

**MINUTES**  
**For the Joint Meeting of the Steering Committee and Stakeholders Regarding**  
**the Edwards Aquifer Recovery Implementation Program**  
**Dunbar Recreation Center, San Marcos, Texas**  
**May 14, 2009, 10 am to 4 pm**

1. Administrative Matters

EARIP Secretary, Steve Raabe, called the roll of Steering Committee. A quorum was present for all purposes.

With respect to the agenda, Con Mims suggested that agenda item 12 be considered before item 3. There were no objections to the proposed agenda with this modification; thus, the agenda was approved as modified.

With respect to the minutes April 2009 Minutes, Con Mims noted that he did not second the motion to approve the minutes for that meeting (the second was by Carl Adkins). Calvin Finch made a motion to approve the minutes as amended. Tom Taggart seconded the motion. There were no objections; thus, the motion passed.

2. Report of the Funding Work Group

Jerry James discussed the EARIP's appropriation request for \$1.69 federal grant. He said that the Funding Work group was successful in getting the requested appropriation in both the Senate and House Bills. Gulley said that that an appropriation for "up to" \$1.69 million had been approved by the Conference Committee to come from the TWDB's Water Assistance Fund. The appropriation will be funded through the Texas Water Development Board. The "up to" language allows money that is not spent to be restored to the Water Assistance Fund.

Matt Nelson said that the Water Assistance Fund is used for several important TWDB programs, so it is important that the EARIP use the money only for things that are important. Gulley said that Dr. Neal Wilkins has agreed to limit the Indirect Costs for the appropriation to 5 percent. Gulley said that a budget and request for necessary money to fund the development of the program document will be submitted to TWDB this summer but that we cannot expect to receive the money until after the beginning of the fiscal year on September 1.

3. Recommendations of the Ecosystem Restoration Work group and possible decision on the charge and composition of the ecosystem Restoration Subcommittee.

Cindy Loeffler discussed the recommendation of the Ecosystem Restoration Work Group set out in Attachment 2 to the Agenda. Diane Wassenich made a motion to approve the recommendations and proposed charge. Cindy Loeffler seconded the motion. There were no

objections, thus, the motion passed. The Ecosystem Restoration Subcommittee will consider the issue of whether the Science Subcommittee should review a draft of the Restoration Subcommittee' report.

4. Recommendations of the RFQ Work group and possible decision on recipients on a RFP for an HCP contractor.

Mike Gonzales discussed the recommendations of the RFQ Work Group that included an extension of the charge of the Work Group and the draft Request for Proposal set out in Attachments 3 and 4 to the Agenda. Myron Hess suggested a revision to the draft RFP to make clear that the program documents were only "expected to include" the Incidental Take Permit, Habitat Conservation Plan and Environmental Impact Statement. Carol Patterson suggested that the recommendations be amended to clarify that the Work Group would only make recommendations regarding the selected contractor. Roger Biggers made a motion to approve the recommendations of the Work Group as to the selection process as modified by Carol Patterson's suggestion and to approve the issuance of an RFP that was substantially in the form presented in Attachment 4 with the modification proposed by Myron Hess. Carl Adkins seconded the motion. There were no objections, thus, the motion passed.

Steve Raabe made a motion to send the RFP to the five firms recommended by the Work group: Loomis, PBS&J, Recon, Smith Robertson, and SWCA. Buck Benson seconded the motion. There were no objections, thus, the motion passed.

Tom Taggart made a motion to extend the composition of the existing Work Group with the addition of Kerim Jacaman. Roger Biggers seconded the motion. There were no objections, thus, the motion passed.

5. Report and possible decision on the Program Operational Rules Work Group.

Myron Hess discussed the proposed changes to the Program Operational Rules. Calvin Finch made a motion to approve the proposed changes to the POR set out in Attachment 7 subject to editorial and formatting changes. Kirk Patterson seconded the motion. There were no objections, thus, the motion passed.

6. Possible decision to expand the charge of the Finance Work Group to assist and review the Program Manger's management of grants and appropriations.

Because of the prospect that the EARIP will be getting a substantial grant from FWS and a substantial appropriation from the Texas Legislature, Con Mims recommended expanding the charge of the Finance Work Group to allow it to oversee and to make recommendations to the EARIP regarding the management of these funds, including external audits of the funds. Calvin Finch suggested that the charge be expanded to include all funds not just the money related to the

grant and appropriation. He further suggested that the Program Manager give the accounting of operating funds on a monthly basis and non-operating funds on a quarterly basis. In addition, Con Mims suggested that Julie Norton, Matt Nelson and Rick Illgner be added to the existing Work Group.

Kirk Patterson made the motion to approve the expanded charges as modified and the additions to the Work Group membership. Bruce Alexander seconded the motion. There were no objections, thus, the motion passed. A copy of the approved motion is attached hereto as Attachment 1.

7. Discussion of the EARIP decision-making process.

Robert Gulley briefly discussed the issues that would have to be considered in developing the program document and the timeline for developing the decision-making process (Attachments 8 and 9). It was agreed that a more detailed discussion of the decision-making process should be put on the agenda for the next meeting.

8. Report on the San Marcos River Restoration Project and update on contingency measures.

Mara Alexander discussed the meeting of the San Marcos River Restoration Project held on May 12, 2009. She said that the next meeting will be on August 18<sup>th</sup> at Price Center in San Marcos.

9. Recommendations of the Facilitation Work Group and possible decision regarding those recommendations.

Velma Danielson discussed the recommendations of the Facilitation Work Group and the draft Request for Proposal.

With respect to the Work Group recommendation that the Steering Committee authorize the Program Manager to issue the draft RFP in substantially the form set out in Attachment 10, Kirk Patterson recommended that the RFP be edited to make clear that the Science Subcommittee had a broader responsibility with respect to the “j” charges than simply to make recommendations regarding withdrawal limitations issues.

Kirk Patterson made a motion to authorize the Program manager to issue the RFP in substantially the form set out in Attachment 12 with his proposed modification. Tom Taggart seconded the motion. There were no objections, thus, the motion passed.

Dianne Wassenich made a motion to accept recommendation #2 as set out in Attachment 10 to the Agenda regarding the expanded charge for the Work Group. Jim Bower seconded the motion. There were no objections, thus, the motion passed.

Kirk Patterson made a motion to accept recommendation #3 as set out in Attachment 10 to the Agenda regarding the SDM workshop. Cindy Loeffler seconded the motion. There were no objections, thus, the motion passed.

Kirk Patterson made a motion to accept recommendation # 4 on Attachment 10 that, subject to the availability of funds, Jean Cochrane be retained to advise and assist the facilitator on technical issues and Dr. Thomas Hardy be retained to advise the facilitator on technical issues. Roger Biggers seconded the motion. There were no objections, thus, the motion passed.

10. Report of the Recharge Facility Subcommittee.

Steve Raabe reported on the meeting of the Recharge Facility Subcommittee held on April 27, 2009.

11. Report of the Public Outreach Subcommittee.

Dianne Wassenich reported on the activities of the Public Outreach Subcommittee.

Following a brief discussion of the agenda for the next meeting on June 11, 2009, there being no further business, the meeting was adjourned at 2:03 p.m.

**ATTACHMENT 1 to the Minutes of the May 14, 2009 Joint Meeting of the Steering Committee and Stakeholders**

Charge and Composition of the Finance Work Group Adopted By Consensus at the May 14, 2009 Meeting of the Steering Committee

Composition of the Finance Work Group: The composition of the Finance Work Group shall consist of its current members, Annalisa Peace, Calvin Finch, Jerry James, Kirk Patterson, Steve Raabe, Tom Taggart, and Weir Labatt, and three new members, Rick Ilgner, Julie Norton, and Matt Nelson.

The Charge of the Finance Work Group: The charge of the Finance Work Group to “make recommendations regarding the budget for operating costs of the EARIP” is expanded to include:

1. Making recommendations to the EARIP, as necessary, regarding financial management, control, and accounting of all EARIP funds.
2. Receiving from the Program Manager and recommending to the EARIP an annual budget for all EARIP funds. Dr. Gulley will submit the first budget to the Work Group by June 15, 2009 and the Work Group will make a recommendation regarding that budget at the EARIP’s July meeting, or as soon thereafter as possible.
3. Receiving from the Program Manager and reporting to the EARIP, each quarter, beginning January 2010, a financial accounting of all receipts and expenses relating to the FWS and State appropriated funds and other non-operating, together with supporting documentation and a monthly financial accounting of all operational receipts and expenses.