

Minutes
TEXAS STATE SOIL AND WATER CONSERVATION BOARD
January 21, 1998

The Texas State Soil and Water Conservation Board met on January 21, 1998 at 8:00 a.m. in the State Board's Hearings Room at 311 North Fifth Street, Temple, Texas.

Board members present were:

Paul Robertson, Chairman
Charles D. "Buddy" Clark, Vice Chairman
Gene Sollock, Member
James K. "Rooter" Brite, Member

Staff members present were:

Robert G. "Bob" Buckley, Executive Director
James M. Moore, Assistant Executive Director
Mel Davis, Assistant Executive Director
William C. "Bill" Neiser, Assistant Executive Director
Leonard Pietzsch, Jr., Accountant
Clyde J. Gottschalk, Program Administrator
Victoria Suniga, Human Resources Specialist
Beade Northcut, Engineer
Bo Spoons, Program Administrator
Sam Unberhagen, Program Specialist
Mahendra Mohite, Engineering Assistant
Lois J. Cain, Administrative Technician

Others present were:

Dr. Allan Jones, Texas Agricultural Experiment Station
Dr. Sam Feagley, Texas Agricultural Extension Service
Norman Bade, Natural Resources Conservation Service
Freddie Williams, Natural Resources Conservation Service

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

On motion of Buddy Clark, seconded by Gene Sollock, the minutes from the November 19, 1997 board meeting were approved as mailed.

Mel Davis presented district director appointments for consideration and advised all appointments appeared to be in order. On motion of Gene Sollock, seconded by Rooter Brite, the following district director appointments were approved as presented:

Jess Willard, Dallam SWCD #131
David Horn, Running Water SWCD #136
Kelly Schmidt, Mason County SWCD #223
Martin Laskowski, Wilson County SWCD #301
Homero S. Serna, Agua Poquita SWCD #321
Ellis B. Elliott, Piney Woods SWCD #429
James D. Barber, Wood SWCD #444
Dean Hopkins, Panola SWCD #448
Clifford Williams, Navarro SWCD #514
John Braly, Navarro SWCD #514
Richard Don Coan, Cross Timbers SWCD #556

Mel Davis read a note of thanks to the Board members from Ellie Schendel for the flowers and their attendance at Dick Schendel's funeral.

A complete list of district directors elected in Zone 5 during the first two weeks of October 1997 was provided and discussed by Mel Davis. He also advised the Board the 1998 Directory of Soil and Water Conservation District Directors would shortly be printed and ready for distribution.

Mr. Davis updated the Board on information received concerning the eligibility of a voter in the election held in Zone 5 of the El Paso-Hudspeth Soil and Water Conservation District #205. The voter in question had provided a letter of proxy but it did not indicate if he was a corporate officer voting on behalf of a family

farm corporation as specified in the law. The Board encouraged the staff to bring this situation to a conclusion by February 15, 1998.

Board member elections in State Districts Two and Four were discussed by Mel Davis. Elections will be held on May 5, 1998 at 6:00 p.m. in San Angelo at the Houston Harte University Center, Room 203, Angelo State University for State District Two and in State District Four the election will be held in the Rusk Room, Fredonia Hotel and Convention Center in Nacogdoches at 5:00 p.m. Area awards programs will follow the election in each state district.

Mel Davis then discussed the National Association of Conservation Districts' (NACD) national meeting to be held in Nashville, Tennessee on February 1-5, 1998 at the Opryland Hotel. The Board was invited to attend the Association of Texas Soil and Water Conservation Districts directors' meeting to be held on February 1st at 6:00 p.m. in the Augusta Room to look over resolutions that will be considered at the national meeting. Bob Buckley informed the Board of two NASCA (National Association of State Conservation Agencies) meetings to be held in Nashville - one on Sunday afternoon, February 1st at 1:00 p.m. and the second one on Tuesday, February 3rd at 2:00 p.m. and invited the Board to attend.

At the November board meeting staff was instructed to survey district directors for sites they would like to see future Annual State Meetings held. The following cities are listed in order of the outcome of the survey: San Antonio, Austin, Fort Worth, Galveston, Lubbock, Corpus Christi, El Paso, Dallas, Amarillo, McAllen, Arlington, South Padre Island and Plano. Mr. Davis reminded the Board

the 1998 Annual Meeting will be held in Corpus Christi. On motion of Gene Sollock, seconded by Rooter Brite, the staff was instructed to look at the top five locations (San Antonio, Austin, Fort Worth, Galveston and Lubbock) and bring the information back before the Board.

Mel Davis and Bob Buckley then discussed and provided information that was used at the Association of Texas Soil and Water Conservation Districts' District Capacity Building Committee meeting on January 13, 1998. The committee was in agreement that districts do need funding to help carry out the district program. The committee will meet again in Temple on February 24, 1998. Final decision rests with the State Board members on how much funding should be incorporated into the Texas State Soil and Water Conservation Board's legislative appropriations request.

Mr. Buckley advised the Board that legislative committees are beginning to do interim studies. He said the House Agriculture and Livestock Committee interim study will be held in May and it will be important to have all Board members present. He said the Senate Finance Committee has set February 24-25 as tentative dates to look at the State Board's budget.

Mr. Buckley asked Freddie Williams from the Natural Resources Conservation Service to discuss their funding for fiscal year 1998. Mr. Williams said they will have about the same amount as last fiscal year when all adjustments are in. He indicated there would be about a 3% reduction in personnel.

Bill Neiser discussed the 2000-2001 biennium legislative appropriations request which will be due in Austin early in August. He referred to the survey done in past years regarding districts' needs and asked the Board if they still wanted to do this survey since districts have just completed and turned in the District Capacity Needs Survey. Mr. Buckley said we still need to know just how much money each district thinks they will be able to raise locally. The Board concurred with the staff's suggestion to modify the questionnaire to ask each district for challenging but realistic funds they think they can raise locally.

Dr. Allan Jones reported that Dr. Zerle Carpenter had retired on December 31, 1997 as Director of the Texas Agricultural Extension Service and a search for a replacement is underway. He said Dr. Ed Hiler is interim director and Associate Vice Chancellor. Dr. Jones also said Texas A & M is working closely with other universities offering courses and joint degree plans. He advised the Extension Service has facilities for two-way video conferences in twenty locations across the state and offered use of the facilities to the State Board. Dr. Jones said the Extension Service is involved with a brush management study in the North Concho, working on specific projects on the North Bosque and beginning to work on intensive forest management with Temple Inland. He said they are working on bringing the best science available to what the Texas Natural Resource Conservation Commission, State Soil and Water Conservation Board and Natural Resources Conservation Service do to help compliment the programs.

Dr. Sam Feagley reported he is sending information to County Extension Agents on Soil Stewardship Week to be available for people involved in the 4-H program. He said the Lake Fork Creek Dairy Outreach Management Manual has been revised and is more user friendly. He also said they have gotten a grant to do Animal Waste Training Manuals and will first be doing poultry training in Pittsburg, Gonzales, and College Station, second phase of training will be on feedlots in Amarillo, third phase will be on dairies in Stephenville and last will be swine in Amarillo. He advised he had attended a meeting in New Orleans on the Gulf of Mexico Program where he serves on the Nutrient Enrichment Committee. He is also involved with the Goose Branch Project as an advisor on Best Management Practices.

Norman Bade discussed the State Technical Committee meeting held on January 15, 1998 in Salado, Texas where 1998 EQIP was discussed. He said the committee recommended to fund 75% of the priority areas leaving 25% for the remainder of the state. He said 22 of the 38 priority areas could be funded in 1998. He also said NRCS is dealing with the Team Building process and 94 teams are tentatively planned. He advised there will be no office closures in 1998. Mr. Bade said it is mandated for all state offices of FSA, NRCS and Rural Development to be co-located in the same town and same building. An agreement has been reached between NRCS and the Extension Service to place an agent in the NRCS office to help with the EQIP program.

Bill Neiser discussed the expenditure report for the four month period ending December 31, 1997 and said the fund balances are normal for our operations at this time of year.

At the November board meeting the Board had been advised the State Auditor's Office would be doing a management control follow-up audit to certify the progress that the State Board has made in implementing auditor's recommendations. The audit team was here November 24-26, 1997. A draft of their report should be ready in the next several weeks with the official report out this next summer.

Victoria Suniga reported on a staffing update and said John Millican (in the Temple office) and Mark Cochran (in the Mount Pleasant office) have recently been hired, Richard Egg was promoted to Engineer II and that there are two vacancies currently in the Temple office.

Beade Northcut provided status reports on Senate Bill 503 activities and said 206 water quality management plans had been certified in fiscal year 1998 with 11 more waiting to be certified; discussed cost share report by regions for fiscal year 1998; provided a complaint activity report and said one complaint was referred to TNRCC due to SB 503 non-compliance. Mr. Northcut also reported on annual status reviews for fiscal years 1994, 1995, and 1996 on certified water quality management plans.

Mr. Northcut provided the Board a copy of a request from the Upper Elm Red Soil and Water Conservation District #524 for funding of a project from statewide

funds and advised the Board it was not a complaint driven request. On motion of Rooter Brite, seconded by Gene Sollock, action on the request along with other requests submitted since the beginning of the fiscal year were deferred until the May board meeting.

Bo Spoons updated the Board on the Section 319 program and said staff was working on a draft revision of the nonpoint source management plan. He said the fiscal year 1998 grant process is approaching completion and advised that a major portion of the fiscal year 1999 funding may be devoted to technical assistance/cost share projects in conjunction with the SB 503 program.

James Moore discussed the revision of the state's 303-D list and presented the Board a draft list being prepared for submission to EPA in April, 1998. He informed the Board of a meeting in Austin on January 23rd to discuss the draft list and indicated that Bo Spoons would be attending for the agency. He went over plans for keeping State Board staff and involved districts up to date on changes being proposed to the list, and indicated that the Board would be sent copies of the list as things change.

Mr. Moore advised the Board that someone needed to be appointed to serve as the State Board's representative on the Coastal Coordination Council to fill the vacancy left by the death of Dick Schendel. After discussion Gene Sollock agreed to attend the February 11th meeting in Port Lavaca. Appointing a new member will be discussed again after the special Board member election in March.

Mr. Moore then discussed TMDL (Total Maximum Daily Loads) activities in the state and provided copies of a proposed news letter to be mailed out to involved district directors to keep them informed of TMDL activities. The Board agreed it was a good idea and should be mailed on an "as needed" basis. He gave a brief report on a meeting held in Weslaco with ag producers concerning the Arroyo Colorado TMDL. He said the meeting was to inform ag producers on what to expect. The State Board and TNRCC will jointly chair the TMDL Steering Committee which will have twenty plus members.

Mr. Moore updated the Board on the Cross Timbers Concerned Citizens versus EPA lawsuit and said the suit has been dismissed with the exception of the NEPA complaint against NRCS on the USDA North Bosque Project, and provided the Board a copy of the court order.

James Moore discussed the American Heritage River Initiative and provided a list of soil and water conservation districts in Texas that submitted resolutions opposing the designation of any rivers in Texas.

Senate Bill 1 Regional Water Planning was discussed by James Moore and a list of nominees for the Regional Planning groups was provided the Board. Mr. Moore indicated the list had been submitted to the Texas Water Development Board and would be coordinated with the initial planning groups when appointed.

James Moore discussed TNRCC's Subchapter K CAFO (Confined Animal Feeding Operations) rules and provided a letter from TNRCC concerning a lawsuit

filed regarding them. Mr. Moore said the Subchapter K rules will probably be ruled invalid; therefore, TNRCC is not accepting any applications at this time.

Mr. Moore advised the Board of a meeting he attended on January 8th concerning the Goose Branch Watershed which is a part of the USDA North Bosque River Project. He said the project is going well at this time. He told the Board that Congressman Charlie Stenholm, Jim Lyons, Judy Johnson and John Burt toured the Goose Branch Watershed and Tarleton University's Institute for Applied Research on January 15-16, 1998. He advised there would be a meeting between TNRCC, the State Board and Goose Branch Council on January 29, 1998, to discuss several compliance issues.

James Moore reported on the Dam Safety Committee formed by TNRCC. He said the committee had met several times and provided the Board an outline of the criteria being considered for recommendation to the Executive Director. He advised that the committee will meet in February and March to consider funding and legislative issues and plans to have a final report ready in May, 1998.

Clyde Gottschalk updated the Board on activities of the Information/Education Department. He discussed the Nonpoint Source Conference held in Wharton on January 16th and said 366 people attended with 230 of them being producers. He said the conference was chaired by State Representative Pete Patterson who promoted the SB 503 program and challenged the producers to support conservation districts in this effort. Mr. Gottschalk said there would be another NPS conference on January 28 in Weslaco. He said they would soon be

looking at other areas in the state to hold future NPS conferences. He also advised that a documentary on composting for best management practices for poultry operations has just been completed; meeting in February on finance for State Wildlife Committee; revising SB 503 manual to be mailed out to field offices; and will begin working with FFA ag teachers in Texas on the state essay contest.

Bill Neiser provided and discussed with the Board their travel report. No out of state travel was requested.

Mr. Buckley advised the Board of a meeting staff had with Wendy McDaniel from the Speaker's Office. Ms. McDaniel will be handling agriculture matters for Speaker Laney.

The meeting adjourned at 4:40 p.m.

Paul E. Robertson
Chairman

Lois J. Cain
Secretary

March 26, 1998
Date

I certify that the above is a true and correct copy of the minutes of the Board meeting held on January 21, 1998.

March 26, 1998
Date

Robert H. Buckley
Executive Director