Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
January 26, 2005

The Texas State Soil and Water Conservation Board met on January 26, 2005, at 2:00 p.m. in its Hearings Room at 311 North 5th Street, Temple, Texas.

Board members present were:

Aubrey Russell, Vice Chairman
Reed Stewart, Member
Guillermo (Memo) Benavides, Member
Jerry Nichols, Member
W. T. (Dub) Crumley, Chairman

Staff members present were:

Rex Isom, Executive Director
John Foster, Natural Resources Specialist
Kenny Zajicek, Fiscal Officer
Andy Garza, Program Administrator
Lee Munz, 319 Project Manager
T. J. Helton, Planner
Chris Higgins, Planner
Johnny Oswald, Program Administrator
Tuffy Wood, Program Specialist
Ben Brooks, Planner
Mel Davis, Program Specialist
Bob Gruner, Program Specialist
Ben Wilde, Program Specialist
Joe Freeman, Program Specialist
Kendria Ray, Program Specialist
David Powell, Program Specialist
Joel Clark, Program Specialist
Don Brandenberger, Program Specialist
Dawn Heitman, Program Specialist
Vicki Davis, Administrative Coordinator

Others present were:

George Noelke, Office of the Attorney General
Denise Gentsch, BASF Corporation

Chairman Crumley called the meeting to order at 2:10 p.m. and welcomed those present.

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

The meeting adjourned at 4:30 p.m.

Meeting Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
January 27, 2005

The Texas State Soil and Water Conservation Board met on January 27, 2005, at 8:00 a.m. in its Hearings Room at 311 North 5th Street, Temple, Texas.

Board members present were:

Aubrey Russell, Vice Chairman
Reed Stewart, Member
Guillermo (Memo) Benavides, Member
Jerry Nichols, Member
W. T. (Dub) Crumley, Chairman

Staff members present were:

Rex Isom, Executive Director
Dawn Heitman, Program Specialist
John Foster, Natural Resources Specialist
Kenny Zajicek, Fiscal Officer
Richard Egg, Engineer
Andy Garza, Program Administrator
Judy Albus, Program Administrator
John O'Conner, Program Administrator
Steve Jones, Program Administrator
Carter Miska, Program Administrator
Mark Cochran, Program Specialist
Bob Gruner, Program Specialist
Joe Freeman, Program Specialist
Ben Wilde, Program Specialist
Kendria Ray, Program Specialist
Adrian Perez, Program Specialist
Joel Clark, Program Specialist
David Powell, Program Specialist
Don Brandenberger, Program Specialist
Charlie Upchurch, Program Specialist
Johnny Oswald, Program Administrator
Tuffy Wood, Program Specialist
Ben Brooks, Planner
Lee Munz, 319 Project Manager
T. J. Helton, Planner
Chris Higgins, Planner
Mel Davis, Program Specialist
Vicki Davis, Administrative Coordinator

Others present were:

Larry Butler, Natural Resources Conservation Service

Tamara Daniel, Association of Texas Soil & Water Conservation Districts
Clyde Bohmfalk, Texas Commission on Environmental Quality
Kraig Gallimore, Texas Water Development Board
Sam Feagley, Texas Cooperative Extension
John Grant, CRMWD
Okla W. Thornton, Jr., CRMWD
Pat Hudson, Lower Sabine Neches SWCD

Chairman Crumley called the meeting to order at 8:10 a.m. and welcomed those present.

AGENDA ITEM 2. Minutes from the November 17-18, 2004 Board Meeting

Chairman Crumley called for a motion to approve the minutes of the November 17-18, 2004, meeting as mailed. Mr. Benavides moved that the minutes be approved. Mr. Nichols seconded the motion. The motion passed unanimously.

AGENDA ITEM 3. District Director Appointments

Ms. Davis presented district director appointments for the Board's consideration and verified they were in order and met all qualifications with the exception of Johnny French's being a copy. Mr. Stewart moved the appointments be approved contingent upon the receipt of original paperwork. Mr. Russell seconded and the following appointments were unanimously approved:

Brian Pshigoda, Ochiltree #142, Zone 2, Replace Pat Conner
J. M. Rusty Carpenter, Upper Pecos #213, Zone 5, Replace W. C. McNeil
Bob Steakley, Sandhills #241, Zone 2, Replace Jack Crider
C. K. Stevenson, San Saba #250, Zone 4, Replace Steven McCoury
Russell Bading, Comal-Guadalupe #306, Zone 4, Replace Freddie Dreibrodt
Joel Hall, Copano Bay #329, Zone 1, Replace J. D. McGuill
Anthony Lowery, Davy Crockett-Trinity #404, Zone 2, Replace James Alford
Johnny French, Sulphur-Cypress #419, Zone 4, Replace Charles Jones (**Copy**)

AGENDA ITEM 4. Adoption of Rule on Historically Underutilized Business

Mr. Davis reviewed the agenda information. Mr. Stewart moved that the proposed rule be adopted as final. Mr. Benavides seconded and the motion passed unanimously.

AGENDA ITEM 5. TWDB Agricultural Water Conservation Grant

Mr. Davis reviewed the agenda information. The Board concurred with the information presented and instructed staff to notify districts as soon as possible due to the August 31st deadline for use of funds.

AGENDA ITEM 6. Approval of Statewide Water Quality Management Plan Cost Share Requests

Mr. Munz reviewed the agenda information. Mr. Nichols moved that the request from Trinity Neches SWCD #422 for statewide funds be approved. Mr. Stewart seconded and the motion passed unanimously.

AGENDA ITEM 7. Transfer of Territory from McLennan County SWCD #512 to Hill Country-Blackland SWCD #540

Mr. Brandenberger reviewed the agenda information. Mr. Benavides moved the Board approve the petition as administratively practical and feasible and transfer territory between the two districts with boundaries and subdivisions as described. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 1. Reports from Agencies and Guests

Kraig Gallimore, Texas Water Development Board discussed the Water Conservation Task Force's solid support of the public awareness issue and their desire for the legislature to fund the public awareness campaign. He stated that Dawn Heitman will be working on this issue from our agency.

Clyde Bohmfalk, Texas Commission on Environmental Quality had no report but expressed his agency's appreciation of the good working relationship between our two agencies.

Sam Feagley, Texas Cooperative Extension discussed: water quality project, news releases, compost project, validation of the phosphorus index, education outreach to CAFO's, TSP – nutrient management short-course and their attempt to have it on-line by 2006, and the nutrient management plan format being streamlined.

Larry Butler, Natural Resources Conservation Service discussed: they now have an operating budget that is pretty tight but the farm bill funding has increased, they had twice as many retirements as normal last year and more are on the way but hiring is down so their workforce is lowered, National Technical Support Office opened in Fort Worth, Farm Bill EQIP Program payments have been transferred from FSA to NRCS but a new software program has caused a backlog of payments, their appreciation of the work of local boards and State Board with the local workgroup process, listening session in March, TSP, Conservation Security Program, 90% of the soil surveys have been completed, 20% of their offices will be reviewed by the Civil Rights Committee this year, Salvador Salinas will attend the NACD meeting as their representative, and he would appreciate input from the Board in their Strategic Planning process.

John Grant – CRMWD discussed the opportunity available with the Salt Cedar Project.

Pat Hudson – Lower Sabine Neches SWCD stated that the Association's PI/E Committee will work aggressively with legislators this year.

Tamara Daniel, Association of Texas SWCDs discussed the Committee of 100 Meeting, the Atlanta meeting, Taste of Texas, Spring Legislative Conference, staff luncheon and announced her new position as the South Central Regional Coordinator for NACD on a consultant basis.

AGENDA ITEM 8. Approve Use of Certain State Funds by Districts for Purchase of Liability Insurance

Mr. Zajicek reviewed the agenda information and took questions from the Board. Mr. Benavides moved that Director's and Officer's Liability Insurance be made an allowable expense for State Matching Funds. Mr. Russell seconded and the motion passed unanimously. The Board asked that districts be notified of this change.

AGENDA ITEM 9. Approval of Supplemental Guidance Document for Poultry Water Quality Management Plans

Mr. Foster reviewed the agenda information. Mr. Nichols moved that the Board approve the supplemental guidance document titled *Converting Water Quality Management Plans into Pollution Prevention Plans for Dry Litter Poultry Operations Requesting General Permit Coverage.* Mr. Benavides seconded and the motion passed unanimously.

AGENDA ITEM 10. UCRA – Continuation of Funding for the Texas Brush Control Program – Response Monitoring and Research

Mr. Oswald reviewed the agenda information. Mr. Stewart moved that the Board provide funding in the amount of $60,000 of FY 05 State Brush funds for the continuation of monitoring and research by UCRA for the State Bush Program. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 11. Approval of Rule Change to Allow Cost Share Assistance More than Once on the Same Water Quality Management Plan

Mr. Garza reviewed the agenda information and took questions from the Board. After discussion Mr. Benavides moved that the following language be added to Section 523.6(e)(2) of the SB 503 cost-share rules: (E) The life expectancy of the previously cost-shared best management practice(s) has expired. Mr. Nichols seconded and the vote was taken at 2 for, 1 against and 2 abstain. After discussion Mr. Russell called for a revote. At that time the revote was taken at 4 for, 1 against and the motion passed.

AGENDA ITEM 12. Consider Proposed 10% Variance of Performed Cost Share Work

Mr. Garza reviewed the agenda information and stated that no Board action was required. The reference guide will be revised to include the change.

AGENDA ITEM 13. Executive Director Salary

Chairman Crumley made a motion that the Executive Director's salary be raised from $60,000 to $65,000 retroactive to January 1, 2005. Mr. Russell seconded and the motion passed unanimously.

AGENDA ITEM 14. State Board Member Elections

Mr. Davis reviewed the agenda information

AGENDA ITEM 15. Update on 2006-07 Legislative Budget Request

Mr. Zajicek reviewed LBB's write-up of our budget. Changes from the last biennium are:

1) LBB listed TWDB grants to fund the brush program – we requested the program be funded from General Revenue Funds
2) LBB showed all funds to districts being paid on a reimbursement basis – we proposed only TA funds be on a reimbursement basis
3) Per Diem for Board members be raised from $9,000 to $12,600 to accommodate a seven-member Board

Mr. Isom explained that this is a first step and changes may be made as the budget process progresses.

AGENDA ITEM 16. Requests for Cost-Share Contract Information

Mr. Zajicek explained that the LBB had requested confidential information from our agency. After checking with the Attorney General's office and LBB's legal staff, other information will be used that is not exempt under the Ag Code.

AGENDA ITEM 17. North Bosque River Watershed Update

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

AGENDA ITEM 18. Poultry Program Update

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

AGENDA ITEM 19. Coastal Coordination Council

Mr. Benavides reported that he and Richard Egg attended a Council meeting in December.

AGENDA ITEM 20. Water Quality Management Program Status Report

Mr. Garza reviewed the agenda information and stated the Reference Guide is in the process of being updated.

AGENDA ITEM 21. Annual Update of EEO Policy

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 22. Human Resources Report

Ms. Heitman reviewed the agenda information.

AGENDA ITEM 23. Public Information/Education Report

Ms. Heitman reviewed the agenda information and took questions from the Board.

AGENDA ITEM 24. NACD Report

Mr. Benavides discussed: NACD Executive Board holding a teleconference to shape up the national meeting in Atlanta, new NACD president, Tamara Daniel's new position, League City facility is still for sale and the Spring Legislative Conference in April.

AGENDA ITEM 25. 319 Report

Mr. Munz reviewed the agenda information and Mr. Foster presented the Water Quality BMP Manual.

AGENDA ITEM 26. TMDL Program Status Report

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

AGENDA ITEM 27. Brush Control Program Update

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

AGENDA ITEM 28. Upper Colorado Salt Cedar Project Update

Mr. Brooks reviewed the agenda information.

AGENDA ITEM 29. Fiscal Report

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

AGENDA ITEM 30. Set Date of Next Board Meeting

Mr. Russell moved that the date of the next Board meeting be tentatively set as March 23rd with a work session to be held March 22, 2005. Mr. Stewart seconded and the motion passed unanimously.

Chairman Crumley presented service awards and then declared the meeting adjourned at 11:50 a.m.

W.T. Crumley
Chairman

Secretary

3/23/05
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 January 26 & 27, 2005.

3/23/05
Date

Executive Director