

TEXAS STATE SOIL AND WATER CONSERVATION BOARD
Board Meeting Minutes
October 24, 2022, at 1:00 p.m.

The Board met at the above-stated time to consider and take appropriate action on the items listed below.

Board Members present:

Marty H. Graham, Chairman
David Basinger, Vice Chairman
Scott Buckles, Member
Jose Dodier, Jr., Member
Barry Mahler, Member
Tina Y. Buford, Governor Appointee
Carl Ray Polk, Jr., Governor Appointee

Staff Members present:

Rex Isom, Executive Director
Kenny Zajicek, Chief Operations & Fiscal Officer
John Foster, Policy Advisor & Intergovernmental Affairs
Steve Bednarz, Program Administrator & Engineer
Allen Nash, Engineer
Ellie Larson, Public Affairs Specialist
Tory Matthys, Human Resources Coordinator
Johnny Oswald, Program Administrator & Invasive Species Coordinator
Ricky Johnson, Program Specialist
Ben Wilde, Program Specialist
Kendria Ray, Program Specialist
Adrian Perez, Program Specialist
Joel Clark, Program Specialist
Trey Watson – Program Specialist
Charlie Upchurch, Program Specialist
T. J. Helton, Program Administrator
Jana Lloyd, Nonpoint Source Project Manager
Teresa Reese, Natural Resource Specialist
Karen Preece, Accountant

General Counsel:

Via Phone: Assistant Attorney General Veena Mohan, Office of the Attorney General

Others Present:

Kristy Oates, Natural Resources Conservation Service
Shawn Henderson, Natural Resources Conservation Service
Lori Ziehr, Natural Resources Conservation Service
Rob Ziehr, Natural Resources Conservation Service
Charles Knueper, Natural Resources Conservation Service
Rick Schilling, Association of Texas Soil and Water Conservation Districts
Kent Batman, Association of Texas Soil and Water Conservation Districts
Guillermo Benavides Z, Webb Soil and Water Conservation District

Cy Tongate, Pecan Bayou Soil and Water Conservation District
Anissa Purswell, Moore County Soil and Water Conservation District
Bill Gray, McClellan Creek Soil and Water Conservation District
Kelly Moody, Sulphur-Cypress Soil and Water Conservation District
Lacy Cotter Vardeman, Lubbock County Soil and Water Conservation District
Cal Marshall, Hamilton-Coryell Soil and Water Conservation District
Rick Foster, Collin County Soil and Water Conservation District
Josh Storm, Hays County Soil and Water Conservation District
John Tate, Lower Clear Fork of the Brazos Soil and Water Conservation District
Rooter Brite, Upper Elm-Rex Soil and Water Conservation District

AGENDA ITEM 1: Call to Order and Roll Call

Chairman Graham called the meeting to order at 1:00 and called roll of the Board Members. All members present.

AGENDA ITEM 2: Excuse Any Absent Board Members

There were no absences.

AGENDA ITEM 3: Public Comment

There were no public comments.

AGENDA ITEM 4: Overview and Update on the Programs and Activities of Federal, State and Local Governmental Entities

There were no governmental entity comments.

AGENDA ITEM 5: Overview and Update on the Programs and Activities of the United States Department of Agriculture-Natural Resource Conservation Service

Ms. Oates, Natural Resource Conservation Service, addressed the Board and reviewed the handout.

AGENDA ITEM 6: Overview and Update on the Programs and Activities of the Association of Texas Soil and Water Conservation Districts

Mr. Schilling, Association of Texas Soil and Water Conservation Districts, addressed the Board. Mr. Schilling commented on the August National Association of Conservation Districts Meeting, Ms. Daniel's attendance at a meeting in Minnesota, and the completion of two agreements with National Resource Conservation Service. Mr. Schilling presented an update on the 555 Program and stated that this would be his last Board Meeting as the Association of Texas Soil and Water Conservation District President. Mr. Schilling thanked the Board and staff for support.

AGENDA ITEM 7: Minutes from July 28, 2022 State Board Meeting

Ms. Preece previously emailed a copy of the minutes to Board Members for their review.

Chairman Graham called for a motion to approve the minutes of the July 28, 2022 Board Meeting.

Mr. Basinger moved for the approval of the minutes as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

AGENDA ITEM 8: Soil and Water Conservation District Director Appointments, including Schmidt, Hillis, Beavers, Luckett, Lindig, Havis, Fleming, Patranella:

Ms. Preece presented district director appointments for the Board's consideration and verified they were in order and met all qualifications.

Mr. Dodier moved for the approval of the following appointments as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

Brent Schmidt, Dawson County #124, Subdivision 4, Replace E. L. Hendon
William Shaw, Gray County #125, Subdivision 2, Replace James Shaw
George Don Hillis, Donley County #127, Subdivision 4, Replace Don Robinson
Brandon Beavers, Dallam #131, Subdivision 4, Replace Virginia Spielman
William "Bill" Luckett, Upper Pease #164, Subdivision 3, Replace Ronald Clay
Trent Lindig, Pedernales #218, Subdivision 3, Replace Lance Odiorne
Steve Havis, Polk-San Jacinto #436, Subdivision 3, Replace Josh David
C. David "Dave" Fleming, Panola #448, Subdivision 3, Replace Dean Hopkins
Michael Patranella, Brazos County #450, Subdivision 3, Replace Don Angonia, Jr.

AGENDA ITEM 9: Texas Nonpoint Source Management Program Status Report

Ms. Lloyd reviewed the agenda information and the handout.

AGENDA ITEM 10: Communication Strategy Status Report

Ms. Larson reviewed the agenda information.

AGENDA ITEM 11: Annual Financial Report

Mr. Zajicek reviewed the agenda information.

AGENDA ITEM 12: Sunset Advisory Commission Review

Mr. Foster reviewed the agenda information.

AGENDA ITEM 13: On-the-Ground Conservation Program Status Report

Mr. Foster reviewed the agenda information.

AGENDA ITEM 14: Intergovernmental Affairs Status Report

Mr. Foster reviewed the agenda information.

AGENDA ITEM 15: Agency Strategic Planning

Mr. Foster reviewed the agenda information. Discussion ensued.

AGENDA ITEM 16: Feral Swine Control Pilot Program Status Report

Mr. Foster reviewed the agenda information.

AGENDA ITEM 17: Water Quality Management Plan Program Status Report

Mr. Foster reviewed the agenda information.

AGENDA ITEM 18: Requests for Additional Cost-Share Incentive Funding for Water Quality Mgmt Plans in Accordance with Title 31 Texas Administrative Code, Chapter 523, Agriculture and Silviculture Quality Mgmt, Section 523.6(f)(4), Concerning Criteria for Waivers

Mr. Foster reviewed the agenda information and stated that there are no requests at this time.

AGENDA ITEM 19: Water Quality Management Plan Cost-Share Requests from the Allocation for Statewide Use

Mr. Foster reviewed the agenda information.

Mr. Dodier moved for the approval of the requests as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

AGENDA ITEM 20: Poultry Water Quality Management Plan Program Status Report

Mr. Foster reviewed the agenda information.

AGENDA ITEM 21: National Association of State Conservation Agencies Dues

Mr. Foster reviewed the agenda information.

Mr. Buckles moved to approve payment of annual dues in the amount of \$3,000. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 22: Subdivision Boundary Changes to Hockley County Soil and Water Conservation District #129

Mr. Foster reviewed the agenda information.

Mr. Mahler moved for the approval of the changes as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

AGENDA ITEM 23: Subdivision Boundary Changes to Upper Colorado Soil and Water Conservation District #115

Mr. Foster reviewed the agenda information.

Mr. Dodier moved for the approval of the changes as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 24: Proposed Amendments to Title 31, Texas Administrative Code, Part 17, Chapter 520 District Operations, Subchapter A, Election Procedures, §520.2, Definitions; §520.3, District Conducted Elections; Notice; and §520.5, Election Forms, Reporting

Mr. Foster Reviewed the agenda information.

Mr. Mahler moved for the approval to re-adopt §§520.1, 520.4, and 520.6. Mr. Basinger seconded the motion. The motion passed unanimously.

Mr. Basinger moved for the approval to publish proposed amendments §§520.2, 520.3, and 520.5 in the Texas Register for a 30-day public comment period, subject to review and approval by the Office of the Governor. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 25: Rule Review Policy and Procedure

Mr. Foster reviewed the agenda information.

Mr. Buckles moved for the approval of the policy and procedure as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

AGENDA ITEM 26: Board Member Recusal Policy

Mr. Foster reviewed the agenda information.

Mr. Dodier moved for the approval of the policy as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

AGENDA ITEM 27: Proposed Amendments of Texas Administrative Code, Title 31, Part 17, Chapter 529 Flood Control, Subchapter B, §529.50 to §529.62

Mr. Foster reviewed the agenda information.

Mr. Basinger moved for the approval to re-adopt §§529.50, 529.53, 529.54, 529.58, 529.59, 529.60, and 529.61. Mr. Mahler seconded the motion. The motion passed unanimously.

Mr. Mahler moved for the approval to publish proposed amendments §§529.51, 529.52, 529.55, 529.56, 529.57, and 529.62 in the Texas Register for a 30-day public comment period, subject to review and approval by the Office of the Governor. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 28: Flood Control Programs Status Report

Mr. Bednarz reviewed the agenda information.

Chairman Mahler called for a 10-minute break from 2:05 – 2:15.

AGENDA ITEM 29: Flood Control Program Dam Rehabilitation Projects

Mr. Bednarz reviewed the agenda information.

Mr. Basinger moved for the approval of the projects as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 30: Carrizo Cane Eradication Program Status Report

Mr. Oswald reviewed the agenda information. Discussion ensued.

AGENDA ITEM 31: Human Resources Status Report

Ms. Matthys reviewed the agenda information.

AGENDA ITEM 32: Set Date for Next State Board Meeting

January 19, 2023, at Temple Headquarters.

Meeting adjourned at 2:27 p.m.

Marty H. Graham

Marty H. Graham, Chairman

December 15, 2022

Date

Karen D. Preece

Karen D. Preece, Secretary

December 15, 2022

Date

I certify that the above is a true and correct copy of the minutes of the Texas State Soil and Water Conservation Board meeting held on October 24, 2022.

Rex Isom

Rex Isom, Executive Director

December 15, 2022

Date