

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
LOCKHART, TEXAS 78644
November 15th, 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, Mrs. Lucy Knight.

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, Alan Burklund, and Robert Barron. The minutes were transcribed by Nora Lopez-Castillo.

1:00 PM President Holt requested public comments. There were no public comments.

1:00 PM President Holt requested motions or comments regarding the minutes of the regularly scheduled meeting held on October 18th, 2022. Mrs. Lucy Knight made a motion that the minutes of the regularly scheduled meeting held on October 18th, 2022, be accepted as mailed out. Mr. Tom Owen provided the second and the motion was approved unanimously

1:01 PM President Holt asked if there was any unfinished business that required the Board of Directors' attention. Mr. Meyer stated that there was no unfinished business.

1:02 PM President Holt requested discussion of agenda item V regarding acting upon Surface and Groundwater Resolutions to approve the Caldwell County Appraisal District's 2022 tax roll. Mr. Daniel Meyer explained that Property Tax Code Section 26.09 requires that the appraisal roll with tax amounts be approved by the Board. Mr. Meyer informed the Board that during his review of the reports, he discovered an inconsistency in the amounts. Mr. Meyer contacted the Appraisal District who agreed there was an error and it would be corrected. Mr. Meyer asked the Appraisal District to resend the corrected resolutions. At this time, Mr. Meyer recommended the Board wait to approve the resolutions until the corrected resolutions were received. The Board agreed.

1:05 PM President Holt requested discussion of agenda item VI regarding the request from Continental Homes/D.R. Horton to release areas within the easements of Sites 11 and 12. Mr. Meyer informed the Board Continental Homes/D.R. Horton had requested to be on this month's agenda; however, they informed Mr. Meyer prior to the meeting that they were not ready to address the Board, as they wanted to have their attorney correspond with PCCD's attorney. Continental Homes/D.R. Horton informed Mr. Meyer that they have additional property slated for development that includes PCCD's construction project campsite location. Mr. Bob Wilson stated that he informed the developer's attorney that PCCD may restate easements using a metes and bounds description, but the original easement language remains in place for the entire area.

1:10 PM President Holt requested discussion of agenda item VII regarding acting upon a quote for mowing Sites 1, 5, 6, 7, 11, 12, 28, and 34. Mr. Meyer provided a summary of the Request for Quote, which included eight dams and 311 acres. Mr. Meyer stated that three Requests for Quotes were sent out, but only one quote was returned. Mr. Meyer stated that the quote reflected a slight increase in cost per acre to be mowed. Mrs. Knight made a motion to approve the quote that had been received for mowing of the various sites. Mr. Fred Rothert provided the second and the motion was approved unanimously.

1:12 PM President Holt requested discussion of agenda item VIII regarding acting upon approving a resolution to approve GMA 10's Desired Future Conditions (DFC). Mr. Meyer stated that approval of the DFC is one of the last steps of the five-year process. Mr. Meyer showed slides outlining the counties and locations of the districts included in the GMA 10 area. Mr. Meyer explained that Chapter 36.108 requires that all districts in GMA 10 adopt the DFC. Mr. Meyer pointed out that the DFC that pertains to PCCD's District is the Saline Edwards, which has a 75-foot average drawdown. Mrs. Knight made a motion for the Board to authorize Mr. Holt to sign the DFC resolution. Mr. Tom Owen provided the second and the motion was approved unanimously.

1:14 PM President Holt requested discussion of agenda item IX regarding acting upon a request for releasing the flood easement on 10.01 acres (Calvillo Subdivision) for Site 14. Mr. Meyer reminded the Board that this request had been on last month's agenda. At that meeting, the Board asked Mr. Bob Wilson to draft an easement release including an elevation of 547 feet with the stipulation that the District would be released from any liability. Mr. Bob Wilson stated that this draft was still under review and that the future recommendation may be that the District no longer release any easements, but rather the easements would be restated in terms of areas by metes and bounds.

1:17 PM President Holt requested discussion of agenda item X regarding acting upon the draft of the District Easement Use Policy. Mr. Meyer stated the required hearing was held hearing on November 1st, 2022, no public attended so no comments were made. Mr. Meyer summarized the Easement Use Policy stating it contains a liability clause, addresses any activities that could impact the District's ability to act as a sponsor, offers guidance to developers and landowners regarding easements, and outlines possible fees for legal or engineering expenses. Mr. Meyer stated that the policy would formalize PCCD's approach to easement use. Mr. Bob Wilson stated that if there were no changes or suggestions from the Board members about the Easement Use Policy, a resolution would need to be created and presented to the Board for approval. The Board had their questions answered and requested a resolution approving the policy be prepared.

1:23 PM President Holt requested discussion of agenda item XI regarding acting upon the draft Mitigation Plan Policy. Mr. Meyer stated the required hearing had also been held on November 1st, 2022. Mr. Bob Wilson stated the policy outlines the required steps to be taken by a well owner/user that claims their well function has been negatively impacted by the pumping of another owner/entity. Mr. Bob Wilson stated that if there were no changes or suggestions from the Board members about the Mitigation Plan Policy, a resolution would need to be created and presented to the Board for approval. The Board had their questions answered and requested a resolution approving the policy be prepared

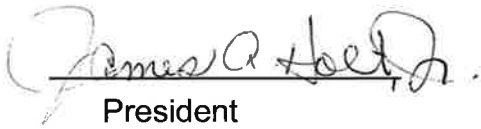
1:30 PM PM President Holt requested discussion of agenda item XII regarding acting upon the Operations and Maintenance Agreement and Land Right requirements for the rehabilitation of Floodwater Retarding Structure #28. Mr. Meyer reminded the Board that at the October 2022 meeting the Board directed him to send a letter to National Resources Conservation Service regarding concerns PCCD had with the O&M agreement. NRCS acknowledged receipt of the letter and stated they would respond as soon as possible. Mr. Bob Wilson reiterated to the Board that if a metes and bounds description is required by NRCS, PCCD would also need to state that the entire easement continues to exist. Mr. Meyer also stated that one of the other concerns mentioned in the letter to NRCS was the fact that the other parties listed in the agreement are not easement owners and how this affects their responsibilities. Mr. Meyer presented the latest design map given to him by the NRCS Engineer, which showed the required land that PCCD needs to perform the rehabilitation project (11.28-acres for permanent use and 29.4 acres for a temporary workspace). A lengthy discussion was held regarding this matter .

1:53 PM President Holt requested a report from the PCCD Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson presented slides about GMA 13, which is an area that is delineated by the Texas Water Development Board as an area suitable for management of groundwater resources. His presentation included maps of GMA 13 and Carrizo-Wilcox aquifers. Mr. Feathergail Wilson discussed that these were distinct sources of water as well as geological environments of deposition. Mr. Feathergail Wilson provided an update on the multiple samples that were obtained and sent for lithium analysis. He stated the results revealed that the lithium levels were very low and not competitive with some of the current levels being found in West Texas and Louisiana areas. Mr. Feathergail Wilson stated that due to the increasing demand for water, the brine/desalination process will become more prevalent.

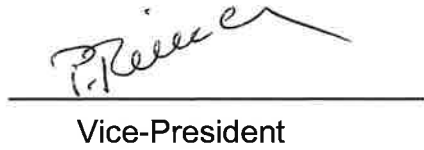
2:10 PM President Holt requested a report from the NRCS' District Conservationist, Mr. Jeremy Hasty. Mr. Hasty was not in attendance.

2:10 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. As the interim coordinator for GMA 10, Mr. Meyer stated that due to various scheduling difficulties, no meetings were held in November or December. A January meeting is being planned and Mr. Meyer plans to discuss the interlocal agreement at that time. Mr. Meyer stated that a GMA 13 meeting was held on October 14th, 2022, during which a technical consultant was selected and two GMA 13 members were designated to negotiate a price with the consultant. Once the price has been negotiated, Mr. Meyer can present it to the PCCD Board for approval. Mr. Meyer reminded the Board that, per the interlocal agreement, all GMA 13 Boards must agree to the price before the consulting work can begin. Mr. Meyer provided an update on the Alliance Regional Water Authority monitoring wells. He stated that negotiations were ongoing regarding the screen length and the casing size. Mr. Meyer provided slides and an update on Site 2 regarding progress on the V-cut to include density and moisture tests and work on the outlet structure and cutoff walls. Mr. Meyer provided an update on Site 10. He presented slides of the relocation area, which showed stockpiles of the RCC material and riprap installation. Mr. Meyer provided an update on Site 21 including slides of the cofferdam, principal spillway pipe, and the forms to pour concrete for the cradle. Mr. Meyer informed the Board that the PCCD staff members have been working on the yearly audit, the Emergency Action Plan renewals, and on the HEC-RAS models and breach analyses.

- 2:24 PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Wilson stated that he read a Fayette County newspaper article. The article mentioned that people raised their concerns to the county commissioners about the large amount of pumping occurring in this area drying up private wells. Mr. Bob Wilson emphasized the importance of PCCD having its Mitigation Plan in place. Mr. Bob Wilson informed the Board that he will be reviewing legislative bills that have been filed for the upcoming legislative session and will apprise the Board of any issues/changes related to PCCD.
- 2:34 PM No Executive Session was held.
- 2:34 PM President Holt requested public comments. There were no public comments.
- 2:34 PM Fred Rothert made a motion to adjourn. Mrs. Knight provided the second and the motion to adjourn passed unanimously.



President



Vice-President