hydrogeologic Report requirements. Mr. Johnny

Tabor received basic information from Dirk via email on 2/28/13. According to Mr. Tabor they have contracted with C. Miller Drilling, Gilmer Texas.

This well is to be drilled in the Hosston (Lower) formation of the Trinity aquifer. Dirk asked the Board to keep in mind that the drilling permit was originally approved for 483.90 acre feet.

(Dirk provided copies of the letter from Armstrong WSC and corresponding e-mails between himself, Glenda Liles, and Tabor & Associates for the Board to see.)

120 day extension is requested which will move the expiration date to July 3, 2013.

Dirk Aaron recommended that the Board approve drilling permit extension as requested.

Secretary, Judy Parker, moved to approve drilling permit extension as requested. Director, Bill Bartlett, seconded the motion. **Motion carried 5-0.**

6. *Discuss, consider and take appropriate action if necessary on agreement with Lloyd Gosselink to monitor Legislative activity.*

Mike Gershon stated that Brian Sledge is involved and actively engaged in drafting legislation. Brian is on top of the issues involving Water Districts. Mike recommends for Dirk to spend some time with Brian to discuss the issues. He will charge by the hour. CUWCD does have \$3000 budgeted to cover Legislative analysis. No action needed at this time.

7. *General Manager's Report concerning office management and staffing related to District Management Plan.*

Dirk has met with USGS. They are working on getting the gauge in this week.

Dirk has been working with Tim Brown on the agreement with the monitor wells with Bell County.

8. *Receive monthly report and possible consideration and Board action on the following:*

a. Salado Creek stream flow gauges

b. Education Outreach Update

c. Monitoring wells

d. Rainfall

e. Well registration

f. Non-exempt Monthly well production

Due to time constraints, copies of the Monthly Staff Reports were given to the Board Members to review. No action required. Informational items only.

9. *Public Advisory Committee comments.*³

Bill Schumann commented that the Staff and Board should take every opportunity to offensively address what CUWCD does to be proactive and take care of business when it comes to the endangered species or any other issues. Reaffirm the DFCs.

10. *Director comments.*³

Bill Bartlett thanked Tim Brown for his cooperation and help with the Salamander issues and Monitor Well agreements with Bell County.

Wallace Biskup thanked Bill Schumann for his commitment to CUWCD and the County.

Leland Gersbach thanked Judy Parker for all she does and is involved in on behalf of the Board.

11. *Discuss agenda items for next meeting.*


Possible drilling permit from Hilliard

12. Set time and place of next meeting.


April 9, 2013 @ 1:30

13. Adjourn.

Meeting adjourned by President, Leland Gersbach at 4:42 pm.


Leland Gersbach, President

ATTEST:


JUDY PARKER, Secretary
(A compact disc of this meeting is available upon request.)
