

**Meeting Minutes**  
**TEXAS STATE SOIL & WATER CONSERVATION BOARD**  
**March 7, 2007**

The Texas State Soil and Water Conservation Board met on March 7, 2007, at 1:30 p.m. at the Radisson North, 6000 Middle Fiskville Road, Austin, Texas.

Board members present were:

Aubrey Russell, Chairman  
Jerry Nichols, Vice Chairman  
Reed Stewart, Member  
José Dodier, Member  
W. T. (Dub) Crumley, Member  
Larry Jacobs, Member  
Joe Ward, Member

Staff members present were:

Rex Isom, Executive Director  
Andy Garza, Regional Office Coordinator  
Judy Albus, Program Supervisor  
John O'Connor, Program Supervisor  
Steve Jones, Program Supervisor  
Carter Miska, Program Supervisor  
Johnny Oswald, Program Supervisor  
Mark Cochran, Program Supervisor  
Jack Foote, Program Specialist  
Bob Gruner, Program Specialist  
Ben Wilde, Program Specialist  
Joe Freeman, Program Specialist  
Adrian Perez, Program Specialist  
Kendria Ray, Program Specialist  
David Powell, Program Specialist  
Joel Clark, Program Specialist  
Don Brandenberger, Program Specialist  
Charlie Upchurch, Program Specialist  
Kenny Zajicek, Fiscal Officer  
John Foster, NPS Team Leader  
Lee Munz, NPS SWCD Liaison  
T.J. Helton, NPS Grant Coordinator  
Aaron Wendt, NPS Watershed Coordinator  
Richard Egg, Engineer  
Mel Davis, Special Projects Coordinator  
Clyde Gottschalk, Program Specialist  
Dawn Heitman, HR Coordinator  
Vicki Davis, Administrative Coordinator

Others present were:

Clyde Bohmfalk, Texas Commission on Environmental Quality  
Comer Tuck, Texas Water Development Board  
Walt Douglas, Natural Resources Conservation Service

Salvador Salinas, Natural Resources Conservation Service  
Daren Harmel, USDA - ARS  
Tamara Daniel, Association of Texas Soil and Water Conservation Districts  
George Noelke, Office of the Attorney General  
Reagan Butts, BSAK Ranch  
Denise Gentsch, BASF Consultant  
Jesse Tate, McCulloch Soil & Water Conservation District  
Joe Johnson, McCulloch Soil & Water Conservation District  
Larry Walker, McCulloch Soil & Water Conservation District  
Gene Edmiston, McCulloch Soil & Water Conservation District  
Richard Eyster, Texas Department of Agriculture  
Ken Horton, Texas Pork Producers Association  
James Grimm, Texas Poultry Federation  
Ned Meister, Texas Farm Bureau  
Clayton Grona, Gillespie County Soil and Water Conservation District  
Guenther G. Ottmers, Gillespie County Soil and Water Conservation District  
Drew Deberry, Texas Department of Agriculture  
Bill Thomas, Association of Texas Soil and Water Conservation Districts  
Jule Richmond, Association of Texas Soil and Water Conservation Districts  
Barry Mahler, Association of Texas Soil and Water Conservation Districts  
Scott Buckles, Association of Texas Soil and Water Conservation Districts  
Ed Small, Ag Council

Chairman Russell called the meeting to order at 1:35 p.m. and welcomed those present.

**AGENDA ITEM 1. Reports from Agencies and Guests**

Salvador Salinas, Natural Resources Conservation Service introduced Walt Douglas, acting state conservationist. Mr. Salinas reported on: year long continuing resolution but no new allocation; no congressional earmarks in budget; zero budget for watersheds; no general CRP sign-up; no sign-ups on the Conservation Security Program; no hiring unless high priority positions until allocation made; TSP; EQIP; WPP; new watershed website; seven new soil surveys; 2008 presidential proposed budget and Secretary of Agriculture's proposal for new Farm Bill.

Walt Douglas introduced himself and stated he will be returning to South Carolina as soon as the new state conservationist is named.

Drew Deberry, Texas Department of Agriculture stated that Commissioner Staples has a vision for economic development and wants to build partnerships with other agencies. He also reported on the Regional Water Enhancement Program.

Tamara Daniel, Association of Texas Soil and Water Conservation Districts went over the schedule for Thursday's activities.

Bill Thomas thanked the Board for inviting the Association Directors to attend and introduced the other Association Directors present.

Reagan Butts, Cotton Bledsoe & Associates explained the position of his client concerning interactions with the McCulloch Soil and Water Conservation District.

Chairman Russell recognized the members of the McCulloch Soil and Water Conservation District who were present.

Comer Tuck, Texas Water Development Board covered the 2007 State Water Plan and Executive Summary and current legislation affecting their agency.

Clyde Bohmfalk, Texas Commission on Environmental Quality stated that Commissioner White was unable to attend but was interested in setting up another joint meeting with the State Board.

Ken Horton, Texas Pork Producers discussed a new project to develop WQMP guidelines for small operations that do not qualify as CAFO's.

Daren Harmel, USDA-ARS reported on seep project; TMDL projects; WQMPs; database issues and biological control.

Ned Meister, Texas Farm Bureau reported on TMDL's; soil phosphorous issues; interpretation of CAFO's and Water Quality Plans.

Chairman Russell welcomed the members of the Gillespie County Soil and Water Conservation District.

#### **AGENDA ITEM 2. Minutes from the November 15-16, 2006 Board Meeting**

Chairman Russell called for a motion to approve the minutes of the November 15-16, 2006 meeting as emailed. Mr. Dodier moved that the minutes be approved. Mr. Ward 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. Mr. Crumley moved the appointments be approved. Mr. Stewart seconded and the following appointments were unanimously approved:

Brent Howard Clark, Moore County #137, Zone 3, Replace Carl Beauchamp  
Glen Martin, Terry #151, Zone 2, Fill vacant position  
Randy Taylor, Upper Pecos #213, Zone 5, Replace Chris Crider  
Jack Clarke, III, Kerr County #217, Zone 5, Replace Jack Clarke, Jr.  
Rolan Brewster, High Point #230, Zone 2, Replace Kyle Brookshier  
Kyle Brookshier, High Point #230, Zone 4, Fill vacant position  
Jon Tom Lowrance, Rio Grande-Pecos River #237, Zone 4, Replace S. D. Harrison  
James L. Greer, III, Upper Nueces-Frio #238, Zone 3, Replace W. R. Johnson  
Thomas H. Journeay, Jr., Waters Davis #318, Zone 2, Fill vacant position  
Doug Bennett, Waters Davis #318, Zone 3, Replace Bob Garrett  
John Meador, Gonzales County #338, Zone 4, Replace Robert Young, III  
J. D. Selman, Gonzales County #338, Zone 5, Replace Lynn Smith, Jr.  
Clemens Waskow, DeWitt County #339, Zone 3, Replace Clifford Haun  
Paul T. Brysch, Jr., Karnes County #343, Zone 1, Replace Leo Jarzombek  
Terry Roden, Harrison County #412, Zone 4, Replace Newton Dorsett  
Christell Wall, Piney Woods #429, Zone 4, Replace Donald Woods  
Kenneth Seggern, Taylor #513, Zone 4, Replace Alvin Brinkmeyer

#### **AGENDA ITEM 4. Review and Approve Requests for Waiver as per §523.6(e)(2)(B)(E), TAC**

Mr. Garza reviewed the agenda information. Mr. Dodier moved the requests for waiver from Limestone-Falls, Caprock and Southmost SWCDs be approved as presented. Mr. Nichols seconded and the motion passed unanimously.

**AGENDA ITEM 5. Approval of Statewide Water Quality Management Plan Cost Share Requests**

Mr. Munz reviewed the agenda information. Mr. Nichols moved the Board approve the requests for statewide cost-share funds as presented. Mr. Stewart seconded the motion. The motion passed unanimously.

**AGENDA ITEM 6. McCulloch SWCD Dissolution**

Gene Edmiston of the McCulloch district stated that if no positive action occurred by March 9<sup>th</sup> the McCulloch district will hold a meeting and request that the State Board call a special session to consider dissolution of the McCulloch Soil and Water Conservation District.

At 2:40 p.m. the Board went into executive session (sealed minutes in folder) and reconvened the public meeting at 3:10 p.m. with no formal action being taken.

**AGENDA ITEM 7. Subdivision Boundary Changes and Legal Description Changes for DeWitt County SWCD #339**

Ms. Ray reviewed the agenda information. Mr. Dodier moved the Board approve subdivision boundary and legal description changes as presented. Mr. Stewart seconded and the motion passed unanimously.

**AGENDA ITEM 8. Adopt Amendments to Chapter 519 – Technical Assistance Program**

Mr. Davis reviewed the agenda information. Mr. Nichols moved the Board adopt the rule amendment as presented. Mr. Stewart seconded and the motion passed unanimously.

**AGENDA ITEM 9. Re-adoption, Revision or Repeal of Chapter 520 – Elections (Sections 520.1-520.6)**

Mr. Davis reviewed the agenda information. Mr. Dodier moved Chapter 520-Elections be published in the Texas Register as currently written. Mr. Jacobs seconded and the motion passed unanimously.

**AGENDA ITEM 10. 2007 Annual State Meeting**

Mr. Davis reviewed recommendations from the State Meeting Planning Committee including recommended speakers for Tuesday, the addition of a district director workshop, tours for Wednesday and a paid speaker. Mr. Nichols moved the Board accept the recommendations of the Planning Committee. Mr. Dodier seconded and the motion passed unanimously.

**AGENDA ITEM 11. District Resolution Concerning Flood Control Structures**

Mr. Davis reviewed the agenda information. After discussion it was decided the Board would wait until after the current legislative session to take up this issue.

**AGENDA ITEM 12. State Board Member Elections**

Mr. Davis informed Board members the first letter concerning board member elections was mailed in January and a follow up letter was mailed March 5, 2007

**AGENDA ITEM 13. Future State Meeting Sites for 2008/09**

Mr. Davis stated this agenda item will be covered at the May board meeting.

**AGENDA ITEM 14. Review State Board Fraud Policy**

Mr. Davis reviewed the agenda information.

**AGENDA ITEM 15. Semi-Annual Report**

Mr. Davis presented an update on the Semi-Annual Report.

**AGENDA ITEM 16. NACD Report**

Mr. Dodier reported the quota from Texas was the most ever paid and that Bob Cordova was elected president at the national meeting in Los Angeles. He then introduced Bill Thomas who voiced his appreciation of the amount of dues paid by Texas districts and stated he will go to Washington, D.C. this summer.

**AGENDA ITEM 17. NASCA Report**

Mr. Davis stated Jim Cox has resigned as head of NASCA and they are seeking a replacement.

**AGENDA ITEM 18. TWDB Agricultural Water Conservation Grant**

Mr. Egg reviewed the agenda information. Mr. Zajicek presented suggested Agricultural Water Conservation Grant allocation amounts to the Board. Mr. Crumley moved the Board approve the Agricultural Water Conservation Grant allocations as presented. Mr. Nichols seconded and the motion passed unanimously.

**AGENDA ITEM 19. TSSWCB/TWDB Joint Water Conservation Report**

Mr. Egg reviewed the agenda information with input from Mr. Tuck.

**AGENDA ITEM 20. Coastal Coordination Council Report**

Mr. Dodier reviewed the agenda information and stated the next meeting would be in two weeks.

**AGENDA ITEM 21. Human Resources Report**

Ms. Heitman reviewed the agenda information.

**AGENDA ITEM 22. Public Information/Education Report**

Mr. Gottschalk reviewed the agenda information.

**AGENDA ITEM 23. Fiscal Report**

Mr. Zajicek reviewed the agenda information.

**AGENDA ITEM 24. Brush Control Program Update**

Mr. Oswald reviewed the agenda information.

**AGENDA ITEM 25. Poultry Program Status Report**

Mr. Cochran reviewed the agenda information.

**AGENDA ITEM 26. Dairy Manure Export Support Program**

Mr. Helton reviewed the agenda information.

**AGENDA ITEM 27. Clean Water Act, Section 319 Grant Program**

Mr. Helton reviewed the agenda information.

**AGENDA ITEM 28. Watershed Protection Plan Program**

Mr. Wendt reviewed the agenda information.

**AGENDA ITEM 29. Arroyo Colorado WPP**

Mr. Wendt reviewed the agenda information with input from Mr. Dodier.

**AGENDA ITEM 30. Total Maximum Daily Load Program**

Mr. Wendt reviewed the agenda information.

**AGENDA ITEM 31. Bacteria TMDL Task Force**

Mr. Wendt reviewed the agenda information. The Board voiced their desire to hold a joint meeting with TCEQ as soon as a new commissioner is verified.

**AGENDA ITEM 32. Upper Oyster Creek TMDL**

Mr. Wendt reviewed the agenda information.

**AGENDA ITEM 33. Gilleland Creek TMDL**

Mr. Wendt reviewed the agenda information.

**AGENDA ITEM 34. Set Date of Next Board Meeting**

Mr. Nichols moved that the next board meeting be scheduled for May 23-24. Mr. Stewart seconded and the motion passed unanimously.

Mr. Jacobs moved the meeting be adjourned. Mr. Nichols seconded and the motion passed unanimously.

Aubrey L. Russell  
Chairman

5/24/07  
Date

Justin Davis  
Secretary

5/24/07  
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 March 7, 2007.

5/24/07  
Date

[Signature]  
Executive Director