

MINUTES

**For the Joint Meeting of the Steering Committee and Stakeholders Regarding
the Edwards Aquifer Recovery Implementation Program
New Braunfels Civic Center, New Braunfels, Texas
July 9, 2009, 10 am to 4 pm**

1. Administrative Matters

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

Con Mims suggested moving agenda item 5 immediately following lunch and inserting a non-posted report from the Science Subcommittee, right before lunch. There were no objections; thus, the proposed agenda for the meeting as amended was approved.

Dianne Wassenich made a motion to approve the minutes set out as Attachment 1 to the Agenda. Jerry James seconded the motion. There were no objections; thus, the motion passed.

Robert Gulley reported that he has spoken with Andy Winters the Program Manager for the Southern Edwards Plateau HCP (“SEP-HCP”) regarding setting up communication between the EARIP and the SEP-HCP. Gulley said that he would send the notice for the first SEP- HCP meeting out on the ListServ. He also reported that he and Weir Labatt met with Julian Castro, and the meeting was just to provide him information about the EARIP.

2. Development of the Program Document.

Jerry James made a motion that the program document developed by the EARIP include an Incidental Take Permit (“ITP”) Application, Habitat Conservation Plan and associated materials. Weir Labatt seconded the motion. It was clarified that by agreeing to the motion no one would be agreeing to be an applicant for the ITP or to execute the program document. After discussion, with this clarification, there were no objections to the motion; thus the motion passed.

3. Discussion and possible decision on amending the scope of work for the Hardy Study.

Gulley reported that Dr. Hardy would soon release his initial report. He said that the initial modeling runs will be based on field data regarding canopy coverage and bottom topography that have changed since the data were collected. Dr. Hardy said that he can finish the original scope of work along with the field work that will enable him to make subsequent model runs with the new data within the proposed budget for the original study. If the Steering Committee agreed to this additional scope, Gulley said that he would obtain a no-cost amendment to the TWDB contract. Roger Biggers made a motion to approve the amended scope and request approval of

the change from TWDB. Dianne Wassenich seconded the motion. There were no objections; thus the motion passed.

3. Report from Science Subcommittee.

Susan Aragon-Long reported the biologists came up with a preliminary flow regime and “ballpark” flow levels to protect the federally-listed species at the Comal and San Marcos Springs. The “ballpark” flow levels were developed to allow the hydrologists to test whether the existing models would have to be modified.

4. Report of the Facilitation Work Group

Velma Danielson reported that the Work Group received 10 proposals for the facilitator position. On June 30, 2009 the work group met and cut 3 candidates - Community Store, David Cohen, and Keystone Center. On July 8, 2009, the Work Group interviewed 6 of the 7 remaining candidates by phone. The seventh interview will take place July 17, 2009. Immediately thereafter, the group will develop a short-list of candidates to be interviewed by the Work Group on August 12, 2009. The EARIP is invited to attend the interviews and ask questions. At the EARIP meeting on August 13, 2009, the candidates will make a presentation to the EARIP. After those presentations, the Work Group will make its recommendation to the Steering Committee and EARIP.

5. Report of the Finance Work Group.

Weir Labatt reported on the review of the budget materials prepared by Robert Gulley for the Finance Work Group. He said that the budget and expenditures were fine except that (1) TAMU had used EARIP to pay Anna Munoz’s salary for January through June 2009 after she had stopped working for the EARIP and (2) that the \$4,300 which the EARIP had authorized to be paid to Robert Gulley to reimburse him for health insurance costs that he was paying for out-of-pocket has not been paid yet. The Finance Work Group said that the expenditure for Anna Munoz’s salary needs to be reimbursed. Dr. Gulley said that he believe the \$4,300 would be paid at the end of the TAMU fiscal year. Further, the Finance Work Group believes that Dr. Gulley needs to set up his own set of books in addition to those kept by TAMU.

Robert Gulley discussed the possibility of using some of the appropriation from the Legislature to fund additional studies to assist the decision-making process. Funding for such studies would have to be approved by TWDB. Gulley asked the Steering Committee to set up a work group to consider what additional studies may be appropriate. He asked that suggestions for studies to be considered by the work group be submitted by Friday, July 17, 2009. He suggested that the Additional Work Studies Group include: Matt Nelson, Calvin Finch, Todd Votteler, Rick Illgner, Cindy Loeffler, Tyson Broad, Jim Bower, Kirk Patterson, and Steve Raabe. Jerry James made a

motion to approve the work group and charge recommended by Dr. Gulley. Calvin Finch seconded the motion. There were no objections; thus the motion passed.

6. Report on FWS's efforts to revise the Recovery Plan.

Will Amy reported on the meeting of the Recovery Team on June 25-26, 2009. The Team will meet again on September 24-25, 2009.

7. Discussion of EARIP decision-making process.

The EARIP had a discussion regarding the upcoming decision-making process. Dr. Gulley facilitated the discussion

Robert Gulley said that the next meeting of the EARIP would be on August 13, 2009 at Guadalupe-Blanco River Authority. He said that Dr. Benjamin Tuggle, Regional Director of FWS Region 2 would attend that meeting. He said that the short-list of candidate facilitators selected by the Facilitation Work group would make presentations to the full EARIP and the work group will make a recommendation regarding selection of a facilitator. In addition, the RFQ work group will also make a recommendation regarding the HCP contractor.

There being no further business, Con Mims adjourned the meeting at 3:07 p.m.