

TEXAS STATE SOIL AND WATER CONSERVATION BOARD
Board Meeting Minutes
May 21, 2020

VIDEOCONFERENCE MEETING

Due to Governor Greg Abbott's March 13, 2020 proclamation of a state of disaster affecting all counties in Texas due to the Coronavirus (COVID-19) and the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act, this meeting will be held by video conference call, as authorized under Texas Government Code section 551.127.

Members of the public will have access and a means to participate in this meeting, by two-way communication, by visiting: https://zoom.us/webinar/register/WN_pmgRcH8IQG-LMUMDqA7FfA

An electronic copy of the agenda will be available at <https://www.tsswcb.texas.gov/about/state-board-meetings>. A recording of the meeting will be available at the same URL after the meeting has completed.

Those wishing to address the Board for public comment must complete and submit the registration form no later than 5 p.m. CST on May 19. Registration form: <https://www.docs.tsswcb.texas.gov/apps/forms/form/UclGDDYd0eicQzrM>

When the Board reaches Public Comment Agenda Item 3, the Chairman will recognize a person wishing to comment by name and give them the opportunity to speak.

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

Board Members present:

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

Staff Members present:

Rex Isom, Executive Director
Kenny Zajicek, Chief Operations and Fiscal Officer
Johnny Oswald, Program Administrator and Invasive Species Coordinator
Mark Cochran, Program Supervisor
Bob Gruner, Program Specialist
Jack Foote, Program Specialist
Ben Wilde, Program Specialist
Kendria Ray, Program Specialist
Adrian Perez, Program Specialist
Tony Franklin, Program Specialist
Joel Clark, Program Specialist
Trey Watson, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Glenn Baker, Program Supervisor

Beverly Krause, Program Supervisor
Todd Oneth, Program Supervisor
Lawrence Brown, Jr., Program Supervisor
Ricardo Chapa, Program Supervisor
Judy Albus, Program Supervisor
John Foster, Policy Advisor and Intergovernmental Affairs
T. J. Helton, Program Administrator
Mitch Conine, Nonpoint Source Project Manager
Jana Lloyd, Nonpoint Source Project Manager
Wesley Gibson, Nonpoint Source Project Manager
Emily Jarratt, Nonpoint Source Program Manager
Thomas (Jett) Preston, Nonpoint Source Project Manager
Liza Parker, Policy Analyst and Legislative Liaison
Mel Davis, Policy Advisor and Special Projects Coordinator
Rusty Ray, Public Affairs Specialist
Molly Christensen, Public Affairs Specialist
Clyde Gottschalk, Information Specialist
Lee Munz, Program Administrator and Regional Office Coordinator
Steve Bednarz, Program Administrator and Engineer
Jared Bowen, Flood Control Specialist
Tony Resendez, Flood Control Specialist
Allen Nash, Engineer
Dawn Heitman, Human Resources Coordinator
Clay Wright, Information Resources Manager and Information Security Officer
Marilyn Koelder, Administrative Assistant
Chris Couch, Natural Resources Specialist
Mark Shackelford, Engineering Technician
Kim Gamez, Natural Resources Specialist
Pam Blanton, Administrative Assistant
Brian Koch, Regional Watershed Coordinator
Mikel Thomas, Natural Resources Specialist
Karen Preece, Accountant

General Counsel:

Assistant Attorney General Veena Mohan, Office of the Attorney General

Others Present:

Clint Evans, Natural Resources Conservation Service
David Villarreal, Natural Resources Conservation Service
Claude Ross, Natural Resources Conservation Service
Tamara Daniel, Association of Texas Soil and Water Conservation Districts
Tyler Scholes, Office of the Attorney General
Richa Kalola, Office of the Attorney General
Ashton Davis, Office of Attorney General
Tina Hendon, Tarrant Regional Water District
Erin Oleksiuk, National Association of Conservation Districts
Isabel Martinez, Edwards Aquifer Authority
Susan Gibson

The Board may deliberate or take action on any item in this agenda

AGENDA ITEM 1: Call to Order and Roll Call

Chairman Mahler called the meeting to order at 9:05 and called roll of the Board Members. Mr. Basinger and Mr. Polk, Jr. absent.

AGENDA ITEM 2: Excuse Any Absent Board Members

All Board members present, with the exceptions of Mr. David Basinger and Mr. Carl Ray Polk, Jr.

Mr. Graham moved for the approval to excuse Mr. Basinger and Mr. Polk, Jr. Mr. Buckles seconded the motion. The motion passed unanimously.

AGENDA ITEM 3: Public Comment

No information was presented at this time.

AGENDA ITEM 4: Comments from Federal, State and Local Governmental Entities

No information was presented at this time.

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

No information was presented at this time.

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

Ms. Tamara Daniel, Association of Texas Soil and Water Conservation Districts, addressed the Board. Ms. Daniel commented that the National Association of Conservation Districts and district awards banquets along with everything else is shut down. They are awaiting to see if meetings will begin again in August, working on agreements with Natural Resources Conservation Service.

AGENDA ITEM 7: Minutes from January 16, 2020 State Board Meeting

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

Chairman Mahler called for a motion to approve the minutes of the January 16, 2020 Board Meeting.

Mr. Dodier, Jr. moved for the approval of the minutes as presented. Ms. Buford seconded the motion. The motion passed unanimously.

AGENDA ITEM 8: Soil and Water Conservation District Director Appointments, including Steve Osborn, Jade Froman, H. Raegane Mazurek, George T. Parsons, III:

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

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

Steve Osborn, Terry #151, Subdivision 2, Replace Glen Martin
Jade Froman, Gaines County #166, Subdivision 2, Replace Henry Chevront

H. Raegane Mazurek, Bandera #229, Subdivision 3, Replace Vacancy left by Rob Sandidge
Lori K. Striegler, McCulloch #249, Subdivision 3, Replace Joe H. Johnson
George T. Parsons, III, Upper Sabine #530, Subdivision 2, Replace Maynard Cheek

AGENDA ITEM 9: Quarterly Expenditure Report for Second Quarter Fiscal Year 2020

Mr. Zajicek reviewed the agenda information.

AGENDA ITEM 10: Base Reconciliation for Fiscal Years 2020 and 2021

Mr. Zajicek reviewed the agenda information.

Mr. Zajicek stated that he had received a letter from Governor Abbott the day before concerning a five percent statewide budget reduction. This reduction is due on June 15, 2020. Mr. Isom stated that the Board may need to hold another Zoom video-conference Board Meeting to approve such reductions. Chairman Mahler checked with Ms. Mohan, Assistant Attorney General, if this date could be approved at this time or wait until agenda item #36.

Mr. Dodier, Jr. moved for the approval to hold the next State Board Meeting on June 11, 2020 at 9:00 a.m. using videoconferencing. Mr. Buckles seconded the motion. The motion passed unanimously.

AGENDA ITEM 11: Soil and Water Conservation District Budget Request for Fiscal Years 2022 and 2023

Mr. Zajicek reviewed the agenda information.

Ms. Buford moved for the motion to proceed with the requests as presented. Mr. Dodier, Jr. seconded the motion. The motion passed unanimously.

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

Mr. Evans, Natural Resources Conservation Service, joined the meeting and addressed the Board. Mr. Evans stated that he has served with the Natural Resources Conservation Service (NRCS) for twenty years, with five of those years as the State Conservationist in Colorado, and that he will serve as Acting State Conservationist until the position is filled. Mr. Evans commented that NRCS is working on re-opening their offices in phases, as they have been closed to the public, that they have remained operational, and that they continue to fund program contracts. Mr. Evans stated that they have funded thirty-five renewed conservation stewardship contracts, that new enrollments closes on May 29th, and that they have been seeing a decline in this program, but they are working on recommendations for improvements. Mr. Evans commented on the Gulf Coast Water and Wildlife Initiative, USA Rice and Ducks Unlimited, and Improving Working Lands to Improve Monarch Butterfly Habitat. He commented that they have three disaster related funds: Crop Failure, Wildfire Disaster Recovery, and Drought. He also commented on emergency animal mortality assistance, and feral swine eradication.

Mr. Polk, Jr. joined the meeting (technical difficulties).

AGENDA ITEM 12: Intergovernmental Affairs Status Report

Ms. Parker reviewed the agenda information.

AGENDA ITEM 13: Conservation Initiatives Status Report

Ms. Parker reviewed the agenda information.

AGENDA ITEM 14: Re-adoption, Re-adoption with Amendments, or Repeal of Rules Contained in Title 31, Texas Administrative Code, Part 17, Chapter 520, District Operations, Subchapter A, Election Procedures

Ms. Parker reviewed the agenda information.

Mr. Buckles moved to re-adopt as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 15: Agency Strategic Plan

Ms. Parker reviewed the agenda information. The Board Members had previously been sent a copy of the Agency Strategic Plan.

Mr. Dodier, Jr. moved for the approval of the plan as presented. Mr. Polk, Jr. seconded the motion. The motion passed unanimously.

AGENDA ITEM 16: Overview of Existing Texas State Soil and Water Conservation Board Program Authorities

Mr. Foster Reviewed the agenda information.

Mr. Basinger joined the meeting (technical difficulties).

AGENDA ITEM 17: State and Regional Flood Planning Status Report

Mr. Bednarz reviewed the agenda information.

Ms. Buford commented on the busting of the dam in Michigan.

AGENDA ITEM 18: Flood Control Programs Status Report

Mr. Bednarz reviewed the agenda information.

AGENDA ITEM 19: Flood Control Dam Rehabilitation Projects for Fiscal Year 2020

Mr. Bednarz reviewed the agenda information.

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

AGENDA ITEM 20: 10-Year Dam Repair and Maintenance Plan

Mr. Bednarz reviewed the agenda information.

Mr. Dodier, Jr. moved for the approval of the plan as presented. Mr. Graham seconded the motion. The motion passed unanimously.

AGENDA ITEM 21: Water Quality Management Plan Program Status Report

Mr. Munz reviewed the agenda information.

AGENDA ITEM 22: 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), Concerning Criteria for Waivers

Mr. Munz stated that there were no requests to be presented at this time.

AGENDA ITEM 23: Water Quality Management Plan Cost-Share Requests from the Allocation for Statewide Use

Mr. Munz reviewed the agenda information.

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

AGENDA ITEM 24: Poultry Water Quality Management Plan Program Status Report

Mr. Cochran reviewed the agenda information. A discussion ensued about concerns in the poultry industry concerning COVID-19.

AGENDA ITEM 25: Texas Nonpoint Source Management Program Status Report

Ms. Lloyd reviewed the agenda information.

AGENDA ITEM 26: Carrizo Cane Eradication Program Status Report

Mr. Oswald reviewed the agenda information.

Ms. Buford asked as to why the National Park Service, Big Bend National Park, and Lake Amistad National Recreation Area are wanting to participate now. Mr. Oswald stated that the manager of Big Bend National Park controls that area, and he has put groups together to get a contract that includes about ninety miles of the river. They have been working with them since November, they had agreed in February, however due to COVID-19, they had to shut down.

Chairman Mahler asked what our results are from previous treatments. Mr. Oswald stated that there has been about a 90% kill, but with the regrowth of small plants, it looks like a 50% kill from a distance.

Mr. Isom reiterated Ms. Buford's question about the parks just now wanting to participate. Mr. Oswald stated that the park group has been treating Carrizo Cane for several years and are positive about it, but not all federal groups are as positive.

AGENDA ITEM 27: National Association of Conservation Districts – Technical Assistance Status Report

Mr. Gibson reviewed the agenda information.

AGENDA ITEM 28: Communication Strategy Status Report

Ms. Christensen reviewed the agenda information.

AGENDA ITEM 29: Planning of 2020 Annual State Meeting of District Directors

Ms. Christensen reviewed the agenda information.

Mr. Isom stated that he is staying in contact with the Governor's Office in case the Annual State Meeting needs to be cancelled due to COVID-19.

AGENDA ITEM 30: Update on Government Operations Due to COVID-19

Mr. Davis reviewed the agenda information.

AGENDA ITEM 31: Conservation Outreach: Rural and Urban Outreach

Mr. Ray reviewed the agenda information.

AGENDA ITEM 32: Prescribed Burn Board Status Report

Mr. Ray reviewed the agenda information.

AGENDA ITEM 33: Public Information and Education Status Report

Mr. Gottschalk reviewed the agenda information.

AGENDA ITEM 34: Human Resources Status Report

Ms. Heitman reviewed the agenda information.

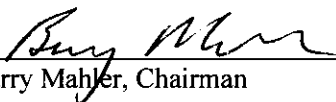
AGENDA ITEM 35: Election of State Board Officers

Chairman Mahler stated that Mr. Dodier, Jr. moved to keep the State Board Officers with Mr. Mahler as Chairman and Mr. Graham as Vice-Chairman for one year. Mr. Polk, Jr. seconded the motion. The motion passed unanimously.

AGEND ITEM 36: Set Date for Next State Board Meeting

June 11, 2020 using Zoom videoconferencing.

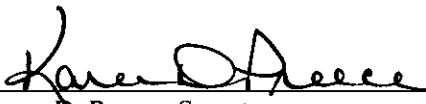
Meeting was adjourned at 11:01 a.m.



Barry Mahler, Chairman

June 11, 2020

Date



Karen D. Preece, Secretary

June 11, 2020

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 May 21, 2020.



Rex Isom, Executive Director

June 11, 2020

Date