



**MEETING MINUTES**  
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**Thursday, August 21, 2014, 1:00 p.m., at the New Braunfels Civic Center**

1. **Call to order - Establish that all Committee members are present or represented-1:04 p.m.**  
In attendance were: Tom Taggart (Chair), City of San Marcos; Chuck Ahrens, San Antonio Water System, Juan Guerra represented Texas State University for Andy Samson; Steve Ramsey, City of New Braunfels; Roland Ruiz, Edwards Aquifer Authority; and Todd Votteler, Guadalupe-Blanco River Authority.
2. **Public Comment.**  
No comment.
3. **Approval of minutes from the June 19, 2014 Implementing Committee meeting.**  
Chuck Ahrens moved to approve the June 19, 2014 minutes. Roland Ruiz seconded. There were no objections.
4. **Receive report from the Program Manager on general topics related to the implementation of the Edwards Aquifer Habitat Conservation Plan (EAHCP) and operation of the Implementing Committee.**  
Nathan Pence, Program Manager, began with an update describing how EAA is in the process of modeling the benefits of the Edwards Aquifer Habitat Conservation Plan. EAA will present to the Implementing Committee the results of the model as soon as possible.
  - **River and Index Well Levels.**  
Nathan Pence provided the Implementing Committee with current aquifer levels and springflow conditions. There was no discussion.
  - **J-17 Forecast.**  
Nathan Pence briefly presented EAA's forecast for the remainder of 2014 for the J-17 San Antonio pool index well. Three forecasts were presented. There was no discussion.
  - **Aquifer Storage and Recovery (ASR) and Voluntary Irrigation Suspension Program Option (VISPO) updates.**  
EAA staff, Rick Illgner, gave an update on VISPO and presented a positive outlook on 2014 enrollment. Julia Velez, from San Antonio River Authority presented the updated ASR acquisition numbers.

- **June and July Expense Report.**  
EAA staff, Shelly Hendrix presented the EAHCP June and July expense reports. There was no discussion.
- **EAHCP Reserve Projection.**  
Shelly Hendrix also gave a presentation on the EAHCP budget reserve projection. Her report included what it would look like if the trigger<sup>1</sup> for the VISPO Implementation payments is or is not reached.
- **Refugia Research update.**  
Nathan Pence presented an update on what is currently underway in the Request for Proposals (RFP) process for Refugia Research. Mr. Pence discussed the importance of the program to stay in compliance with the Incidental Take Permit (ITP). Roland Ruiz discussed the current request from the Texas Attorney General on an opinion on EAA's contract with U.S. Fish and Wildlife Service (USFWS) on Refugia.
- **Tour of spring systems.**  
Nathan Pence discussed the idea of a tour of the spring systems for all committees on September 18 – the next scheduled meeting of the Implementing Committee meeting. The Committee expressed a general consensus on the benefit of a systems tour, but was hesitant to replace a September meeting if current springflow conditions continue. The Committee agreed to an abbreviated official agenda on September 18 following the systems tour.

**5. Presentation and discussion pertaining to Provision M of the Incidental Take Permit (ITP) by USFWS.**

Kevin Connally, of the USFWS, gave a presentation on the details and rationale behind the threshold springflows defined in Condition M of the Incidental Take Permit. Condition M was meant to reduce the harm to the species during low springflow conditions. He stated the condition was never meant to be a “whole-sale” stop of all activities. For example the removal of vegetation mats on the surface of Texas Wild Rice, should not stop because this activity provides a benefit to the species at all flows. He stated a clarification can be constructed to identify the proper interpretation of what activities can continue at reduced springflows.

**6. Discussion and possible action pertaining to Provision M.**

Mr. Pence identified the committee could direct him to coordinate with USFWS to construct language for a clarification of Condition/Provision M to be presented and approved by the Implementing Committee before submitted.

Steve Ramsey moved to direct Nathan Pence to coordinate with USFWS in constructing a clarification letter on Provision M of the ITP. Juan Guerra seconded. There were no objections.

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<sup>1</sup> If the water level at the J-17 index well in San Antonio is at or below 635 feet on October 1, EAA will notify VISPO program participants to suspend the use of the enrolled water for the following year, resulting in EAA's payment to participants for their temporary suspension of pumping.

**7. Presentation of the Stakeholder Committee ASR/VISPO Work Group recommendations and possible action to approve suite of recommendations provided to be considered and implemented by the EAA.**

Myron Hess, chair of the Stakeholder Committee ASR/VISPO Work Group, presented the Work Group's Recommendations Report which had been approved by the Stakeholder Committee for recommendation to the Implementing Committee.

The Implementing Committee discussed the EAA conducting further investigation of all recommendations represented in the Work Group's report and coordinating with SAWS to analyze specific details when necessary. The Committee further discussed that when proper investigation and analysis is complete, EAA will present to the Implementing Committee, the final recommendations with implementation details, including market analysis, via a Work Plan, budget, or informational report. Tom Taggart suggested some of the recommendations be brought back to the Implementing Committee sooner rather than later.

The Implementing Committee decided to make approval for each recommendation one- by- one:

- *ASR Recommendation #1: July-November Lease Option – when SAWS is in Recovery.* Committee approved for further investigation. There were no objections.
- *ASR Recommendation #2: July-November Lease Option – when SAWS is Injecting.* Committee approved for further investigation. There were no objections.
- *ASR Recommendation #3: Pooling Un-Pumped Withdrawal Rights.* Committee approved for further investigation. There were no objections.
- *ASR Recommendation #4: Long term Lease Escalator.* Committee approved for further investigation. There were no objections.  
The Committee discussed the intent of this recommendation was to provide a more attractive leasing option for ground water rights holders. The Committee discussed the option of raising payment rates to allow flexibility with the market rather than locking the program in an automatic price escalator.
- *ASR Recommendation #5: Implementation of Additional Tiers Beyond Tier 1.* Committee approved for further investigation. There were no objections
- *ASR Recommendation #6: Compensation Alternatives and Tax Deductions.* Committee approved for further investigation. There were no objections.
- *VISPO Recommendation #1: Distribution of a VISPO Marketing Message.* Committee approved with no further investigation needed. There were no objections.
- *VISPO Recommendation #2: Extend VISPO Enrollment Past October 1, if VISPO Triggers.* Committee approved for further investigation. There were no objections.
- *VISPO Recommendation #3: Compensation Alternatives and Tax Deductions.* Committee approved for further investigation. There were no objections.

**8. Presentation from the Science Committee Nomination Work Group for possible action to approve the recommended candidate for the Science Committee.**

Tyson Broad, Science Committee Nomination Work Group member, presented the Work Group's recommendation of Dr. Conrad Lamon as the replacement for the ecological modeling specialist for the EAHCP Science Committee. Roland Ruiz motioned approval of the Work Group's recommendation. Chuck Ahrens seconded. There were no objections.

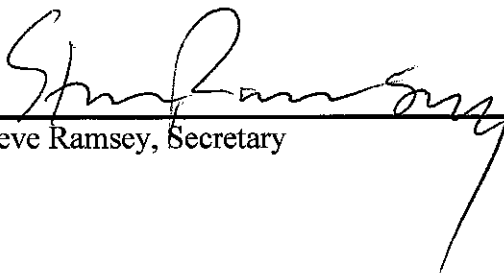
**9. Consider future meetings, dates, locations, and agendas.**

The next Implementing Committee Meeting is scheduled for Thursday, September 18 at Landa Haus after the tour of the spring systems. Possible agenda items include the 2015 meeting dates and Provision M clarification. Additionally, Nathan Pence mentioned the upcoming National Academy of Sciences report and it will be analyzed and developed.

**10. Questions from the public.**

Dianne Wassenich mentioned to the Implementing Committee about the consideration of constructing a Regional Water Conservation Program Work Group.

**11. Adjourn- 2:28 p.m.**



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Steve Ramsey, Secretary