

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
LOCKHART, TEXAS 78644
November 19th, 2024

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.

1:00 PM The meeting/hearing was called to order by President of the Board, James Holt. The following Board members were present: Peter Reinecke (Vice President), Lucy Knight (Secretary/Treasurer), Fred Rothert (Director), Tom Owen (Director), and Lee Rust (Director). PCCD Attorney Bob Wilson, PCCD Geologist Feathergail Wilson (via ZOOM), and PCCD staff members Daniel Meyer, Nora Lopez-Castillo, Alan Burklund, and Tyler Farco were present. Graham Moore of Alliance Regional Water Authority was present. Edmond McCarthy and Feathergail Wilson attended the meeting via Zoom. Nora Lopez-Castillo transcribed the minutes.

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 15th, 2024. Mrs. Knight made a motion that the minutes of the regularly scheduled meeting held on October 15th, 2024, be accepted as mailed out. Mr. Owen provided the second. Mr. Reinecke abstained. The motion was approved with 5 members voting aye.

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.

1:01 PM President Holt requested discussion of agenda item V regarding a presentation by Graham Moore with Alliance Regional Water Authority (ARWA). Mr. Moore discussed and provided corresponding slides of ARWA's progress on their proposed transmission system for the Carrizo-Wilcox Water Project. The slides included an overall program map, which included the 85 miles of water pipeline route, installed infrastructure and ongoing construction areas, location of the booster pump stations, the 5-million-gallon storage tank, the 1-million-gallon elevated storage tanks and the water treatment plant. Mr. Moore also showed various construction slides and a map of the microtunnels that had been completed throughout the Maxwell and Kyle areas.

1:24 PM President Holt requested discussion of agenda item VI regarding amending one cooperative agreement (LPLUM28-RHB-FED-003-20-AMEND 4) to add federal funds for in-kind costs for Site 28 Rehabilitation Project. Mr. Meyer explained to the Board that if approved, this amendment would increase the funds that PCCD could be reimbursed for legal and land rights from \$48,750.00 to \$81,250.00. Mrs. Knight made a motion to approve the amended agreement. Mr. Rust provided the second and the motion was approved unanimously. Mr. Holt signed the amended cooperative agreement.

1:26 PM President Holt requested discussion of agenda item VII regarding a resolution to approve the Caldwell County Appraisal District's Tax Rolls for PCCD groundwater. Mr. Meyer stated the resolution was required by Property Tax

Code Section 26.09. Mr. Meyer briefly explained how the tax roll of \$554,918.77 had been calculated. Mrs. Knight made a motion to approve and authorize Mr. Holt to sign the tax roll resolution for PCCD groundwater. Mr. Owen provided the second and the motion was approved unanimously. Mr. Holt signed the resolution.

1:31 PM

President Holt requested discussion of agenda item VIII regarding a resolution to approve the Caldwell County Appraisal District's Tax Rolls for PCCD surface water. Mr. Meyer briefly explained how the tax roll of \$488,956.14 had been calculated and pointed out that this total was lower than the groundwater total because of various taxpayer exemptions. Mr. Owen made a motion to approve and authorize Mr. Holt to sign the tax roll resolution for PCCD surface water. Mrs. Knight provided the second and the motion was approved unanimously. Mr. Holt signed the resolution.

1:33 PM

President Holt requested discussion of agenda item IX regarding purchasing a computer server. Mr. Meyer informed the Board that PCCD's current computer server had Windows 16 installed on it; however, the recently approved purchase of the Square 9 Software would require an upgraded server to function properly. Mr. Meyer stated he had received a quote of \$6000.00 to upgrade PCCD's current server. Mr. Meyer stated that due to the high cost, he decided to obtain a quote for a new server so he could compare the costs. Mr. Meyer presented the Board with a quote from CDW-G in the amount of \$6350.00. Mr. Meyer stated that if the Board approved the purchase of the new server, the older server would still be used for backups. Mrs. Knight asked if any further items would need to be purchased to get the Square 9 Software up and running. Mr. Meyer stated that additional hardware would be needed. Mrs. Knight made a motion to authorize up to \$10,000.00 for purchasing the computer server and additional hardware. Mr. Reinecke provided the second and the motion was approved unanimously.

1:39 PM

President Holt requested discussion of agenda item X regarding the 5-year review of the JK Wells Groundwater Production Permit. Mr. Meyer requested that Tyler Farco present the report to the Board. Tyler stated the permit review had been completed on November 19th, 2024. Each Board member was given a copy of the Permit Review Checklist, a map of the well location, and a map of well(s) that had been drilled in the vicinity of the permitted well. Tyler informed the Board that the well was currently nonproducing, so many of the review questions were not applicable. Tyler explained to the Board that he had used two analyses to determine that the water levels in the vicinity of the permitted well were compliant with Rule 20. The two analyses involved determining whether the drawdown from the initial water level was more than 25% of the aquifer thickness or the drawdown was more than 50% between the aquifer bottom and initial water level. Tyler stated that PCCD had not received any mitigation requests regarding this well. Tyler informed the Board that since 2017 one well had been drilled within a one-mile area of the JK Wells well but was not permitted or registered with PCCD.

1:48 PM

President Holt requested discussion of agenda item XI regarding the 5-year review of the Hazelett Groundwater Production Permits. Mr. Meyer requested that Tyler Farco present the report to the Board. Tyler stated the permit review had been completed on November 19th, 2024. Each Board member was given a copy of the Permit Review Checklist, a map of the well location, and a map of well(s) that had been drilled in the vicinity of the permitted wells. Tyler informed the Board that the wells were currently nonproducing, so many of the review questions were not applicable. Tyler explained to the Board

that he had used two analyses to determine that the water levels in the vicinity of the permitted wells were compliant with Rule 20. The two analyses involved determining whether the drawdown from the initial water level was more than 25% of the aquifer thickness or the drawdown was more than 50% between the aquifer bottom and initial water level. Tyler stated that PCCD had not received any mitigation requests regarding these wells. Tyler informed the Board that since 2017 four wells had been drilled within a one-mile area of the Hazelett well #1 but were not permitted or registered with PCCD.

1:53 PM President Holt requested discussion of agenda item XII regarding the 5-year review of the Oda Groundwater Production Permit. Mr. Meyer requested that Tyler Farco present the report to the Board. Tyler stated the permit review had been completed on November 19th, 2024. Each Board member was given a copy of the Permit Review Checklist, a map of the well location, and a map of well(s) that had been drilled in the vicinity of the permitted well. Tyler informed the Board that the well was used for agricultural purposes with no known violations. Tyler stated that the well had changed owners within the last year, so data was not available to determine if the well was compliant with Rule 20.

1:57 PM President Holt requested discussion of agenda item XIII regarding the 5-year review of the Mitchell Groundwater Production Permit. Mr. Meyer requested that Tyler Farco present the report to the Board. Tyler stated the permit review had been completed on November 19th, 2024. Each Board member was given a copy of the Permit Review Checklist, a map of the well location, and a map of well(s) that had been drilled in the vicinity of the permitted well. Tyler informed the Board that the well was used for agricultural purposes with no known violations. Tyler explained to the Board that he had used two analyses to determine that the water levels in the vicinity of the permitted wells were compliant with Rule 20. The two analyses involved determining whether the drawdown from the initial water level was more than 25% of the aquifer thickness or the drawdown was more than 50% between the aquifer bottom and initial water level. Tyler stated that PCCD had not received any mitigation requests regarding this well. Tyler informed the Board that since 2017 three wells had been drilled within a one-mile area of the Mitchell well but were not permitted or registered with PCCD.

1:59 PM President Holt requested discussion of agenda item XIV regarding the 5-year review of the Aqua WSC (Tenney Creek) Groundwater Production Permit. Mr. Meyer requested that Tyler Farco present the report to the Board. Tyler stated the permit review had been completed on November 19th, 2024. Each Board member was given a copy of the Permit Review Checklist, a map of the well location, and a map of well(s) that had been drilled in the vicinity of the permitted well. Tyler informed the Board that the well(s) were not currently in operation so many of the review questions were not applicable. Tyler explained to the Board that he had used two analyses to determine that the water levels in the vicinity of the permitted wells were compliant with Rule 20. The two analyses involved determining whether the drawdown from the initial water level was more than 25% of the aquifer thickness or the drawdown was more than 50% between the aquifer bottom and initial water level. Tyler stated that PCCD had not received any mitigation requests regarding this well. Tyler informed the Board that since 2017 two wells had been drilled within a one-mile area of the Aqua WSC well but were not permitted or registered with PCCD.

2:05 PM President Holt requested discussion of agenda item XV regarding an agreement with Southern Infrastructure Group for reimbursement for costs incurred with submitting an application permit to Texas Commission on Environmental Quality. Mr. Meyer informed the Board that Ed McCarthy was drafting an agreement, which would be presented to the Board at a future meeting. Mr. Meyer stated that TCEQ had notified PCCD that the application was administratively complete.

2:06 PM President Holt requested discussion of agenda item XVI regarding approving a resolution for adopting a new policy as required under Senate Bill No. 1893. The Board members were given draft and final copies of PCCD's Covered Applications and Prohibited Technology Policy along with the corresponding resolution. Mr. Meyer stated the policy would prohibit the use or installation of social media applications and services on any government-owned or government-leased device that had been identified by the Governor of Texas as posing a risk to Texas, specifically TikTok. Mr. Meyer informed the Board that the Texas Department of Information Resources (DIR) had issued a list of prohibited applications. Mr. Meyer stated that the firewall (security system) on PCCD's server would be used to block these prohibited applications. Mr. Meyer stated that the policy also included the requirement that PCCD staff review the list of social media applications issued by the Texas DIR on an annual basis to remain compliant. Mrs. Knight made a motion to approve the resolution to adopt the new policy. Mr. Owen provided the second and the motion was approved unanimously. Mr. Holt signed the resolution.

2:16 PM President Holt requested discussion of agenda item XVII regarding the consideration of amending the Site 10 easement. Mr. Meyer informed the Board that the necessary documentation for this agenda item was not ready for the Board's consideration and would be presented to the Board at a future meeting.

2:17 PM President Holt requested a report from the PCCD Geologist, Mr. Feathergail Wilson. Mr. Feathergail Wilson presented slides on climate change from a geological perspective. Mr. Feathergail Wilson stated that as the sun expanded and contracted its mass changed, which created alternating warm and cold cycles. Mr. Feathergail Wilson stated that volcanoes were a main source of carbon dioxide emission. Mr. Feathergail Wilson also stated that world population growth played a role in climate change. Mr. Feathergail Wilson also stated that unfortunately much of Central Texas remained in a drought.

2:47 PM President Holt requested a report from the NRCS' District Conservationist, Mr. Jeremy Hasty. Mr. Hasty was not in attendance.

2:47 PM President Holt requested a report from the PCCD Executive Manager, Mr. Daniel Meyer. Mr. Meyer gave an update on Site 2 regarding the cracks in the roller-compacted concrete (RCC) spillway. Mr. Meyer stated his concern was how and why the cracks had formed. Mr. Meyer stated that PCCD staff went to the site and measured the width, length, and offset of the cracks. Mr. Meyer stated he felt it was necessary to send this information to the National Resources Conservation Service (NRCS) engineer for review because once the dam was completed PCCD would be responsible for O&M. Mr. Meyer stated that the AECOM engineer made the following recommendations: (1) repair the cracks on the top chute as soon as the project was completed under the District's O&M responsibilities or (2) after a year passed, the District

could monitor the cracks and notify the AECOM engineer on the condition of the cracks. Mr. Meyer informed the Board that the NRCS engineer stated he no concerns about the cracks since the concrete was not reinforced with re-bar. Mr. Meyer stated that PCCD would monitor the cracks. Mr. Meyer informed the Board that the default damages had been updated (reduced) and a letter was sent to the contractor that indicated the damages would be deducted from the final payment. Mr. Meyer gave an update on the entrance erosion project at Site 31 that was completed by Nighthawk Construction. Mr. Meyer informed the Board that the landowner had informed him that he was unhappy with the contractor's work. Mr. Meyer informed the Board that several companies had formed a partnership and would be seeking permits from PCCD for approximately 10,305-acre feet of Wilcox brackish groundwater. Mr. Meyer stated that these companies wanted to meet with the Board. Mr. Feathergail Wilson commented that Wilcox brackish water was only available in the southern part of Caldwell county. Mr. Meyer gave an update on the Site 28 survey. Mr. Meyer stated that an important part of the survey was to establish the main property lines so that the rehabilitation project works of improvement were done only on the property that had the easement that allowed the work to be done. Mr. Meyer stated that the survey confirmed that the works of improvement were done on the correct property.

3:17 PM

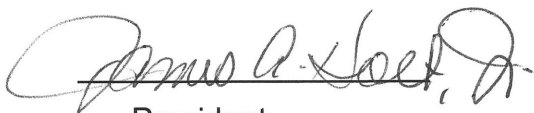
PM President Holt requested a report from PCCD's Attorney, Bob Wilson. Mr. Bob Wilson stated that a Site 37 landowner approached the Board before the meeting and stated he wanted to meet with them in an Executive Session. Mr. Bob Wilson stated he informed the landowner that the public was excluded from Executive Sessions, but that he could stay and address the Board during the regular session. The landowner declined. Mr. Bob Wilson stated he would be researching whether PCCD legally had the authority to modify their groundwater rules to include a new requirement that water well drillers report to PCCD when they drilled a well in the District.

3:23 PM

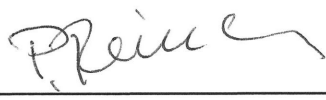
President Holt requested public comments. There were no public comments.

3:23 PM

Mr. Reinecke made a motion to adjourn. Mr. Owen provided the second and the motion to adjourn passed unanimously.



President



Vice-President