

ATTACHMENT 2

Minutes
Science Subcommittee Work Group Meeting
Edwards Aquifer Authority
Thursday, January, 22, 2009
1:30 PM

The following members of the Work Group were present: Weir Labatt, Calvin Finch, Dianne Wassenich, Con Mims, Jim Bower and Kirk Patterson. Dan Laroe did not attend. Colette Barron and Myron Hess participated by telephone. Steven Bereyso, Carol Patterson, Patrick Shriver, Todd Votteler, Susan Aragon-Long, and Robert Gulley also attended in person.

A quorum was deemed present for all purposes of the Subcommittee.

The Work Group discussed a memorandum from the Science Subcommittee (“SSC”) addressing the questions posed by the Work group in December regarding (1) the appropriate composition of the Subcommittee for the “j” charges with respect to the mix of hydrologists and biologists; and (2) how many of the current members would be willing, if asked, to serve on the Subcommittee to consider the “j” charges. A copy of that memorandum is attached as Exhibit A.

As part of that discussion, the Work Group again considered the issue of whether it would recommend paying USGS to allow Ms. Aragon-Long to continue to chair the Subcommittee. By consensus the Work Group agreed again that the Chair or any member of the SSC should not be paid by the EARIP. The Work Group then considered what process it should recommend for selecting a new chair, the composition of the SSC for the “j” charges, and the process for replacing Ms. Aragon-Long and, if necessary, others on the SSC.

After lengthy discussion, the Work Group reached consensus of the following recommendation to the Steering Committee and EARIP.

- (1) If acceptable conditions can be negotiated, Susan Aragon-Long should be retained by the EARIP as a project administrator/facilitator for the Science Subcommittee based on a fixed number of hours/month. Any time that was not needed for work on the Science Subcommittee could be used to assist other Subcommittees such as the Recharge Facility Feasibility Subcommittee.
- (2) Robert Mace should be approved to serve as the new Chair for the Science Subcommittee.
- (3) Charles Kreitler should be appointed to serve as a voting member of the Science Subcommittee.
- (4) The Subcommittee would be given the express language of Senate Bill 3, Article 12, § 1.26A (j) as its charge with an invitation to the Subcommittee to request approval of any elaboration or clarification of that charge from the EARIP.

Robert Gulley was directed to determine if an arrangement could be worked out with USGS for Ms. Aragon-Long's services and to prepare a recommendation for how to pay for those services. Ms Aragon Long was asked to determine if the Science Subcommittee disagreed with proposed recommendations (2) and (3).

Subject to Dr. Gulley's ability to negotiate an arrangement with USGS and so long as the members of the did not disagree with recommendations 2 and 3, the Work Group agreed to make the four recommendations to the Steering Committee and EARIP at the Joint Meeting on February 12, 2009. A copy of the agreed to recommendation is attached as Exhibit B. The Work Group will submit additional recommendations on the peer review process and the work of the Science Subcommittee at the March EARIP meeting.

The meeting adjourned at 2:45 pm.

January 20, 2009

TO: Robert Gulley

FROM: EARIP Science Subcommittee

In regards to the two questions recently posed to the Science Subcommittee, our response is as follows:

(1) Composition of the EARIP Science Subcommittee for the J charge: The consensus of the Science Subcommittee members is that the current composition of the group is adequate to tackle the J charge. In addition, the existing Science Subcommittee members have established an effective and productive working relationship, and we feel that it would be a setback to disrupt the dynamics of the group. We do recognize, however, the importance of utilizing technical experts outside of our committee as in certain instances a particular area of expertise may be under represented or lacking. This is similar to the approach that was utilized for the K charge.

(2) If asked to do so, are you willing to continue to serve on the Science Subcommittee: All members are willing to continue to serve on the Science Subcommittee at the will of the EARIP Steering Committee, with the exception of the current Science Subcommittee chair, Susan Aragon-Long (USGS). Regretfully, the USGS does not have a process in place to allow a staff employee long term participation on committees and her participation will cease with completion of the K charge.

Aside from answering the questions that have been posed to us, there are two issues that we would like to bring to your attention. First, in addressing the J charge it's likely that we will require the assistance of modelers outside of our committee. Will that modeling assistance be provided by EAA or another participating agency, and how will obtaining this assistance be handled? Second, our committee feels strongly that in regards to the K charge, the facilitation/project management skills provided by our current chairperson played an important role in our success. As such, in order to maintain the momentum of our committee, we believe that it's critical to have someone identified within the next several weeks who can fulfill that same role for the J charge. Our preference would be to find a way to retain Susan Aragon-Long in this role.

ATTACHMENT 2 EXHIBIT B
INITIAL RECOMMENDATION OF THE SCIENCE SUBCOMMITTEE
WORK GROUP

The Science Subcommittee Work Group, after meetings on November 13 and December 11, 2008, and on January 22, 2009, reached consensus on and makes the following package of recommendations to the Steering Committee and EARIP with regard to the Science Subcommittee and its work on the charges in Senate Bill 3, Article 12, § 1.26A (j) with unanimous support for recommendations 3 and 4 below from the Science Subcommittee:

- (1) Effective March 15, 2009, Susan Aragon-Long should be removed as a member of the Science Subcommittee with the Steering Committee's and EARIP's gratitude for her extraordinary effort and exemplary service on the Science Subcommittee with respect to the "k" charges.
- (2) Susan Aragon-Long should be retained by the EARIP as a project administrator/facilitator for the Science Subcommittee based on a fixed number of hours/month. Any time that was not needed for work on the Science Subcommittee could be used to assist other Subcommittees such as the Recharge Facility Feasibility Subcommittee.
- (3) Robert Mace should be approved to serve as the new Chair for the Science Subcommittee.
- (4) Charles Kreidler should be appointed to serve as a voting member of the Science Subcommittee.
- (5) The Subcommittee should be given the express language of Senate Bill 3, Article 12, § 1.26A (j) as its charge with an invitation to the Subcommittee to request approval of any elaboration or clarification of that charge from the EARIP.
- (6) Dr. Gulley should be directed to authorize TAMU (or other funding agent) to enter into a joint funding agreement to pay USGS for up to 36 hours/month of Susan Aragon-Long's time at a rate of \$43/hour plus overhead and expenses of \$200/mo through December 31, 2009, to assist in project administration/facilitation for the Science Subcommittee and other Subcommittee's as needed within that time limitation; provided, however, the amount of the agreement cannot exceed \$17,480.
- (7) The Project Management Budget for 2009 should be amended to remove \$17,480 from the line item designated "Part Time Assistant" and to add \$17,480 to the "Science Subcommittee Expenses" line item from which the money can be used to pay for Ms. Aragon-Long's time.
- (8) Dr. Gulley should be directed to consult with the Science Subcommittee with respect to its need for modeling support for its work with regard to the "j" charges and to recommend to the Steering Committee and EARIP, no later than at the May 14, 2009 meeting, regarding how that support can be obtained.

The Science Subcommittee Work Group recommends approval of these recommendations as a package.

February 5, 2009

T. Weir Labatt
Chair