

OFFICIAL MINUTES
STATE SOIL AND WATER CONSERVATION BOARD
FEBRUARY 15, 1967

The State Soil and Water Conservation Board met in regular session in the Conference Room, 10th Floor, First National Building, Temple, Texas at 9:00 a.m. on February 15, 1967.

Board members present were: A. F. Leesch, Vice Chairman; J. Frank Gray, and H. W. Turney.

Board Members absent were: J. S. Sharp, Chairman, due to illness and E. W. Wehman, due to the loss of his Mother.

Others present were: Harvey Davis, Executive Director, L. H. Barnes, Engineer, and Josephine Chupik, Secretary, of the State Board staff; H. N. Smith, State Conservationist, L. J. Lann, Assistant State Conservationist of the Soil Conservation Service and Albert Roach, Secretary-Treasurer of the Association of Texas Soil and Water Conservation Districts.

Since all members present had received copies of the minutes of the January 19, 1967 meeting, it was agreed by mutual consent that the minutes of the January 19, 1967 meeting be approved without being read.

A favorable field examination was reviewed with the Board on the China Creek watershed application in the Electra area by L. H. Barnes. On motion by H. W. Turney, seconded by Frank Gray, the Board approved the application as being economically feasible for project development. Motion carried.

An amendment to the Comanche Creek watershed application to increase the watershed by 22,272 acres as well as add the Mason County River Authority as a sponsor was reviewed by the Board. After determination by the Board that the proposed amendment would not alter the feasibility of the original watershed project, Frank Gray made a motion, seconded by H. W. Turney that the Board approve the amendment. Motion carried.

Upon motion by H. W. Turney, seconded by Frank Gray, the Board authorized Harvey Davis to sign Project Agreement #12-10-410-10137 in the amount of \$20,000 of State Funds to plan Comal Creek. The local people have put up \$16,000 in a Trust Fund to complete planning of this watershed. Motion carried.

The Board, on motion by Frank Gray, seconded by H. W. Turney, authorized Harvey Davis to sign a project agreement in the amount of \$20,000 for the planning of the Ecleto Creek watershed. The total cost of planning is \$60,000 of which SARA will finance \$20,000 and the Ecleto Water District, \$20,000. Motion carried.

At this point several items were discussed in regard to the use of local Trust funds for planning of watersheds. On motion by H. W. Turney, seconded by Frank Gray, the current policy was adopted as follows:

"Prior to granting planning priorities on watersheds that involve local Trust Funds, all Federal and State Funds for planning, during the time of their availability, shall have been scheduled."

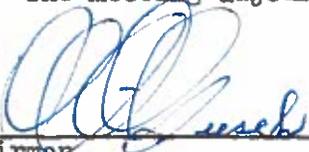
The motion carried.

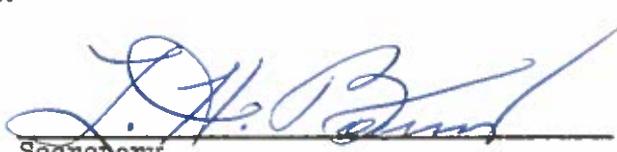
Harvey Davis reported that representatives of the Texas Water Rights Commission had called his attention to the fact that some flood detention structures impounded over 200 acre-feet of water and that no permit had been secured under Article 7500A. Mr. H. N. Smith stated that it had been a long standing policy of the Soil Conservation Service not to impound more than 200 acre-feet in the sediment pool area of a structure unless the landowner received a permit from the Texas Water Rights Commission. He did point out that the borrow pit was not included, which in some cases impounded water that did make the total impoundment exceed 200 acre-feet. He also pointed out that the Service received qualified legal opinions on this several years ago from the Attorney General's office and the office of the Solicitor, USDA, to the effect that this was not contrary to Article 7500A. Mr. Smith stated that he would like to review his file and also file a request for a new legal

interpretation from USDA's legal council. The Board agreed to call another meeting as soon as Mr. Smith received new legal interpretations to discuss this further. It was expressed that the State Board had every intention of operating within the State law and Mr. Smith also expressed the same intention for the Soil Conservation Service and if adjustments were needed or desirable after checking with qualified legal council such adjustments would be made.

The Board meeting recessed at 12:30 p.m. so that it could proceed to Austin to appear before the Senate Committee on Agriculture and Livestock in support of proposed legislation effecting soil and water conservation.

The meeting adjourned at 6:00 p.m.


Chairman


Secretary

3-16-67
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 February 15, 1967.

3-1
Date

Dear Sir:

This is to acknowledge receipt of
your minutes dated February 15, 1967.

Thanks very much for your cooperation.

Sincerely,

