

Minutes
TEXAS STATE SOIL & WATER CONSERVATION BOARD
January 17, 1996

The Texas State Soil and Water Conservation Board met January 17, 1996 at 8:00 a.m. in its Hearings Room at 311 North Fifth Street, Temple, Texas.

Board members present were:

Charles D. "Buddy" Clark, Chairman
C. F. "Dick" Schendel, Vice Chairman
Paul Robertson, Member
Albert Evans, Member
Harvey Davis, Member

Staff members present were:

Robert G. Buckley, Executive Director
James M. Moore, Assistant Executive Director
William C. Neiser, Assistant Executive Director
Mel Davis, Assistant Executive Director
Clyde J. Gottschalk, Information/Education Director
Randy Jones, Human Resources Director
Leonard Pietzsch, Jr., Chief Accountant
Beade Northcutt, Engineer
Cherié King, Director of Programs
Bo Spoons, Director of Programs
Mahendra Mohite, Engineer Assistant
Sam Unberhagen, Program Specialist
Maria Pinto, Hydrologist
Lois J. Cain, Administrative Technician

Others present were:

Dr. Allan Jones, Texas A&M University and Texas Agricultural
Extension Service
Dr. Bill Dugas, Texas Agricultural Extension Service
Atlan Pfluger, Texas Water Development Board
Wes Oneth, Natural Resources Conservation Service
Tomas Dominguez, Natural Resources Conservation Service
Bill Ensor, Natural Resources Conservation Service

Chairman Clark called the meeting to order and welcomed those present.

Dr. Allan Jones was invited to address the Board. He advised the Board that as of January 1, 1996, he had joined Dr. Ed Hiler, Vice Chancellor of the Texas A & M University System and Director of Texas Agricultural Experiment Station's staff in College Station half time as Assistant Vice-Chancellor in College Station and Associate Director of the Texas Agricultural Experiment Station in Temple. He invited the State Board to continue to contact him for any needs the State Board may have. Dr. Jones then introduced Dr. Bill Dugas who has assumed the duties of Associate Resident Director of the Blackland Experiment Station in Temple. Dr. Dugas has been with the Blackland Experiment Station for 15 years as meteorologist and said he was excited about his new responsibilities.

The Board then considered minutes for the November 14, 1995 Board meeting. On motion of Albert Evans, seconded by Harvey Davis, the minutes were approved as mailed. Motion carried. Minutes from the November 15, 1995 Board meeting were considered next. On motion of Albert Evans, seconded by Paul Robertson, the minutes were approved as mailed. Motion carried.

Mel Davis presented six district director appointments for consideration and advised the Board that all appointment papers appeared to

be in order. On motion of Paul Robertson, seconded by Dick Schendel the following appointments were approved as presented:

Charles Freeman, III, Wilson County SWCD #301
Edna Cunningham, Caldwell-Travis SWCD #304
Mark Hicks, Wood SWCD #444
David Roberts, Central Texas SWCD #509
Ralph Amyx, Denton County SWCD #547
Melton Harms, Parker County SWCD #558

Mel Davis advised elections would be held on May 7, 1996 to elect Board members for State Areas II and IV. He provided copies of notices for election giving time and location of the elections. Area II election will be held in San Angelo at 6:00 p.m. in Room 204, Houston Harte University Center, Angelo State University. Area IV election will be in Nacogdoches at 5:00 p.m. in the Lumberjack Room, Student Union Building, Stephen F. Austin State University.

Clyde Gottschalk reported on activities of the Information/Education Department and discussed a recently held District Director Training Workshop attended by newly elected or appointed district directors and newly hired State Board staff. He discussed a meeting he had attended in November with Texas Tech University for conducting a joint Water Quality Briefing Conference. The results of the meeting were favorable for proceeding with the conference hopefully to be held in early 1997. He further advised the Board that news stories are being developed for the S.B. 503 program out of the Dublin and Mount Pleasant regional offices; video work has begun on

Sec. 319 projects; work was progressing with NACD on the statewide FFA speech contest; work is underway to up-grade the slide presentation entitled "What's the Difference?"; work is being done to support the annual statewide wildlife clinic; work is well underway to develop spring and summer seminars for teachers and Boy Scouts; and news stories on Sec. 319 projects have been completed and distributed to newspapers and several publications. He also discussed the possibility of developing several training modules that could be used for on-going training for district directors.

Buddy Clark asked the staff to find out if the Clean Texas 2000 Governor's Awards for Environmental Excellence program still existed and if it did to see about entering some of our conservation award winners. Staff indicated they would determine the status of the program.

Bill Neiser discussed the Annual Financial Report for Fiscal Year 1995 for the Texas State Soil and Water Conservation Board. He said the report has been completed and filed. He then pointed out significant differences from the prior year and explained those differences.

Mr. Neiser then discussed the budget versus expenditure report for four months ending December 31, 1995. He reported that the budget appears to be in good shape.

Proposed Amendment #3 to the operating budget for Fiscal Year 1996 was then discussed by Mr. Neiser. On motion of Harvey Davis, seconded by

Dick Schendel the amendment was approved as presented. Motion carried.
(Copy of amendment attached.)

Bill Neiser discussed the proposed cooperative agreement with the Upper Leon Soil and Water Conservation District #525 scheduled for the district's review at their district board meeting today. If the district has no objections the agreement should be signed by them today and returned to the State Board for the Executive Director's signature. It was reported to the Board that a resignation had been received from the Hale Center regional office and that a similar cooperative agreement may have to be entered into with the Hale County SWCD #132. (Copy of Cooperative Agreement attached.)

Mr. Neiser advised the Board that planning for the 1998-1999 budget request was drawing near. In the past districts have been surveyed for their needs and he asked if the State Board wished to continue this process. On motion of Paul Robertson, seconded by Albert Evans, the Board voted to survey districts concerning their needs as done in the past. Motion carried.

Bill Neiser said guidelines for the Agency Strategic Plan have been received and the date for submitting the plan is June 14, 1996. He invited any comments, suggestions, or input from the State Board. Mr. Buckley said he and State Board Chairman Buddy Clark would be attending a meeting called by the Governor for January 24, 1996 regarding preparation for the Strategic Plan.

Bill Neiser discussed the District Financial Statement Status Report and said there are still several districts that have not sent in their financial statements. He said grant moneys are being withheld until these statements are received. According to Mr. Neiser 80% of the financial statements that have been received have already been approved.

Leased office space was discussed by Mr. Neiser. He said Innson Corporation has again received the bid for the Temple headquarters office. Innson Corporation is waiting on estimates from two contractors and remodeling, in compliance with bid specifications, should begin shortly. Construction is to begin soon in Harlingen on the South Texas regional office with March 1, 1996 as the occupancy date. This office building will hold the South Texas regional office of the State Board plus offices for the Texas Water Development Board, Attorney General's Office, and Texas Parks and Wildlife Department. Space for the Wharton regional office has been renewed for five years at the present location.

Randy Jones discussed an Americans with Disabilities Act Accessibility Standards compliance inspection at the Hale Center regional office. Mr. Jones has been working with the Hale County Soil and Water Conservation District and agency personnel of the Texas Department of Licensing and Regulations, Architectural Barriers Division, in Austin to get the violations corrected by March 1, 1996. All corrections will be done to

meet the deadline date according to district directors from the Hale County SWCD in Hale Center.

Wes Oneth reported on activities of the Natural Resources Conservation Service and introduced Tomas Dominquez, new Deputy State Conservationist and Bill Ensor, new Assistant State Conservationist. He reported Salado Watershed Site 10 in San Antonio is almost completed and is receiving national attention because of the roller compacted concrete which is being used. He said the Emergency Watershed Program is still on-going. The directors of the Association of Texas Soil and Water Conservation Districts recently asked NRCS to assign a part-time person from their staff to assist them on grant writing. Mr. Oneth informed the Board he has assigned Gail Chandler from his staff to fill this request. He also reported the soil survey for Grimes County has been published. He advised the Board there will be co-location of field offices in Duval County and Parmer County. There will also be non-federal work sites for NRCS personnel in Tilden, Balmorhea, Caldwell, Taylor and Bartlett. Board members were provided a copy of the actual appropriation dollars for fiscal year 1996 for NRCS in Texas by Mr. Oneth. A good portion of the funding is directed for the purchase of computer equipment and software plus training of personnel on the new equipment.

Atlan Pfluger reported that at the last Board meeting of the Texas Water Development Board seven agriculture grants totaling \$45,000 were approved for purchase of agriculture equipment. He also said the

memorandum of understanding with the Texas State Soil and Water Conservation Board was approved.

Cherié King provided a report from Memo Benavides, President of the Association of Texas Soil and Water Conservation Districts covering his activities since his election on October 18, 1995.

Bob Buckley reported on the progress of the 1995 Farm Bill and indicated nothing may be done until after March 1, 1996.

Mel Davis reviewed the proposed Revisions of the Basic and Supplemental Memorandum of Understanding with USDA and said it will be discussed in the Leadership Conference at the national NACD meeting scheduled the first week of February, 1996 in Las Vegas. Mr. Davis said the new MOU is proposed to replace the Basic Agreement which the districts now have. Staff recommendation is to look at these agreements closely before agency recommendation is provided to districts. Mr. Buckley said he would discuss with the Governor's office staff who should sign the MOUs for the state. This will be discussed further at the next board meeting.

Bob Buckley informed the Board that the NACD quota in the amount of \$550.00 had been received and asked what the Board wished to do. On motion of Paul Robertson, seconded by Harvey Davis, the Board voted to pay the quota in the amount of \$550.00.

Mr. Buckley discussed the national NACD meeting to be held in Las Vegas, Nevada on February 4-8, 1996 and asked the Board if they had any

questions. He advised there would be a NASCA meeting on Tuesday afternoon and informed the Board he would no longer be serving as Treasurer of NASCA but is scheduled to serve as Secretary if the Board approved. The Board gave their approval. Hotel accommodations and requested airline tickets were provided the Board for travel to Las Vegas.

Mel Davis informed the Board that no future state meeting sites have been selected beyond the 1996 meeting which will be held in Fort Worth on September 16-18. He asked the Board what cities needed to be contacted to determine availability of meeting dates, available accommodations, and associated costs. It was the consensus of the Board to survey district directors to determine which cities they prefer as possible meeting sites.

Senate Bill 503 status report was discussed by James Moore. He said 225 water quality management plans have been certified so far this fiscal year. He said as of January 12, 1996, \$682,400.19 has been obligated for cost-share with \$93,397.90 in unobligated statewide funds which is being held in case of complaints that need to be dealt with. He then discussed a report on complaint activity for a period from November 1, 1995 through January 12, 1996. Mr. Moore said there would be S.B. 503 procedural training conferences held in the Lower Rio Grande Valley on February 20 and in Wharton on February 21. Mr. Moore reported the annual status review spot checks have been working properly. Chairman Clark asked that a report on annual status reviews be provided the Board at future meetings.

James Moore discussed the status of Section 319 programs and provided the Board a copy of an EPA Watershed Approach paper received from NACD. He informed the Board he had not commented on the paper but would if that was the desire of the Board. He also informed the Board that new Section 319 National Guidance has been received and reviewed and said it will allow states to lessen EPA oversight if they can meet certain criteria pertaining to their nonpoint source management program. Mr. Moore then reported that the Annual Report on Nonpoint Source Management Activities had been submitted to EPA.

Mr. Moore updated the Board on the status of the Letter of Agreement between the State Board and the Texas Natural Resources Conservation Commission. A final copy had not been received from TNRCC but Mr. Moore confirmed with the Board that the Executive Director had been authorized to sign the Letter of Agreement at the November 15, 1995 board meeting.

The Memorandum of Understanding between the State Board and the Texas Water Development Board was then discussed. Mr. Moore advised the Board that the TWDB had published the MOU as a proposed rule in the **Texas Register**; that no comments had been received; and that it would become effective 20 days after publication as a final rule.

Mr. Moore updated the Board on activities related to the Atrazine detection in Marlin's city lake which had been reported on at the last Board meeting. Mr. Moore and Beade Northcut had met with the Limestone-Falls

Soil and Water Conservation District #501 and the district was in favor of assisting TDA and TAEX in identifying the source and developing a solution. Mr. Northcut reviewed information on land use in the watershed which will be used to help determine if there are agricultural uses of the chemical that could potentially contribute to the problem.

James Moore presented the Board with a draft letter report on the Texas Brush Control Program created by S.B. 1083, Acts of the 69th Legislature, Regular Session to be provided the Governor, Speaker of the House and Lt. Governor. By consensus, the Board directed staff to add to the letter a sentence stating that funding has never been appropriated for this program and to submit it to the appropriate offices.

The Water Quality Assessment on the North Bosque River was discussed by Mr. Moore. He reported that the Bosque River Citizens Advisory Committee would meet January 23 and that the State Board has been requested to provide a presentation on its programs. Mr. Moore briefed the Board on what the assessment proposed to do.

James Moore briefed the Board on a special water quality project on the North Bosque River being funded through USDA to Tarleton's Institute for Applied Environmental Research. Mr. Moore reported that he had met with the Cross Timbers Soil and Water Conservation District #556 and they had indicated that they would be in favor of working with the project.

Details will be further developed at a meeting of involved organizations on January 25-26, 1996 in Salado at the Stagecoach Inn.

Mr. Moore discussed a meeting he recently attended on the Texas Natural Resources Conservation Commission's Subchapter K Rules regarding concentrated animal feeding operations. He advised the Board of a suit filed in Travis County by a group of landowners from the Panhandle asking that Subchapter K Rules be declared unconstitutional.

Dick Schendel reported on a December 1, 1995 meeting of the Texas Coastal Coordination Council on South Padre Island. He said they adopted rules that had been discussed at a previous meeting and took a walking tour over eleven acres of sand dunes proposed for development as freshwater wetlands. The next Coastal Coordination Council meeting will be March 29 in Austin.

James Moore updated the Board on activities of the Corpus Christi Bay National Estuary Program. He said there will be an Action Planning Workshop on January 23-25 in Corpus Christi. Mr. Moore said he would be serving on the Brown Tide Task Force and Andy Garza from the South Texas regional office will serve on the Water Quality Task Force and the Agriculture Runoff Task Force.

Mr. Moore said the planning function of the Galveston Bay National Estuary Program has been completed and provided the Board excerpts from the plan on nonpoint source pollution which identified the State Board's part

in the plan. Mr. Moore represents the State Board on the Galveston Bay Council.

At the November 15, 1995 board meeting the State Board allocated a portion of S.B. 503 statewide cost-share funding and considered but did not approve a request from Sherman County Soil and Water Conservation District #159. At the request of Paul Robertson this request was again considered. Mr. Robertson stated the request was to cover a demonstration project and they have an approved water quality management plan. Mr. Robertson moved to approve the request in the amount of \$10,000 out of statewide funds since it is not located in a designated area. The motion died for lack of a second. By consensus it was agreed that this request will be considered later in the fiscal year.

Beade Northcut provided the Board the latest copy of the State Management Plan for Prevention of Pesticide Contamination of Ground Water. He said the State Board is represented on the Ag Chemical Subcommittee and on the Ground Water Protection Committee. Staff recommended to endorse the Generic State Management Plan. On motion of Albert Evans, seconded by Harvey Davis, the Board authorized the Executive Director to sign a letter endorsing this project on behalf of the Board. Motion carried.

Bill Neiser discussed a preliminary report on a management control audit recently done by the State Auditor's Office. The report will not be

published until later in the fiscal year. He said there were eight items that need improvement. Mr. Neiser discussed the items and what the recommendations were to correct them and how they will be corrected.

Mr. Neiser provided each Board member a four-month travel report for the 1996 fiscal year ending December 31, 1995.

The meeting adjourned at 4:10 p.m.

The next regular State Board meeting is March 20, 1996.

Charles D. Clark
Chairman

Lois J. Cain
Secretary

3-27-96
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 17, 1996.

3-27-96
Date

Robert H. Buckley
Executive Director