

MEETING OF THE BOARD OF DIRECTORS  
PLUM CREEK CONSERVATION DISTRICT  
LOCKHART, TEXAS 78644  
June 21st, 2022

Notices of this regular meeting were posted in the Caldwell and Hays County Courthouses at least 72 hours prior to the meeting. Receipts of the notices are on file in the office of Plum Creek Conservation District.

Checks were reviewed and signed, just prior to the call to order, by Treasurer/Secretary, Lucy Knight.

1:00 PM The meeting/hearing was called to order by President of the Board, James Holt, with the following Board members present: Peter Reinecke (Vice President), Lucy Knight (Secretary/Treasurer), Fred Rotherth (Director) and Tom Owen (Director). Also present were PCCD Attorney Bob Wilson, PCCD Geologist Feathergail Wilson, and PCCD staff members Daniel Meyer, Nora Lopez-Castillo, Matt Shaw, and Alan Burklund. Rodney Purswell, Caldwell-Travis Soil and Water Conservation District Representative, Chris Bradford, Sunfield Attorney via Zoom, RJ Rychlik with BGE, Inc., and Devin Kleinfelder with DR Horton were also in attendance.

1:01 PM President Holt requested public comments. There were no public comments.

1:01 PM President Holt requested motions or comments regarding the minutes of the regularly scheduled meeting held on May 17<sup>th</sup>, 2022. Mrs. Lucy Knight made a motion that the minutes of the regularly scheduled meeting held on May 17<sup>th</sup>, 2022, be accepted as mailed out. Mr. Tom Owen provided the second and the motion was approved unanimously.

1:02 PM President Holt stated that the order of the agenda would be changed, moving item VIII to item XV. President Holt asked if there was any unfinished business that required the Board of Directors' attention. Mr. Daniel Meyer explained that there was no unfinished business.

1:03 PM President Holt requested discussion of item V on the agenda regarding proposed amended easement agreements for Site 8, which involves two different landowners. Mr. Meyer reminded the Board that the National Resources Conservation Service (NRCS) had reviewed these easement agreements and recommended that both Caldwell-Travis Soil and Water Conservation District (CTSWCD) and Plum Creek Conservation District approve and sign since both districts are co-sponsors/partners of the Plum Creek Small Watershed Agreement. At the May 2022 board meeting, the Board approved, and Mr. Holt signed these agreements. Alan Burklund attended the CTSWD June 2022 Board Meeting to obtain approval and signatures on these agreements. However, CTSWCD was reluctant to sign the agreements stating that they had never been asked to sign these types of documents before and had concerns regarding possible liability issues. PCCD's attorney, Bob Wilson, did research of all PCCD easements and found that these agreements are only between PCCD and the landowners. Mr. Meyer invited CTSWCD to PCCD's June 2022 meeting to confirm that CTSWCD wanted to be removed from these two easement agreements. Mr. Rodney Purswell, a representative from CTSWCB, was present at the meeting and confirmed that CTSWCD wished to be removed from the agreements. Revised versions of each agreement were presented to the Board. Mr. Bob Wilson informed the Board that one of the landowners was in the process of selling some of their property, so this agreement had the name of the new property owner. This land sale would be final on July 1<sup>st</sup>, 2022. Mrs. Lucy Knight made a motion for the Board to approve these two new versions and that Mr. Holt sign both agreements once

the document was received from the new landowner. Mr. Owen provided the second and the motion passed unanimously.

1:12 PM President Holt requested discussion of item VI on the agenda regarding adoption of the Desired Future Conditions (DFC) for GMA-13 under PCCD Resolution 2022-06-21. Mr. Meyer explained that PCCD was nearing the end of the five-year DFC process and adopting the DFC is one of the final steps that needs to occur. Mr. Meyer provided a brief recap on the prior steps that had been taken by PCCD/GMA 13 to include hiring a consultant to perform modeling, GMA 13 members approving the DFC, holding a hearing, and sending the explanatory report to the Texas Water Development Board who deemed it administratively correct. The next step would be to send the DFC to all Groundwater Management Area (GMA) 13 members for adoption, which must be done via a resolution. Mrs. Knight made a motion for the Board to approve the GMA 13 DFC resolution. Mr. Owen provided the second and the motion passed unanimously.

1:15 PM President Holt requested discussion of item VII on the agenda regarding NRCS review of a force main within Prairie Lakes Subdivision and Site 12's easement. Mr. Meyer referred the Board members to the NRCS review letter which indicated the NRCS engineer had noticed the force main was in Site 12's easement. Also included in the Board members' packets were copies of a design map from NRCS that showed where the force main is located, and the actual designs (which had been sent to PCCD by BGE), and new designs that show the force main route. The NRCS letter also recommended certain ways for proper installation as well as any utility easements be outside of PCCD's easement. Mr. Meyer informed the board that the force main line is a Guadalupe-Blanco River Authority (GBRA) line. RJ Rychlik with BGE stated they wanted to do what NRCS was recommending, but the first phase of construction was already underway; thus, it would be impossible not to cross the PCCD easement due to logistical reasons. BGE requested approval of two crossings and stated that he had also been working with Texas Commission on Environmental Quality (TCEQ) and had met their requirements. Mrs. Knight made a motion for the Board to approve this request as long as they were done in compliance with the applicable regulations. Mr. Fred Rothert provided the second and the motion passed unanimously.

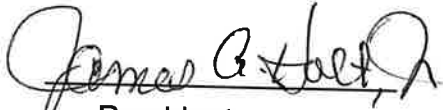
1:34 PM President Holt requested discussion of item X on the agenda regarding PCCD's draft mitigation plan. Mr. Meyer requested direction on how to proceed from the Board. Mr. Bob Wilson explained to the board the mitigation plan contained proposed rules regarding well permits, pumping limits, etc., and if the Board was comfortable with the draft as written, the Board could make a Motion to Proceed for PCCD to schedule a rule-making public hearing requesting comments and/or suggestions to be presented to the Board on this proposed plan. Mr. Peter Reinecke made a Motion to Proceed with the draft mitigation plan. Mr. Fred Rothert provided the second and the motion passed unanimously.


1:39 PM President Holt requested discussion of item X on the agenda. Mr. Meyer requested direction on how to proceed from the Board regarding this policy. Mr. Bob Wilson explained to the board the draft easement use policy contained rules regarding PCCD's easements, and, again, if the Board was comfortable with the draft as written, the Board could make a Motion to Proceed for PCCD to schedule a rule-making public hearing requesting comments and/or suggestions to be presented to the Board on this proposed policy. Mr. Tom Owen made a Motion to Proceed with the easement use policy; Mrs. Knight provided the second and the motion passed unanimously.

- 1:41 PM President Holt requested a report from the PCCD Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson presented a slideshow on several topics including the fact that 80% of the State of Texas is currently in a drought and the number of desalination facilities are growing rapidly. Mr. Wilson stated that well areas in Niederwald, Texas would be good for desalination purposes. Mr. Wilson also stated that both high-yield and low-yield wells can produce over 1000 gallons of water per minute.
- 1:51 PM President Holt requested a report from the NRCS' District conservationist, Mr. Jeremy Hasty. Mr. Hasty was not in attendance.
- 1:51 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. Mr. Meyer reminded the Board that Alliance Regional Water Authority (ARWA) still had not come to terms with the Woods for establishing the two monitoring wells that are required. The Board had previously requested that PCCD attempt to contact the landowners to determine if any would be interested in working directly with PCCD to have a monitoring well placed on their property. Mr. Meyer informed the Board that PCCD sent letters and had a very good response with several landowners expressing interest. The Board instructed Mr. Meyer to contact Alliance again regarding the status of the two wells. Mr. Meyer gave an update on Site 2 stating that they had been granted extension days due to various issues (imported Type B material delays and the dewatering plan delays). Mr. Meyer also gave an update on the 2022 Spring Mowing Project completed by TerraSol and provided pictures. Mr. Meyer gave an update on the Site 37 Fence Project and relayed to the Board that Mr. Bill Harrison wanted to thank the Board for approving the change in the fence material from barbed wire to slick wire. Mr. Meyer again stated that the Site 21 rehabilitation project was going extremely well thus far. Mr. Meyer also informed the board that Iron Ox (a hydroponic, robotic greenhouse business in Lockhart) may be requesting a permitted well in the future
- 2:24 PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Wilson stated that at some point he may want a meeting between PCCD (specifically Daniel Meyer) and NRCS to be arranged to discuss the future relationship between the two organizations and what NRCS' expectations are of PCCD as a primary sponsor of the dams.
- 2:27 PM President Holt requested discussion of item XV on the agenda regarding Site 10 "campsite" relocation and other Site 10 matters. Daniel Meyer requested that Mr. Bob Wilson give a summary of the events that led to the three agreements that needed to be signed by Mr. Holt on behalf of PCCD regarding the relocation. Various concerns were discussed such as ensuring there would still be a site for PCCD to perform the required future Operations and Maintenance of the dam; possible repercussions if NRCS did not agree to the relocation agreements, etc. Mrs. Knight a motion for the Board to approve and have Mr. Holt sign the three agreements. Mr. Owen provided the second and the motion passed unanimously
- 3:00 PM President Holt moved the meeting into Executive Session to discuss personnel matters.
- 3:05 PM Back in session. Mrs. Knight made a motion to increase Nora Lopez-Castillo's, PCCD Office Secretary, base salary to \$42,500. Mr. Owen provided the second and the motion passed unanimously.

3:05 PM President Holt requested public comments. There were no public comments.

3:06 pM Mr. Owen made a motion to adjourn. Mr. Rothert provided the second and the motion to adjourn passed unanimously.

  
President

  
Vice-President