

**MINUTES  
REGULAR MEETING  
FEBRUARY 9, 2023**

The Board of Directors of the Hickory Underground Water Conservation District No. 1 met in a Regular Meeting on Thursday, February 9, 2023, in the District Office at 111 East Main Street, Brady, Texas. President Amy Greer called the meeting to order at 6:00 p.m. Those in attendance for the meeting or portions thereof were:

Amy Greer	Brady	Bill Sloan	San Saba
Gay Nesloney	Mason	Shawn Oliver	San Saba
Terry Norman	Brady	Angelina Deans	Voca

**Agenda:** Amy asked if there were any additions, deletions, or changes to the current working agenda. Angelina responded there were not. A motion was made by Gay and seconded by Shawn to approve the agenda as presented. Motion passed.

**Public Comment:** There were no public comments.

**Minutes from December 8, 2022, Regular Meeting:** The Board reviewed the minutes. A motion was made by Bill and seconded by Gay to approve both sets of minutes: the December 8, 2022, Regular Meeting. Motion passed.

**Financial Reports for December 2022 and January 2023:** Angelina presented the Financial Reports for December 2022 and January 2023. A motion was made by Gay and seconded by Shawn to accept the reports as presented. Motion passed.

**Investment Strategies:** Angelina explained the Mason Bank CD would renew the end of February and we are receiving a lot of tax money. She suggested we scout around again for the best CD interest rates instead of leaving money in the checking account.


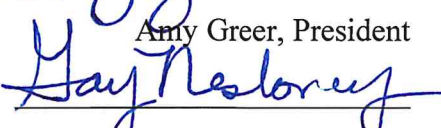
**Permit Application 42-62-11DM** The Board reviewed the permit application for 42-62-11DM, Dan Moran's McCulloch County irrigation well. Mr. Moran is requesting 130 acre-feet at 220 gpm. A motion was made by Gay and seconded by Bill to approve 42-62-11DM for 130 acre-feet at 220 gpm. Motion passed.

**Report on District Activities:** Angelina presented the District Activities Report for February 9, 2023 (report attached).

**Legislative Report:** A copy of Farm Bureau's legislative report was passed out to the board. The newsletter summarized SB 638.

**Poster Contest 2023:** After voting was tallied, the first-place winner was Levi Covey. Second place went to Robert Williams. Both are 5<sup>th</sup> grade students in Mrs. Bridges' Brady Elementary class. Third place went to Karime Oyervides, a 5<sup>th</sup> grader from Richland Springs in Mrs. Womack's class.

**Adjourn.** A motion was made by Gay and seconded by Bill to adjourn. Motion passed. Meeting adjourned at 6:23 p.m.

  
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Amy Greer, President  
  
\_\_\_\_\_  
Gay Nesloney, Secretary  
3-9-2023

Date

## District Activities Report

February 9, 2023

1. Water Use Reports were mailed and emailed to permit holders in December 2022. We have received reports for 195 out of the 548 wells permitted.
2. As you see, we've received over 130 posters this year for our poster contest. Many of the posters were also entered in the SWCD annual contest since their theme this year is water.
3. On January 18, we mailed letters requesting registrations to about 130 San Saba landowners. So far 71 new registrations have been recorded. Mason is the next county on the list.
4. Water levels are completed. The Hickory was down an average of 1.3 feet. The Ellenburger was down 3.03 but that only tallies three wells.
5. 2022 Water Levels and Rainfall Totals have been posted our website.
6. Angelina attended a Native Plant Lecture hosted by the Master Gardeners and the NRCS Office. We will try to encourage more native planting in spring news releases.
7. Ronnie ran 173 Water Quality Analyses in 2022 and 17 so far this year.
8. David has been monitoring the legislative session. As of today, 2,977 bills have been filed total. This includes HB, SB, HCR, HJR, HR, SCR, SJR, and SR). Breakdown between the House and Senate: 2,021 in the House and 757 in the Senate.
9. Senate and House Committee seats have been assigned (see attached)

## **Natural Resources**

CHAIR: King, Tracy of Uvalde

VICE-CHAIR: Thompson, Ed of Brazoria

SENIORITY APPOINTMENTS: Kacal, Kyle  
King, Tracy of Uvalde  
Price, Four  
Thompson, Ed of Brazoria

SPEAKER APPOINTMENTS: Gámez, Erin  
Kitzman, Stan  
Lalani, Suleman  
Metcalf, Will  
Ramos, Ana-Maria  
Rogers, Glenn  
Zwiener, Erin

Charles Perry

**Senate Committee on Veteran Affairs**

Kelly Hancock, Chair  
Tan Parker, Vice Chair  
César Blanco  
Sarah Eckhardt  
Roland Gutierrez  
Bob Hall  
Kevin Sparks

**Senate Committee on Water, Agriculture, and Rural Affairs**

Charles Perry, Chair  
Kelly Hancock, Vice Chair  
César Blanco  
Pete Flores  
Roland Gutierrez  
Nathan Johnson  
Lois Kolkhorst  
Kevin Sparks  
Drew Springer

**Senate Special Committee on Redistricting**

Joan Huffman, Chair  
Juan "Chuy" Hinojosa, Vice Chair  
Carol Alvarado  
Brian Birdwell  
Brandon Creighton  
Kelly Hancock  
Robert Nichols  
Charles Perry  
Drew Springer  
Royce West  
Judith Zaffirini  
Office of the Lieutenant Governor

Some consumers are interested in alternative-protein products that taste like traditional meat products (i.e., plant-based hamburgers and meatless chicken nuggets). They prefer these products for a variety of reasons, including religious requirements and personal health choices.

However, some producers of the “meat alternatives” have been labeling their products in a manner that confuses consumers. Intentional or not, they put deceptive figures and wording on the labeling of their products to make them seem more like “real” meat.

These misconceptions have a two-prong effect on consumers. Those who do not want to eat animal-based products are having a difficult time figuring out what is a plant-based product and what is not. Sometimes, they purchase the wrong item. Those who want to eat “real” meat are having the same issue. The labels and packaging for meat and “meat alternatives” are often so similar, they are indistinguishable from each other. Clarity for all consumers is needed.

### ***Proposed Changes***

The bills require “analogue products” (food products made from processed plant products, insects, or fungus with food additives to mimic meat, poultry, or egg products) to be clearly labeled with one of the following: “analogue; meatless; plant-based; made from plants; or a similar qualifying term.”

HB 1788 and SB 664 also address “cell-cultured” products. Recent advancements in technology now allow scientists to harvest animal cells and artificially replicate them in a laboratory. This process of cell culturing leads to tissue growth and results in a meat “tissue,” designed to replicate meat just as analogue products do.

This bill requires all cell-cultured products to be labeled as either cell-cultured, lab grown, or a similar qualifying term.

TFB **supports** HB 1788 and SB 664. (TFB 2023 Policy: Livestock Section 120 Page 15, Lines 45-55; Marketing Section 134, Page 26, Lines 68-70)

## **Water**

**SB 638:** Relating to the governance and decision-making of groundwater conservation districts in contested cases.

Springer, Drew (R)

### **Summary:**

SB 638 provides more certainty to the permitting process for groundwater conservation districts. The bill acknowledges the importance of timely decisions in granting permits. Delays increase uncertainty and expense throughout the process.

When the application is filed, the PUC will give notice to affected parties, including any property owner located within 25 miles of the boundary of the proposed facility. Larger facilities (15+ megawatts) must notify the county judge for all counties within 25 miles of the facility, if requested.

### ***Conditions of Permit***

Each permit will describe conditions of the facility such as where it can be located, how many turbines/panels it may contain, and any other monitoring requirements.

The PUC may also require permit holders to make sure the turbines/panels are not within 500 feet of any property line and 1,000 feet from any "habitable structure."

### ***Monitoring and Reporting***

The PUC and TPWD may require permit holders to report to them and conduct wildlife assessments around the facility.

### ***Facility Removal by Commission***

If the PUC determines the permit holder did not properly remove their facilities in accordance with Chapter 301 and 302 of the Texas Utilities Code, the PUC may come onto the project and remove the facilities themselves. The PUC and its employees would not be liable for any damages they cause, and they may recover all costs from the permit holder.

### ***Cleanup Fund***

Sen. Kolkhorst's bill establishes a "Cleanup Fund" consisting of private contributions, legislative appropriations, and environmental impact fees.

### ***Environmental Impact Fee***

This fee is imposed on every permit holder. Twenty percent of the fee goes to the cleanup fund. The PUC will determine the amount of the fee by considering each project's efficiency, size, and environmental impact score given to them by TPWD.

### ***Environmental Impact Statements for REGF***

TPWD will create a system for providing an environmental impact statement to each applicant when they apply for a permit.

Criteria considered in each statement includes: the facility's conservation of natural resources, the amount of land being used which is typically used for agriculture and wildlife, and if the project is using agricultural best practices. TPWD is required to

If you would like immediate updates on the action in Austin, follow the Austin Legislative Staff on Twitter.

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Charlie Leal: [@TFB\\_Charlie](https://twitter.com/TFB_Charlie)

Joy Davis: [@TFB\\_Joy](https://twitter.com/TFB_Joy)

Blake Roach: [@TFB\\_Blake](https://twitter.com/TFB_Blake)

## Contact Us

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# AUSTIN NEWSLETTER

Texas Farm Bureau's Weekly Newsletter for the 88th Legislature

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February 3, 2023 | Regular Session, Issue 3 | 88th Regular Session

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Every Friday, this newsletter will keep you up to speed on some of the legislation important to Texas Farm Bureau members that Austin staff are following.

Please do not hesitate to contact the appropriate staff with any questions.

## **Right to Farm**

**HB 1750:** Relating to the applicability of certain city requirements to agricultural operations.

Burns, DeWayne (R)

### **Summary:**

HB 1750 addresses one of Texas Farm Bureau's priority issues for this legislative session: the right to farm. This bill strengthens protections for agricultural operations within city limits.

### **History**

Several cities are restricting or prohibiting generally accepted agricultural practices, and some cities are prohibiting any agricultural use of land through their zoning regulations. These cities are not providing evidence that these regulations are necessary to address a threat to public health and safety.

For example, farmers are being forced to cut hay before it reaches the proper height because some cities don't recognize that hay is a crop. They consider hay to be tall grass that must be kept mowed short. Cities are enforcing these height restrictions on grass being grazed by livestock, as well. Ranchers are being forced to remove their cattle or face legal action due to zoning restrictions that prohibit agricultural use of land. Staging equipment, inputs, or harvested commodities are also being restricted or prohibited as illegal "onsite storage."

Current law only protects ag operations annexed after August 31, 1981. Trying to verify with a city which operations were annexed has proven to be a challenge. Due to this confusion, cities are enforcing ordinances and zoning against all ag



operations without following the requirement in current law to prove a governmental requirement is necessary to protect public health.

### ***Proposed Changes***

Rep. Burns' bill will prohibit cities from imposing "governmental requirements" on **all** agricultural operations within city limits, no matter when the land was annexed by the city. Governmental requirements include rules, regulations, ordinances, zoning, licenses, or permits.

Cities may only impose restrictions on an ag operation if the city can prove it is necessary to protect the public from danger. Some of these dangers include the likelihood of an explosion, flooding, an infestation of vermin or insects, physical injury, and crops that cause traffic hazards.

To prove an ag practice imposes a danger, the city must obtain a report from the city health officer or consultant. The report must show evidence of a health and safety hazard, determine what regulation or preventative measure is needed, and state whether the recommended regulation will restrict or prohibit a generally accepted ag practice. Cities are not allowed to prohibit "generally accepted agricultural practices" except to address a danger listed in the bill.

The bill also calls on Texas A&M AgriLife Extension Service to develop a manual detailing what a generally accepted ag practice is. The manual will also describe which of those practices do and do not present a danger to public health. The city will be required to consult this manual when adopting any restrictions on ag operations.

TFB **supports** HB 1750. (TFB 2023 Policy: Real Property Rights Section 150, Page 58, Lines 2-5; Real Property Rights Section 150, Page 59, Lines 27-31; Real Property Rights Section 150, Page 61, Lines 153-154)

## **Truth in Labeling**

**HB 1788** and **SB 664**: Relating to the labeling of analogue and cell-cultured products.

Buckley, Brad (R) and Sen. Perry, Charles (R)

### **Summary:**

HB 1788 and SB 664 address one of Texas Farm Bureau's priority issues for this legislative session: truth in labeling. These pieces of legislation clarify the labeling language that must be used on certain meat alternatives.

### **History**