

MINUTES

For the Joint Meeting of the Steering Committee and Stakeholders Regarding the Edwards Aquifer Recovery Implementation Program San Marcos Activity Center, San Marcos, Texas October 8, 2009, 10:00 a.m. to 4:00 p.m.

1. Administrative Matters.

The Chair, Con Mims, called the meeting to order. Secretary Steve Raabe called the roll of the Steering Committee. A quorum was present for all purposes.

With respect to the Agenda, Sam Helmle suggested moving agenda Item 5 (Additional Studies Work Group) after agenda Item 7 (Geographic scope). There were no objections to the suggestion; thus, the agenda was approved by consensus as amended.

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

Robert Gulley reminded everyone to send in their signed Implementing Agreements. He reminded the EARIP that a retreat to begin the decision-making process would be held on December 1-2, 2009 in Kerrville, Texas at the Y.O. Ranch Resort and Conference Center. The meeting will be from 10:00 a.m. – 6:00 p.m. on the 1st, and from 8:00 a.m. - 3:00 p.m. on the 2nd. If anyone has any questions, please contact Micaela Walker.

Collaborative Processes has proposed scheduling three additional retreats on January 25-25, February 16-17, and March 23-24, 2010. At the suggestion of the Chair, it was agreed to cancel the December monthly EARIP meeting in light of the scheduled December retreat.

Gulley said that a meeting had been set for December 3, 2009 with RECON, Thom Hardy, Tom Brandt, Jean Cochrane, and others to map the strategy to make sure FWS has the information they need for their biological opinion. A time and location has yet to be determined, but once established, will be posted on the listserv. It is open for everyone to attend.

2. Discussion and possible decision regarding the entering into a contract with RECON Environmental to serve as the Program Document Contractor.

Sam Helmle said that the HCP Contract Negotiations Work Group met prior to the EARIP meeting and that all members were present. The Work Group recommended approval of the RECON contract. Sam Helmle made a motion to approve the contract substantively as drafted, reserving Task 4 to be discussed later. Calvin Finch seconded the motion. There were no objections; thus, the motion passed.

3. Discussion and possible decision regarding the amended TWDB grant.

Robert Gulley has submitted to TWDB an amendment to the grant application to fund the five projects approved by the EARIP in September: the Hardy Study, BioWest IMA Study, and three FWS studies (Attachments 7-13 to the Agenda). He asked Steering Committee to approve the application so that the TWDB could act on it. Tom Taggart made a motion to approve the amended grant application (Attachment 6 to the Agenda). Velma Danielson seconded the motion. There were no objections; thus, the motion passed.

4. Discussion regarding the vacancy on the Science Subcommittee and possible decision on a new member.

Robert Gulley reminded the EARIP that the POR provides that any Subcommittee member that misses three consecutive meetings is deemed to have resigned. He said that Allan Dutton has missed at least three consecutive meetings of the Science Subcommittee and that, after consulting with Robert Mace, Chair of the Science Subcommittee, he notified Dutton that he was no longer a member of that Subcommittee. He said that the Science Subcommittee had recommended replacing Dr. Dutton with Shirley Wade from TWDB. Kirk Patterson made a motion to add Shirley Wade to the Science Subcommittee. Bruce Alexander seconded the motion. There were no objections; thus, the motion passed.

5. Facilitated discussion of threshold ESA issues.

The EARIP discussed the issue of geographic scope and the related issue of whether the whooping crane should be included as a covered species. It was agreed that a decision on geographic scope and the whooping crane should not be made at this time, but that RECON should be asked to collect the existing data on the whooping crane so that FWS could evaluate the data in preparing its biological opinion. Diane Wassenich made a motion to include Task 4 in the RECON contract that allowed the collection of such data. Weir Labatt seconded the motion. There were no objections; thus, the motion passed.

6. Discussion and possible decision on the recommendation of Additional Studies Work group.

Rick Illgner reported on the meetings of the Additional Studies Work Group (Attachment 14 to the Agenda). The Work Group reached consensus that Cheryl Gilpin's study on dinoflagellates not be approved. The Work Group did not reach consensus on the optimization study, the whooping crane study, and the gains losses study (Attachments 15-17 to the Agenda), but voted to recommend approval of the three studies.

Cheryl Gilpin reported on the dinoflagellates in the Comal River but did not ask the EARIP to approve her study. After extensive discussion, several attempts were made to reach an agreement on the package recommended by the Work Group and the individual projects, consensus was not reached. Robert Gulley and Con Mims recommended the creation of an Additional Studies Issues Team consisting of: Calvin Finch, Humberto Ramos, Bruce Alexander,

Velma Danielson, Todd Votteler, Steve Raabe, Dan Laroe, and Jerry James. Weir Labatt made the motion to accept the recommended Additional Studies Issues Team. Tom Taggart seconded the motion. There were no objections; thus, the motion passed.

7. Report on the Recovery Team Meeting.

Kevin Connally reported on the Recovery Team meeting on September 24, 2009.

8. Discussion regarding the agenda for the retreat on December 1-2, 2009 and the work plan for decision-making.

Collaborative Processes discussed its role in the decision-making process. Joe McMahon said that the decisional framework will be constructed at the November EARIP meeting for the December 2009 retreat.

There being no further business, Kirk Patterson made a motion to adjourn, Myron Hess seconded the motion. There being no objections, Chair Con Mims, adjourned the meeting at 3:35 p.m.