

Minutes
TEXAS STATE SOIL AND WATER CONSERVATION BOARD
September 20, 2002

The Texas State Soil and Water Conservation Board met on September 20, 2002 at 8:00 a.m. in its Hearings Room at 311 North Fifth Street, Temple, Texas.

Board members present were:

T. Wayne Register, Chairman
Dayton Elam, Vice Chairman
Edward G. Albrecht, Member
W. T. (Dub) Crumley, Member

Board member Donald Swann was absent due to ill health

Staff members present were:

James M. Moore, Executive Director
Bobbie Stephens, Director of Administration
Kris Parker, Director of External Customer Relations
Kevin Wagner, Natural Resources Specialist
Lee Munz, Planner
Dawn Heitman, Human Resources Specialist
Donna Long, Program Specialist
John Foster, Natural Resources Specialist
Richard Egg, Engineer
Jay Bragg, Planner
Sam Unberhagen, Program Specialist
Kenny Zajicek, Contract Manager
Lois Cain, Administrative Technician
Kevin Canfield, Planner
Johnny Oswald, Program Administrator
Tim Sims, Program Administrator

Others present were:

George Noelke, Attorney General's Office
Clyde Bohmfalk, Texas Commission of Environmental Quality
Harold Bryant, Natural Resources Conservation Service
Freddie Williams, Natural Resources Conservation Service
Bill Thomas, Association of Texas Soil & Water Conservation Districts
Tamera Daniel, Association of Texas Soil & Water Conservation Districts
Joe McFarland, Texas Assn. of Resource Conservation & Development Areas
Steve Kelton, Livestock Weekly

Chairman Register called the meeting to order and welcomed those present. He advised that Board Member Donald Swann was ill and in the hospital in Corpus Christi.

On motion of Edward G. Albrecht, seconded by Dub Crumley, the minutes of the August 29, 2002 Board meeting were approved as mailed.

Kris Parker presented a district director appointment for the Board's consideration and said it met the qualifications and appeared to be in order. On motion of Dayton Elam, seconded by Edward Albrecht, the following district director appointment was approved:

Diane M. Cornwall, Parker Co. SWCD #558

Joe McFarland, President, Texas Association of Resource Conservation and Development Areas, provided a report and briefed the Board on what RC&Ds are and what they do. He said all RC&D boards are volunteers and would like to work more closely with soil and water conservation districts and get them more involved at their meetings.

Bobbie Stephens discussed proposed allocations for fiscal year 2003 Subchapter H Technical Assistance. The amount to be allocated was \$79,997.21 and she proposed to distribute on an 80-20 basis if approved by the Board. On motion of Dub Crumley, seconded by Edward Albrecht, the Board approved allocation and distribution as recommended by the staff. (Copy attached)

Ms. Stephens provided the fiscal year 2002 Budget versus Expenditure Report for the 12-month period ending August 31, 2002. She explained all appropriation strategies and said all brush funds and SB 503 funds are encumbered and would not lapse unless the landowner fails to use the funds in the next two years.

Bobbie Stephens provided the Board a travel and per diem report for their travel for the 12-month period ending August 31, 2002 and a report on their travel allocations for fiscal year 2003.

Dawn Heitman provided the Human Resources Report which reflected new appointments, retirements, promotions and terminations. She advised recruitment was underway for Assistant Executive Director for Conservation Programs, Assistant Executive Director for District Operations, Program Administrator for Hale Center, Engineer for Mt. Pleasant, Accountant III and Information Specialist II to be located in the Temple office. She also provided a report on employee training and on the affirmative action/recruitment plan.

Bill Thomas presented a proposal to promote "Conservation Across America" on behalf of the Conservation Partnership which consists of USDA-Natural Resources Conservation Service, Texas State Soil and Water Conservation Board and the Association of Texas Soil and Water Conservation Districts. This joint venture will be implemented by local field offices and soil and water conservation districts and will place temporary signs in public view when conservation work is being applied on farms and ranches. Mr. Thomas said this is a pilot program and they plan to purchase 500 signs from the Texas Department of Corrections to be placed on fences or gates of landowners across the state. He asked the Board to consider sharing the expense of these signs (500 signs at \$11.24 for a total estimated cost of \$5,620.00). On motion of Edward Albrecht, seconded by Dub Crumley, the Board voted to participate and share half of the cost. Dayton Elam said he would like for someone to see if there is any way to obtain these signs and be able to sell them to districts.

Russell Gregorczyk, the agency's internal auditor, presented the proposed internal audit plan and proposal for fiscal year 2003. Mr. Gregorczyk proposes to perform the following audits: Information Resources System and Controls Audit; Budgeting System and Controls Audit; Purchasing System and Controls Audit; and 319 Program Audit. On motion of Edward G. Albrecht, seconded by Dub Crumley, the Board adopted the proposed internal audit plan and proposal for fiscal year 2003 as presented.

Mr. Gregorczyk advised the Board the internal audit report for fiscal year 2002 will be presented at the November Board meeting. The Board members will be provided a copy of the report to review before the meeting.

Mr. Gregorczyk discussed the internal audit follow-up report for fiscal year 2001. He reviewed status of implementation of recommendations made in the Accounting System and Accounting Internal Control Audit issued July 27, 2001. He said there had been twenty-one recommendations and the accounting department has done a good job in implementing the recommendations. Bobbie Stephens said working with Mr. Gregorczyk and his staff has been quite helpful.

Mr. Gregorczyk then discussed the final draft of the internal audit of the State Brush Control Program. After discussion and on motion of Dayton Elam, seconded by Edward Albrecht, the Board adopted the final draft report as presented.

Mr. Gregorczyk discussed the final draft report of the internal audit of the Senate Bill 503 program for fiscal year 2002. He discussed the audit results and recommendations. After discussion and on motion of Dub Crumley, seconded by Edward Albrecht, the Board adopted the final draft report as presented.

Bobbie Stephens provided a status report on the Clean Water Act 319(h) grant program. She said grant year 2002 is fully funded and under contract and grant year 2003 work plans are being prepared and a status update would be brought before the Board in November.

Freddie Williams presented the Natural Resources Conservation Service report and said they had been busy implementing programs from the Farm Bill. He briefly discussed the EQIP Program, Wetland Reserve Program and Wildlife Habitat Program. He reported the State Technical Committee would be meeting in early 2003. He said they had 61 gains in employment this year and had lost 38 people in the same time period. They currently have 675 employees across the state.

Clyde Bohmfalk gave a report for the Texas Commission of Environmental Quality and said Commissioner White had planned to attend the State Board meeting but had a conflict. He discussed the joint meeting between the TCEQ and TSSWCB and said he would be looking at specific issues where joint action would be required in planning the joint meeting.

Tamera Daniel reported the Association of Texas Soil and Water Conservation Districts would be selling caps at the Annual Meeting in Corpus Christi.

Kris Parker provided a report on the activities of the Information/Education Department. She discussed media outreach, web site maintenance, conferences attended and public relations outreach.

Ms. Parker provided samples of District Fact Sheets, which provide information relative to each district. She hopes to have the final versions ready in January for the opening of the Texas Legislative Session.

Ms. Parker updated the Board on plans and speakers scheduled for the 2002 Annual State Meeting of Soil and Water Conservation District Directors to be held in Corpus Christi on October 7-9. She said as of September 19, 2002 there had been 274 people to pre-register for the meeting.

John Foster provided a status report on Senate Bill 1339 which requires all poultry facilities in Texas to operate in accordance with a water quality management plan and said a total of 209 water quality management plans on poultry facilities had been certified since the effective date of the bill.

Donna Long discussed current and upcoming Total Maximum Daily Load (TMDL) projects. She gave an update on the North Bosque TMDL and said the draft implementation plan was out for comment and open for comments through October 21, 2002. She briefly discussed the Colorado River TMDL segment below E V Spence, Petronila Creek and Sam Rayburn Reservoir.

Sam Unberhagen provided the Water Quality Management Program status report and said a total of 1,056 plans had been processed for fiscal year 2002 and that 52 plans had been received and approved for fiscal year 2003. He reported four complaints had been investigated this activity period and two complaints are currently under investigation.

Allocation of fiscal year 2003 water quality cost share funds was then considered. Mr. Unberhagen reported there were currently no new or pending requests for statewide allocations.

Richard Egg discussed revision of water quality management priorities in the Coastal Zone. He discussed the agricultural and silvicultural management measures and the proposed method of implementation in the states' implementation plan. The

State Coastal Nonpoint Source Pollution Program requires these management measures be implemented in the Coastal Zone as a preventive measure. To do that the Coastal Zone districts must be able to implement these management measures through water quality management plans on all applicable farms and ranches. Staff recommended the Board add as priorities the management measures in the Texas Coastal Nonpoint Source Pollution Control Program for the soil and water conservation districts in the Coastal Zone. On motion of Edward Albrecht, seconded by Dayton Elam, the Board adopted staff recommendation.

Mr. Egg provided an update on funding for Rehabilitation of Flood Control Structures. He said applications for rehabilitation of two additional flood control structures had been received – Site 3D, East Fork Trinity above Lavon Lake in Collin County and Site 3E, East Fork Trinity above Lavon Lake in Collin County. Staff recommended the Board approve the two projects subject to addressing any comments received through the Texas Review and Comment System. On motion of Edward G. Albrecht, seconded by Dub Crumley, the Board approved staff recommendation.

Mr. Egg discussed the Texas Water Development Board/Texas State Soil and Water Conservation Board Joint Water Conservation Study and provided a draft of staff's input to the TWDB to be incorporated into their portion of the report.

Kevin Wagner provided a status report on the State Brush Control Program. He reported on the North Concho Watershed and said most funds have been obligated with 307,113 acres under contract to be treated. As of September 16, 2002, 137,323 acres have been treated. The treatment cost per acre is averaging \$42.98. He then discussed the Pedernales River Watershed. He reported 209 applicants have signed up and field work has begun on 45 of the applications and twelve plans have been

developed. Mr. Wagner reported that participation in the Upper Colorado/Twin Buttes critical area was excellent. He said adequate funding was available in all critical areas except in Twin Buttes. Mr. Wagner reported feasibility studies are nearing completion and hopes to have them ready for State Board approval at the November Board meeting and ready for distribution to the State Legislature in December. He said the maintenance/management study interim research reports have been received and are currently being reviewed by staff. The prescribed burning and tree shearing with cut-stump treatment is still being reviewed as directed by the Board at the July board meeting. Recommendations regarding these practices will be made to the State Board once the analysis is complete. At the March 2002 board meeting the State Board directed staff to develop a priority system ranking the areas where feasibility studies have been completed for implementation. A draft ranking of the lakes along with criteria used was provided.


Kevin Wagner then discussed Proposed Amendments on Title 31. Natural Resources and Conservation, Part XVII. Soil and Water Conservation Board, Chapter 517. Financial Assistance, Subchapter B. Cost-Share Assistance for Brush Control. After discussion staff recommended to the Board to delay action on these rules. Staff will bring back to the Board in November a proposal to address the rules and comments received. On motion of Dayton Elam, seconded by Dub Crumley, the Board directed staff to continue reviewing the changes in the rules.

The Board then considered paying dues to be a member of NASCA (National Association of State Conservation Agencies). After discussion and on motion of Wayne Register, seconded by Edward Albrecht, the Board voted two for and one against (Dub Crumley) to pay the dues in the amount of \$3,000.

James Moore informed the Board of a visit he had recently from Jerry Harris, Chairman of the State FSA Committee concerning a briefing session in College Station on October 4th to demonstrate state and federal agencies working together and advised the Board they would be receiving invitations to attend.

The date of the next Board meeting was set for Thursday, November 21, 2002 at 8:00 a.m.

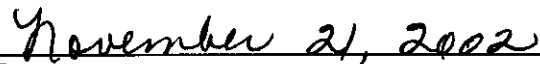
On motion of Dayton Elam, seconded by Edward G. Albrecht, the meeting adjourned at 12:00 noon.



Chairman

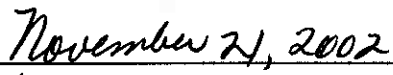


Secretary




Date

I certify that the above is a true and correct copy of the minutes of the State Soil and Water Conservation Board meeting held on September 20, 2002.



Date



Executive Director