

Legislation Text

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Consider recommendation from EAA staff to settle Administrative Penalties issued under Section 1.37 of the EAA Act against Andrea Sanger for failing to file Annual Groundwater Use Reports with the EAA and failing to pay aquifer management fees.

STAFF RECOMMENDED MOTION:

Move the board approve the Order Settling Administrative Penalties for Failure to Timely File 2019 and 2020 Annual Use Reports and Timely Pay Aquifer Management Fees for 2017 - 2021.

SUMMARY:

The purpose of this agenda item is to settle unresolved compliance matters with Andrea Sanger ("the Respondent") regarding adherence to Administrative Penalty Orders issued in 2020 and 2021 regarding a failure to submit annual use reports and to resolve a failure to pay aquifer management fees.

For these matters, a settlement has been reached where the Respondent has agreed to place 2 acre-feet of her groundwater withdrawals rights into the EAA Groundwater Trust for two years in exchange for settling the unpaid administrative orders and unpaid aquifer management fees. Section 1.37 administrative penalty procedures. A copy of the order, prepared by EAA staff and counsel, is attached for the board's reference.

M/WBE PARTICIPATION:

This agenda item does not involve the procurement of goods or services by the EAA and, therefore, this section is not applicable.

STRATEGIC PLAN REFERENCE:

This agenda item does support the general EAA mission.

FISCAL IMPACT:

Revenue received through enforcement is dedicated to the Conservation / Aquifer Protection Fund. This revenue is used solely to fund projects expressly devoted to the protection and conservation of the Edwards Aquifer. No revenue derived from matters is used to fund the operating expenses or

capital purchases of the EAA.