



Implementing Committee of the Edwards Aquifer Habitat Conservation Plan

Minutes of the July 18, 2013 Meeting

Located at the Edwards Aquifer Authority, San Antonio, Texas

1. **Call to Order** – The meeting was called to order at 9:06 a.m. A quorum was present for all purposes. All members of the Implementing Committee were represented (Mike Abbott represented TX State University).
2. **Public Comment**
None.
3. **Approval of Minutes from the Implementing Committee meeting of June 18, 2013.** Mike Abbott made a motion to approve the minutes. Steve Ramsey seconded the motion. There were no objections; thus, the motion passed.
4. **Receive report from the Program Manager on topics related to the implementation of the Habitat Conservation Plan and operation of the Implementing Committee, including the following:**
 - Robert Gulley reported there has been no change in the VISPO program since June.
 - Julia Velez reported ASR leases total 4,310 acre-feet to-date.
 - Robert Gulley reported the Freeman Aquatic Building (FAB) Contract has been approved by the Edwards Aquifer Authority (EAA) Board of Directors, City of New Braunfels, City of San Marcos and Texas State University. Additionally he reported that the FAB contract would execute after SAWS Board approves the Amendment to 5.6.5 on August 13, 2013.
 - Robert Gulley reported the EAHCP Budget expenses through June 30, 2013 were included in the meeting packet.
 - Nathan Pence updated the Implementing Committee on EAA Conservation Measures.
 - Robert Gulley reported that RFP's for activities under the responsibility of the EAA will be issued within the next few weeks.
 - Nathan Pence distributed copies of Senate Resolution No. 526 and House of Representatives Resolution No. 1132 to the Implementing Committee. Both The Senate and The House of Representatives expressed their appreciation for all EAHCP's hard work over the past several years on this implementation program.
 - Robert Gulley reported that negotiations related to SAWS ASR contract have been completed. EAA will take it to the Aquifer Management Planning Committee on Tuesday, July 23, 2013 for their approval and to the EAA Board of Directors on Tuesday, August 13, 2013. Chuck Ahrens reported that SAWS will discuss ASR Contract at their Policy and Planning meeting on Monday, July 22, 2013 at 12:30 p.m.

- Nathan Pence reported the Science Committee considered the addition of caffeine in Water Quality sampling. They recommended using Passive Diffusion Samplers (PDS) to test for caffeine. It was later determined that caffeine sampling cannot be conducted using PDS. Caffeine is included in the RFP for Water Quality as a surface water sampling parameter.
- Robert Gulley reported that the USFWS' Austin Field Office is nominating the EARIP for the 2013 Secretary Partnership in Conservation Award.

5. Nomination and Election of 2013 Officers of the Implementing Committee.

Chuck Ahrens made a motion to keep current officers: Tom Taggart as Chair, Roland Ruiz as Vice-Chair and William Nance as Secretary. Mike Abbott seconded the motion.

There were no objections; thus, the motion passed.

6. Presentation on the 2013 Water Quality monitoring report results to-date.

Nathan Pence reported that surface water sampling was conducted in San Marcos and Comal back in mid-April. There was an exceedance in the City of New Braunfels for e-coli Bacteria; the EAHCP staff is working with the City of New Braunfels to help address this exceedance. The second round of surface water sampling will occur in August or September 2013. Sediment sampling took place in June and results from those samples should be available soon. Storm water sampling occurred in the Comal River on Monday, July 15, 2013. Results from the sampling will be presented as they become available. The EAA will conduct storm water sampling in San Marcos as conditions allow.

7. Presentation and take possible action on remaining City of New Braunfels 2014 Work Plans.

Zac Martin presented on the 2014 City of New Braunfels Work Plans that were not included in their previous 2014 Work Plan presentation to the Implementing Committee. Chuck Ahrens made a motion to approve the remaining City of New Braunfels Work Plan's for 2014 as long as the City of New Braunfels will commit to presenting their MS4 permit to the Implementing Committee prior to funding any related activities for LID/BMP, to ensure EAHCP funded programs are strictly related to the HCP. Tom Taggart seconded the motion. There were no objections; thus, the motion passed.

8. Receive report and take possible action on the Science Committee's recommendation to the Implementing Committee regarding Bank Stabilization design plans for the City of New Braunfels.

Freese and Nichols presented their recommendation for Bank Stabilization for the City of New Braunfels. The same presentation was given to the Science Committee on July 15, 2013. The Science Committee had two concerns: 1) There was no literature review of previous success stories, and 2). Concern that resulting changes in hydraulics would change the stream morphology. Freese and Nichols addressed the Science Committees concerns by providing literature and explaining the hydraulic study already performed. Tom Taggart made a motion to approve Bank Stabilization for the City of New Braunfels. Steve Ramsey seconded the motion. There were no objections; thus, the motion passed.

9. Receive report and take possible action on decision on the use of facilities for the Refugia Program.

The Implementing Committee requested that the Program Manager seek a clarification from FWS regarding funding the Refugia Program. The clarification should identify that the Permittees are in compliance with the EAHCP and Incidental Take Permit as long as they provide the funding described in 7.1 of the HCP to FWS. Tom Taggart made a motion to approve the use of all three USFWS facilities for the Refugia program at the level of funding identified in Table 7.1 of the HCP,

and acknowledging that this motion does not include funding for the re-use facility. He further authorized the Program Manager to explore private funding sources to fund the incorporation of the Zoo. Roland Ruiz seconded the motion. There were no objections; thus, the motion passed.

10. Receive report and take possible action on the inclusion of a re-use facility for Refugia activities at the San Marcos Aquatic Resource Center (SMARC).

Ken Ostrand presented the benefits of a functioning reuse system at SMARC. He explained that the reuse system is a back-up in the event of well pump failure. After much discussion the Implementing Committee agreed there are benefits and potentially a need for a reuse system; however, they will not authorize the use of HCP funds for the re-use building at this time. It encouraged USFWS to come back with solutions on how to fund this facility other than through HCP funds.

11. Receive report on alternatives to using the National Research Council (NRC) to setup and manage the Scientific Research Panel.

Robert Gulley reported on possible alternatives to the National Research Council. Alternatives are limited and there were none found that carry the reputation or acceptance of the National Academy of Sciences. The Implementing Committee determined that the National Research Council as the best option to use for setting up and managing the Scientific Review Panel for the EAHCP.

12. Receive report and take possible action on the Contractor for the Science Review Panel.

Nathan Pence presented the National Research Council (NRC) proposal. The Implementing Committee discussed looking into cost savings during the proposed contract term with the NRC. Tom Taggart made a motion to authorize the Program Manager and the Edwards Aquifer Authority to negotiate Terms of the NRC Contract regarding the proposed budget. Roland Ruiz seconded the motion. There were no objections; thus, the motion passed.

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

- Next Implementing Committee Meeting is scheduled for August 15, 2013 at 9:00 a.m. located at the New Braunfels Civic Center in New Braunfels, TX.
- Agenda will include:
 - Consider and take possible action on Administrative Amendments
 - Educational initiatives report

Meeting Adjourned at 12:41 p.m.

Tom Taggart

Chair of Implementing Committee