

OFFICIAL MINUTES  
STATE SOIL AND WATER CONSERVATION BOARD MEETING  
September 20, 1973

The State Soil and Water Conservation Board met at 8:00 a.m., September 20, 1973 in the Conference Room, 1016 First National Building, Temple, Texas.

Board members present were: Frank Gray, Chairman; E. W. Wehman, Vice-Chairman; Joe Antilley, Albert Roach and Henry Turney.

Others present were: Harvey Davis, Executive Director; John Millican, Assistant Executive Director; Sonny Kretschmar, Engineer; and Josephine Chupik, Office Manager of the State Board staff; Van Haderlie, Deputy State Conservationist and Logan Crews, Assistant State Conservationist, of the Soil Conservation Service.

The minutes of the July 19, 1973 meeting were approved as read.

A new watershed application under Public Law 566 on Oyster Creek (Stafford) in the Coastal Plains SWCD #317 was discussed. On motion of E. W. Wehman, seconded by Albert Roach, the Board ratified the action of August 8, 1973 by Harvey Davis to disapprove the application pending a field examination.

A field examination was reviewed on the Deep Creek watershed (Snyder) in the Upper Colorado SWCD #115. Due to a favorable benefit-cost ratio of 1.39 to 1.00, on motion of Joe Antilley, seconded by E. W. Wehman, the Board approved the watershed as being feasible for planning.

An unfavorable field examination was reviewed on McBee Creek (Wills Point) in the Kaufman-Van Zandt SWCD #505. Due to an unfavorable benefit-cost ratio of 0.44 to 1.00, on motion of Henry Turney, seconded by E. W. Wehman, the Board disapproved the watershed.

A letter dated September 6, 1973 from the Bandera Soil and Water Conservation District #229 requesting that the district become a sponsor of the Seco Creek watershed was discussed. On motion of Joe Antilley, seconded by Albert Roach, the Board approved their request.

Logan Crews brought to the attention of the Board that under present federal travel regulations and other limitations the Los Olmos and Sandia Creeks watersheds in Starr County and Elm Creek (Ballinger) would have to be planned at a slower rate over a longer period of time unless the local sponsors wanted to supply some local funds. It was agreed that representatives of the Board and Service would meet with the sponsors of these watersheds to explain the situation and allow them to decide whether to provide some funds in order to accelerate planning or to accept planning at a slower rate.

Logan Crews also gave a current report on watershed planning.

Reviewed by the Board was Attorney General's Opinion H-68. In summary the opinion states that where private property is submerged as a result of the construction of a lake, a waterway, etc., in the absence of some special provision affecting title to the private property it remains such and is subject to the rules against trespass. Persons using tidal waters above such private property, however, do not commit a trespass even though above the submerged property so long as they do not actually use private property as a means of access to the water.

On motion of Albert Roach, seconded by Henry Turney, the Board approved the appointment of the following District Directors:

I. H. Stewart - Moore County SWCD #137  
Irvin Ashorn - Washington SWCD #348  
James R. Tarrant - Cherokee County SWCD #427  
W. O. Lewis - Polk-Jacinto SWCD #436  
John Wilbur Stewart - Panola SWCD #448  
David Samuelson - Taylor SWCD #513

Harvey Davis presented a request from the Polk-Jacinto Soil and Water Conservation District #436 to change the name of the District from Polk-Jacinto to Polk-San Jacinto. This district is composed of Polk and San Jacinto Counties. On motion of Albert Roach, seconded by Joe Antilley, the Board approved the requested name change.

Petitions received on September 17, 1973 on the following transfers of territory were reviewed by the Board:

- (1) Portion of Scurry County in the Mitchell SWCD #207 to Upper Colorado SWCD #115
- (2) Portion of Mitchell County in the Upper Colorado SWCD #115 to Mitchell SWCD #207
- (3) Portion of Pecos County in the Big Bend SWCD #227 to Trans-Pecos SWCD #231
- (4) Portion of Brewster County in Trans-Pecos SWCD #231 to Big Bend SWCD #227

On motion of Joe Antilley, seconded by Albert Roach, the Board approved the transfers of territory as being practicable and feasible and approved the new subdivisions for each district.

Mr. Davis read a letter dated August 28, 1973 from the Midland SWCD #244 requesting an increase in their matching fund allocation from \$500.00 to \$3,000.00. This district was part of the Martin-Howard-Midland SWCD prior to division into three new districts. This being a relatively new district with new directors, on motion of Joe Antilley, seconded by E. W. Wehman, the Board granted an additional \$2,500.00 allocation making a total of \$3,000.00 for each year of the biennium ending August 31, 1975.

A report on matching funds expended by District for the fiscal year ending August 31, 1973 was given to each Board member. The total allocation of \$248,784.00 was expended.

Contributions to Districts from various local sources as listed on matching fund request forms totaled \$355,230 for the fiscal year ending August 31, 1973. A breakdown of these contributions was given to each Board member.

Mr. Davis reviewed new budget regulations. We cannot spend more than one-third of the appropriated funds during the last quarter of the fiscal year.

The Annual Statewide meeting of Soil & Water Conservation District Directors will be held October 30, 31 and November 1, 1973 in the Sheraton-Fort Worth Hotel, Fort Worth, Texas. The theme for this years meeting is

"Where Do We Go From Here?" A final review of the program activities was made.

Invitations have been received from San Antonio and El Paso for the 1974 Annual Meeting site. The Board agreed to inspect facilities at El Paso.

Programs and reservation cards were passed out on the Governor's Conference on Rural Development to be held on October 23, 1973 at the Municipal Auditorium in Austin.

Mr. Gray reported on the Southern States Administrative Officers meeting that he and Mr. Davis attended in Richmond, Virginia on September 5, and 6, 1973.

The Board will meet at 2:00 p.m. in the Shorthorn Room, Sheraton-Fort Worth Hotel in Fort Worth on October 30, 1973.

There being no further business, the meeting adjourned at 3:15 p.m.

J. Frank Gray  
Chairman

[Signature]  
Secretary

10-30-73  
Date

I hereby certify that the above is a true and correct copy of the minutes of the State Soil and Water Conservation Board meeting held on September 20, 1973.

10-30-73  
Date

Janey Davis  
Executive Director