

TEXAS STATE SOIL AND WATER CONSERVATION BOARD
Board Meeting Minutes
August 27, 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_g1aMXTvpQsWD9E_eLz-kMA

An electronic copy of the agenda is now available at <https://www.tsswcb.texas.gov/about/state-board-meetings>. A recording of the meeting will be available on the webpage after the meeting.

For public participants, please use the "Raise Hand" feature in Zoom to indicate that you wish to speak during the meeting. You may also email comments@tsswcb.texas.gov in advance of the meeting if you would like to provide public comment. When the Board reaches the public comment item, the Chair will recognize you by name and give you an 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

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
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
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
Mikel Thomas, Natural Resources Specialist
Jimmy McCurry, Natural Resources Specialist
Jeff Cerny, Natural Resources Specialist
SuLin Olvera, Administrative Assistant
Melissa Grote, Program Specialist
Carrie Sanford, Administrative Assistant
April Sease, Natural Resources Specialist
Jeremy Welch, Natural Resources Specialist
Karen Preece, Accountant

General Counsel:

Assistant Attorney General Veena Mohan, Office of the Attorney General

Others Present:

Claude Ross, Natural Resources Conservation Service
David Villarreal, Texas Department of Agriculture
Tamara Daniel, Association of Texas Soil and Water Conservation Districts
J. C. Essler, Texas Poultry Federation
Corey Craig, IVM Solutions LLC
Matt Mahler, IVM Solutions LLC
Emily Schwartz, Black & Veatch
Joel Pigg, Texas A&M Agriculture
Cody York, Pecan Bayou Soil and Water Conservation District
Omar Garza, Starr County Soil and Water Conservation District
Guillermo Benavides, Webb Soil and Water Conservation District

Grady Gibson, Hill Country Soil and Water Conservation District

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 9:01 and called roll of the Board Members. Mr. Polk, Jr. absent.

AGENDA ITEM 2: Excuse Any Absent Board Members

All Board members present, except for Mr. Carl Ray Polk, Jr.

Mr. Dodier moved for the approval to excuse Mr. Polk, Jr. Mr. Graham 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

Mr. Claude Ross, Natural Resource Conservation Service (NRCS), addressed the Board. Mr. Ross stated that NRCS is prepared for Hurricane Laura with ten offices closed at this time and all staff is safe. Mr. Ross commented that they are ready to roll out their Environmental Quality Incentives Program (EQIP) and Emergency Watershed Program (EWP), drought across Texas, and that their programs for the fiscal year are at about 75% complete on EQIP. Mr. Ross commented on staff issues concerning COVID 19, presented Conservation Reserve Program (CRP) and Conservation Stewardship Program (CSP) updates, hiring issues, Conservation Agriculture Mentoring Program (CAMP) for mentoring new employees. Mr. Ross also commented on the reopening of offices in phases due to COVID 19 and presented a Watershed update.

AGENDA ITEM 3: Public Comment

Mr. Benavides, Webb Soil and Water Conservation Board, addressed the Board. Mr. Benavides thanked the Board for the floral arrangement that had been sent for his mother's funeral several years ago. Mr. Benavides stated that his wife was in a wheelchair at last year's Annual State Meeting. Mr. Benavides, on behalf of his District Board, thanked all the staff that has been working on the Carrizo Cane Eradication Program (CCEP), putting together plans, and stated that quite a bit of work has been done. Mr. Benavides commented on budget considerations and hopes that the CCEP continues. Mr. Benavides commended State Board Members and staff for dedication and work which also includes working with the House and Senate in Austin.

Mr. Mahler and the State Board Members thanked Mr. Benavides for his service.

Mr. Isom thanked Mr. Benavides and his District Board for helping to promote the CCEP.

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 on resolutions, online business meeting and officer elections, working with NRCS to extend

the 555 Program, travel scholarship, extend Soil Health agreement, and told about the National Association of Conservation Districts Meeting in New Orleans in February 2021.

AGENDA ITEM 7: Minutes from June 11, 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 June 11, 2020 Board Meeting.

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

AGENDA ITEM 8: Soil and Water Conservation District Director Appointments, including Wade Mock, Royce W. Namken, Jr., John W. Korb, Kenny Allen:

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

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

Cody Black, Blackwater Valley #111, Subdivision 2, Replace Nick Bamert
Wade Mock, Waters Davis #318, Subdivision 5, Replace Herbert Weige
Royce W. Namken, Jr., Bastrop County #340, Subdivision 1, Replace Jerry Ingram
John W. Korb, Lee County #359, Subdivision 4, Replace Larry Weiser
Kit Herrington, Navarro #514, Subdivision 3, Replace Paul H. Sloan
Kenny Allen, Hill County Blackland #540, Subdivision 3, Replace Bill Mash
Jay Ringhoffer, Callahan Divide #552, Subdivision 5, Replace Arnold Smith

AGENDA ITEM 9: Conservation Implementation Assistance (Technical Assistance) Allocations for Fiscal Year 2021

Mr. Zajicek reviewed the agenda information.

Mr. Buckles moved for the approval of the allocations as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 10: Conservation Assistance (Matching Funds) Allocations for Fiscal Year 2021

Mr. Zajicek reviewed the agenda information.

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

AGENDA ITEM 11: District Director Mileage and Per Diem Allocations for Fiscal Year 2021

Mr. Zajicek reviewed the agenda information.

Ms. Buford moved for the approval of the allocations as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

AGENDA ITEM 12: Legislative Appropriations Request for the 2022-23 Biennium

Mr. Zajicek stated that there is no information to present at this time.

Mr. Isom stated that staff will propose a recommendation at the September State Board Meeting.

AGENDA ITEM 13: Intergovernmental Affairs Status Report

Ms. Parker reviewed the agenda information.

AGENDA ITEM 14: Conservation Initiatives Status Report

Ms. Parker reviewed the agenda information.

AGENDA ITEM 15: Proposed Adoption of Amendments to Title 31, Texas Administrative Code, Part 17, Chapter 520, District Operations, Subchapter A, Election Procedures, Definitions

Ms. Parker reviewed the agenda information.

Mr. Basinger moved to adopt as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 16: Sunset Advisory Commission Review

Mr. Foster reviewed the agenda information.

AGENDA ITEM 17: Flood Control Programs Status Report

Mr. Bednarz reviewed the agenda information.

AGENDA ITEM 18: Water Quality Management Plan Program Status Report

Mr. Munz reviewed the agenda information.

AGENDA ITEM 19: 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 are no requests to present at this time.

AGENDA ITEM 20: Water Quality Management Plan Cost-Share Requests from the Allocation for Statewide Use

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

AGENDA ITEM 21: Water Quality Management Plan Allocations for Fiscal Year 2021

Mr. Munz reviewed that agenda information.

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

AGENDA ITEM 22: Water Quality Management Plan Approved Practice List for Fiscal Year 2021

Mr. Munz reviewed that agenda information.

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

AGENDA ITEM 23: Poultry Water Quality Management Plan Program Status Report

Mr. Cochran reviewed the agenda information.

AGENDA ITEM 24: Texas Nonpoint Source Management Program Status Report

Ms. Lloyd reviewed the agenda information.

AGENDA ITEM 25: Carrizo Cane Eradication Program Status Report

Mr. Oswald reviewed the agenda information.

AGENDA ITEM 26: National Association of Conservation Districts – Technical Assistance Status Report

Mr. Gibson reviewed the agenda information.

AGENDA ITEM 27: Update on Government Operations Due To COVID-19

Mr. Davis reviewed the agenda information.

Mr. Isom stated that 17 years ago he asked Mr. Davis to return to work at TSSWCB after his retirement, and he would like to recognize that this is Mr. Davis' last State Board report. Mr. Isom stated that there will be a celebration later once things return to a more normal due to COVID 19. Mr. Isom also stated that Mr. Davis will stay on call if needed. The State Board members acknowledged and thanked Mr. Davis for his service.

AGENDA ITEM 28: Communication Strategy Status Report

Ms. Christensen reviewed the agenda information, and stated that with Mr. Gottschalk's retirement, she will be covering his Board Reports under this agenda item.

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

Ms. Christensen reviewed the agenda information.

Mr. Dodier moved to ratify the cancellation of the 2020 Annual State Meeting. Mr. Basinger seconded the motion. The motion passed unanimously.

AGENDA ITEM 30: 2022 Annual State Meeting of District Directors

Ms. Christensen reviewed the agenda information.

Mr. Graham moved for the approval of securing Moody Gardens for the 2022 Annual State Meeting as presented. Mr. Basinger seconded the motion. The motion passed unanimously.

AGENDA ITEM 31: Conservation Awards

Ms. Christensen reviewed the agenda information.

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

AGENDA ITEM 32: Conservation Outreach: Rural and Urban Outreach

Mr. Ray reviewed the agenda information.

AGENDA ITEM 33: Prescribed Burn Board Status Report

Mr. Ray reviewed the agenda information.

AGENDA ITEM 34: Human Resources Status Report

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 35: Employee Service Awards

Chairman Mahler reviewed that agenda information.

Melissa Grote - 10 years

Jeff Cerny - 15 years

Jack Foote - 15 years

Judy Albus - 20 years

Amy Devereaux - 20 years

Clyde Gottschalk - 40 years


AGEND ITEM 36: Set Date for Next State Board Meeting

Mr. Dodier moved for the approval of September 17, 2020 using Zoom videoconferencing at 9:00 a.m. Mr. Buckles seconded the motion. The motion passed unanimously.

Mr. Dodier and Mr. Isom thanked Mr. Wright for conducting the videoconference meeting.

Mr. Mahler stated that we send our thoughts and prayers along the coast due to Hurricane Laura.

Meeting was adjourned at 10:43 a.m.



Barry Mahler, Chairman

September 17, 2020

Date



Karen D. Preece, Secretary

September 17, 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 August 27, 2020.



Rex Isom, Executive Director

September 17, 2020

Date