



# 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>

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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**

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### STATE BOARD WORK SESSION AND MEETING

The State Board has scheduled a Work Session on **Wednesday, November 16, 2011** and a formal State Board Meeting on **Thursday, November 17, 2011** in Temple. 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

- Advance payments for Fiscal Year 2012  
 Director Mileage and Per Diem were made October 1st.
- Supplemental Director Mileage and Per Diem, Matching Fund, and Technical Assistance claims for Fiscal Year 2011 will be paid by November 1st.

Annual Financial Statements for Fiscal Year 2011 are due on October 31<sup>st</sup>. For more budget and accounting information, contact Kenny Zajicek at (254) 773-2250 ext. 236 or [zajicek@tsswcb.texas.gov](mailto:zajicek@tsswcb.texas.gov).

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## HUMAN RESOURCES

TSSWCB is currently recruiting for the following positions:

- Engineering Technician- Hale Center

For additional information on posted vacancies or to download an application, visit

<https://www.tsswcb.texas.gov/employment>

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## 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

The 71<sup>st</sup> Annual State Meeting was held on October 24-26, 2011, in San Antonio at the Hyatt Regency Hill Country Hotel and Resort.

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## 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](mailto:conservation-news-subscribe@tsswcb.texas.gov).

Conservation News is also available at <http://www.tsswcb.texas.gov/news>.

### Program Development Workshop

A Program Development Workshop has been scheduled for January 31-February 1, 2012, for district directors, employees and new NRCS district conservationists. The training workshop will be held at the Hilton Garden Inn in Temple, TX. Information about the workshop will be sent to districts in October.

### Wildlife Alliance For Youth

The Region Four wildlife contest will be held November 2, 2011, at the Stephen F. Austin State University Experimental Forest near Nacogdoches.

### Texas FFA Approves Three New Career Development Event's for 2012

Texas Future Farmers of America will implement three new Career Development Events (CDEs) as part of its five year revision process. The State CDE Advisory Committee recommended the adoption of the Natural Resources, Homesite Evaluation and Veterinary Science CDEs.

Of interest to SWCDs are the Environment and Natural Resources CDE and Homesite Evaluation CDE. The Environment and Natural Resources event is designed to assess knowledge and skill related to environmental assessment including: water analysis for contaminants including pH, temperature, dissolved oxygen, nitrates and phosphorus; identifying pollutant sources and improvement tactics; applying GPS skills in identifying longitude and latitude of a given set of points; identifying boundaries; laying out fence lines, ponds, drainage structures and related facilities; analyzing soil structures and conditions; identifying equipment, plants, wildlife, fish, reptiles, amphibians, predators, birds and non-native species; and addressing global environmental issues.

The state Environmental and Natural Resources CDE will take place at Tarleton State University in Stephenville. The state winning team will be certified to compete in the national Environmental

and Natural Resources CDE held in Indianapolis in October 2012.

The Homesite Evaluation event is designed to emphasize the importance of soils and their limitations for homesites. The importance of a soil's suitability for parks, playgrounds, roads, streets and other uses will also be considered. Many of the properties important for agricultural uses are also important for urban uses. Individual families and communities can avoid construction and maintenance problems if a study of soil conditions is made prior to construction. The soil information is used to predict potential problems associated with planned or existing home sites. Although many of the properties are the same as judging soil for agricultural use, a different set of criteria is used. Teams consisting of three or four members will compete. The state Homesite Evaluation CDE will take place at Tarleton State University. The state winning team will advance to the national competition in Oklahoma in May 2012.

The Veterinary Science CDE is designed to promote career and college readiness by providing opportunities to develop knowledge and demonstrate skills in the field of Veterinary Science. This event is supported by a curriculum in Agriculture, Food and Natural Resources from Veterinary Medical Applications, Livestock Production, Small Animal Management, Advanced Animal Science, Equine Science, Practicum and Principles of Agriculture. The state Veterinary Science CDE will take place at Texas A&M University in College Station.

## **Area Associations of SWCDs Meetings**

### **Central Texas Association of SWCDs**

State Representative Sid Miller and Dr. Barry Lambert, Director of the Southwest Regional Dairy Center, were the featured speakers at the Central Texas Association of Soil and Water Conservation Districts (CTASWCDs) meeting held October 17, 2011, in Stephenville at the Southwest Regional Dairy Center Complex at Tarleton State University.

Dr. Lambert led SWCD Directors attending the meeting on a tour of the new Dairy Center and

spoke on the research that is being conducted at the facility. Following the tour of the dairy center, State Representative Miller talked about the past legislative session and what he sees on the horizon with respect to future legislative issues.

After lunch, SWCD Directors heard updates on state and national soil and water conservation programs and issues from Barry Mahler, Chairman of the TSSWCB; Joe Ward, member, TSSWCB; Jule Richmond, President of the Association of Texas SWCDs, and Al Leal, Assistant State Conservationist for the USDA-NRCS, Area V.

### **Northeast Texas Association of SWCDs**

State Representative Erwin Cain was the featured speaker at the Northeast Texas Association of Soil and Water Conservation Districts' (NETASWCDs) meeting October 20, 2011 in Mount Pleasant.

Following Representative Cain's talk, SWCD Directors attending the meeting heard updates on state and national soil and water conservation programs and issues from Jerry D. Nichols, member of the TSSWCB, Area IV, and William Thomas Jr., past president of the Association of Texas SWCDs.

## **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](mailto: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.

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# 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 over 14,000 plans. 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 areas to serve as financial incentives to increase participation in the program. More information about the WQMP Program is available at <http://www.tsswcb.texas.gov/wqmp>.

The TSWCB certified 542 WQMPs and processed 287 water quality treatment grants during the 2011 fiscal year.

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.

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# POULTRY WATER QUALITY MANAGEMENT PLANS

## Program Overview

In 2001, the 77<sup>th</sup> 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 81<sup>st</sup> 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.

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# WATER CONSERVATION ADVISORY COUNCIL

## Program Overview

Recognizing the importance of water conservation in meeting our future demand, the 80<sup>th</sup> 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

The WCAC has developed water conservation awards in three categories: agricultural, municipal, and industrial. The Blue Legacy Award for agricultural water conservation award is available to farmers and ranchers. If you know of someone who has effectively integrated water conservation into his or her operation, consider nominating him or her for this award. You may also nominate yourself. The nomination packet for the Blue Legacy Award in agriculture is available online at: <http://www.savetexaswater.org/awards/>. The deadline for nominations is November 2, 2011.

### 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](mailto:regg@tsswcb.texas.gov).

The next WCAC meeting is scheduled for November 2, 2011, at the Texas Parks and Wildlife Department Field Office in Austin.

More information on the WCAC is available at <http://www.savetexaswater.org/>.

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## 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 official roadmap 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 *2010 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.

### **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.

#### **FY2006 – FY2010 CWA §319(h) Grant Status**

There are currently 41 on-going §319(h) grant-funded projects addressing a wide array of agricultural and silvicultural NPS issues. Unliquidated federal funds for these 41 on-going projects total approximately \$12.7 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.

### **FY2011 CWA §319(h) Grant Application Status**

TSSWCB submitted the FY2011 grant application to EPA on July 1, 2011 requesting \$4,578,700 for 10 projects. On October 6, 2011, TSSWCB received notification that EPA approved 9 projects for \$4,091,740.

### **FY2012 Request for Proposals**

On September 2, 2011, TSSWCB SRM staff issued the FY2012 Request for Proposals (RFP) for the NPS Grant Program. The RFP was published in the Texas Register, posted on the TSSWCB website, and all SWCDs and cooperating entities were notified of this funding opportunity. 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. Proposals will be reviewed by SRM staff based on the published ranking criteria and selected for funding. Projects receiving federal funding must be submitted to EPA in spring 2012 for review and approval.

## **State General Revenue Grant Funding**

### **Background**

The 80<sup>th</sup> 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 81<sup>st</sup> Texas Legislature 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 – FY2011 State General Revenue Grant Status**

There are currently 8 on-going general revenue-funded projects addressing an array of agricultural and silvicultural NPS issues. Unliquidated state funds for these 8 on-going projects total approximately \$2 million and are primarily being used to implement agricultural NPS components of TMDL I-Plans; conduct recreational use attainability analyses (RUAAs); 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.

### **FY2012 State General Revenue Grant Status**

On July 21, 2011, the Board approved an operating budget for FY2012 that allocated \$1.26 million in state general revenue to the NPS Grant Program. SRM staff is in the process of developing workplans and budgets with collaborating entities for various projects.

## **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. TCEQ is finalizing a letter to NOAA and EPA that describes the State's approach to address the remaining conditional approval findings.

### **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.

TSSWCB staff met with GLO staff on August 10, 2011 to discuss the new administration of the coastal program. The general structure 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**

Application information for Grant Cycle 17 was distributed in April 2011. The GLO expects to award approximately \$1.8 million for planning, acquisition, construction, education, and research projects during Grant Cycle 17. The deadline for applications was October 12, 2011.

The CCAC accepted applications for both construction and non-construction projects that addressed any of the following funding categories:

- Coastal Natural Hazards Response

- Critical Areas Enhancements
- Shoreline Access
- Waterfront Revitalization and Ecotourism Development
- Permit Streamlining/Assistance, Governmental Coordination, and Local Government Planning Assistance
- Water Sediment Quantity and Quality Improvements

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 October 12, 2011, TSSWCB SRM staff [Richard Egg, Rusty Ray] participated in the Texas

Groundwater Protection Committee quarterly meetings in Austin. The Groundwater Research and Agricultural Chemicals Subcommittees met as well as the entire Texas Groundwater Protection Committee.

The Groundwater Research Subcommittee had an open discussion regarding water availability, drought management plans, water conservation and the possibility of developing future plans to "drought proof" Texas.

The Agricultural Chemicals Subcommittee listened to a presentation about the drought impacts on groundwater resources in Texas by the Texas AgriLife Extension Service. The presentation was focused on working with individual well owners to help them determine proper ways to conserve their well water.

The Texas Groundwater Protection Committee convened with subcommittee reports. An overview of the Texas A&M School of Rural Public Health was given offering insight to the research opportunities and degree plans offered. The next committee meeting is scheduled for January 18, 2012.

More information on the TGPC is available at <http://www.tgpc.texas.gov/>.

## 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 October 13, 2011, TSSWCB SRM staff [Pam Casebolt, Mitch Conine, Aaron Wendt], attended a meeting with TCEQ and EPA in Dallas to discuss the current revision to the *Texas NPS Management Program*. The Management Program is jointly administered by the Texas Commission on Environmental Quality (TCEQ) and the Texas State Soil and Water Conservation Board (TSSWCB). The Management Program describes the specific programs and processes the State uses to address NPS pollution, and provides for the coordination of NPS related activities, establishment of statewide goals, prioritization of assessment and implementation activities, and tracking and reporting of program activities. The revised program publication must be submitted to EPA to ensure continued CWA §319(h) funding.

### **Coordination with Texas Water Development Board**

On October 11, 2011, TSSWCB SRM Staff [Mitch Conine, Jana Lloyd] attended a Public Awareness and Outreach meeting hosted by the Texas Water Development Board in Austin. The goal of this meeting was to improve the collaborative efforts for various water issues in Texas including water conservation, energy resources, water quality, and watershed protection. The discussion included updates on agency outreach programs from the Texas Parks and Wildlife Department, presentation from the Texas Well Owner Network, and review of the Texas Nonpoint Source Management Program.

### **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](http://www.tceq.state.tx.us/permitting/water_quality/stakeholders/2010standards.html).

### **Watershed Action Planning Process**

TCEQ staff has been working to develop a document that describes a new Watershed Action Planning approach to the State's water quality management programs.

The document will illustrate Watershed Action Planning and describe the approach including an overview of the state water quality planning programs, the role of stakeholders, and the options available to address water quality impairments. The Watershed Action Planning process recognizes a range of tools and options for addressing impaired waterbodies on the *303(d) List*. The Watershed Action Planning 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 listing.

TCEQ will maintain a database of information gathered during the Watershed Action Planning process, such as the waterbody, the impairment or priority interest, the date it was first listed on the *303(d) List*, the management strategy to address the impairment (e.g., UAA, TMDL, WPP), the timeline for completing the management strategy, the responsible agency, and interim performance measures.

Watershed Action Planning 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. Watershed Action Planning is key to providing for the collaboration being called for and the coordination necessary to achieve the goal of clean water for Texas.

On September 30, 2011, TSSWCB SRM staff [Mitch Conine, Brian Koch, Ashley Alexander, Aaron Wendt] met with staff from TCEQ and the Nueces River Authority to discuss and select Watershed Action Planning strategies for impaired waterbodies and other waterbodies of special interest in the Nueces River Basin.

On October 7, 2011, TSSWCB SRM staff [Jana Baker, Brian Koch, Loren Warrick, Aaron Wendt] met with staff from TCEQ and the Guadalupe-Blanco River Authority to discuss and select Watershed Action Planning strategies for impaired waterbodies and other waterbodies of special interest in the Guadalupe-Blanco River Basin.

On October 14, 2011, TSSWCB SRM staff [Brian Koch, Pam Casebolt, Mitch Conine, Aaron Wendt, Loren Warrick] met with staff from TCEQ and the San Antonio River Authority to discuss and select Watershed Action Planning strategies for impaired waterbodies and other waterbodies of special interest in the San Antonio River Basin.

### **Recreational Use Attainability Analyses**

The recently adopted revisions to the 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.

More information on RUAAs is available at [http://www.tceq.texas.gov/permitting/water\\_quality/wq\\_assessment/standards/ruaas/index](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 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*.

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

On October 6, 2011 the U.S. International Boundary & Water Commission held a Clean Rivers Program meeting for the Upper Basin of the Rio Grande in El Paso.

#### **Galveston Bay Estuary Program**

On October 5, 2011 TSSWCB SRM Staff [Brian Koch] attended a Galveston Bay Estuary Program Budget and Priorities Subcommittee meeting in Houston. This meeting focused on updates from activities of the Galveston Bay Estuary Program, including the stewardship campaign, the conservation assistance program, and the state of the bay document and symposium, which is scheduled for March 1-2, 2012.

On October 13, 2011 TSSWCB SRM Staff [Brian Koch] attended a Galveston Bay Council Water and Sediment Quality Subcommittee meeting in Houston. This meeting consisted of meeting updates from several WPPs and I-plans in the Galveston Bay area, and a path forward for WSQ needs and project planning for FY2012.

More information is available at <http://www.gbep.state.tx.us/>. The implementation of the *Galveston Bay Plan* affects agricultural and silvicultural operations in watersheds that drain to the Galveston Bay complex in Brazoria, Chambers, Galveston, Harris and Liberty Counties.

#### **San Antonio Bay Estuary Program**

On October 4, 2011 TSSWCB SRM Staff [Brian Koch], attended a Board of Directors meeting for the San Antonio Bay Partnership in Victoria. This meeting was the first meeting of this board since they were approved as a 501(c)3 in September 2011. The purpose of this meeting was to establish the role of the board and set the by-laws for the group. The individual roles of the Directors are defined in the by-laws, which were approved unanimously after adjusting and amending them.

More information is available at <http://www.sabaypartnership.org/>. The development of a Comprehensive Conservation and Management Plan for San Antonio Bay has the potential to affect agricultural and silvicultural operations in watersheds that drain to the San Antonio Bay complex in Aransas, Calhoun, Goliad, Refugio, and Victoria Counties.

#### **San Antonio River Authority Riparian Workshop**

On October 5, 2011, TSSWCB SRM staff [Rusty Ray] participated in a riparian workshop hosted by the San Antonio River Authority in San Antonio. The focus of the workshop was to gain knowledge about the importance of riparian functions, hydrology/ fluvial geomorphology principles and interactions, and riparian vegetation types. The workshop included a visit to a local inter-city creek to allow the participants to observe a properly functioning riparian area and the associated vegetation types.

#### **Statewide Riparian Summit**

On October 6, 2011, TSSWCB SRM staff [Rusty Ray] participated in the Riparian Summit hosted by the Nueces River Authority (NRA), in San Antonio. The Summit began with presentations by the National Riparian Service Team which focused on the importance and ecological values of riparian resources, the sharing of their experiences from other states, and an overview of the riparian movement around the country. In the afternoon, facilitated roundtable discussions were held that will contribute to the development and growth of a thriving riparian movement in Texas. The resulting ideas, strategies and actions will be compiled in a

proceedings document for distribution to agencies, educational institutions, and policy-makers around the state.

### **New Tool for Tracking Water, Sediment & Nutrients: Nutrient Track Tool**

On October 4, 2011 TSSWCB SRM Staff [John Foster, Mitch Conine, Pam Casebolt, Aaron Wendt, David Reeves] attended a presentation by the Texas Institute for Applied Environmental Research (TIAER) on the Nutrient Tracking Tool (NTT). The NTT uses the farm-scale APEX model to simulate the transport of water, sediment & nutrients, similar to the Soil & Water Assessment Tool (SWAT). The web-based Nutrient Tracking Tool estimates nitrogen, phosphorus and sediment losses from fields managed under a variety of cropping patterns and management practices including fertilizer & manure applications, filter strips and alternative tillage systems. The tool can help farmers to determine the most cost-effective conservation practice alternatives for their individual operations. The NTT is a unique tool because it simulates at the individual farm level to provide reliable estimates, including flow, when measured at the edge of the farm. Although the TSSWCB has seen programs that model nutrient and sediment load reductions before, the tool presented is unique because it has a web-based format and user-friendly interface.

### **City of Kyle- Water Reuse**

On September 28, 2011 TSSWCB SRM Staff [Brian Koch] attended a meeting in Kyle, to discuss strategies for water reuse, using treated wastewater effluent for irrigation and possibly other uses, such as dust control for construction. Also discussed were potential customers and existing infrastructure to handle the effluent. The process is expected to carry through the next year for planning and receiving public input. This project is funded by the Texas Water Development Board.

### **Upcoming Public Meetings**

- October 17-21, 2011 – EPA Quality Assurance Conference (Dallas)
- October 19-21, 2011 – USACE Rio Grande Basin Water Resources Workshop (Austin)

- October 19, 2011 – Arroyo Colorado Agricultural Workgroup (Harlingen)
- October 20, 2011 – Arroyo Colorado Habitat Workgroup (Harlingen)
- October 20, 2011 – Arroyo Colorado Watershed Partnership Steering Committee (Harlingen)
- October 20, 2011 – San Bernard River WPP Town Hall (Sealy)
- October 21, 2011 – USDA-ARS Riesel Field Day (Riesel)
- October 21, 2011 – Pecos River Restoration Conference (Austin)
- October 24, 2011 – Texas Watershed Steward Workshop for Adams and Cow Bayous (Orange)
- October 24, 2011 – Lone Star Healthy Streams Steering Committee Meeting (San Antonio)
- October 25-28, 2011 – National Grant Reporting Tracking System (GRTS) User Meeting (Denver)
- October 26, 2011 – Galveston Bay Council (Houston)
- October 27, 2011 – Sheldon Lake Wetland Restoration Field Day (Houston)
- October 31-November 3, 2011 – 14<sup>th</sup> World Lake Conference (Austin)
- November 1, 2011 – Geronimo Mini-Watershed Tour (Seguin/New Braunfels)
- November 2, 2011 – Clean Watershed Initiative: Built Wetlands (Houston)
- November 3, 2011 – Eagle Mountain Watershed Stakeholder Meeting (Azle)
- November 4, 2011 – Bayou Preservation Association Symposium (Houston)
- November 9, 2011 – Texas Watershed Steward Workshop for the City of Dallas (Texas A&M Research & Extension Center- Dallas)
- November 10, 2011 – Texas Watershed Steward Workshop for the City of Dallas (Trinity River Audubon Center- Dallas)
- November 10, 2011 – Plum Creek Watershed Partnership Steering Committee Meeting (Lockhart)
- November 14, 2011 – Watershed Planning Short Course
- November 21, 2011 – Renewable Resource Extension Act Grant Program Workshop (Kaufman County)

- November 22, 2011 – Renewable Resource Extension Act Grant Program Workshop (Walker County)
- December 1, 2011 – Southeast and South Central Watershed Coordination Steering Committee (Columbus)
- December 1, 2011 – Texas Groundwater Protection Committee Public Outreach & Education meeting (Austin)

## 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.

### Cedar Bayou

Impairment: Bacteria, Macrobenthic Community  
 Concern: Dissolved Oxygen  
 Mechanism: WPP  
 Lead: TSSWCB

On October 7, 2011 TSSWCB SRM Staff [Ashley Alexander] and field staff [Joel Clark] attended a Harris County SWCD meeting #442 in Houston. TSSWCB SRM and H-GAC, project lead, staff was able to provide an update on the Cedar Bayou project to the district. Highlights included recapping the last Cedar Bayou meeting, discussing the watershed issues, nominating a district director to serve on the Cedar Bayou Watershed Partnership Steering Committee, promoting the upcoming meeting on November 3, 2011, and discussion of the steps ahead.

On October 12, 2011 TSSWCB SRM Staff [Ashley Alexander] and field staff [Joel Clark] attended a Trinity Bay SWCD #434 meeting in Winnie. TSSWCB SRM and H-GAC, project lead, staff was able to provide an update on the Cedar Bayou project to the district. Highlights included recapping

the last Cedar Bayou meeting, discussing the watershed issues, nominating a district director to serve on the Cedar Bayou Watershed Partnership Steering Committee, promoting the upcoming meeting on November 3, 2011, and discussion of the steps ahead.

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.

### Dickinson Bayou

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

On August 31, 2011, the TCEQ approved publishing and soliciting public comment on *Eight TMDLs for Indicator Bacteria in Dickinson Bayou and Three Tidal Tributaries (Segments 1103, 1103A, 1103B, 1103C, and 1104)*. A public meeting to receive comments on the proposed TMDLs was held on September 29, 2011 in Dickinson.

Comments not submitted at the public meeting must have been provided in writing and received by TCEQ no later than October 17, 2011. A response to comments received will be developed by TCEQ staff and, if appropriate, the draft TMDLs may be revised. These TMDLs must be adopted by TCEQ and approved by EPA before they are effective.

This WPP is proceeding in tandem with the on-going TMDLs for bacteria and dissolved oxygen. More information on the bacteria TMDL and the RUAA is available at <http://www.tceq.texas.gov/implementation/water/tmdl/80-dickinsonbayoubacteria.html> and more information on the dissolved oxygen TMDL is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/17-dickinson.html>. More information on the WPP is available at <http://www.dickinsonbayou.org/>. Both the WPP and the TMDLs will affect farming and ranching operations in the Dickinson Bayou watershed in Galveston and Brazoria Counties.

## Double Bayou

Impairment: Bacteria  
Mechanism: WPP  
Lead: TSSWCB

On October 13, 2011 TSSWCB SRM Staff [Brian Koch] attended an open house in Anahuac, to showcase the water quality conditions and highlight the next steps for the Double Bayou Watershed, including a watershed protection plan funded by CWA §319(h) funding through the TSSWCB, which is set to begin later in 2011. Water quality data was presented, including bacteria, dissolved oxygen and chlorophyll-a. Questions from stakeholders were fielded by staff from Houston Advanced Research Center, Shead Conservation Solutions, and TSSWCB.

This WPP will affect farming and livestock operations in Chambers and Liberty Counties.

## Geronimo Creek

Impairment: Bacteria  
Mechanism: WPP  
Lead: TSSWCB

On October 11, 2011, TSSWCB SRM staff [Loren Warrick, Brian Koch] and TSSWCB Field Representative [Tony Franklin] attended a Geronimo and Alligator Creeks Steering Committee meeting in Seguin. The meeting focused on summarizing the last two chapters of the WPP and allowing Steering Committee members and the partnership to voice thoughts and opinions. The full document is now posted to the website for all to review. AgriLife Extension and GBRA will be hosting a mini watershed tour for the partnership on November 2, 2011.

More information is available at <http://geronimocreek.org/>. This WPP will affect ranching and farming operations in the Geronimo Creek watershed in Guadalupe and Comal Counties.

## Leona River

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

On September 28, 2011, TSSWCB SRM staff [Loren Warrick] attended a Texas Watershed Steward workshop in Uvalde. Sponsored by the Texas AgriLife Extension Service and TSSWCB, in coordination with the Texas Institute for Applied Environmental Research, the training discussed what it is 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. Twenty-six participants from across Uvalde, Frio, and Zavala counties attended this workshop. The training also involved interactive displays such as a rainfall simulator. The workshop included an overview of water quality and watershed management in Texas and focused on water quality issues relating to the Leona Watershed. More information on the Texas Watershed Steward Program is available at <http://tws.tamu.edu/>

More information about the Leona River project is available at <http://www.leonariver.org/>. This project affects livestock operations in the Frio, Uvalde, and Zavala Counties.

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## WATER SUPPLY ENHANCEMENT PROGRAM

### Program Overview

Administered by the TSSWCB, the goal of the program is to enhance the state's quantity of water resources in selected aquifers, streams, and reservoirs through the selective control of brush species. The 81<sup>st</sup> Texas Legislature continued funding for the Water Supply Enhancement Program by providing \$2,135,413 in General Revenue Funds in FY2012. Staff has begun implementing SB 1808 and the Sunset Commission.

In September 2010, the Board approved an amendment to form, Brush 002. Language in section 2, "cost share of follow-up treatment is contingent on the availability of funds at the time

that follow-up treatment is scheduled” was deleted and replaced with “follow-up treatment is to be carried out as specified in an eligible person’s Brush Control Plan and status reviews will be conducted”.

The Board also approved form, Brush 005, “Proposal for Water Supply Enhancement Project”. This form serves as the application for a project.

Water Supply Enhancement Program staff has also developed several other key components to the program.

### **Program Criteria for FY2012 Projects**

1. Completed computer model or feasibility study
2. Needed according to the Regional Water Plans
3. Showing brush removal as a strategy in the Regional Water Plans
4. Meeting the following TSSWCB WSEP Priority for FY 2012
  - Domestic and municipal uses, including water for sustaining human life and the life of domestic animals
5. Completion of an implementation plan by local workgroup

### **Implementation Plan**

Staff has developed criteria for an implementation plan that will be required by all approved project proposals.

A two year implementation plan must be submitted for each approved project. Funding will be allocated according to the budget and the efficiency of the implementation plan. Project allocations will be contingent on availability of funding at the time of request. After the two year period, the project will resubmit a new implementation plan for future funding.

### **The implementation plan must include the following items:**

1. The need for conservation of water resources within the area of the project, based on the State Water Plan
2. Projected water yield of areas of the project based on slope, soil, land use, type and distribution of trees, brush and other vegetation matter, and proximity of brush, trees and other

vegetation matter to rivers, streams, and channels.

3. Any method the project may use to control brush
4. Cost sharing contract rates
5. Location and size of the project
6. Budget of the project
7. Implementation schedule of the project
8. The administrative capacity of the board
9. Consultation with Texas Parks and Wildlife, Texas Department of Agriculture, and Texas Water Development Board

### **Stakeholder Committee**

Staff has contacted individuals to serve on the water supply enhancement stakeholder committee.

The stakeholder committee’s duties include:

- Utilizing a stakeholder process to identify general program goals such as agricultural irrigation, drinking water, recreation, environmental flows, etc.
- Adopting specific goals for water yield consistent with general program goals
- Developing a standard for determining projected water yield.

The stakeholder committee will begin establishing a Scientific Advisory Group to provide technical expertise.

The following individuals were contacted in order to serve on the stakeholder committee:

- Dr. Ken Rainwater, Civil Engineer
- Clyde Bohmfalk, Texas Commission on Environmental Quality
- Jason Skaggs, Texas and Southwestern Cattle Raisers
- Jule Richmond, Association of Soil and Water Conservation Districts
- Johnny Oswald, Texas State Soil and Water Conservation Board
- Robert Mace, Texas Water Development Board

# 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 the 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.

## O&M Grant Program Update

The following table is a summary of the Flood Control O&M Program Budget for FY 2010 and FY 2011 updated as of 10/20/2011.

FY 10 Contracted \$555,129		FY 11 Contracted \$1,070,998	
Original O&M	Original Admin	Contracted O&M	Contracted Admin
\$528,653	\$26,477	\$1,019,762	\$51,236
Spent O&M	Spent Admin	Spent O&M	Spent Admin
\$505,405	\$23,795	\$559,001	\$27,855
Remaining O&M	Remaining Admin	Remaining O&M	Remaining Admin
\$24,653	\$1,233	\$460,761	\$23,381
Total FY 10 Contract Remaining		Total FY11 Contracted Remaining	
\$25,885		\$484,141	

## Structural Repair Grant Program Update

A total of 18 flood control dams received state grant funding from FY2010. Five 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, 6 dams have had repairs completed and the remaining 7 are under construction. In total, \$3,915,471 of FY 2010 state repair grant funds have been obligated.

In FY 2011, a total of 6 flood control dams received state grant funding. State grant funds are providing 95% of the total cost of each of these projects. One of these dams has had all repairs completed. The remaining 5 dams 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 was only able to fund one dam repair project. In total, \$692,949 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>

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4311 SOUTH 31<sup>ST</sup> 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.