Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
May 17, 2006

The Texas State Soil and Water Conservation Board met on May 17, 2006, at 2:30 p.m. in its Hearings Room at 311 North 5th Street, Temple, Texas.

Board members present were:

Aubrey Russell, Chairman
Jerry Nichols, Vice Chairman
Larry Jacobs, Member
Reed Stewart, Member
José Dodier, Member

Board members absent were:

W. T. (Dub) Crumley, Member
Joe Ward, Member

Staff members present were:

Rex Isom, Executive Director
Andy Garza, Program Supervisor
Johnny Oswald, Program Supervisor
Jack Foote, Program Specialist
Ben Wilde, Program Specialist
Kendria Ray, Program Specialist
David Powell, Program Specialist
Joel Clark, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Kenny Zajicek, Fiscal Officer
John Foster, NPS Team Leader
Lee Munz, NPS SWCD Liaison
T.J. Helton, NPS Grant Coordinator
Aaron Wendt, NPS Watershed Coordinator
Donna Long, NPS Project Manager
Richard Egg, Engineer
Mel Davis, Program Specialist
Clyde Gottschalk, Program Specialist
Vicki Davis, Administrative Coordinator

Others present were:

Dee Ann Cameron, Natural Resources Conservation Service
Jamie Moeller, Natural Resources Conservation Service
Leslie Rauscher, North Texas Council of Governmental
Chairman Russell called the meeting to order at 2:40 p.m. and asked Rex to introduce the guests present.

Dee Ann Cameron, NRCS informed the Board of NRCS's intent to produce and distribute a conservation calendar.

Leslie Rauscher, NTCOG gave a presentation on a project being funded with 319 funds.

A work session was conducted which covered all agenda items in detail. Questions were taken and answered.

The meeting adjourned at 5:30 p.m.

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
May 18, 2006

The Texas State Soil and Water Conservation Board met on May 18, 2006, at 8:00 a.m. in its Hearings Room at 311 North 5th Street, Temple, Texas.

Board members present were:

Aubrey Russell, Chairman
Jerry Nichols, Vice Chairman
Larry Jacobs, Member
Reed Stewart, Member
José Dodier, Member

Board members absent were:

W. T. (Dub) Crumley, Member
Joe Ward, Member

Staff members present were:

Rex Isom, Executive Director
Andy Garza, Program Supervisor
Judy Albus, Program Supervisor
John O'Connor, Program Supervisor
Steve Jones, Program Supervisor
Lawrence Brown, Natural Resource Specialist
Johnny Oswald, Program Supervisor
Mark Cochran, Program Supervisor
Jack Foote, Program Specialist
Ben Wilde, Program Specialist
Joe Freeman, Program Specialist
Adrian Perez, Program Specialist
Kendria Ray, Program Specialist
David Powell, Program Specialist
Joel Clark, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Kenny Zajicek, Fiscal Officer
John Foster, NPS Team Leader
Lee Munz, NPS SWCD Liaison
T.J. Helton, NPS Grant Coordinator
Aaron Wendt, NPS Watershed Coordinator
Donna Long, NPS Project Coordinator
Richard Egg, Engineer
Mel Davis, Program Specialist
Clyde Gottschalk, Program Specialist
Dawn Heitman, Program Specialist
Vicki Davis, Administrative Coordinator

Others present were:

Comer Tuck, Texas Water Development Board
Kevin Wagner, Texas Water Resources Institute
Tamara Daniel, Association of Texas Soil and Water Conservation Districts

Chairman Russell called the meeting to order at 8:00 a.m., welcomed those present.

AGENDA ITEM 1. Reports from Agencies and Guests

Comer Tuck, TWDB stated the last of the '06 water plans had been approved, the '07 State Water Plan draft would be available in August with the final version presented to the Legislature in January.

Tamara Daniel, ATSWCD reported on the upcoming South Central Meeting to be held in Corpus Christi.

Kevin Wagner, TWRI stated his agency's willingness to assist with water enhancement/conservation programs, ongoing TMDL projects with State Board 319 personnel, brochure development with State Board brush personnel, meeting with the Guadalupe-Blanco River Authority and thanked John Foster for sitting in on their search committee for a new director at Blackland.

AGENDA ITEM 2. Minutes from the March 22-23, 2006 Board Meeting

Chairman Russell called for a motion to approve the minutes of the March 22-23, 2006 meeting as emailed. Mr. Dodier moved that the minutes be approved. Mr. Nichols seconded the motion. The motion passed unanimously.

AGENDA ITEM 3. District Director Appointments

Ms. Davis presented district director appointments for the Board's consideration and verified they were in order and met all qualifications. Mr. Nichols moved the appointments be approved as presented. Mr. Stewart seconded and the following appointments were unanimously approved:

Jerry Biggs, McClellan Creek #156, Zone 3, Replace Mark McKiernen
Jimmy Dale (Biz) Houston, Gaines County #166, Zone 5, Replace John M. Collett
Rick Schilling, Fayette #341, Zone 2, Replace Charles Chovanec
Cindy Wilbanks, Marion-Cass #433, Zone 3, Replace James D. Stone
Don E. Dean, Montgomery County #452, Zone 5, Replace John Mauney
Bob Earles, Haskell #546, Zone 3, Replace Dan Griffith
Joe R. Brinkley, Parker County #558, Zone 1, Replace Pat Holmes

AGENDA ITEM 4. Review and Adopt Rule Amendments for §§523.1; 523.3-523.6 of Chapter 523, TAC, Agricultural and Silvicultural Water Quality

Mr. Garza reviewed the agenda information. Mr. Dodier moved the Board adopt the final rule amendments as presented. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 5. Review and Approve Waivers as per §523.6(E)(2)(E), TAC

Mr. Garza reviewed the agenda information. Mr. Stewart moved that the State Board approve the waiver requested by Cochran, Tom Green, Upper Leon and Nueces SWCD's. Mr. Nichols seconded and the motion passed unanimously.

AGENDA ITEM 6. Review and Approve Requests for Supplemental Cost Share Fund Allocations

Mr. Garza reviewed the agenda information. Mr. Dodier moved the requests for supplemental cost-share funds be approved as presented. Mr. Stewart seconded and the motion passed unanimously.

AGENDA ITEM 7. Approval of Statewide Water Quality Management Plan Cost Share Requests

Mr. Munz reviewed the agenda information. Mr. Nichols moved the Board approve the requests for statewide cost-share funds as presented. Mr. Dodier seconded the motion. The motion passed unanimously.

AGENDA ITEM 8. Select Future State Meeting Sites for 2007-2008

Mr. Davis reviewed the agenda information and took questions from the Board. Mr. Dodier made a motion instructing Mr. Davis to look into Waco and College Station as possible State Meeting sites for 2007-2008. Mr. Nichols seconded the motion. The motion passed with three board members in favor, two abstaining.

AGENDA ITEM 9. 2006 Annual State Meeting

Mr. Davis reviewed the agenda information. Chairman Russell directed Mr. Davis to contact the members of the state meeting planning committee and include the president of the district employees group. He also requested input from Mr. Brandenberger and Mr. Upchurch on possible tours.

AGENDA ITEM 10. North Bosque Comprehensive Nutrient Management Plan Program Update

Mr. Foster reviewed the agenda information.

AGENDA ITEM 11. Army Compatible Use Buffer Update

Mr. Foster reviewed the agenda information and took questions from the Board.

AGENDA ITEM 12. Water Conservation Interim Charge

Mr. Foster reviewed the agenda information.

AGENDA ITEM 13. 2006 Texas Conservation Awards Program

Mr. Davis reviewed the agenda information and requested input from the Board. Board members questioned Area I field representatives concerning the changes in their awards program for 2005. After discussion Mr. Davis stated that changes or revisions to next year's program will be finalized in July.

AGENDA ITEM 14. Brush Average Cost

Mr. Oswald stated if an increase to average cost was deemed necessary it would be presented at the July Board Meeting. Mr. Stewart informed the Board that he would visit with several districts before the July meeting to get their input on this matter.

AGENDA ITEM 15. FY 2006 Brush Allocations

Mr. Oswald stated this item would be covered at the July Board Meeting.

AGENDA ITEM 16. Legislative Appropriation Request

Mr. Zajicek stated this item would be discussed at the July Board Meeting.

AGENDA ITEM 17. Strategic Planning

Mr. Zajicek reviewed the agenda information. Mr. Dodier related that he had read the Strategic Plan and approved of the suggested changes.

AGENDA ITEM 18. NACD Report

Mr. Dodier deferred to Ms. Daniel who reported that due to budget difficulties, districts should expect a push nationwide for quota participation. She also reported on the Farm Bill Task Force meeting in Washington. Mr. Dodier encouraged those present to make comments on the Farm Bill through email. Mr. Oswald reported on the Farm Bill meeting held in San Angelo.

AGENDA ITEM 19. Coastal Coordination Council Report

Mr. Dodier and Mr. Egg reviewed the agenda information. Mr. Dodier asked that Field Representatives look into the grant program for their coastal districts.

AGENDA ITEM 20. Flood Control Dam Update

Mr. Egg reviewed the agenda information with input from Mr. Isom and Mr. Freeman.

AGENDA ITEM 21. Human Resources Report

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 22. Public Information/Education Report

Mr. Gottschalk reviewed the agenda information.

AGENDA ITEM 23. Brush Control Program Update
Mr. Oswald reviewed the agenda information. He stated TWRI is in the process of developing a draft brochure on the North Concho.

AGENDA ITEM 24. Poultry Program Status Report

Mr. Cochran reported that two districts in the Waco area are entering into contract with employees to work on preparations for Sanderson Farms moving into their area.

AGENDA ITEM 25. Dairy Manure Export Support (DMES) Program Update

Mr. Helton reviewed the agenda information and took questions from the Board.

AGENDA ITEM 26. Clean Water Act, §319(h) NPS Grant Program Status Report

Mr. Helton reviewed the agenda information and took questions from the Board.

AGENDA ITEM 27. Watershed Protection Plan (WPP) Program Status Report

Mr. Wendt reviewed the agenda information

AGENDA ITEM 28. Total Maximum Daily Load (TMDL) Program Status Report

Mr. Wendt reviewed the agenda information and specifically directed attention to progress on the Lake O' the Pines, Peach Creek, Copano Bay and Mission and Aransas Rivers TMDL projects. Significant discussion took place between Board Members and Mr. Wendt regarding the Copano Bay and Mission and Aransas Rivers TMDL Project. This project was initiated due to an oyster water use impairment (elevated bacteria) in Copano Bay and has been expanded to cover a contact recreation use impairment (elevated bacteria) in the tidal portions of both the Mission and Aransas Rivers. Three public meetings have been held by TCEQ to present modeling results and stakeholders at those meetings have raised numerous and significant concerns and questions about the results. The following questions were addressed to and answered by Mr. Wendt:

Q – Is the number of cattle in the model accurate?
A – The original number was based on county estimates from the USDA *2002 Census of Agriculture* but does not account for varying stocking rates across the counties and for land use distribution across the watershed. As such, the model uses inflated cattle population numbers for the watershed.
Q – Are wildlife populations such as deer and feral hogs appropriately reflected in the model?
A – The model does attempt to account for deer and feral hogs. However, the model uses a feral hog density of 1 hog to 170 acres whereas density on the Welder Wildlife Refuge, which is in the Copano Bay watershed, has been observed at 1 hog to 26 acres. These observed values are roughly 6.5 times denser than what the model assumes.
Q – Does the study show the major bacteria source contributor to Copano Bay?
A – Yes, the Bacterial Source Tracking study concludes horses are the major bacteria contributor to Copano Bay. However, the TMDL model suggests that cattle are the leading source. The conflicting results between the BST study and the TMDL model need to be resolved in order to target abatement actions.
Q – Is there a water quality monitoring system in place and how often is monitoring performed?
A – Yes, through the TCEQ Clean Rivers Program, the Nueces River Authority and the TCEQ Field Office monitors one site in each of the four river segments and several sites in the bay. But this monitoring is only done four times per year. Limited quarterly data, as is collected in many other watersheds across the state, is inadequate to substantiate a TMDL model. State Board staff is exploring the option of using federal Clean Water Act §319(h) funds to enable timelier and more comprehensive targeted monitoring.
Q – Does the water quality standard apply during high flow storm events like hurricanes?
A – Yes, the water quality standard for bacteria applies at all times including storm events. Stakeholders have asked if swimmers are swimming and oysters are being harvested during storm events. TCEQ staff and contractors have indicated that monitoring data suggests the impairment occurs during high-flow events. However, the model is not driven or linked to storm events and, as

such, the effect of flushing rains cannot be modeled. This discrepancy between monitoring data and the limited capability of the selected model type needs to be resolved.
Q – Is drought taken into account or reduction in livestock?
A – No the on-going drought in South Texas is not accounted for in the model. At one of the recent public meetings, NRCS staff suggested there may be a 15-20% reduction in cattle numbers due to culling operations because of the drought. Additionally, the drought will impact the amount of bacteria that builds up on the landscape and how much bacteria die off before entering the rivers during storm events. The Oso Bay bacteria TMDL project is located just south of Copano Bay and that model uses different bacteria loading rates and different bacteria die-off rates that this Copano Bay model.
Q – Is the State Board part of the process?
A – Yes.
Q – What degree of involvement have we had?
A – We have been involved as meeting participants only. Without fully participating as a partner with TCEQ, what we can hope to accomplish with stakeholders becomes limited.

Board members stated that if these studies will affect our constituency and we are supposed to be a partner, then we should play an appropriate role. Board Members requested a report that addresses their questions and stated that the State Board and its personnel should have more input. Chairman Russell asked that the NPS Team look into a meeting with members of the Commission or its personnel to address the discrepancies discussed today.

Mr. Dodier moved that TCEQ be approached concerning a meeting with at least one Commissioner, two or three Board Members and Mr. Isom to discuss who is the lead agency and why we are not an appropriate partner at this point. Mr. Jacobs seconded and the motion carried unanimously. Mr. Dodier expressed the Board's thanks to the NPS Team for bringing this issue to light.

AGENDA ITEM 29. TOCA Update

Mr. Garza stated we are approaching 2700 entries into TOCA. He expressed his appreciation to Clay Wright for his work on the project.

AGENDA ITEM 30. Set Date of Next Board Meeting

Chairman Russell set the date of the next scheduled board meeting as July 19 and 20, 2006.

Chairman Russell called the meeting adjourned at 10:38 a.m.

Chairman

Secretary

7/20/06
Date

7/20/06
Date

I certify that the above is a true and correct copy of the minutes of the State Soil and Water Conservation Board meeting held on May 17-18, 2006.

7/20/06
Date

Executive Director