

OFFICIAL MINUTES  
STATE SOIL AND WATER CONSERVATION BOARD  
APRIL 17-18, 1967

The State Soil and Water Conservation Board attended a joint meeting with representatives of the Texas Water Rights Commission and Soil Conservation Service in Austin, Texas at 2:00 p.m. on April 17, 1967, in the Water Rights Commission Conference Room on the 8th floor of the Sam Houston Office Building.

The following representatives of the participating groups were in attendance:

Texas Water Rights Commission

Joe D. Carter, Chairman  
W. E. Berger, Member  
Otha F. Dent, Member  
F. R. Booth, Executive Director  
L. L. McDaniels, Chief Hydrologist  
Hal Rawlins, Chief Examiner

State Soil & Water Conservation Board

A. F. Leesch, Vice Chairman  
J. Frank Gray, Member  
H. W. Turney, Member  
E. W. Wehman, Member  
Harvey Davis, Executive Director  
L. H. Barnes, Engineer

Soil Conservation Service

H. N. Smith, State Conservationist  
P. M. Price, State Engineer  
L. J. Lann, Ass't State Conservationist, Watersheds

The meeting was called to order by Chairman Carter of the Water Rights Commission. The Vice Chairman, A. F. Leesch of the State Soil and Water Conservation Board made a statement relative to the impoundment of water in excess of 200 ac. feet in sediment pools of floodwater retarding structures. Mr. Leesch stated that the State Soil and Water Conservation Board intended to comply in all respects to State water laws and that we needed a meeting of minds as to what State regulations are in relation to the impoundment of water in floodwater retarding structures.

H. N. Smith, State Conservationist of the Soil Conservation Service, stated that floodwater retarding structures are not designed with capacity of water for beneficial use, unless a permit is secured by the landowner. He also stated that the only storage capacity designed in structures are for sediment and floodwater detention. He further stated that the policy for impoundment of not in excess of 200 ac. ft. in the sediment pools of structures in Texas was set-up by him in behalf of the Soil Conservation Service. He presented copies of letters relative to the

200 ac-ft. limitation of sediment storage to all representatives present.

P. M. Price, State Conservation Engineer of the Soil Conservation Service explained the design of floodwater retarding structures and presented a summary report of studies made by the Soil Conservation Service on sediment pool capacities of 1,181 structures constructed or under contract in Texas. Representatives were furnished copies of the summary report.

Following the statements by H. N. Smith, and P. M. Price, Joe Carter, Chairman of the Water Rights Commission, stated that he was of the opinion that floodwater retarding structures should be designed to provide not more than a total of 200 acre-feet of water storage unless a permit was secured. Frank Booth, Executive Director of the Water Rights Commission, suggested that the Commission allow him time to study the situation with the help of the Attorney General's office before any action was taken. Both State agencies agreed that this would be appropriate.

The securing of a permit for construction of floodwater retarding structures on navigable streams was reviewed briefly. It was decided that further study of the problems involved and review of the "Garrison Case" would be needed before a solution could be worked out.

Joe Carter suggested that the State Soil and Water Conservation Board and the Water Rights Commission plan to meet together more often to review work of the Board and Commission.

The meeting adjourned at 5:15 p.m.

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The Texas State Soil & Water Conservation Board met in regular session in Room 1601, Stephen F. Austin Hotel, Austin, Texas at 7:00 p.m. on April 17, 1967.

Board Members present were: A. F. Leesch, Vice Chairman, Frank Gray, H. W. Turney and E. W. Wehman. J.S. Sharp, Chairman, was absent due to illness.

Others present were: Harvey Davis, Executive Director and L. H. Barnes, Engineer of the State Board staff.

The minutes of the March 16, 1967 Board meeting were read and approved.

Harvey Davis and L. H. Barnes reported on the Elm Creek, Coyote Creek and Pollard Creek new watershed applications for assistance under Public Law 566. A motion was made by Frank Gray and seconded by H. W. Turney to disapprove the Elm Creek, Coyote Creek, and Pollard Creek applications for assistance pending field examinations to determine feasibility. Motion carried.

An amendment to Madera Canyon watershed to increase the area of the watershed to include the downstream flood plain was reviewed with the Board. The amendment requested that the size of the watershed be increased from 178,688 acres to 218,880 acres, an increase of 40,912 acres. A motion was made by E. W. Wehman and seconded by Frank Gray to approve the amendment of the Madera Canyon watershed application. Motion carried.

Harvey Davis reviewed the status of State funds for the 1967 fiscal year obligated for watershed planning. To date \$125,000 has been obligated for planning of seven watersheds as follows:

Pond Creek	\$32,550
Aquilla-Hackberry	10,000
Cibolo Creek	21,000
Darr's Creek	13,450
Lakeview	8,000
Comal River Basin	20,000
Ecletto Creek	<u>20,000</u>
	\$ 125,000

The Board, on motion of E. W. Wehman, seconded by Henry Turney, authorized Harvey Davis to sign a supplemental project agreement in the amount of \$20,550 for planning of the Pond Creek watershed. Motion carried.

Harvey Davis reviewed and discussed the need for additional watershed priorities by June 30, 1967. The Board Members were furnished lists of (1) watersheds that meet criteria and hearings have been held but priority for planning not granted, (2) watersheds that meet criteria on which tours and hearings are needed, and (3) watersheds feasible but do not meet criteria for priority.

Harvey Davis reviewed and discussed the proposed tour and meeting on the Sweetwater Creek watersheds scheduled for May 5, 1967. The meeting with representatives of the Oklahoma State Board and Soil Conservation Service will be held on the evening of May 5, 1967, in Sayre, Oklahoma.

A tour and hearing was scheduled for Wichita Valley-Pond Creek on May 6, 1967.

Tours and hearings were tentatively scheduled for seven additional watersheds in May. These watersheds are Comanche Creek, Rankin Draw, San Felipe Creek, Seco Creek of the Nueces, Rock & Dry Creek, Paluxy River and Meridian Neils Creek.

Harvey Davis reviewed HR 1451, pertaining to amendments to Public Law 566. There was no action by the Board.

The selection of a tentative site for the 1968 Annual Meeting was reviewed by Harvey Davis. A motion was made by Frank Gray and seconded by H. W. Turney to select Galveston as the tentative site and to authorize Harvey Davis to further investigate Galveston as a site for the 1968 Annual Meeting.

The meeting recessed at 10:30 p.m.

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The Board meeting reconvened at 8:00 a.m. on April 18, 1967 in the

Stephen F. Austin Hotel, Austin, Texas.

Board Members present were: A. F. Leesch, Vice Chairman, E. W. Wehman and Henry Turney.

Others present were: Harvey Davis, Executive Director and L. H. Barnes, Engineer, of the State Board staff; L. J. Lann and John W. Arnn, Assistant State Conservationists, of the Soil Conservation Service.

L. J. Lann reviewed status of watershed planning on Public Law 566 projects and presented a detailed summary to each Board Member. Mr. Lann also reviewed with the Board the possibility of Texas securing additional authorizations for planning of three watersheds before June 30, 1967.

John Arnn reviewed the requirements for assistance in the development of "Resource Conservation and Development Programs", and the progress in Texas. Mr. Arnn also furnished the Board handouts on the development of RC & D programs and progress in Texas.

Harvey Davis reviewed with the Board a proposed zone change for the Agua Poquita Soil and Water Conservation District. A motion was made by E. W. Wehman and seconded by Henry Turney to approve the zone change in the Agua Poquita Soil and Water Conservation District. Motion carried.

The "District Outlook Seminar" to be held in Albuquerque, New Mexico, on May 25-26, 1967 was reviewed with the Board by Harvey Davis. A motion was made by Henry Turney and seconded by E. W. Wehman, to authorize Harvey Davis and any two Board Members to attend the District Outlook Seminar meeting in Albuquerque, New Mexico on May 25-26, 1967. Motion carried.

The Kansas City meeting of "Soil Conservation Boards" to be held on July 24-25, 1967 was discussed by Harvey Davis. A motion was made by E. W. Wehman and seconded by Henry Turney to authorize any of the Board Members and Harvey Davis to attend

the meeting of Soil Conservation Boards to be held in Kansas City, if their schedule would permit. Motion carried.

A motion was made by Henry Turney and seconded by E. W. Wehman that the regular May 18, 1967 meeting of the State Board be replaced by a called meeting by the Chairman or Vice Chairman. Motion carried.

The meeting adjourned at 11:35 a.m.

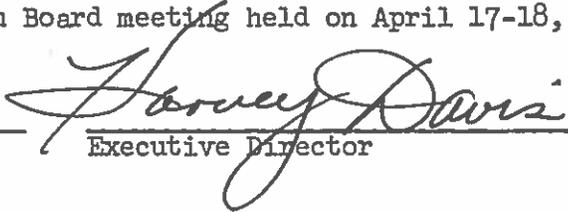
  
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Chairman

  
\_\_\_\_\_  
Secretary

5-31-67  
\_\_\_\_\_  
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 April 17-18, 1967.

5-31-67  
\_\_\_\_\_  
Date

  
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Executive Director