



**LOWER BRUSHY CREEK WCID**  
**Regular called meeting of the Board of Directors**  
**On Monday, January 18, 2021 at 7:30 am**

**Ed Komandosky, President**  
**Scott Ging, Vice President**  
**Mike Schneider, Treasurer**  
**Monica Masters, Secretary**  
**Allen David, Director**

Notice is hereby given for a regular called meeting of the Board of Directors of the Lower Brushy Creek WCID to be held on **Monday January 18, 2021 at 7:30 am** at the Greater Taylor Chamber of Commerce, 1519 North Main Street, Taylor, Texas and via **Zoom\*** for the purpose of considering the following agenda items. The Board of Directors will meet, consider, deliberate and may take action on all agenda items.

To view, listen and/or participate in the meeting, you may log in at:

<https://us02web.zoom.us/j/5125177596>  
Meeting ID: 512 517 7596

One tap mobile  
+1-346-248-7799,,5125177596# US (Houston)  
+1-253-215-8782,,5125177596# US (Tacoma)

**Citizens Communications:**

- Due to limitations on the number of people allowed in the building, members of the public will not be allowed to enter the Greater Taylor Chamber of Commerce during the meeting.
- Members of the public that desire to provide public comment may do so via ZOOM during the Citizens Communications portion of the meeting (Agenda Item 2).
- Members of the public will be muted during all other portions of the meeting.

**AGENDA**

1. Welcome, Call to Order, and determination of a Quorum;
2. Citizens Communications: *an opportunity for the public to address the Board on agenda items or concerns not on the agenda (limited to 3 minutes each);*
3. Consider the approval of meeting minutes:
  - a. Regular meeting held on December 21, 2020.
4. Consider the approval of financial reports:
  - a. Checking Account Register for December 2020
  - b. Financial Report for First Quarter of FY 21 and
  - c. Investment Report for First Quarter of FY 21.



**LOWER BRUSHY CREEK WCID**  
**Regular called meeting of the Board of Directors**  
**On Monday, January 18, 2021 at 7:30 am**

**Ed Komandosky, President**

**Scott Ging, Vice President**

**Mike Schneider, Treasurer**

**Monica Masters, Secretary**

**Allen David, Director**

Notice is hereby given for a regular called meeting of the Board of Directors of the Lower Brushy Creek WCID to be held on **Monday January 18, 2021 at 7:30 am** at the Greater Taylor Chamber of Commerce, 1519 North Main Street, Taylor, Texas and via **Zoom\*** for the purpose of considering the following agenda items. The Board of Directors will meet, consider, deliberate and may take action on all agenda items.

To view, listen and/or participate in the meeting, you may log in at:

<https://us02web.zoom.us/j/5125177596>  
Meeting ID: 512 517 7596

One tap mobile

+1-346-248-7799,,5125177596# US (Houston)

+1-253-215-8782,,5125177596# US (Tacoma)

**Citizens Communications:**

- Due to limitations on the number of people allowed in the building, members of the public will not be allowed to enter the Greater Taylor Chamber of Commerce during the meeting.
- Members of the public that desire to provide public comment may do so via ZOOM during the Citizens Communications portion of the meeting (Agenda Item 2).
- Members of the public will be muted during all other portions of the meeting.

**AGENDA**

1. Welcome, Call to Order, and determination of a Quorum;
2. Citizens Communications: *an opportunity for the public to address the Board on agenda items or concerns not on the agenda (limited to 3 minutes each);*
3. Consider the approval of meeting minutes:
  - a. Regular meeting held on December 21, 2020.
4. Consider the approval of financial reports:
  - a. Checking Account Register for December 2020
  - b. Financial Report for First Quarter of FY 21 and
  - c. Investment Report for First Quarter of FY 21.

5. Consider the approval of FY 20 Audit Report:
  - a. Presentation by Maxwell, Locke and Ritter, LLP and
  - b. Consideration and approval of FY 20 Audit Report.
6. Consider the establishment and initial funding of a Rainey Day Fund at TexPool:
  - a. Approval of *Bank Information Sheet* to establish a second account at TexPool entitled "Rainy Day Fund" and
  - b. Approval of initial transfer of funds from the TexPool General Fund into the TexPool Rainy Day Fund.
7. General Manager's Report
8. Director's Comments; and
9. Adjournment.

"The Lower Brushy Creek Water Control & Improvement District Board of Directors reserves the right to adjourn into executive session at any time during the meeting to discuss any of the matters listed above, as authorized by Texas Local Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations regarding Real Property), 551.073 (Deliberations regarding Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices), and 551.087 (Deliberations regarding Economic Development Negotiations)."

#### **CERTIFICATION**

I certify that a copy of January 18, 2021 agenda of items to be considered by the Board of Directors of the Lower Brushy Creek WCID was posted before 5:00 pm on January 11, 2021.



James R. Clarno, P.E.  
General Manager

\* NOTE: The Board of Directors will be conducting a "Video Conference Open Meeting" as authorized by Governor Abbot on March 16, 2020.



Minutes of the December 21, 2020  
Meeting of the Board of Directors of the Lower Brushy Creek WCID

In accordance with the Governor's emergency proclamation suspending certain provisions of the Texas Open Meetings Act effective March 16, 2020 in response to the COVID-19 virus, all persons, including Board members and members of the public may participate in the meeting remotely by videoconferencing using the instructions included on the posted agenda. Due to COVID-19 social gathering restrictions, all members of the public and the board may not physically enter the Greater Taylor Chamber of Commerce offices. Therefore, the meeting took place in person and on Zoom Videoconferencing.

President Ed Komandosky called the Regular Meeting of the Board of Directors of the Lower Brushy Creek WCID to order at 7:31 am on Monday December 21, 2020. Board Members present at the meeting location included Scott Ging, Monica Masters and Allen David. Others present at the meeting location included General Manager Jim Clarno and Board Attorney Ted Hejl. Others present via Zoom included Treasurer Mike Schneider, PR/Webpage Consultant Richard Stone and District Clerk Sue Lilly.

Ed Komandosky called the meeting to order and announced that a quorum was present.

There were no citizen's communications.

General Manager, Jim Clarno, presented for consideration and approval the August 24<sup>th</sup>, 2020, October 19, 2020 and November 2, 2020 Board Meeting Minutes. A motion to approve the minutes was made by Director Allen David, seconded by Vice President Scott Ging, and approved by a vote of 5-0.

Clarno presented for consideration and possible action to approve the following financial reports: Checking Account Register for October 2020 and Checking Account Register for November 2020. A motion to approve the financial reports was made by Secretary Masters, seconded by Director David, and approved by a vote of 5-0.

Clarno presented for consideration and possible action to approve *Task Order No 2 for Spring Operation, Maintenance and Related Services* for fertilizer, herbicide application, spot spraying, seeding, sprigging and related work to TerraSol, LLC. A motion was made by Vice President Gingm, seconded by Director David, and approved by a vote of 5-0.

Clarno presented for consideration and possible action to approve Amendments to the Cooperative Agreements for the Lower Brushy Creek Site 20 Rehabilitation Project to extend the completion date to June 30, 2021. Amendment No 1 to the Cooperative Agreement LB20-RHB-ST-010-20 for State Funds and Amendment No 2 to the Cooperative Agreement LB20-FED-79015 for Federal funds. A motion was made by Secretary Masters, seconded by Vice President Ging, and approved by a vote of 5-0.

Clarno presented for consideration and possible action regarding Lower Brushy Creek Watershed Site Nos. 12 and 22 Repair Projects:

First, an approval of a construction Contract Agreement No LBC-2021-02 with Solid Bridge Construction LLC of Huntsville, Texas in the amount of \$1,057,616. A motion was made by Secretary Masters, seconded by Director Allen, and approved by a vote of 5-0.

Second, an approval of the Appointment of Contracting Officer. A motion was made by Vice President Ging, seconded by Director Allen and approved by a vote of 4-0-1 (Secretary Master abstained from the vote).

Lastly, an approval of an Amendment to the Professional Services Agreement with Clarno Consulting, LLC. A motion was made by Director Allen, seconded by Secretary Masters, and approved by a vote of 5-0.

Note: Treasurer Schneider left the meeting at this time.

Clarno shared for consideration and possible action regarding submission of a grant application to the Texas State Soil and Water Conservation Board for the upgrade of Sites 9, 29 and 30. A motion was made by Vice President Ging, seconded by Director Allen, and approved by a vote of 4-0.

Clarno presented the General Manager's Report and there were no Director's Comments.

There being no further business, the meeting was adjourned without objection at 8:23 am.

Respectfully submitted:

---

Monica P Masters  
Secretary



**LOWER BRUSHY CREEK WCID**  
**Account Register**  
**For December 2020**

**Balance as of December 1, 2020**

TexPool Acct  
City National Bank

\$269,814.47  
\$68,620.08

**Total Funds Available**

**\$338,434.55**

**Income**

12/08/20 TSSWCB - Clarno  
12/08/20 TSSWCB - Clarno  
12/08/20 TSSWCB - HWH Industrial  
12/08/20 TSSWCB - HWH Industrial  
12/29/20 TexPool  
Various TexPool  
12/31/21 TexPool

Site 20 Rehab \$1,768.33  
Site 20 Rehab \$3,284.05  
Site 20 Rehab \$72,598.63  
Site 20 Rehab \$134,826.02  
Transfer from TexPool to Checking \$25,000.00  
Tax Revenue - December \$227,038.13  
Interest Posted \$27.61

**Total Income**

**\$464,542.77**

**Expenses**

12/01/21 1662 Sue Lilly  
12/02/20 1672 Clark L Jackson, PC  
12/02/20 1673 Sue Lilly  
12/02/20 1674 RTS-Connect LLC  
12/07/20 1675 Heil and Schroeder  
12/08/20 1679 Allen David  
12/11/20 1676 Ed Komandosky  
12/11/20 1680 HWH Industrial  
12/15/20 1681 HWH Industrial  
12/16/20 Office Depot  
12/17/20 1685 Clark L Jackson, PC  
12/17/29 Office Depot  
12/21/20 1688 Heil and Schroeder  
12/22/20 1683 Clarno Consulting LLC  
12/22/20 1684 Clarno Consulting LLC  
12/22/20 1689 Williamson Central Appraisal Dist  
12/23/20 1686 Sue Lilly  
12/23/20 1690 Clarno Consulting LLC  
12/29/21 TexPool  
12/31/20 1678 Michael Schneider

November Services \$162.00  
Accounting Services- Oct \$350.00  
October Services \$126.00  
Consulting \$1,000.00  
Aug & Oct Services \$1,400.00  
Directors Fee \$100.00  
Directors Fee \$100.00  
Site 20 Rehab \$52,878.77  
Site 20 Rehab \$207,424.65  
Debit Card - Office Supplies \$55.00  
Accounting Services- Nov \$350.00  
Debit Card - Office Supplies \$55.99  
November Services \$1,040.00  
Site 20 Rehab \$3,284.05  
Site 20 Rehab \$1,768.33  
Quarterly Fees \$711.00  
September Services \$126.00  
Salary and Mileage \$3,250.00  
Transfer from TexPool to Checking \$25,000.00  
Directors Fee \$100.00

**Total Expenses**

**\$299,281.79**

**Balance as of 12/31/20**

TexPool Acct  
City National Bank Acct

\$471,880.21  
\$31,815.32

**Total Funds Available**

**\$503,695.53**

**Prepared 01/11/21**

**LOWER BRUSHY CREEK WCID**

**Financial Statement**

**First Quarter of FY 21**

Description	1st Quarter	Total to Date	FY 21 Budget (Approved)	% of budget
<b><u>INCOME</u></b>				
Tax Income	\$270,110.87	\$270,110.87	\$462,000.00	58.47%
TSSWCB Grants				
Maintenance Grants	\$0.00	\$0.00	\$226,800.00	0.00%
Repair Grants	\$0.00	\$0.00	\$1,169,500.00	0.00%
Rehabilitation Grants	\$343,598.51	\$343,598.51	\$817,600.00	42.03%
<b>Total TSSWCB Grant Income</b>	<b>\$343,598.51</b>	<b>\$343,598.51</b>	<b>\$2,213,900.00</b>	<b>15.52%</b>
Other Income				
Williamson County	\$0.00	\$0.00	\$0.00	
Permits, fees and interest	\$90.78	\$90.78	\$1,800.00	5.04%
<b>Total Other Income</b>	<b>\$90.78</b>	<b>\$90.78</b>	<b>\$1,800.00</b>	<b>5.04%</b>
<b>TOTAL INCOME</b>	<b>\$613,800.16</b>	<b>\$613,800.16</b>	<b>\$2,677,700.00</b>	<b>22.92%</b>
<b><u>EXPENSES</u></b>				
Administrative Expenses				
General Manager	\$12,000.00	\$12,000.00	\$36,000.00	33.33%
District Clerk	\$414.00	\$414.00	\$15,000.00	2.76%
Directors Fees	\$700.00	\$700.00	\$7,500.00	9.33%
Professional Services - Accounting	\$1,050.00	\$1,050.00	\$4,800.00	21.88%
Professional Services - Auditing	\$0.00	\$0.00	\$14,000.00	0.00%
Professional Services - Communciations	\$2,000.00	\$2,000.00	\$18,000.00	11.11%
Professional Services - Engineering/Surveying	\$0.00	\$0.00	\$2,000.00	0.00%
Professional Services - Legal	\$2,440.00	\$2,440.00	\$10,000.00	24.40%
Professional Services - USGS	\$0.00	\$0.00	\$34,000.00	0.00%
Advertising/Legal Notices	\$1,909.50	\$1,909.50	\$4,000.00	47.74%
Bonds/Insurance	\$963.64	\$963.64	\$1,800.00	53.54%
Dues/Subscriptions/Prof Development	\$200.00	\$200.00	\$2,500.00	8.00%
Meals/Entertainment	\$0.00	\$0.00	\$500.00	0.00%
Office Supplies	\$208.13	\$208.13	\$800.00	26.02%
Postage/Delivery Charges	\$0.00	\$0.00	\$400.00	0.00%
Travel/Mileage	\$1,000.00	\$1,000.00	\$3,500.00	28.57%
Website	\$0.00	\$0.00	\$2,400.00	0.00%
Williamson Central Appraisal District	\$1,365.00	\$1,365.00	\$4,000.00	34.13%
Williamson County - Election Office	\$0.00	\$0.00	\$0.00	0.00%
Williamson County - Tax Collector/Assessor	\$4,266.08	\$4,266.08	\$4,800.00	88.88%
Misc. (5% contingency)	\$0.00	\$0.00	\$8,300.00	0.00%
<b>Total Administrative Expenses</b>	<b>\$28,516.35</b>	<b>\$28,516.35</b>	<b>\$174,300.00</b>	<b>16.36%</b>
Project Expenses				
Dam Maintenance	\$0.00	\$0.00	\$264,000.00	0.00%
Dam Repairs	\$108.24	\$108.24	\$1,172,315.00	0.01%
Dam Rehabilitation	\$343,077.31	\$343,077.31	\$830,000.00	41.33%
Other Projects	\$19,908.11	\$19,908.11	\$180,000.00	11.06%
<b>Total Project Expenses</b>	<b>\$363,093.66</b>	<b>\$363,093.66</b>	<b>\$2,446,315.00</b>	<b>14.84%</b>
<b>TOTAL EXPENSES</b>	<b>\$391,610.01</b>	<b>\$391,610.01</b>	<b>\$2,620,615.00</b>	<b>14.94%</b>



## LOWER BRUSHY CREEK WCID

c/o USDA - Natural Resources Conservation Service  
505 West University Avenue, Suite C  
Georgetown, Texas 78626

### Board of Directors

*Edmond Komandasky*  
President

*Scott Ging*  
Vice President

*Monica P. Masters*  
Secretary

*Mike Schneider*  
Treasurer and  
Investment Officer

*Allen R. David*  
Director

### General Manager

*James R. Clarno, P.E.*  
108 Trinity Lane  
Georgetown, TX 78633  
Cell: 512.517.7596  
Email: [jclarno.pe@att.net](mailto:jclarno.pe@att.net)

### Board Attorney

*Ted W. Hejl*  
*Hejl & Schroeder, PC*  
P.O. Box 192  
311 Talbot Street  
Taylor, Texas 76574  
Office: 512.365.6348  
FAX: 512.365.2226

[LowerBrushyCreekWCID.com](http://LowerBrushyCreekWCID.com)

**TO:** President and Member of the Board of Directors  
**FROM:** Mike Schneider, Treasurer and Investment Officer  
**DATE:** January 18, 2021  
**SUBJECT:** Investment Report  
First Quarter of FY 21

Following please find the First Quarter Investment Report for FY 21 as required by the *Public Fund Investment Act* (Chapter 2459 of the Texas Government Code, as amended by Chapter 2256) and the *Investment Policy* adopted by the Board of Directors of the Lower Brushy Creek WCID on June 10, 2019:

Fund	TexPool - Operating Account
Book/Market Value on October 1, 2020	\$271,684.51
Total Deposits	\$270,110.87
Total Withdrawn	\$70,000.00
Interest Earned	\$84.83
Book/Market Value on December 31, 2020	\$471,880.21
Trade Date	n/a
Maturity Date	n/a

If you have any questions, please contact Jim Clarno or myself.

Sincerely,

Mike Schneider,  
Investment Officer





## Custom Summary Statement

**Deposit Reports**

**Withdrawal Report**

**Deposits Schedule**

**Transfer Report**

**Account Access**

**Main Transaction Statement**

**Help / Contact Us**

**Version Payment Inquiry**

**Options Profile**

**Masterpiece Change Location**

**Logout**

**TexPool Participant Services**

1001 Texas Ave, Ste 1150  
Houston, TX 77002

**LOWER BRUSHY CREEK WCID**      **Statement Period**      **10/01/2020 - 12/31/2020**  
**ATTN JAMES R CLARKO**      **Customer Services**      **1-866-TEX-POOL**  
**C/O USDA-NRCS 505 W UNIVERSITY AVE**      **Location**      **000079681**  
**STE C**  
**GEORGETOWN TX 78626**

**LOWER BRUSHY CREEK WCID - 07968100001**

10/01/2020-10/31/2020					
Pool Name	Beginning Balance	Total Deposit	Total Withdrawal	Total Interest	Current Balance
TexPool	\$271,684.51	\$12,956.87	-\$35,000.00	\$30.68	\$249,672.06
Total Dollar Value	\$271,684.51	\$12,956.87	-\$35,000.00	\$30.68	\$249,672.06
11/01/2020-11/30/2020					
Pool Name	Beginning Balance	Total Deposit	Total Withdrawal	Total Interest	Current Balance
TexPool	\$249,672.06	\$30,115.87	-\$10,000.00	\$26.54	\$269,814.47
Total Dollar Value	\$249,672.06	\$30,115.87	-\$10,000.00	\$26.54	\$269,814.47
12/01/2020-12/31/2020					
Pool Name	Beginning Balance	Total Deposit	Total Withdrawal	Total Interest	Current Balance
TexPool	\$269,814.47	\$227,038.13	-\$25,000.00	\$27.61	\$471,880.21
Total Dollar Value	\$269,814.47	\$227,038.13	-\$25,000.00	\$27.61	\$471,880.21
Account Totals					
Pool Name	Beginning Balance	Total Deposit	Total Withdrawal	Total Interest	Current Balance
TexPool	\$271,684.51	\$270,110.87	-\$70,000.00	\$84.83	\$471,880.21
Total Dollar Value	\$271,684.51	\$270,110.87	-\$70,000.00	\$84.83	\$471,880.21
Grand Totals					
Pool Name	Beginning Balance	Total Deposit	Total Withdrawal	Total Interest	Current Balance
TexPool	\$271,684.51	\$270,110.87	-\$70,000.00	\$84.83	\$471,880.21
Total Dollar Value	\$271,684.51	\$270,110.87	-\$70,000.00	\$84.83	\$471,880.21



## Bank Information Sheet

--	--	--	--	--	--	--	--	--	--

 Effective Date\*

Please complete this form to add new banking instructions, or to change or delete existing banking instructions.

**\*Required Fields****1. Participant Information**

LOWER BRUSHY CREEK WCID

Participant Name\*

C/O USDA-NRCS 505 W University Ave, Ste C

Georgetown

T X

7 8 6 2 6

Street Address\*

City\*

State\*

Zip Code\*

same as above

Mailing Address\*

City\*

State\*

Zip Code\*

Williamson

jclarno.pe@att.net

County\*

Authorized Representative Email\*

James R Clarno

5 1 2 5 1 7 7 5 9 6

Primary Representative\*

Phone Number\*

Fax Number\*

**2. Instructions**

7 9 6 8 1

Location Number\*

7 9 6 8 1 - 0 0 0 2

Account Number

Rainy Day Fund

Account Name\*

☒ 449 TexPool☐ 590 TexPool Prime

Please check all that apply:

☒ Add New Account☐ Add New Banking Instructions☐ Change Banking Instructions☐ Delete Banking Instructions☐ Wire and ACH\*☐ Wire Only☐ ACH Only\*☒ Primary☐ Primary☐ Primary**3. Bank Information**

City National Bank of Taylor

Bank Name\*

PO Box 1099

Bank Address\*

Taylor

7 6 5 7 4

Williamson

City\*

Texas Zip Code\*

County\*

Bank ABA Number\*

Bank Account Number\*

Lower Brushy Creek WCID

Bank Account Name\*

Chris Mikulencak

Bank Contact

Credit Information

**Correspondent Bank Information (if applicable)**

Correspondent Bank Name/City

Correspondent Bank ABA Number

Correspondent Bank Account Name

Correspondent Bank Account Number

Account Number\* Location Number\*

#### 4. Signatures

CONFIRM THE INSTRUCTIONS FOR WIRE AND ACH TRANSFERS WITH YOUR LOCAL BANK. ACH INSTRUCTIONS MAY VARY FROM YOUR BANK'S WIRING INSTRUCTIONS IF THE LOCAL BANK IS NOT ON-LINE WITH THE FEDERAL RESERVE. IF ACH INSTRUCTIONS DIFFER FROM WIRING INSTRUCTIONS, PLEASE COMPLETE AN ADDITIONAL BANK INFORMATION SHEET.

*If ACH availability is selected, I hereby authorize State Street Bank to directly deposit and withdraw funds by means of ACH electronic transfer to and from the financial institution and the account designated above ("Designated Account"). I agree that this authorization may be withdrawn with at least 45-days advance written notice to TexPool Participant Services. I understand that the Trust Company reserves the right to discontinue ACH electronic transfer without advance notice. I also authorize State Street Bank to deduct from the Designated Account or from subsequent deposits made to the Designated Account all amounts deposited in error. Likewise, I authorize State Street Bank to credit all amounts withdrawn in error to Designated Account.*

**Note:** This authorization must be executed by a current Authorized Representative of the Participant as set forth in the duly enacted Resolution of the Participant, which is on file with TexPool.

As a current Authorized Representative, I certify that the above information is both true and correct.

Signature of First Authorized Representative\*  
James R Clarno  
Printed Name\*  
General Manager  
Title\*  
Date\*  
5 1 2 5 1 7 7 5 9 6  
Telephone Number\*  
jclarno.pe@att.net  
Email\*

Signature of Second Authorized Representative\*  
Mike Schneider  
Printed Name\*  
Investment Officer  
Title\*  
Date\*  
5 1 2 4 1 7 9 2 5 3  
Telephone Number\*  
mgsjanes@aol.com  
Email\*

#### 5. Mailing Instructions

The completed Bank Information Sheet can be faxed to TexPool Participant Services at 1-866-839-3291. Please mail the original form to:

TexPool Participant Services  
1001 Texas Avenue, Suite 1150  
Houston, TX 77002






**LOWER BRUSHY CREEK WCID**  
c/o USDA – Natural Resources Conservation Service  
505 West University Avenue, Suite C  
Georgetown, Texas 78626

**MEMORANDUM**

**TO:** President Komandosky and  
Members of the Board of Directors

**FROM:** Jim Clarno 

**DATE:** January 11, 2021

**SUBJECT:** General Manager's Report

**Administration**

- NRCS office is still closed to visitors, but NRCS and WCID may enter and use the office at any time.
- NRCS has approved the installation of Suddenlink WiFi service to the WCID.

**Dam Operation & Maintenance**

- Annual dam inspections are scheduled for January 12<sup>th</sup>, 14<sup>th</sup>, 19<sup>th</sup> and 21<sup>st</sup>.
- Task Order No. 2 for spring O&M will include herbicide and fertilizer application, spot spraying, removal of some woody brush, reseeding, sprigging and other related maintenance. The work is scheduled to begin in mid-February.

**Capital Improvements**

- Site 20 Rehab – Contractor has finished all lime processing, rock rip-rap installation and has placed the black dirt on the work areas. Work remaining includes fencing, removal of construction trailer and equipment, sprigging and final clean-up.
- Site 12 and 22 Repair projects – The Contract Agreement with Solid Bridge Construction has been executed and the pre-construction meeting was held on December 23<sup>rd</sup>. The contractor is providing bonds, insurance and initial submittals. Notice to Proceed will be issued with the official start date as of January 18, 2021. The contractor will begin work at Site 12 and then move to Site 22.
- Site 18 Upgrade – a letter was received from the State Board dated December 29<sup>th</sup> confirming tentative funding for this project this fiscal year. The WCID will need to provide documentation that it has (1) sufficient land rights to complete the project, (2) completed an Emergency Action Plan for the site and (3) sufficient funds for its local match.

President Komandosky and Members of the Board  
January 11, 2021  
Page two

**Other**

- Jim Clarno will be appointed as an alternate voting member of the Region 8 Lower Brazos Flood Planning Group.
- Meetings and related activities early next year:
  - Upcoming Board meetings on February 15<sup>th</sup> and March 15<sup>th</sup>

Barry Mahler, Chairman  
Marty H. Graham, Vice Chairman  
Scott Buckles, Member  
José O. Dodier, Jr., Member



David Basinger, Member  
Tina Y. Buford, Member  
Carl Ray Polk, Jr., Member  
Rex Isom, Executive Director

**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
*Protecting and Enhancing Natural Resources for Tomorrow*

December 29, 2020

To All Sponsors of Federal Rehab and State Funded Upgrade Projects:

Most of the designs of federal rehab projects and state funded upgrade projects are near 90% completion. After analyzing available state funding and project readiness, we can now estimate which projects might be funded for construction. Project readiness means that by March 31, 2021, final designs are completed and approved, and that the sponsors have emergency action plans (EAP), land rights certification, and 404 permits. In addition, federal rehab projects must have a newly executed O&M agreement with NRCS.

The following list of dams are in priority order based on (1) availability of federal funding (top priority), (2) projects listed in the ESF \$150 Million Plan (second priority), and (3) Other dams ranked by Risk Index determined from the "NRCS Evaluation of Potential Rehab Projects".

**1. Federally funded rehab projects estimated to be ready, and state match funding available:**

Cedar Creek 87A  
Chambers Creek 10 and 11  
Lower Running Water Draw 4  
Plum Creek 10 and 21

**2. State funded dam upgrade projects (Risk Index priority order) in ESF Plan with likely available funding:**

Chambers Creek 15  
Big Sandy Creek 44  
Upper Cibolo Creek 4  
Chambers Creek 9  
Chambers Creek 7  
Chambers Creek 1  
Elm Creek (Centex) 39  
Chambers Creek 129  
Plum Creek 2  
Elm Creek (Centex) 23  
Big Sandy Creek 43  
Lower East Fork Laterals 3  
Lower Brushy Creek 18

1497 Country View Lane • Temple, TX 76504-8806  
Phone: 254-773-2250 • Fax: 254-773-3311  
<http://www.tsswcb.texas.gov>



**3. Remaining state upgrade projects (priority order) – QUESTIONABLE availability of funding:**

Plum Creek 14 (ESF Plan)  
 Upper East Fork Laterals 5B  
 Upper East Fork Laterals 5C  
 Williams Creek 1  
 Elm Creek (Centex) 4  
 East Fork Above Lavon 16  
 East Fork Above Lavon 15

**Federally funded rehab projects estimated to NOT be ready:**

Lower Plum Creek 28  
 Plum Creek 12  
 Lower East Fork Laterals 9 & 10

As stated, the above ranking is "estimated" and could change if some projects are not ready as expected, projects are canceled by sponsors, or currently available state funding is reduced by the Texas legislature.

In order to meet funding deadlines, we will begin sending agreements for construction funds to sponsors for signature in January, even though the projects are not yet "ready". Sponsors must return signed agreements to TSSWCB as soon as possible, but no later than May 31, 2021 in order to obligate funding before funds expiration.

We will hold the sponsor-signed agreements here at TSSWCB until all requirements are met. When the final design is approved (by NRCS or TCEQ), and sponsors have obtained **EAP, land rights, 404 permits, and for federal rehab - new O&M agreements**, we will be able to quickly execute agreements for construction funding for those projects until all available funding is obligated. Sponsors should begin contracting for construction in March, April or May 2021, and **must begin no later than July 2021.**

For any projects not funded, we will complete the designs and hold for potential future funding in FY 2022 (begins September 1, 2021) or later fiscal years.

**From our records:**

**Land Rights and Attorney's Opinion completed**

Cedar Creek 87A

**Emergency Action Plans Completed and Approved by TCEQ**

Cedar Creek 87A  
 Big Sandy Creek 43 and 44  
 Elm Creek Centex 23, 39 and 4  
 Plum Creek 2 and 14  
 Upper East Fork Laterals 5B  
 Williams Creek 1  
 Lower Plum Creek 28  
 Lower Running Water Draw 4  
 Plum Creek 10, 12, and 21

**Corps of Engineers 404 Permit Completed**

Plum Creek 10

**New O&M Agreements Executed**

Cedar Creek 87A

It is imperative that all sponsors of the above projects be working toward meeting their local requirements, mainly getting Emergency Action Plans approved by TCEQ and land rights certification with attorney's opinion. Engineering firms or NRCS engineers working on the designs will provide land rights work maps for use by sponsors and assist sponsors with 404 permits. For federal rehab projects, please contact Mark Northcut, Watershed Program Manager, at the NRCS State Office (254-742-9824) for the new O&M agreements.

If you have questions, please contact me (Ext. 246), Ronnie Skala (Ext. 242), or Allen Nash (Ext. 230) at TSSWCB (254-773-2250).

We look forward to working with you to complete these projects!

Sincerely,



Steven T. Bednarz, P.E.  
Program Administrator/Engineer

CC:

Rex Isom, Executive Director, TSSWCB  
 Brian Wenberg, State Conservation Engineer, NRCS State Office  
 Mark Northcut, Watershed Program Manager, NRCS State Office  
 Dave Wolff, State Design Engineer, NRCS State Office  
 Ronnie Skala, Engineer, TSSWCB  
 Allen Nash, Engineer, TSSWCB  
 Tony Resendez, Flood Control Specialist, TSSWCB  
 Jared Bowen, Flood Control Specialist, TSSWCB  
 All TSSWCB contracted engineering firms