



Implementing Committee of the Edwards Aquifer Habitat Conservation Plan

Minutes of the November 21, 2013 Meeting

Located at the Edwards Aquifer Authority, San Antonio, Texas

1. **Call to Order.** The meeting was called to order at 9:09 a.m. A quorum was present for all purposes. All members of the Implementing Committee were represented. Darren Thompson was present for Chuck Ahrens.
2. **Public Comment.**
None
3. **Approval of minutes from October 17, 2013.**
Andrew Sansom moved to approve the minutes for October 17, 2013. Roland Ruiz seconded the motion. There were no objections; motion passed.
4. **Receive report from the Program Manager on general topics related to the implementation of the Habitat Conservation Plan and operation of the Implementing Committee.**

Mr. Nathan Pence announced new hire/HCP Administrative Assistant, Jeannette Flores. Mr. Pence handed out copies of Fish & Wildlife News Magazine provided by Kevin Connally of United States Fish and Wildlife Service with an article on EAHCP.

Mr. Pence updated the Committee that a contract with the City of Uvalde for the regional water conservation program had been executed and was underway. The City of Uvalde has hired a part-time Water Conservation Coordinator and; the first order of high-efficiency plumbing kits and toilets from Moore Supply has been made. Other Water Conservation Program items presented were updates on Universal City, the San Antonio Zoo, and Leon Valley.

Mr. Pence provided an update on the National Academy of Science contract approved by the EAA Board, stating that it is aggressive and fast moving process for 2014. Dr. Andrew Sansom questioned what he can do to assist in the process. Mr. Pence provide background documents, and informed the Committee that NAS will start requesting meetings with Implementing and Science Committees and request that they provide information as needed to them.

a. Update on the status of the ASR and VISPO programs**• ASR:**

Julia Velez (SARA) provided a handout and discussion about ASR Leasing terms/offering shorter terms. Nathan Pence commented on positive response from the public in regards to the shorter terms.

• VISPO:-No additional water**b. 2013 Budget Report through October 30, 2013**

- Nathan Pence commented that the reserve budget will fluctuate
- There were no questions or comments regarding the budget

c. Update on water quality sampling of storm event, October 31, 2013

- Rain Event 10/31/2013-EAA staff successfully sampled the San Marcos River. This was the 4th and last sample required by the HCP.

d. Receive report on USFWS revision of critical habitat for three EAHCP Covered Species: Comal Springs dryopid beetle, Comal Springs riffle beetle and Peck's cave amphipod

Nathan Pence met with Kevin Connally regarding new critical habitat criteria recently established by USFWS. The new criteria deal primarily with subterranean habitat and will not directly have an effect to the HCP Program. NEPA requires additional layers of reviews when federal dollars are spent; since the HCP program does not currently receive federal dollars there is no effect/impact. Mr. Steve Ramsey questioned subterranean depth/acreage and Nathan will research and provide information. Reference to (attachment 5/Federal Register)

e. Receive report on EAA Budget and 2014 HCP Funding Applications approval

November 12th Board Approved Funding Applications for a total budget of \$20,468,000. The Board also approved inter-local contracts for New Braunfels and San Marcos. Nathan Pence discussed San Marcos, Texas State, City of New Braunfels reimbursements and informed the Committee that the contract will self-execute with funding apps (7 years). Steve Ramsey announced, with regards to the Funding agreements, that New Braunfels Council will hold workshop. Ann Gabriel questioned current adopted budget/rates and requested clarification. Roland Ruiz confirmed rates.

5. Receive report on current aquifer conditions, spring flow levels, and related activities.

Nathan Pence discussed the Rain Event on October 31, 2013. Todd Votteler provided flows for the Blanco River 20 cfs to 100,000 cfs. Nathan Pence shared a Power Point Presentation on high water event on October 31st in New Braunfels and San Marcos (Attachment 6) provided by Bob

Hall, (EAA) and also said that it was unfortunate that the rain did not fall into the recharge zone. PowerPoint/photos provided:

Tom Taggart shared that the San Marcos Daily had an aerial picture of Spring Lake with Sink Creek arm showing chocolate colored water flowing in comparison to clear springs and requested that Committee keep the photo from San Marcos Daily in archives.

6. Receive update on Annual Report – Outline and Timeline

Nathan Pence announced significant progress and on the annual report: there was an internal meeting, also SWCA (Christine, Crystal, and Jenna in attendance) will provide format/drafting/executive summary, and they have provided the majority of the information required. SWCA provided comment pages and SWCA will compile and incorporate them. Mr. Tom Taggart requested that a section for financial performance to date should also be included. Nathan Pence said if this is not included it will now be included. Nathan Pence stressed that the final drafts are due on December 22, 2013. Daren Thompson questioned the December 22, 2013 date and availability to provide updates. Nathan Pence reassured updates will be possible.

Nathan Pence asked if there were questions, there were none.

7. Consideration of and possible action on the DRAFT Operational Procedures and Parliamentary Rules of Conduct of the Implementing Committee.

Darcy Frownfelter explained all redlined items. Darren Thomson requested a copy. Andrew Sansom moved to approve Operational Procedures and Rules of Conduct. Tom Taggart seconded the motion. There were no objections; the motion passed.

8. Discussion and possible action accepting an Informational Memo from USFWS to the EAHCP Implementing Committee about Refugia commitments and responsibilities.

Tom Taggart reminded Committee of the "No surprises clause" provided on all correspondence as well as Appendix to contract. Roland Ruiz informed the Committees that the Refugia memo would be incorporated into the Refugia Contract as an appendix. (EAA & F&WS)

Tom Taggart moved to approve Informational Memo. Roland Ruiz seconded the motion. There were no objections; the motion passed.

9. Consideration of Informational Memo to be submitted to USFWS related to Amendment #1 of the Funding and Management Agreement and possible action approving the Program Manager to submit the Informational Memo to USFWS.

Nathan Pence commented that USFWS will be informed of the amendment of the Funding and Management Agreement. Steve Ramsey moved to submit the memo to USFWS. Andrew Sansom seconded the motion. There were no objections; the motion passed.

10. Discuss and take possible action approving modified designs to the City of New Braunfels Bank Stabilization project.

Steve Ramsey discussed the design process Tom Taggart recommended that the item be referred to the Science Committee; all members of the Committee agreed. Les Boyd (FREESE & NICHOLS) replied "yes" regarding presentation to Science Committee.

11. Public Comment.

None

12. Consider future meetings, dates, locations, and agendas.

A meeting of the Implementing Committee will be held on December 19, 2013, at the Edwards Aquifer Authority at 9:00am.

A joint meeting of the Implementing Committee, Stakeholder Committee, and Science Committee will be held on December 19, 2013, at the Edwards Aquifer Authority at 9:30am. A luncheon and presentation in honor of Dr. Gulley is planned.

Steve Ramsey requested that an update on and discussion of drought conditions be included on the agenda for a meeting in early 2014.

Meeting Adjourned at 10:44 a.m.

A handwritten signature in black ink, appearing to read "Steven Ramsey", written over a horizontal line. The signature is cursive and extends to the right of the line.

Steven Ramsey

Secretary of the Implementing Committee