

**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**Board Work Session Minutes**  
**January 17, 2018**

The Texas State Soil and Water Conservation Board met on January 17, 2018, at 2:00 p.m. at 1497 Country View Lane, Temple, Texas.

**Board Members present:**

José Dodier, Jr., Chairman  
Barry Mahler, Vice Chairman  
Scott Buckles, Member  
Jerry Nichols, Member  
Tina Y. Buford, Member

**Staff Members present:**

Rex Isom, Executive Director  
Johnny Oswald, Program Supervisor  
Mark Cochran, Program Supervisor  
Glenn Baker, Program Supervisor  
Todd Oneth, Program Supervisor  
Ricardo Chapa, Program Supervisor  
Judy Albus, Program Supervisor  
Bob Gruner, Program Specialist  
Jack Foote, Program Specialist  
Ben Wilde, Program Specialist  
Adrian Perez, Program Specialist  
Tony Franklin, Program Specialist  
Trey Watson, Program Specialist  
Don Brandenberger, Program Specialist  
Charlie Upchurch, Program Specialist  
John Foster, Statewide Programs Officer  
T. J. Helton, Nonpoint Source Programs Coordinator  
Mitch Conine, Nonpoint Source Project Management Coordinator  
Jana Lloyd, Nonpoint Source Project Manager  
Wesley Gibson, Nonpoint Source Project Manager  
Kenny Zajicek, Chief Fiscal Officer  
Mel Davis, Special Projects Coordinator  
Loren Warrick, Public Affairs Specialist  
Rusty Ray, Public Affairs Specialist  
Molly Christensen, Information Specialist  
Lee Munz, Flood Control Program and Regional Office Coordinator  
Steve Bednarz, Statewide Programs Engineer  
Jared Bowen, Flood Control Specialist  
Tony Resendez, Flood Control Specialist  
Dawn Heitman, Human Resources Specialist  
Karen Preece, Accountant

**General Counsel:**

Assistant Attorney General Veena Mohan, Office of the Attorney General (via phone)

Others Present:

Dr. Ken Rainwater, Texas Tech University  
Jordan Rogers, Texas Tech University

Called Assistant Attorney General Veena Mohan; placed on speaker phone throughout meeting.

**AGENDA ITEM 1:** Call to Order and Roll Call

Chairman Dodier called roll to verify a quorum present. Chairman Dodier handed the meeting over to Mr. Isom to conduct the Work Session.

**AGENDA ITEM 2:** Opportunity for Public Comment

There were no comments at this time.

**AGENDA ITEM 3:** Comments from Federal, State and Local Governmental Entities

There were no comments at this time.

**AGENDA ITEM 4:** Comments from the Association of Soil and Water Conservation Districts

There were no comments at this time.

**AGENDA ITEM 6:** Consider Approval of Minutes from November 15-16, 2017 State Board Meetings

Ms. Preece reviewed the agenda information.

**AGENDA ITEM 7:** Consider Approval of Soil and Water Conservation District Director Appointments

Ms. Preece reviewed the agenda information.

**AGENDA ITEM 8:** Fiscal Report for the 1<sup>st</sup> Quarter of Fiscal Year 2018

Mr. Zajicek reviewed the agenda information. Mr. Zajicek stated that we will need to be looking for a new Internal Auditor soon.

**AGENDA ITEM 9:** Intergovernmental Affairs Status Report

Mr. Foster reviewed the agenda information.

**AGENDA ITEM 10:** Flood Control Programs Status Report

There were no comments at this time.

**AGENDA ITEM 11:** Water Quality Management Plan Program Status Report

There were no comments at this time.

**AGENDA ITEM 12:** Consider Approval of the Water Quality Management Plan Program Approved Practice List

Mr. Munz reviewed the agenda information.

**AGENDA ITEM 13:** Consider Approval of Requests for Additional Cost-Share Incentive Funding for Water Quality Management Plans in Accordance with Title 31 Texas Administrative Code, Section 523.6(f)(4), Relating to Criteria for Waivers

There were no comments at this time.

**AGENDA ITEM 14:** Consider Water Quality Management Plan Cost-Share Requests from the Allocation for Statewide Use

Mr. Munz reviewed the agenda information.

**AGENDA ITEM 15:** Poultry Water Quality Management Plan Program Status Report

There were no comments at this time.

**AGENDA ITEM 16:** Texas Nonpoint Source Management Program Status Report

There were no comments at this time.

**AGENDA ITEM 17:** Consider Priority Ranking for Fiscal Years 2018-2019 Proposals for Brush Control Projects for the Water Supply Enhancement Program

Mr. Oswald reviewed the agenda information.

**AGENDA ITEM 18:** Consider Allocation of Fiscal Year 2018 Grant Funding for the Water Enhancement Program

Mr. Oswald reviewed the agenda information.

**AGENDA ITEM 19:** Rio Grande Carrizo Cane Eradication Program Status Report

There were no comments at this time.

**AGENDA ITEM 20:** Consider Approval of New Proposed Carrizo Cane Eradication Program Rule, Chapter 530

Mr. Oswald and Mr. Foster reviewed the agenda information.

**AGENDA ITEM 21:** Water Supply Enhancement Program Status Report

There were no comments at this time.

**AGENDA ITEM 22:** Enhancing and Restoring Monarch Butterfly Habitat in Texas

There were no comments at this time.

**AGENDA ITEM 23:** Conservation Plans to Restore Health of the Gulf Coast

There were no comments at this time.

**AGENDA ITEM 24:** Conservation Plans for the Lesser Prairie Chicken

There were no comments at this time.

**AGENDA ITEM 25:** Consider Approval of Request by Montgomery County SWCD #452 for Subdivision Changes

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 26:** 2017 Annual State Meeting Financial Report

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 27:** 2018 Annual State Meeting Planning Report

Ms. Christensen reviewed the agenda information. Meeting dates are set for October 29-31, 2018. Room block to open June 1-October 5, 2018.

**AGENDA ITEM 28:** Consider Readopting, Amending, or Repealing of Title 31 Texas Administrative Code, Chapter 529, Subchapter A, Flood Control – Operation and Maintenance Grant Program

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 29:** Consider Readopting, Amending, or Repealing of Title 31 Texas Administrative Code, Chapter 518, Subchapter B, General Procedures, Historically Underutilized Business Program

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 30:** Consider Readopting, Amending, or Repealing of Title 31 Texas Administrative Code, Chapter 529, Subchapter B, Flood Control – Structural Repair Grant Program

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 31:** Consider Readopting, Amending, or Repealing of Title 31 Texas Administrative Code, Chapter 517, Subchapter A, Financial Assistance, Conservation Assistance

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 32:** Consider National Association of State Conservation Agencies Dues

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 33:** National Association of State Conservation Agencies Status Report

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 34:** Texas Invasive Species Coordinating Committee Status Report

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 35:** Final TSSWCB Annual Report for 2017

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 36:** State Board Member Elections Status Report

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 37: Public Relations and Information Status Report**

Mr. Ray reviewed the agenda information, and showed a video presentation of a joint NRCS/TSSWCB Hurricane Harvey Recovery video.

**AGENDA ITEM 38: Public Information and Education Status Report**

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 39: Human Resources Status Report**

Ms. Heitman reviewed the agenda information, and read a thank you letter from Madisonville FFA.

At 3:08, Chairman Dodier called for a recess while we waited for Board Member Tina Buford due to bad weather to resume with agenda item #5 presentation. Hung up phone with Assistant Attorney General Veena Mohan.

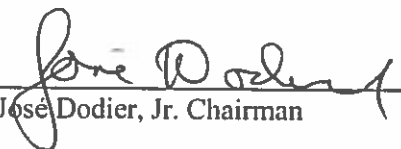
AT 3:35 reconvene Work Session with Board Member Tina Buford present. Called Assistant Attorney General Veena Mohan; placed on speaker phone throughout presentation.

**AGENDA ITEM 5: Presentation for Water Supply Enhancement Program**

Mr. Oswald introduced Dr. Ken Rainwater. Dr. Rainwater introduced Mr. Rogers. Mr. Rogers and Dr. Rainwater gave a power-point presentation to the Board Members and staff titled Ranking Procedure and Results for the Fiscal Year 2018 Cost-Share Applications to the Water Supply Enhancement Program. Spatial Analysis was also included in Dr. Rainwater's presentation. A question and answer period followed the presentation.

Mr. Isom handed the meeting over to Chairman Dodier.

Meeting adjourned at 4:48 p.m.

  
\_\_\_\_\_  
Jose Dodier, Jr. Chairman

March 28, 2018

Date

  
\_\_\_\_\_  
Karen D. Preece, Secretary

March 28, 2018

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 January 17, 2018.

  
\_\_\_\_\_  
Rex Isom, Executive Director

March 28, 2018

Date

**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**Board Meeting Minutes**  
**January 18, 2018**

The Texas State Soil and Water Conservation Board met on January 18, 2018, at 8:02 a.m. at 1497 Country View Lane, Temple, Texas.

**Board Members present:**

José Dodier, Jr., Chairman  
Barry Mahler, Vice Chairman  
Scott Buckles, Member  
Marty H. Graham  
Jerry Nichols, Member  
Tina Y. Buford, Member

**Staff Members present:**

Rex Isom, Executive Director  
Johnny Oswald, Program Supervisor  
Mark Cochran, Program Supervisor  
Glenn Baker, Program Supervisor  
Todd Oneth, Program Supervisor  
Ricardo Chapa, Program Supervisor  
Judy Albus, Program Supervisor  
Bob Gruner, Program Specialist  
Jack Foote, Program Specialist  
Ben Wilde, Program Specialist  
Adrian Perez, Program Specialist  
Tony Franklin, Program Specialist  
Trey Watson, Program Specialist  
Don Brandenberger, Program Specialist  
Charlie Upchurch, Program Specialist  
John Foster, Statewide Programs Officer  
T. J. Helton, Nonpoint Source Programs Coordinator  
Mitch Conine, Nonpoint Source Project Management Coordinator  
Jana Lloyd, Nonpoint Source Project Manager  
Wesley Gibson, Nonpoint Source Project Manager  
Kenny Zajicek, Chief Fiscal Officer  
Mel Davis, Special Projects Coordinator  
Loren Warrick, Public Affairs Specialist  
Clyde Gottschalk, Program Specialist  
Molly Christensen, Information Specialist  
Lee Munz, Flood Control Program and Regional Office Coordinator  
Steve Bednarz, Statewide Programs Engineer  
Jared Bowen, Flood Control Specialist  
Dawn Heitman, Human Resources Specialist  
Karen Preece, Accountant

**General Counsel:**

Assistant Attorney General Veena Mohan, Office of the Attorney General

Others present:

Tamara Daniel, Association of Texas Soil and Water Conservation Districts  
John Mueller, Natural Resources Conservation Service  
Kerry Niemann, Texas Commission on Environmental Quality  
Cameron Turner, Texas Water Development Board  
Doug Smith, USDA – Agricultural Research Service

**AGENDA ITEM 1:** Call to Order and Roll Call

Chairman Dodier called roll to verify a quorum present.

**AGENDA ITEM 2:** Opportunity for Public Comment

There were no comments at this time.

**AGENDA ITEM 3:** Comments from Federal, State and Local Governmental Entities

Mr. Niemann, Texas Commission on Environment Quality, addressed the Board. Mr. Niemann commented on projects, the Total Maximum Daily Load Program, Nonpoint Source Program, and Water Quality Standards.

Mr. Mueller, Natural Resources Conservation Service, addressed the Board. Mr. Mueller provided updates on reorganization, Farm Bill contracts, January 23<sup>rd</sup> Staff Meeting in Austin, Hurricane Harvey damage estimates, their hiring freeze, and they currently have 584 employees in Texas and 131 vacancies.

Chairman Dodier acknowledged Mr. Smith, USDA – Agricultural Research Service.

Mr. Turner, Texas Water Development Board, addressed the Board. Mr. Turner commented that their Chairman of the Board resigned in order to run for the Senate, the State Water Implementation Fund of Texas (SWIFT) funding, cost-share funding, the joint report to go before the Board of the TWDB, and a drought update.

**AGENDA ITEM 5:** Consider Approval of Minutes from November 15-16, 2017 State Board Meetings

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

Chairman Dodier called for a motion to approve the minutes of the November 15-16, 2017 Board Meetings. Mr. Mahler moved for the approval of the minutes as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

**AGENDA ITEM 6:** Consider Approval of Soil and Water Conservation District Director Appointments

Ms. Preece presented district director appointments for the Board's consideration and verified they were in order and met all qualifications with Mr. Poole's approval being contingent upon approval of a subdivision boundary change on agenda item #24.

Board members chose to visit agenda item #24 prior to considering the appointments due to subdivision changes which affects an appointment being contingent upon the approval of the subdivision changes.

**AGENDA ITEM 24:** Consider Approval of Request by Montgomery County SWCD #452 for Subdivision Changes

Mr. Davis reviewed the agenda information at the previous day's Work Session.

Ms. Buford moved for the approval of the subdivision changes as presented. Mr. Nichols seconded the motion. The motion passed unanimously.

**AGENDA ITEM 6:** Consider Approval of Soil and Water Conservation District Director Appointments

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

Diane Thorpe, Ochiltree #142, Subdivision 5, Replace Steven Waide  
Brooks Wallis, Mitchell #207, Subdivision 2, Replace Woody Anderson  
Billy Kniffen, Menard County #215, Subdivision 1, Replace J. W. Jennings (Jennings moving to subdivision 4)  
J. W. Jennings, Menard County #215, Subdivision 4, Replace Dick Runge  
Kay Nordt, Matagorda County #316, Subdivision 5, Replace David Malone  
Robert "Bo" Poole, Montgomery County #452, Subdivision 3, Replace Gary Calfee (contingent upon approval of agenda item request by Montgomery County subdivision boundary changes)  
Joe Ward, Fannin #520, Subdivision 5, Replace Harvey L. Milton

**AGENDA ITEM 7:** Fiscal Report for the 1<sup>st</sup> Quarter of Fiscal Year 2018

Mr. Zajicek reviewed the agenda information.

**AGENDA ITEM 8:** Intergovernmental Affairs Status Report

Mr. Foster reviewed the agenda information. Mr. Foster commented on the Water Supply Enhancement Program Governor's veto, the Flood Control Program, and the federal budget.

**AGENDA ITEM 9:** Flood Control Programs Status Report

Mr. Munz and Mr. Bednarz reviewed the agenda information. They commented on the January 29<sup>th</sup> Senate Hearing, that there are 2,041 dams in Texas and 459 of those have been reclassified from low hazard to high hazard. They also commented that there were 265 dams planned but never constructed, around 100 dams that are still viable to be built, and that there are approximately 2 dams per year with repairs being completed, however another 10 more per year are added to the repair list.

**AGENDA ITEM 10:** Water Quality Management Plan Program Status Report

Mr. Munz reviewed the agenda information.

**AGENDA ITEM 11:** Consider Approval of the Water Quality Management Plan Program Approved Practice List

Mr. Munz and Mr. Foster reviewed the agenda information.

Mr. Mahler moved for the approval of the list as presented. Mr. Graham seconded the motion. The motion passed unanimously.

Mr. Mueller, Natural Resources Conservation Service, addressed the Board. Mr. Mueller explained why there is an update for a newer version for pond construction. Mr. Mahler stated that they have success in Area V with pond construction as is.

**AGENDA ITEM 12:** Consider Approval of Requests for Additional Cost-Share Incentive Funding for Water Quality Management Plans in Accordance with Title 31 Texas Administrative Code, Section 523.6(f)(4), Relating to Criteria for Waivers

Mr. Munz stated that there are no requests at this time.



**AGENDA ITEM 13:** Consider Water Quality Management Plan Cost-Share Requests from the Allocation for Statewide Use

Mr. Munz reviewed the agenda information.

Mr. Nichols moved for the approval of the request as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

**AGENDA ITEM 14:** Poultry Water Quality Management Plan Program Status Report

Mr. Cochran reviewed the agenda information. Mr. Cochran commented on the 2017 census, the Secretary of Agriculture, population growth, and reviewed the Environmental Protection Agency handout concerning air release from animal waste.

**AGENDA ITEM 15:** Texas Nonpoint Source Management Program Status Report

Mr. Conine reviewed the agenda information.

**AGENDA ITEM 16:** Consider Priority Ranking for Fiscal Years 2018-2019 Proposals for Brush Control Projects for the Water Supply Enhancement Program

Mr. Oswald reviewed the agenda information.

Ms. Buford moved for the approval of the project ranking as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

**AGENDA ITEM 17:** Consider Allocation of Fiscal Year 2018 Grant Funding for the Water Enhancement Program

Mr. Oswald reviewed the agenda information.

Mr. Buckles moved for the approval of the allocation as presented. Mr. Graham seconded the motion. The motion passed unanimously.

**AGENDA ITEM 18:** Rio Grande Carrizo Cane Eradication Program Status Report

Mr. Oswald reviewed the agenda information.

**AGENDA ITEM 19:** Consider Approval of New Proposed Carrizo Cane Eradication Program Rule, Chapter 530

Mr. Oswald and Mr. Foster reviewed the agenda information.

Mr. Mahler moved for the approval to publish the rule in the *Texas Register*. Mr. Nichols seconded the motion. The motion passed unanimously.

**AGENDA ITEM 20:** Water Supply Enhancement Program Status Report

Mr. Oswald reviewed the agenda information.

Chairman Dodier called for a 5 minute recess.

**AGENDA ITEM 4:** Comments from the Association of Texas Soil and Water Conservation Districts

Ms. Daniels, Association of Texas Soil and Water Conservation Districts, addressed the Board. Ms. Daniels commented on the National Association of Conservation Districts 2018 Annual Meeting in Nashville, a meeting in February, the DC Fly-in in March, a meeting in Palestine May 9-10, and the Annual State Meeting agreement with NRCS \$550 reimbursement for program participation.

**AGENDA ITEM 21:** Enhancing and Restoring Monarch Butterfly Habitat in Texas

Mr. Foster reviewed the agenda information.

**AGENDA ITEM 22:** Conservation Plans to Restore Health of the Gulf Coast

Mr. Foster reviewed the agenda information.

**AGENDA ITEM 23:** Conservation Plans for the Lesser Prairie Chicken

Mr. Gibson reviewed the agenda information.

**AGENDA ITEM 25:** 2017 Annual State Meeting Financial Report

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 26:** 2018 Annual State Meeting Planning Report

Ms. Christensen reviewed the agenda information.

Mr. Mahler moved for the approval to appoint a planning committee as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

**AGENDA ITEM 27:** Consider Readopting, Amending, or Repealing of Title 31 Texas Administrative Code, Chapter 529, Subchapter A, Flood Control – Operation and Maintenance Grant Program

Mr. Davis reviewed the agenda information.

Mr. Mahler moved for the approval to readopt as presented. Mr. Graham seconded the motion. The motion passed unanimously.

**AGENDA ITEM 28:** Consider Readopting, Amending, or Repealing of Title 31 Texas Administrative Code, Chapter 518, Subchapter B, General Procedures, Historically Underutilized Business Program

Mr. Davis reviewed the agenda information.

Ms. Buford moved for the approval to readopt as presented. Mr. Mahler seconded the motion. The motion passed unanimously.

**AGENDA ITEM 29:** Consider Readopting, Amending, or Repealing of Title 31 Texas Administrative Code, Chapter 529, Subchapter B, Flood Control – Structural Repair Grant Program

Mr. Davis reviewed the agenda information.

Mr. Buckles moved for the approval to publish in the *Texas Register*. Mr. Mahler seconded the motion. The motion passed unanimously.

**AGENDA ITEM 30:** Consider Readopting, Amending, or Repealing of Title 31 Texas Administrative Code, Chapter 517, Subchapter A, Financial Assistance, Conservation Assistance

Mr. Davis reviewed the agenda information.

Mr. Graham moved for the approval to publish in the *Texas Register*. Mr. Nichols seconded the motion. The motion passed unanimously.

**AGENDA ITEM 31:** Consider National Association of State Conservation Agencies Dues

Mr. Davis reviewed the agenda information.

Mr. Mahler moved for the approval to pay the dues of \$3,000 as presented. Mr. Buckles seconded the motion. The motion passed unanimously.

**AGENDA ITEM 32:** National Association of State Conservation Agencies Status Report

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 33:** Texas Invasive Species Coordinating Committee Status Report

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 34:** Final TSSWCB Annual Report for 2017

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 35:** State Board Member Elections Status Report

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 36:** Public Relations and Information Status Report

Mr. Ray reviewed the agenda information, and showed a video presentation of a joint NRCS/TSSWCB Hurricane Harvey Recovery video.

**AGENDA ITEM 37:** Public Information and Education Status Report

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 38:** Human Resources Status Report

Ms. Heitman reviewed the agenda information. Ms. Heitman stated that she has been appointed to serve on the Employees Retirement System of Texas' (ERS) Group Benefits Advisory Committee (GBAC).

**AGENDA ITEM 39:** Set Date for Next State Board Meeting

Mr. Perez stated that there is going to be a meeting in San Antonio on March 27<sup>th</sup> with Area Associations, therefore the Board decided to hold the meeting in conjunction with that meeting. March 28-29, 2018 in San Antonio.

Mr. Graham moved to adjourn the meeting at 10:35 a.m. Mr. Mahler seconded the motion. The motion passed unanimously.

Service award was presented to the following staff:  
Mark Cochran – 20 years

  
\_\_\_\_\_  
Jose Dodier, Jr. Chairman

March 28, 2018  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Karen D. Preece, Secretary

March 28, 2018  
\_\_\_\_\_  
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 January 18, 2018.

  
\_\_\_\_\_  
Rex Isom, Executive Director

March 28, 2018  
\_\_\_\_\_  
Date