



TEXAS STATE SOIL & WATER CONSERVATION BOARD

Monthly Program News and Activities

4311 South 31st Street, Suite 125, Temple, Texas 76502
 PO Box 658, Temple, Texas 76503
 (254) 773-2250

<http://www.tsswcb.texas.gov>

March 2012

The TSSWCB produces this monthly update of the agency’s activities as an informational service to local Soil and Water Conservation District Directors. I hope you find this information helpful, and if you have any questions please don’t hesitate to call your local field representative or our state headquarters.

REX ISOM, Executive Director

CONTENTS

State Board Work Session and Meeting.....	1
Budget and Accounting	1
Human Resources	2
Special Projects.....	2
Public Information and Education.....	2
Water Quality Management Plan Program	3
Poultry Water Quality Management Plans	4
Water Conservation Advisory Council	4
Texas Nonpoint Source Management Program.....	5
Nonpoint Source Grant Program.....	6
Total Maximum Daily Load Program.....	8
Watershed Protection Plan Program.....	8
Coastal NPS Pollution Control Program	9
Texas Groundwater Protection Committee.....	10
Water Quality Coordination Activities.....	11
Upcoming Public Meetings.....	16
Water Quality Planning and Implementation	16
Water Supply Enhancement Program	19
Flood Control Dam Programs.....	19

STATE BOARD WORK SESSION AND MEETING

The State Board has scheduled a Work Session on **Wednesday, May 23, 2012** and a formal State Board Meeting on **Thursday, May 24, 2012**. More information is available at <http://www.tsswcb.texas.gov/boardmeetings>, or by contacting Karen Preece at (254) 773-2250, ext. 245.

BUDGET AND ACCOUNTING

- A link to the online 2014-15 SWCD Biennial Budget Request and instructions on how to complete the request can be found on the SWCD Resources Page of the TSSWCB website. The submission deadline for the 2014-2015 SWCD Biennial Budget Request will be April 1st.
- The deadline to claim 2/3 of your Matching Fund allocation for 2012 is May 15th.

For more budget and accounting information, contact Kenny Zajicek at (254) 773-2250 ext. 236 or zajicek@tsswcb.texas.gov.

HUMAN RESOURCES

TSSWCB is currently not recruiting for any positions at this time.

For additional information on posted vacancies or to download an application, visit <https://www.tsswcb.texas.gov/employment>

SPECIAL PROJECTS

Program Overview

The TSSWCB Special Projects department provides coordination for the Annual State Meeting of Soil and Water Conservation District (SWCD) Directors, facilitates open government functions required by the Texas Administrative Procedures Act, and directs the completion of other mandatory agency responsibilities such as publishing the agency's Semi-Annual Report and coordinating rule-making functions.

Annual State Meeting of Texas SWCD Directors

Mark your calendars for October 29 - 31, 2012 and plan now to attend the 72nd Annual State Meeting planned for Bastrop. On line and phone reservations at the Hyatt Lost Pines Resort will be accepted from 4-18-12.

In their March meeting, the State Board adopted proposed amendments to Chapter 520, Subchapter A, Election Procedures. The proposed amendments were in the *Texas Register* for rule review and comment. The amendment relates to those situations when no one files to run as a candidate. It is presumed that the incumbent resigned and a vacancy occurs. The district may then submit and appointment, as long as it is not someone presumed to have resigned, for approval to the State Board. The amendment appeared in the February 13, 2012 issue of the *Texas Register*.

The State Board also adopted revised rules on Chapter 517; Cost Share Assistance for Brush Control. The adopted revisions change the Chapter to Cost Share Assistance for Water Supply Enhancement and revise the rules to be consistent with the new direction of the program. The amendments were published in the February 17 issue of the *Texas Register*.

Districts in Areas II and IV have been sent reminder letters regarding their selection of Delegates to the Election Convention which will take place Tuesday, May 1, 2012 in both areas. Delegates must be returned to the State Board by April 1, 2012.

Conservation Awards Banquets are scheduled for:
Area I – May 8 in Plainview
Area II – May 1 in Wall
Area III – May 2 in Refugio
Area IV – May 1 in Jacksonville
Area V – May 10 in Stephenville

PUBLIC INFORMATION AND EDUCATION

Follow TSSWCB on Twitter, Facebook, and LinkedIn!

<http://twitter.com/TSSWCB>

<http://www.facebook.com/tsswcb>

<http://www.linkedin.com/company/968674>



Conservation News

Conservation News is a collection of readily available current news and information regarding natural resource issues. TSSWCB periodically distributes Conservation News via email to those interested. To subscribe, send an email to conservation-news-subscribe@tsswcb.texas.gov. Conservation News is also available at <http://www.tsswcb.texas.gov/news>.

Program Development Workshop

A combination of thirty-nine SWCD Directors, employees and new NRCS District Conservationists attended the program development workshop held January 31-Feb 1, 2012. Though a date has not yet been set, the TSSWCB will continue to offer a

second training workshop sometime in late June or early July.

Area Public Speaking Contests

Though dates have not yet been received from the Texas FFA for scheduled public speaking contests within the 10 Texas FFA areas, students are currently in the process of preparing for the Soil Stewardship public speaking contests. The theme of this year's speaking contest is "Soil to Spoon".

Area Association Updates

South Texas Association of SWCDS

Mark Massey, Vice President of Supply Acquisition and Harvest Operations for Biomass Energy Resources (BER) will SWCD directors who attended their February 28, semi-annual meeting of the South Texas Association of Soil and Water Conservation Districts (STASWCDS). Massey, who is headquartered in Plano, TX, presented a program on the company's harvesting of brush for the production of biomass.

Gulf Coast Association of Texas SWCDS

A meeting of the Gulf Coast Association of Soil and Water Conservation Districts (GCASWCDS) will be held February 29 in Inez, TX. District directors attending the meeting will tour South Texas Milling Inc. (STM), a family owned and operated stone milling business located South of Inez. The company's historical roots date back to 1870 when the family's ancestors built and operated one of the first wind powered grist mills in Texas. During the tour the conservation district directors observed how corn is cleaned and packaged for sale as deer corn. In addition, the conservation district officials saw how corn is ground and packaged in a variety of food products using old world stone grinding techniques.

Conservation Video Library

About the Library

There are over 200 conservation-related videos available; the 2011 catalog can be downloaded at <http://www.tsswcb.texas.gov/infoed/videolibrary>.

No rental fees are assessed to those wishing to borrow videos from the library.

Ordering a Video

Select a video from the Conservation Video Catalog, then contact Mary Jo Schooler at mschooler@tsswcb.texas.gov to check it out. The Association of Texas SWCDs will pay the first transit postage costs to mail the video(s) to the requester. Postage for returning the video(s) will be the responsibility of the borrower. All videos must be insured upon return.

WATER QUALITY MANAGEMENT PLAN PROGRAM

Program Overview

With the passage of Senate Bill 503 in 1993, the Texas Legislature directed the TSSWCB to implement water quality management plans (WQMPs) to abate agricultural and silvicultural nonpoint source water pollution. A WQMP is a site-specific plan developed through and approved by SWCDs. The agency has been implementing WQMPs on private lands since late 1993 and has certified 10,080 plans on 3,873,753 acres as of February 14, 2012. All agriculture and silviculture producers in the state are eligible to have a water quality management plan developed. The TSSWCB identifies areas of the state where water quality is being negatively impacted by agricultural and silvicultural nonpoint source water pollution and allocates funding to those priority areas to serve as financial incentives to increase participation in the program. However, all animal feeding operations are considered to be high priority and are eligible to receive financial incentives to install needed practices in their WQMP through their priority area or statewide assistance program. More information about the WQMP Program is available at <http://www.tsswcb.texas.gov/wqmp>.

To date, the Texas State Soil and Water Conservation Board (TSSWCB) has certified Water Quality Management Plans on 1682 animal feeding operations (AFO) and concentrated animal feeding operations (CAFO) across the state. The brake down is as follows:

Beef Cattle	27
Swine	8
Sheep/Goats	5
Poultry	1244
Turkeys	41
Dairys	348
Auction Barns	4
Horses	5

According to the latest research results Water Quality Management Plans implemented in FY2011 have had a significant effect on reducing nutrient and sediment loadings to the waters of the state. Results show that WQMPs implemented in 2011 reduced nitrogen by 303,640 pounds, phosphorus by 61,087 pounds, and sediment by 20764 tons.

FY2012 allocations of financial incentive funding for priority SWCDs was approved by the State Board in July 2011. The FY2012 fiscal year began on September 1, 2011 and the deadline for obligating FY2012 funds is April 30, 2012.

From September 01, 2011 through February 14 2012 , the TSSWCB has certified 117 water quality management plans on 33,626 acres.

POULTRY WATER QUALITY MANAGEMENT PLANS

Program Overview

In 2001, the 77th Texas Legislature amended the Texas Water Code to require all persons who own or operate a poultry facility to implement and maintain a WQMP certified by the TSSWCB.

In 2009, the 81st Texas Legislature amended the Texas Water Code to require TSSWCB to assess whether the existing and construction of all new poultry farms or existing farms that expand by more than 50% within ½ mile of permanently inhabited residences, businesses, or places of worship is likely to cause a persistent nuisance odor. An odor control plan may be required for those farms. The new law also requires all poultry producers and most receivers of poultry litter to keep records of poultry litter usage.

Program Activities

TSSWCB continues to conduct inspections of poultry CAFO facilities to ensure they are meeting all the necessary requirements. In addition, staff continues to review and update existing WQMPs and develop plans for newly constructed farms.

For more information on Poultry WQMPs, please visit <http://www.tsswcb.texas.gov/poultry> or contact the Poultry Program Office at (936) 462-7020.

WATER CONSERVATION ADVISORY COUNCIL

Program Overview

Recognizing the importance of water conservation in meeting our future demand, the 80th Texas Legislature in 2007, via the passage of Senate Bill 3 and House Bill 4, directed the Texas Water Development Board (TWDB) to appoint the members of the newly created Water Conservation Advisory Council (WCAC). The WCAC was created to provide the Governor, Lieutenant Governor, Speaker of the House of Representatives, Legislature, TWDB, Texas Commission on Environmental Quality (TCEQ), political subdivisions, and the public with the resource of a select council with expertise in water conservation.

According to the legislation, the WCAC is composed of 23 members appointed by the TWDB. At their August 27, 2007 meeting, the TWDB appointed one member to represent each of the 23 entities or interest groups. The TSSWCB is a statutorily-authorized member of the WCAC.

Duties of the WCAC include:

- Monitoring trends in water conservation implementation and new technologies for possible inclusion as BMPs
- Monitoring the effectiveness of the statewide water conservation public awareness program and developing and implementing a state water management resource library
- Developing and implementing a public recognition program for water conservation

- Monitoring the implementation of water conservation strategies by water users included in regional water plans
- Monitoring target and goal guidelines for water conservation to be considered by the TWDB and TCEQ
- Evaluating the desirability of requiring certification of water conservation training facilities, entities, and programs that provide assistance to retail public utilities in developing water conservation plans

Recent Activities

A meeting was held on February 21, 2012 in Austin. Meeting agendas and minutes are available on the WCAC's web site:
<http://www.savetexaswater.org>.

Upcoming Activities

The agricultural workgroup, over the next biennium, will be reviewing the state's agricultural water conservation BMPs that were developed by the Water Conservation Task Force (2003-2005). The workgroup will determine if each BMP is still appropriate as is, or if it needs updating or removal. The agricultural workgroup will also review current methods of reporting irrigation water use (e.g., gal/ac, gal/ton) to evaluate if current methods are appropriate, or if more efficient methods should be developed and used.

The workgroups do not make any decisions, but make recommendations to the WCAC for any required decisions. All interested persons are welcome and encouraged to participate as members of the various workgroups. If anyone is interested in becoming a workgroup member, please contact Richard Egg at (254) 773-2250 ext. 246 or regg@tsswcb.texas.gov. More information on the WCAC is available at <http://www.savetexaswater.org/>.

TEXAS NONPOINT SOURCE MANAGEMENT PROGRAM

Program Overview

The federal Clean Water Act (CWA) requires states to develop a program to protect the quality of water resources from the adverse effects of nonpoint source (NPS) water pollution. The *Texas NPS Management Program* is the State's comprehensive strategy for addressing NPS pollution. The program publication is updated every five years. The most recent revision was submitted to the U.S. Environmental Protection Agency (EPA) by the Governor in December 2005. The *Texas NPS Management Program* is jointly administered by the TSSWCB and the Texas Commission on Environmental Quality (TCEQ).

The *Texas NPS Management Program* utilizes baseline water quality management programs and regulatory, voluntary, financial, and technical assistance approaches to achieve a balanced program. NPS pollution is managed through assessment, planning, implementation, and education. The TCEQ and TSSWCB have established goals and objectives for guiding and tracking the progress of NPS management in Texas. Success in achieving the goals and objectives are reported annually in the *Annual Report on Managing NPS Water Pollution in Texas*, which is submitted to the EPA in accordance with the CWA.

Implementation of the *Texas NPS Management Program* involves partnerships among many organizations. With the extent and variety of NPS issues across Texas, cooperation across political boundaries is essential. SWCDs are vital partners in working with landowners to implement best management practices (BMPs) that prevent and abate agricultural and silvicultural NPS water pollution.

More information on the *Texas NPS Management Program*, including the *2011 Annual Report*, is available at <http://www.tsswcb.texas.gov/managementprogram>.

The following is a compilation of relevant information pertaining to the multiple water quality programs and functions administered by and/or coordinated through the TSSWCB Statewide Resource Management (SRM) group that collectively represent the agency's efforts in supporting the goals and objectives of the *Texas NPS Management Program*.

Watershed Approach

Protecting the State's rivers, streams, lakes, bays, and aquifers from the impacts of NPS pollution is a complex process. Texas uses a Watershed Approach to focus efforts on the highest priority water quality issues of both surface and ground water. The Watershed Approach is based on the following principles:

- Geographic focus based on hydrology rather than political boundaries;
- Water quality objectives based on scientific data;
- Coordinated priorities and integrated solutions; and,
- Diverse, well-integrated partnerships.

The TSSWCB applies the Watershed Approach to managing NPS pollution by channeling its efforts to restore and protect water quality through the development and implementation of watershed protection plans (WPPs) and total maximum daily loads (TMDLs) in those watersheds where agricultural and/or silvicultural NPS pollution is contributing to a water quality impairment or concern to an extent which TSSWCB believes is sufficient to justify expenditure of agency resources. A list of these watersheds, including links to on-going restoration projects within those watersheds, is available at

<http://www.tsswcb.texas.gov/watersheds>.

Summaries of the TSSWCB's activities within specific watersheds are provided in the *Water Quality Planning and Implementation* section of this report.

Texas Nonpoint Source Management Program – Revision Status

The State of Texas must have a federally approved Management Program in order to continue receiving CWA §319(h) grant monies from the EPA. The

“Texas NPS Management Program” was last approved in December 2005 for a five-year planning period. Since that time, significant events have occurred in the program and the State must now update the Management Program to provide for new initiatives and to specify program goals for the upcoming planning period.

The draft *2012 Texas NPS Management Program* document has been developed consistent with regulatory guidance from EPA to satisfy requirements of the federal CWA. Informal comments on the draft document were solicited from a statewide stakeholder group. The draft document incorporates EPA's nine components of an effective program; establishes long- and short-term goals for the program; provides for the coordination of NPS-related programs and activities conducted by federal, state, regional, and local entities; and prioritizes assessment, planning, and implementation activities in priority watersheds and aquifers.

On January 19, 2012, the State Board approved publishing the draft 2012 document for public comment. On January 25, 2012, the Commission took the same action. Notice of the availability of the draft document was published in the Texas Register on February 10, 2012. The public comment period was from February 10, 2012 through March 12, 2012.

On February 23, 2012, TSSWCB SRM staff [Mitch Conine, Pamela Casebolt, Aaron Wendt], in collaboration with TCEQ staff, hosted a public comment meeting in Austin. An overview of the changes made to the *Management Program* was presented and questions were answered regarding the document. No official public comments were received at the meeting.

TCEQ and TSSWCB staff are addressing written comments received during the public comment period and incorporating changes in a revised *Management Program* document. Comments were received from 14 entities and citizens.

The draft document is available at <http://www.tsswcb.texas.gov/managementprogram#revision>.

FY2011 Nonpoint Source Annual Report

On March 13, 2012, TSSWCB SRM staff distributed the *2011 Annual Report on Managing Nonpoint Source Water Pollution in Texas* to all SWCDs; the report is jointly published by the TSSWCB and the TCEQ. In order to continue receiving CWA §319(h) funds, the State must annually report to EPA on success in achieving the goals and objectives of the *Texas NPS Management Program*. The report highlights the State's efforts during FY2011 to collect data, assess water quality, implement projects that reduce or prevent NPS pollution, and educate and involve the public to improve and maintain the quality of water resources in the State. The *2011 Annual Report* is available at <http://www.tsswcb.texas.gov/reports#nps>.

Nonpoint Source Grant Program

The NPS Grant Program is administered by the TSSWCB for the purpose of providing funding as grants to cooperating entities for activities that address the goals and objectives stated in the *Texas NPS Management Program*. The Texas Legislature and the U.S. Congress (through the EPA) provide funding to the TSSWCB to administer the agricultural and silvicultural components of the *Texas NPS Management Program* through the TSSWCB NPS Grant Program.

Summaries of the TSSWCB's activities within specific watersheds funded through this NPS Grant Program are available in the *Water Quality Planning and Implementation* section of this report.

Clean Water Act §319(h) Grant Funding

Background

Congress enacted §319(h) of the CWA in 1987, establishing a national program to control NPS water pollution. Through §319(h), federal funds are provided annually through the EPA to States for the implementation of each State's NPS Management Program. The §319(h) funding in Texas is divided

equally between the TCEQ and the TSSWCB. Over the past several years, the State's allocation has been approximately \$9 million.

In November 2011, EPA submitted *A National Evaluation of the Clean Water Act Section 319 Program* to the Office of Management and Budget (OMB). This national program evaluation was conducted by EPA to improve understanding of how States currently utilize and leverage §319(h) grant funds to achieve NPS management program goals and to identify opportunities for improvement of the §319(h) program. Recommendations for programmatic improvement included in the report may be used by EPA, OMB, the Administration, or Congress to improve accountability and effectiveness of the §319(h) grant program. The report is available at <http://www.epa.gov/owow/nps/pdf/319evaluation.pdf>.

FY2006 – FY2011 CWA §319(h) Grant Status

There are currently 45 on-going §319(h) grant-funded projects addressing a wide array of agricultural and silvicultural NPS issues. Unliquidated federal funds for these 45 on-going projects total approximately \$15 million and are primarily being used to implement BMPs to abate NPS pollution from animal feeding operations, grazing livestock operations and row crop operations; provide technical assistance through SWCDs for the development of WQMPs; provide financial incentives for implementing certain BMPs prescribed in WQMPs; support various targeted educational programs; develop and implement WPPs; and implement the NPS portion of TMDL I-Plans.

FY2012 Request for Proposals

TSSWCB SRM staff identified priority areas and activities for this funding cycle based on the *Texas NPS Management Program* and the *2010 Integrated Report*. The deadline for proposal submission was October 14, 2011. TSSWCB received 28 proposals requesting a total of \$11,040,653 in federal funds. Received proposals have been reviewed by SRM staff based on the published ranking criteria and are being selected for funding. On March 14, 2012,

TSSWCB SRM staff submitted 16 proposals to EPA for review and comment.

State General Revenue Grant Funding

Background

The 80th Texas Legislature appropriated general revenue funds to the TSSWCB for the purpose of planning, implementing, and managing programs and practices for preventing and abating agricultural and silvicultural NPS water pollution in impaired watersheds; the 81st and 82nd Texas Legislatures renewed this appropriation.

The State Board has approved operating budgets for FY2010, FY2011 and FY2012 that allocated a total of \$3.77 million in state general revenue to the NPS Grant Program. On September 17, 2009, the Board approved a revised *TSSWCB Policy on TMDLs and Watershed Planning, Assessment, and Implementation Activities* which provides guidance to SRM staff on directing these state appropriations for the NPS Grant Program. This *Policy* is available at

<http://www.tsswcb.texas.gov/managementprogram#StateGR>.

FY2010 – FY2012 State General Revenue Grant Status

There are currently 9 on-going general revenue-funded projects addressing an array of agricultural and silvicultural NPS issues. Unliquidated state funds for these 9 on-going projects total approximately \$3 million and are primarily being used to implement agricultural NPS components of TMDL I-Plans; conduct recreational use attainability analyses (RUAAAs); support increased analytical infrastructure at public bacterial source tracking (BST) laboratories; demonstrate innovative BMPs on animal feeding operations and grazing lands; and collect and analyze water quality data for watersheds with impaired waterbodies.

TSSWCB SRM staff are in the process of finalizing workplans and budgets with collaborating entities to obligate remaining FY2012 allocated funds.

Total Maximum Daily Load Program

Background

The CWA requires Texas to identify lakes, rivers, streams, and estuaries failing to meet or not expected to meet water quality standards and not supporting their designated uses (swimming, drinking, aquatic life, etc.). This list of impaired waterbodies is known as the *Texas 303(d) List* and must be submitted to the EPA for review and approval every two years.

The State must then establish a TMDL for certain waterbodies identified on the *Texas 303(d) List*. A TMDL defines the maximum amount of a pollutant that a waterbody can assimilate on a daily basis and still meet water quality standards. The pollution reduction goal set by the TMDL is necessary to restore attainment of the designated use of the impaired waterbody. The TMDL allocates pollutant loads between point sources and nonpoint sources. It also takes into account a margin of safety, which reflects uncertainty and future growth.

Based on the environmental target of the TMDL an Implementation Plan (I-Plan) is then developed that prescribes the measures necessary to mitigate anthropogenic (human-caused) sources of that pollutant in that waterbody. The I-Plan specifies limits for point source dischargers and recommends BMPs for nonpoint sources. It also lays out a schedule for implementation. Together, the TMDL and the I-Plan serve as the mechanism to reduce the pollutant, restore the full use of the waterbody, and remove it from the *303(d) List*. EPA must approve the TMDL, but the I-Plan only requires State approval. TSSWCB shares responsibility with the TCEQ for the development and implementation of TMDLs.

More information on TMDLs is available at <http://www.tsswcb.texas.gov/tmdl>. Summaries of the TSSWCB's activities within specific watersheds are available in the *Water Quality Planning and Implementation* section of this report.

Watershed Protection Plan Program

Background

Watershed Protection Plans (WPPs) are locally-driven mechanisms for voluntarily addressing complex water quality problems that cross multiple jurisdictions. WPPs are coordinated frameworks for implementing prioritized water quality protection and restoration strategies driven by environmental objectives. Through the watershed planning process, TSSWCB encourages stakeholders to holistically address all of the sources and causes of impairments and threats to both surface and ground water resources within a watershed.

WPPs integrate activities and prioritize implementation projects based upon technical merit and benefits to the community, promote a unified approach to seeking funding for implementation, and create a coordinated public education program. Developed and implemented through diverse, well integrated partnerships, a WPP assures the long-term health of the watershed with solutions that are socially acceptable and economically viable which achieve environmental goals for water resources. Adaptive management is used to modify the WPP based on an on-going science-based process that incorporates new knowledge into decision-making.

TSSWCB provides technical and financial assistance to local stakeholder groups to develop and implement WPPs to address significant agricultural or silvicultural NPS issues. EPA requires certain expenditures through CWA §319(h) grants to be in accordance with a WPP. While WPPs sponsored by TCEQ have significant water quality issues related to urban NPS pollution or wastewater treatment, most, to varying degrees, have agricultural or silvicultural NPS pollution components. There are several other watershed planning projects across the state which are funded and sponsored by entities and agencies other than TSSWCB or TCEQ.

More information on WPPs is available at <http://www.tsswcb.texas.gov/wpp>. Summaries of the TSSWCB's activities within specific watersheds are available in the *Water Quality Planning and Implementation* section of this report.

Coastal NPS Pollution Control Program

Background

The Texas Coastal Management Program (CMP) was created to coordinate state, local and federal programs for the management of Texas coastal resources. The CMP improves the management of the State's coastal resources to ensure long-term ecological and economic productivity of the coast. The CMP brings in federal Coastal Zone Management Act (CZMA) funds to Texas to implement projects and program activities for a wide variety of purposes. The Texas General Land Office (GLO) and the Land Commissioner are responsible for coordinating activities associated with the CMP. The Coastal Coordination Advisory Committee (CCAC), established by the Texas Legislature, advises the Land Commissioner on matters related to implementation of the CMP; the TSSWCB is a statutorily-authorized member of the CCAC.

The GLO is charged with adopting uniform goals and policies to guide decision-making by all entities regulating or managing natural resource use within the Texas coastal area. The GLO reviews significant actions taken or authorized by state agencies and subdivisions of state government that may adversely affect coastal natural resources to determine consistency with CMP goals and policies. In addition, the GLO oversees the CMP Grants Program and the Small Business and Individual Permitting Assistance Program. The federal Coastal Zone Act Reauthorization Amendments (CZARA) §6217 requires each State with an approved CMP to develop a federally approvable program to control coastal NPS pollution. The National Oceanic and Atmospheric Administration (NOAA) and the EPA jointly administer §6217 at the federal level. In Texas, the TSSWCB and the TCEQ hold primary responsibility for the development and implementation of the Texas Coastal NPS Pollution Control Program.

More information on the CMP is available at <http://www.glo.texas.gov/what-we-do/caring-for-the-coast/grants-funding/cmp/index.html>.

Conditional Approval Status of Coastal NPS Program

Texas submitted the Texas Coastal NPS Pollution Control Program to EPA and NOAA in December 1998. In July 2003, NOAA and EPA issued conditional approval of the Texas Coastal NPS Pollution Control Program. NOAA identified five areas the State must strengthen or correct; the agricultural and silvicultural portions of the program were approved without conditions. Texas had five years to meet the remaining conditions to gain full approval. States that fail to submit an adequate program (full approval) face penalties including loss of EPA and NOAA funds, including CWA §319(h) NPS grant monies.

In July 2008, the State again responded to the remaining conditional approval findings of NOAA and EPA. It was anticipated that this response would address the remaining conditions resulting in a fully-approved program. However, in May 2009, GLO received comments from NOAA and EPA which concluded that enough progress had been made to lift only one of the conditions.

On January 26, 2012, GLO submitted the State's approach to resolving one of the remaining conditions (associated with on-site sewage facilities) to NOAA and EPA for review and approval.

Coastal Coordination Advisory Committee

The Coastal Coordination Advisory Committee (CCAC) was reviewed by the Sunset Advisory Commission this biennium. Sunset legislation (SB656) has been signed by the Governor. The act abolishes the CCC and transfers its functions to the Land Commissioner and the GLO. The legislation also requires establishment of a Coastal Coordination Advisory Committee to advise the Land Commissioner on matters related to the CMP. This Advisory Committee includes a representative of the TSSWCB designated by the Chairman of the State Board. The act took effect September 1, 2011.

The general structure of the coastal program will be work groups from the agencies and governor appointees to focus on specific projects, modeled on the grants workgroup. The main function of the

Advisory Committee will be to provide consistency review of federal projects and actions, and to provide support to the work groups.

More information on the CCAC is available for a limited time at

<http://www.glo.texas.gov/GLO/boards-and-commissions/coastal-coordination-council/index.html>.

CMP Grant Program

Through the CMP, GLO awards approximately \$1.8 million of the federal §306/§306A coastal management grant funds received from NOAA to local governments and other entities along the coast for planning and implementation of projects that address environmental problems affecting the coastal area and that promote sustainable economic development.

GLO anticipates distributing Grant Cycle 18 application information in April 2012.

More information on the CMP grant program can be found at <http://www.glo.texas.gov/what-we-do/caring-for-the-coast/grants-funding/cmp/index.html>.

Texas Groundwater Protection Committee

Background

Established by the Texas Legislature in 1989, the Texas Groundwater Protection Committee (TGPC) bridges the gap between State groundwater programs, improves coordination between member agencies, and works to protect groundwater as a vital resource; the TSSWCB is a statutorily-authorized member of the TGPC.

The Texas Water Code sets non-degradation of the State's groundwater resources as the goal for all State programs and asserts that groundwater is kept reasonably free of contaminants that interfere with its present and potential uses. The TGPC implements the State's groundwater protection policy which:

- Requires that pollution discharges, waste disposal and other regulated activities not harm public health or impair current or potential groundwater use;
- Recognizes the variability between aquifers;
- Acknowledges the importance of water quality;
- Balances the protection of the environment and the long-term economic health of the state; and,
- Recognizes the use of the best professional judgment of the responsible state agencies to implement the policy.

Activities of the TGPC and Subcommittees

On March 1, 2012, TSSWCB SRM staff [Jana Lloyd] and TSSWCB Special Projects staff [Mel Davis] attended a TGPC Public Outreach & Education Subcommittee meeting in Austin. Five agencies and organizations were represented. An overview of the Texas Well Owner Network (TWON) was presented to the Subcommittee as well as a copy of the TWON handbook table of contents. Subcommittee members were asked to review and provide comment on the draft TWON handbook. Recent and upcoming outreach events were also discussed.

The next Public Outreach & Education Subcommittee meeting is set for June 12, 2012. More information on the TGPC is available at <http://www.tgpc.state.tx.us/>.

Water Quality Coordination Activities

Coordination with TCEQ

On September 27, 2006, at a joint meeting, the TSSWCB and the TCEQ approved a new *Memorandum of Agreement (MOA) on TMDLs, I-Plans, and WPPs*. This framework for collaboration between the two agencies describes the programmatic mechanisms employed to develop and implement TMDLs and WPPs. TSSWCB SRM staff continue to work with TCEQ staff to implement components of the MOA including meeting regularly to discuss the status of the NPS Management Program and its related projects. The MOA is available at <http://www.tsswcb.texas.gov/tmdl#moa>.

Coordination with EPA

On February 23-24, 2012, TSSWCB SRM staff [Aaron Wendt, Pamela Casebolt, Loren Warrick, Mitch Conine, Brian Koch, David Reeves, Jana Lloyd] met with EPA and TCEQ staff in Austin for the annual joint end-of-year review (FY2011) of the *Texas NPS Management Program* and the CWA §319(h) NPS Grant Program. Many priority issues affecting both state agencies were discussed in the two-day meeting including new grant policies from EPA, financial aspects of the program, and measuring success in watershed restoration. Both agencies discussed on-going efforts in select watersheds to develop and implement WPPs and TMDLs, and the status statewide educational projects. The group discussed coordination of water quality restoration activities with other state and federal agencies, progress in revising the *Texas NPS Management Program* document, and the Watershed Action Planning process. Discussion highlighted the program's accomplishments, goals, and plans for the coming year.

On March 5-6, 2012, TSSWCB SRM staff [Aaron Wendt, Pamela Casebolt, Loren Warrick, Mitch Conine, Brian Koch, Ashley Alexander, Jana Lloyd] hosted EPA staff in Temple for the annual individual end-of-year review (FY2011) of the *Texas NPS Management Program* and the CWA §319(h) NPS Grant Program. This two-day meeting included discussions on new grant policies and expectations, EPA's Certainty Framework for Agricultural Producers, as well as the status of TSSWCB's CWA §319(h) NPS grant-funded projects.

Surface Water Quality Standards Revision

On June 30, 2010, the TCEQ adopted major revisions to 30 Texas Administrative Code Chapter 307, Texas Surface Water Quality Standards (Standards), and the *Procedures to Implement the Texas Surface Water Quality Standards, RG-194* (IPs). These major revisions to the Standards include the establishment of numeric nutrient criteria for large reservoirs and significant modifications to contact recreation use and associated bacteria criteria. The adopted Standards became effective as a State rule on July 22, 2010. TCEQ submitted the revised Standards and IPs to EPA on August 4, 2010. EPA must now take action

to approve these changes to the Standards in accordance with the federal CWA.

On June 29, 2011, EPA notified TCEQ of action taken on the water quality standards revisions. EPA approved the changes to recreation use and bacteria criteria. However, the high flow exemption was disapproved.

More information on the revisions to the Standards is available at:
http://www.tceq.state.tx.us/permitting/water_quality/stakeholders/2010standards.html.

Watershed Action Planning Process

Watershed Action Planning (WAP) is a new process for coordinating, documenting, and tracking the State's water quality management programs. The WAP process coordinates planning and activities among TCEQ, TSSWCB, the Texas Clean Rivers Program partners, and stakeholders at the watershed level. The process can have significant implications for regional and local residents. The major objectives of WAP are to:

- engage stakeholders more fully in determining strategies that restore water quality,
- improve access to state agencies' water quality management decisions and increase transparency of decision-making, and
- improve accountability of state agencies' commitments to improve water quality

The WAP process recognizes a range of tools and options for addressing impaired waterbodies on the *303(d) List*. The WAP process provides for a stakeholder-led evaluation of watershed-specific circumstances and a deliberative and collective decision as to what tool to apply to move forward with addressing the impairment. A major product of the WAP process is a comprehensive strategy for improving the quality of impaired waters and protecting waterbodies of special interest. Those strategies are summarized in the *WAP Strategy Table* which is maintained by TCEQ. The *WAP Strategy Table* will be updated as frequently as needed to meet the objectives of this evolving process. The *WAP Strategy Table* lists:

- impaired and special interest waterbodies

- the recommended strategies to improve water quality in impaired segments or to protect waterbodies of special interest
- the status of each strategy
- the lead agency and program for tracking each strategy

On January 13, 2012, TCEQ published the first iteration of the *WAP Strategy Table* (December 2011). During 2011, participating agencies initiated this complex cycle and recommended strategies for nearly 1,190 impairments and over 30 special interest waterbodies.

WAP will increase the transparency of the State's water quality management programs by presenting the list of impaired waters in such a manner as to communicate activities and intentions collectively to the public at large. WAP is key to providing for the collaboration being called for and the coordination necessary to achieve the goal of clean water for Texas. More information on WAP is available at
<http://www.tceq.texas.gov/waterquality/planning/wap/>

Recreational Use Attainability Analyses

The recently adopted revisions to the Texas Surface Water Quality Standards establish a four tier approach to recreation use including primary contact recreation, secondary contact recreation 1, secondary contact recreation 2, and noncontact recreation. In order to change the presumed level of recreation use of a waterbody (i.e., primary contact) to any of the other 3 tiers and the associated bacteria criterion, a recreational use attainability analysis (RUAA) must be completed for each waterbody and approved by TCEQ and subsequently EPA.

The purpose of an RUAA is to ascertain the actual recreation occurring on a waterbody, establish or verify a presumed use, and, if necessary, assign a more appropriate use. During an RUAA information is collected on water recreation activities, stream flow type, and stream depth; additionally, interviews from users who are present during surveys and those familiar with the waterbody are conducted and a review of historical information is completed. If the results of the

RUAA indicate that a different, more appropriate use is warranted, the resulting change in the associated bacteria criterion may result in the waterbody no longer being identified on the *303(d) List* as impaired, thus negating the need to adopt a TMDL.

The TCEQ is in the process of conducting RUAAs on over 90 waterbodies across the state; TSSWCB is taking the lead on conducting RUAAs on another 12 waterbodies. TCEQ contractors were asked to coordinate communication with SWCDs through TSSWCB SRM staff. After the RUAAs are conducted, TCEQ will evaluate the information and again consult with stakeholders regarding potential site-specific revisions to the Surface Water Quality Standards for each waterbody.

Summaries of RUAA activities on waterbodies where TMDLs and/or WPPs are also on-going are available in the *Water Quality Planning and Implementation* section of this report.

On March 14, 2012, TSSWCB SRM staff [Mitch Conine, Ashley Alexander, Aaron Wendt, Loren Warrick] held a meeting with TCEQ and Brazos River Authority (BRA) staff to discuss RUAAs. TCEQ staff provided status reports on RUAAs being conducted within the Brazos River basin. This included RUAAs that are out for public comment, those awaiting release for public comment, and those which have just been initiated. An overview of the public participation process was detailed including how recommendations based on the final RUAA reports will be included in the 2013 triennial review of the Texas Surface Water Quality Standards. Lastly, discussion centered on the upcoming BRA CRP steering committee meeting. Both TCEQ and TSSWCB staff will be presenting at the meeting on RUAAs in the Brazos basin.

More information on RUAAs is available at http://www.tceq.texas.gov/permitting/water_quality/wq_assessment/standards/ruaas/index. These RUAAs affect livestock operations in scores of watersheds across the state.

Texas Integrated Report for CWA §§305(b) and 303(d)

The *Texas Integrated Report (IR)* summarizes the status of the State's surface waters, including concerns for public health, fitness for use by aquatic species and other wildlife, and specific pollutants and their possible sources, as required by CWA §305(b). The IR also identifies waterbodies not attaining water quality standards (i.e., impaired), as required by CWA §303(d).

On November 18, 2011, EPA approved the *2010 Texas 303(d) List of Impaired Waters*. TCEQ had approved the *2010 Texas Integrated Report* for submission to EPA on August 25, 2010. A total of 1,012 impairments are identified on 438 waterbody segments. Impairments due to elevated bacteria associated with recreation use and oyster waters use continue to dominate the list. A significant achievement for the State is EPA's conclusion that the *Rationale for Reclassifying Plum Creek (Segment 1810) from Category 5 to Category 4b on the Texas Integrated Report* adequately demonstrates how other pollution control requirements (i.e., the Plum Creek WPP) will lead to water quality standards attainment in a reasonable period of time. This is the first successful submission of a WPP in lieu of a TMDL. EPA's approval letter to TCEQ is available at http://www.epa.gov/region6/region-6/tx/tx_303d.html.

More information on the *Texas Integrated Report*, including the 305(b) Assessment and 303(d) List, is available at http://www.tceq.state.tx.us/compliance/monitoring/water/quality/data/wqm/305_303.html.

Texas Clean Rivers Program

The Texas Clean Rivers Program (CRP) is a state fee-funded program for water quality monitoring, assessment, and public outreach administered by the TCEQ. CRP is a collaboration of 15 partner agencies who conduct water quality monitoring and assessments in the 23 river and coastal basins, plus bays and estuaries, in Texas.

Each river or coastal basin is assigned to one of the designated CRP partner agencies. Each CRP partner

agency has an established steering committee to set monitoring and assessment priorities within its basin. These committees bring together the diverse interests in each basin and are designed to allow local concerns to be addressed through regional solutions.

The Texas Water Code requires the TCEQ and CRP partner agencies to coordinate monitoring and assessment activities with local SWCDs through the TSSWCB.

The data generated by CRP partner agencies is used to identify significant long-term water quality trends and characterize water quality conditions. Each CRP partner agency develops and publishes an annual *Basin Highlights Report* and a five-year *Basin Summary Report*. The TCEQ also uses CRP-generated data in the biennial assessment conducted for the *Texas Integrated Report*.

On March 22, 2012, TSSWCB SRM staff [Brian Koch] attended the Houston-Galveston Area Council's (H-GAC) Clean Rivers Program Steering Committee meeting in Spring. This meeting was held to update CRP stakeholders on the program in the H-GAC service area. The 2012 Draft Basin Highlights Report was reviewed, highlighting the drought and its related effects on the water quality and quantity situation in the region. Updates on the CRP budget and several H-GAC projects were given, including the on-site septic facility (OSSF) initiative, and several WPPs, including Cedar Bayou. After the meeting portion, a demonstration of surface water quality monitoring (SWQM) methods was given on Spring Creek.

More information on CRP is available at <http://www.tceq.texas.gov/nav/eq/texcleanriver.html>.

Coastal Bend, Bays, and Estuaries Program

The 75 miles of estuarine environment along the Texas Coastal Bend, including Aransas Bay, Corpus Christi Bay, Baffin Bay and the Upper Laguna Madre, are of national importance and, through the federal CWA §320, are included in the National Estuary Program administered by the EPA. The Bays Council is the stakeholder advisory group that

coordinates the implementation of the *Coastal Bend Bays Plan*, which is a Comprehensive Conservation and Management Plan developed under the auspices of the National Estuary Program. The TSSWCB is a named member of the Water and Sediment Quality Implementation Team.

On March 14, 2012 TSSWCB SRM staff [Brian Koch] attended the Coastal Bend, Bays, and Estuaries Program (CBBEP) Water and Sediment Quality (WSQ) Implementation Team meeting in Corpus Christi. This meeting was held to present projects for funding to deal with different water and sediment quality issues in the CBBEP area. TSSWCB submitted a proposal for this funding to work with Nueces River Authority to verify bacteria impairments in Petronila and San Fernando Creeks, both tributaries of Baffin Bay. This proposal was one of 14 submitted. The projects will be scored and chosen for funding in April 2012.

More information is available at <http://www.cbep.org/>. The implementation of the *Coastal Bend Bays Plan* affects agricultural operations in watersheds that drain to these estuaries in Refugio, Bee, McMullen, Live Oak, Jim Wells, Duval, Brooks, Kennedy, Kleberg, Nueces, San Patricio, and Aransas Counties.

Watershed Coordinator Roundtable

On January 25, 2012, TSSWCB SRM staff [Ashley Alexander, Loren Warrick, Aaron Wendt, Pamela Casebolt, Jana Lloyd, Mitch Conine, David Reeves], in collaboration with TCEQ and TWRI, hosted the Texas Watershed Coordinator Roundtable in Waco. Nearly 70 people attended representing most of the on-going watershed planning efforts across the state. The theme presented at the roundtable was "Watershed Management Trends and Tools". There were many specific topics covered at the workshop including: statewide land trends and impacts on water quality and quantity, using watershed report cards to inform stakeholders on WPP Progress and water quality, a case study of watershed progress reporting, and utilizing interactive software TurningPoint to facilitate stakeholder input. Following presentations on the aforementioned topics, a roundtable discussion with EPA, TSSWCB, and TCEQ

commenced with discussion topics including NPS Management Program Revisions and WAP, Office of Management and Budget and General Accounting Office study outcomes, and EPA Region 6 priorities. The *Implementing Agricultural Nonpoint Source Components of the Plum Creek Watershed Protection Plan* TSSWCB-funded project was highlighted during the case study presentation of the roundtable.

The primary purpose of the Texas Watershed Coordinator Roundtable is to provide a forum for continuing dialogue between watershed coordinators in order to facilitate interactive solutions to common issues being faced statewide affecting the development and implementation of WPPs. More information is available at <http://watershedplanning.tamu.edu/developing/roundtable>.

Social Media Workshop

On February 13, 2012, TSSWCB SRM [Ashley Alexander] and Special Projects staff [Mary Jo Schooler] attended the Conservation Science in Social Media Workshop sponsored by Texas AgriLife Extension and the Institute of Renewable Natural Resources. The seminar focused on case studies, online examples, discussions and strategies to help elevate the role of science in online conversations. Presenters discussed the new roles scientists can take online and how ordinary science can become an extraordinary resource to the public. Agencies from across the state had representatives present, including those from the Texas Land Conservancy, Upper Guadalupe River Authority, Texas Master Gardeners, Texas Wildlife Association, Guadalupe-Brazos River Authority and many more. Meeting participants came away with innovative ideas on turning conservation advocacy into action.

2012 State of the Science – Bacterial Source Tracking Conference

On February 28-29, 2012, TSSWCB SRM staff [Rusty Ray, Jana Lloyd, David Reeves, Aaron Wendt, Loren Warrick, Pamela Casebolt, Mitch Conine, Brian Koch, Ashley Alexander, John Foster] attended the TSSWCB-sponsored Bacterial Source Tracking – State of the Science Conference

in New Braunfels. 120 people attended the conference including leading researchers, agencies, and consultants from across the nation. The meeting began with an introduction into BST and the steps forward that TSSWCB is taking in water quality projects. Attendees also got to hear about the many different efforts that are going on across the nation. Presentations, videos, a participant list, and more information can be found on the conference website at <http://texasbst.tamu.edu/2012-conference/>.

Southeast and South Central Texas Regional Watershed Coordination Steering Committee

On March 15, 2012, TSSWCB SRM staff [Aaron Wendt, Jana Lloyd, Brian Koch] attended a quarterly Southeast and South Central Texas Regional Watershed Coordination Steering Committee meeting in Columbus. This meeting provided updates on the Plum Creek Watershed Partnership, including the recent Inter-local Agreement between many of the groups involved in the partnership. This agreement was formed to sustain the partnership and help see through the commitments to implementation as written in the plan and one of the ways to do this was to hire a watershed coordinator that is stationed in the watershed. Another update on Plum Creek was given, this was on the 4b status of Plum Creek on the 2010 Integrated Report, which includes the 303(d) list of impaired waters. This means that Plum Creek is using a WPP instead of a TMDL to address a water quality impairment, the first of this type of action to happen in the United States. Finally, the group was presented information on the Watershed Action Planning process, which is a new way to deal with impairments in Texas, giving local stakeholders a say in the best course of action for their waterbodies.

The Southeast and South Central Texas Regional Watershed Coordination Steering Committee (WCSC) is composed of about two dozen water quality monitoring and improvement partners, including other state and federal agencies, river authorities, national estuary programs, and councils of governments. The WCSC is tasked with providing guidance to TSSWCB SRM staff on watershed planning activities in 47 counties across southeast and south central Texas. More

information, including meeting materials, is available at <http://www.tsswcb.texas.gov/cwp>

Upcoming Public Meetings

- March 28, 2012 – TCEQ Surface Water Quality Standards Advisory Workgroup (Austin)
- March 28, 2012 – Copano Bay TMDL Public Meeting (Refugio)
- March 28, 2012 – Gilleland Creek TMDL I-Plan Annual Stakeholder Meeting (Pflugerville)
- March 29, 2012 – Brazos River Authority Clean Rivers Program Steering Committee Meeting (Waco)
- March 29, 2012 – GBEP WSQ meeting
- March 30, 2012 – Texas Groundwater Protection Committee Nonpoint Source Task Force Meeting (Austin)
- April 5, 2012 – Cedar Bayou Watershed Steering Committee (Baytown)
- April 9-10, 2012 – Grazing Lands Conservation Initiative Riparian Management Workshop (Decatur)
- April 10, 2012 – Pecos River Compact Commission Annual Meeting (Pecos)
- April 12-13, 2012 – Grazing Lands Conservation Initiative Riparian Management Workshop (San Angelo)
- April 13, 2012 – Adams and Cow Bayous TMDL I-Plan Ag Work Group
- April 16-17, 2012 – Restoration and Management of Riparian Corridors Workshop (Fort Worth)
- April 16-18, 2012 – International Wild Pig Conference (San Antonio)
- April 17, 2012 – IBWC Rio Grande Citizens Forum (Laredo)
- April 18, 2012 – IBWC Rio Grande Citizens Forum (Mercedes)
- April 18, 2012 – Texas Groundwater Protection Committee Meeting (Austin)
- April 18, 2012 – TGPC Agricultural Chemicals Subcommittee Meeting (Austin)
- April 18, 2012 – TGPC Groundwater Research Subcommittee Meeting (Austin)
- April 18, 2012 – Texas Watershed Steward Workshop for San Antonio Bay Watershed (Victoria)

- April 19, 2012 – Sheldon Lake State Park Wetland Field Day (Houston)
- April 19, 2012 – IBWC Rio Grande Citizens Forum (El Paso)
- April 19, 2012 – Lower Nueces River WPP Stakeholder Meeting (Corpus Christi)
- April 20, 2012 – Pecos River Water Quality Coalition (Austin)
- April 23, 2012 – Sabine River Authority Clean Rivers Program Steering Committee Meeting (Orange)
- April 24, 2012 – Sabine River Authority Clean Rivers Program Steering Committee Meeting (Longview)
- April 25, 2012 – Sabine River Authority Clean Rivers Program Steering Committee Meeting (Greenville)
- April 25, 2012 – Caddo Lake WPP Water Quality Workgroup Meeting (Jefferson)
- April 25, 2012 – Galveston Bay Council Meeting (Pasadena)
- April 26, 2012 – Northeast Texas Municipal Water District Clean Rivers Program Steering Committee Meeting (Hughes Spring)
- April 16, 2012 – San Bernard River WPP Stakeholder Meeting
- April 30, 2012 – Trinity River Authority Clean Rivers Program Steering Committee Meeting (Dallas)
- May 3, 2012 – Plum Creek Watershed Partnership Steering Committee Meeting (Lockhart)

Water Quality Planning and Implementation

The TSSWCB applies the Watershed Approach to managing NPS pollution by channeling its efforts to restore and protect water quality through the development and implementation of WPPs and TMDLs. A list of watersheds including links to on-going restoration projects within those watersheds is available at <http://www.tsswcb.texas.gov/watersheds>; more detailed information on all watersheds described below is available at this website.

Adams and Cow Bayous

Impairment: Bacteria, Dissolved Oxygen, pH
Mechanism: TMDL, I-Plan
Lead: TCEQ

On March 9, 2012, TSSWCB SRM staff [Brian Koch] attended an Agriculture and Forestry Sources workgroup meeting for the Adams and Cow Bayous I-plan in Orange. This meeting was held to discuss implementation strategy for agricultural and silvicultural practices in the Adams and Cow Bayou watersheds in Orange and Jasper Counties. WQMPs and EQIP were discussed, as well as Texas Forest Service outreach and education strategies.

More information on the Adams and Cow Bayous TMDL and I-Plan is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/37-orangecounty.html>. These TMDLs affect livestock and forestry operations in Orange, Jasper and Newton Counties.

Attoyac Bayou

Impairment: Bacteria
Concern: Nutrients
Mechanism: WPP
Lead: TSSWCB

On March 8, 2012, TSSWCB Board Member [Jerry Nichols], TSSWCB SRM staff [Mitch Conine], field staff [Trey Watson], and Regional Office staff [Mark Cochran, April Sease, Jeremy Welch] attended an Attoyac Bayou Watershed Partnership stakeholder meeting in Nacogdoches. Texas Water Resources Institute staff presented preliminary SELECT modeling results using the inputs from stakeholder decisions on animal population densities and fecal loading rates. The preliminary results from the modeling showed that OSSFs were potentially the main contributor to the bacteria impairment in the watershed. The group discussed how to account for and model the poultry litter that remains in the watershed and began discussing BMPs to include in the WPP. Additionally, some draft chapters of the WPP were presented to the stakeholder group for review.

More information is available at <http://attoyac.tamu.edu/>. This WPP affects livestock, farming, and silvicultural operations in

the Attoyac Bayou watershed in Nacogdoches, Rusk, San Augustine, and Shelby Counties.

Bastrop Bayou

Concern: Bacteria
Mechanism: WPP
Lead: TCEQ

More information is available at <http://www.bastropbayou.org/>. This WPP affects livestock and farming operations in the Bastrop Bayou watershed in Brazoria County.

Cedar Bayou

Impairment: Bacteria, Macroenthic Community
Mechanism: WPP
Lead: TSSWCB

On March 7, 2012, TSSWCB SRM staff [Ashley Alexander, Brian Koch] attended a Cedar Bayou Watershed Partnership Agriculture, Wildlife and Habitat workgroup meeting in Mont Belvieu. The focus of the meeting was to discuss bacteria issues as they relate to Agriculture, Wildlife and Habitat. Three presentations were held during the meeting. First, TSSWCB SRM staff presented on agricultural water quality management plans. Secondly, Texas AgriLife Extension spoke about the efforts of feral hog management through education and outreach in the Plum Creek watershed. Lastly, a brief overview of agricultural best management practices was given. Recommendations of possible solutions, based on information provided by workgroup attendees, will be provided to the Steering Committee at their next meeting in April.

On March 7, 2012, TSSWCB SRM staff [Ashley Alexander] attended a Cedar Bayou Watershed Partnership Industry and Commerce workgroup meeting in Baytown. The focus of the meeting was to discuss bacteria issues as they relate to Industry and Commerce. A virtual tour of the lower part of the watershed was given specifically focused on current as well as historical industrial and commercial sites in the watershed. Plans for changing the channel in Cedar Bayou was also discussed by the Navigation District. Recommendations of possible solutions, based on information provided by workgroup attendees, will

be provided to the Steering Committee at their next meeting in April.

On March 8, 2012, TSSWCB SRM staff [Ashley Alexander] attended a Cedar Bayou Watershed Partnership Wastewater workgroup meeting in Baytown. The focus of the meeting was to discuss bacteria issues as they relate to wastewater. Three main topics were discussed at the meeting; first being wastewater treatment plants in Cedar Bayou which was presented by H-GAC staff. City of Baytown then gave a short presentation on their substantive sanitary sewer improvement efforts. Finally, on-site sewage facilities in Cedar Bayou were discussed by Environmental Health Specialties. Recommendations of possible solutions to the bacteria issues, based on information provided by workgroup attendees, will be provided to the Steering Committee at their next meeting in April.

On March 8, 2012, TSSWCB SRM staff [Ashley Alexander] attended a Cedar Bayou Watershed Partnership Human Impact workgroup meeting in Baytown. The focus of the meeting was to discuss bacteria issues as they relate to human impact. H-GAC staff gave an overview of stormwater basics at the beginning of the meeting, presenting ideas such as the sources and problems of stormwater systems. Following this presentation, Texas Commission on Environmental Quality Recommendations of possible solutions to the bacteria issues, based on information provided by workgroup attendees, will be provided to the Steering Committee at their next meeting in April.

More information is available at <http://www.cedarbayouwatershed.com>. This WPP will affect livestock operations in the Cedar Bayou watershed in Harris, Liberty, and Chambers Counties.

Highland Bayou

Concern: Bacteria, Dissolved Oxygen
Mechanism: WPP
Lead: TCEQ

On February 22, 2012, over 35 people attended a Texas Watershed Steward workshop in La Marque.

The workshop was sponsored by the Texas AgriLife Extension Service and TSSWCB, in coordination with the Texas Coastal Watershed Program, Galveston Bay Estuary Program. The training, focused on the Highland Bayou watershed, discussed what it means to be a watershed steward, watershed impairments, managing urban and rural lands through the use of BMPs, and how to get involved in community driven watershed protection and management. The training also involved interactive displays such as a rainfall simulator. The workshop included an overview of water quality and watershed management in Texas. More information on the Texas Watershed Steward Program is available at <http://tws.tamu.edu/>

More information is available at <http://mokabayousalliance.org/>. This WPP affects farming and livestock operations in Galveston County.

Lake Houston

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

The Bacteria Implementation Group (BIG) is focused on implementing bacteria TMDLs in the greater Houston area, including Lake Houston, Buffalo and Whiteoak Bayous, Clear Creek and others. The BIG is responsible for receiving input, establishing workgroups, facilitating communications, developing recommendations, and providing oversight in the development of the I-Plan designed to achieve the load reductions called for in these TMDLs.

On March 1, 2012 TSSWCB SRM staff [Brian Koch] attended an Agriculture and Animal Sources workgroup meeting for the Bacteria Implementation Group in Houston. This meeting was held to discuss agriculture BMPs and the progress of implementation of agriculture BMPs in the area covered under the Implementation Plan. This meeting was held to measure progress in implementation to report at the BIG annual meeting in May.

More information on the greater Houston area Bacteria Implementation Group (BIG) is available at <http://www.h-gac.com/community/water/tmdl/BIG/default.aspx>. More information on the Lake Houston TMDLs is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/82-lakehouston.html>. These TMDLs affect livestock operations in the Lake Houston watershed in Grimes, Harris, Liberty, Montgomery, San Jacinto, Walker and Waller Counties.

South and North Llano Rivers

Impairment: None
Mechanism: WPP
Lead: TSSWCB

On February 25, 2012, TSSWCB SRM staff [Rusty Ray] gave a presentation on the TSSWCB and introduced the Upper Llano River Watershed Protection Plan process at the Rocksprings Agricultural Event, sponsored by U.S. Representative Francisco Canseco (TX-23). The NRCS and FSA also gave presentations on the programs they oversee. Time was also allotted for questions and discussion from the audience.

More information is available at <http://southllano.org/>. This project has the potential to affect farming and livestock operations in the South Llano River watershed in Edwards, Kerr, Kimble, Menard, Real and Sutton Counties.

WATER SUPPLY ENHANCEMENT PROGRAM

The 81th Legislature continued funding for the Water Supply Enhancement Program by providing \$2,135,413.00 in General Revenue Funds in FY12. Staff has begun implementing HB 1808 and the Sunset Commission recommendations.

Staff Activities

- The Water Supply Enhancement Program working committee comprised of John Foster, Mel Davis, Johnny Oswald, Tuffy Wood, Melissa Grote, Kendria Ray, Ben Wilde, Charlie Upchurch, Tony Franklin, Cody York, Don Brandenberger, and Rex Isom met in Austin to discuss the Water Supply Enhancement Project.

- Staff began working on new policies and procedures for the Water Supply Enhancement Project.
- Staff finalized 31 Chapter 517; Subchapter B; Cost Share Assistance for Brush Control and will be presented to the Board for final approval and also be submitted for public comment.
- Staff met with Dr. Rainwater and Dr. Fish to discuss the Water Supply Enhancement Program in Lubbock.

FLOOD CONTROL DAM PROGRAMS

Background

Nearly 2,000 floodwater retarding structures, or dams, have been built over the last 60 years within the State of Texas. The primary purpose of the structures is to protect lives and property by reducing the velocity of floodwaters, and thereby releasing flows at a safer rate. These are earthen dams that exist on private property, and were designed and constructed by the United States Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS). They were built with the understanding that the private property owner would provide the land, the federal government would provide the technical design expertise and the funding to construct them, and then units of local government would be responsible for maintaining them into the future.

Local sponsors of the dams were required before a federal project was begun. Local sponsors signed a watershed agreement which outlined the duties and responsibilities of the federal and local sponsors. In general, local sponsors are required to obtain and enforce easements, conduct operation and maintenance (O&M) inspections, maintain the structures, and implement land treatment measures in the watershed. SWCDs are one of the local sponsors in all watershed projects. Other local sponsors include counties, cities, and Water Control and Improvement Districts (WCIDs).

Due to the passage of time and difficulty in raising adequate funds locally, many sponsors approached

the Texas Legislature with their concerns over amount of needed O&M and repairs. In recognition that these dams will continue to serve as a critical protection for our state's infrastructure, private property, and lives, the Legislature appropriated \$15 million dollars to the TSSWCB for grants to local SWCDs during the 2010-2011 biennium for O&M and structural repairs.

In response to this appropriation, the TSSWCB assembled a representative stakeholder group and began the process of developing programs to deliver the funds to the sponsors of flood control dams during the Summer of 2009. It was determined that the most efficient and effective way to proceed was to develop two separate grant programs, one to address O&M, and the other to address structural repairs, due to their difference in complexity.

O&M Grant Program Update

In fiscal year 2010, \$2,472,008.79 was allocated to local SWCDs and certain co-sponsors to perform O&M on flood control dams. \$2,354,294.09 was to reimburse sponsors for O&M work completed on dams and the remaining \$117,714.70 could be used for administration. A total of \$2,338,383.98 O&M and \$115,355.75 administration has been reimbursed for work completed leaving \$15,910.11 O&M and \$2,358.95 administration to be spent by June 29, 2012.

In fiscal year 2011, the same amount of \$2,472,008.79 was allocated to local SWCDs and certain co-sponsors to perform O&M on flood control dams. \$2,354,294.09 was to reimburse sponsors for O&M work completed on dams and the remaining \$117,714.70 could be used for administration. A total of \$2,067,706.35 O&M and \$102,682.96 has been reimbursed for work completed leaving \$286,587.74 O&M and \$15,031.74 administration to be spent by August 31, 2012.

Structural Repair Grant Program Update

A total of 18 flood control dams received state grant funding from FY2010. 5 of these dams received funding through the USDA-NRCS Emergency Watershed Protection (EWP) Program for disaster recovery; the TSSWCB provided 95% of the non-federal match requirement (25%) for

these dams. All repairs needed on these dams are complete. Of the 13 remaining dams that received state grant funds providing 95% of the total cost of each of these projects, 7 dams have had repairs completed and the remaining 6 are under construction. In total, \$3,915,471 of FY 2010 state repair grant funds have been obligated.

In FY 2011 a total of 7 flood control dams received state grant funding. 1 of these dams received funding through the USDA-NRCS Emergency Watershed Protection (EWP) Program for disaster recovery; the TSSWCB provided 95% of the non-federal match requirement (25%) for this dam. All repairs needed on this dam are complete. Of the 6 remaining dams that received state grant funds providing 95% of the total costs of each of these projects, all 6 are under construction. In total, \$2,463,166.47 of FY 2011 state repair grant funds have been obligated.

In FY 2012 the TSSWCB's budget was cut from \$7.5 million a year to \$2 million. Due to this cut in funding the TSSWCB is currently only able to fund two dam repair projects. In total, \$1,221,795.68 of FY 2012 state repair funds have been obligated.

For more information on these programs, please visit the TSSWCB's website at:

<http://www.tsswcb.state.tx.us/en/floodcontrol>

Monthly Program News and Activities is published by the TSSWCB for use by Texas SWCD Directors. If you have any questions regarding its contents, or have information you would like to see in a future issue, please call (254) 773-2250.



4311 SOUTH 31ST STREET, SUITE 125
TEMPLE, TEXAS 76502
(254) 773-2250

<http://www.tsswcb.state.tx.us>

Established in 1939, the TSSWCB administers Texas' soil and water conservation law and delivers coordinated natural resource conservation programs to agricultural producers through the State's 216 individual SWCDs. The agency is governed by a seven-member State Board composed of two Governor appointees and five individuals elected from across Texas by 1,080 Directors of local SWCDs. The TSSWCB is the lead state agency for planning, implementing, and managing programs for preventing and abating agricultural and silvicultural (forestry) nonpoint sources of water pollution; administers a water supply enhancement program through the targeted control of brush species in areas in need of water conservation; provides operation, maintenance, and structural repair grant funds to local government sponsors of the State's network of 2,000 flood control dams; and facilitates the Texas Invasive Species Coordinating Committee.