

**Minutes**  
**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**March 12, 1997**

The Texas State Soil and Water Conservation Board met on March 12, 1997, at 8:00 a.m. in Salon A, Red Lion Hotel, Austin, Texas.

Board members present were:

Clarence F. "Dick" Schendel, Chairman  
Harvey Davis, Vice Chairman  
Paul Robertson, Member  
Gene Sollock, Member

Board members absent were:

Charles D. "Buddy" Clark, Member

Staff members present were:

Robert G. "Bob" Buckley, Executive Director  
James M. Moore, Assistant Executive Director  
William C. "Bill" Neiser, Assistant Executive Director  
Mel Davis, Assistant Executive Director  
Clyde J. Gottschalk, Information/Education Director  
Lois J. Cain, Administrative Technician

Others present were:

Comer Tuck, Texas Water Development Board  
Richard D. "Dick" Babcock, Natural Resources Conservation Service  
Calvin Sanders, Natural Resources Conservation Service  
Guillermo "Memo" Benavides Z., Association of Texas SWCDs  
Tracy Gonzales-Schmidt, Attorney General's Office

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

On motion of Harvey Davis, seconded by Gene Sollock, the minutes from the January 24, 1997 board meeting were approved as mailed. Chairman Schendel expressed his regrets

for not being able to attend the January 24th board meeting due to illness and thanked Harvey Davis for presiding over the meeting.

Mel Davis presented three district director appointments for consideration.

Appointments considered were:

John N. Mozingo, Hidalgo SWCD #350  
Joe Crisp, LaSalle SWCD #354 (original paperwork needed)  
Clifford Barron, Palo Pinto SWCD #518

Mr. Buckley said since Joe Crisp was being considered to replace Claude Crisp who resigned from Zone 2 and was elected in Zone 4 and they both have the same last names there is a need to check for kinship. On motion of Gene Sollock, seconded by Paul Robertson, the appointments were approved pending receiving original paperwork and checking out kinship of Joe and Claude Crisp. Motion carried.

Mel Davis then presented a request from the Harris Soil and Water Conservation District #442 for their district name to be changed to Harris County Soil and Water Conservation District #442 to clarify that the district covers the entire county of Harris and so that it is not confused with an individual or business with a similar name and to avoid confusion between any city, state or other similar business or agency. On motion of Paul Robertson, seconded by Gene Sollock the name change was granted as requested.

Dick Schendel, on behalf of the board, then offered congratulations to Harvey and Jo Davis on their recent marriage.

Mel Davis reported on three hearings held on the division and reorganization of the Nueces-Jim Wells-Kleberg-Kenedy Soil and Water Conservation District #311 to determine if there is a desire to divide the district into three new districts. Hearings were held in

Robstown, Ricardo and Alice and the testimony was favorable in all three hearings that the district be divided and reorganized due to the different soils types, agriculture practices and distance from one end of the district to the other. Chairman Schendel attended the hearings and advised the Board the functions of the district would be enhanced a great deal by the division of the district and recommended the Board approve for staff to proceed with the division and reorganization. Questions were asked how original directors would be put back on the new district boards and Mel Davis replied that Nueces-Jim Wells-Kleberg-Kenedy SWCD #311 would submit recommendations to the State Board for the appointment of two directors in Zones 2 and 4 in each of the new districts. Those two appointed directors assist in conducting the elections of directors in Zones 1, 3 and 5 for the three new districts. It was noted that any additional financial aid would be considered for the next fiscal year. On motion of Harvey Davis, seconded by Paul Robertson, the Board voted for staff to proceed with the district in the division and reorganization of Nueces-Jim Wells-Kleberg-Kenedy Soil and Water Conservation #311 as recommended.

Clyde Gottschalk provided the Board a printed report of activities of the Information/Education Department since the last board meeting. He said they were in the process of forming planning committees to discuss the concept of a SB 503 water quality conference to be held in the Rio Grande Valley and one in the Rice Belt. Mr. Gottschalk also reported he is working with the Texas Natural Resources Conservation Commission developing summer environmental courses at the college level. He advised the Board that the FFA Leadership Development Program (Soil Stewardship Speech Contest) should be

launched this month and also said the agency would be involved in several upcoming farm shows.

Bill Neiser discussed the fiscal year 1997 expenditure report for six months ending February 28, 1997. He discussed each appropriation item informing the Board that appropriation balances are in line with the current budget. There were no questions.

Mr. Neiser then updated the Board on the status of the agency's 1998-1999 Legislative Appropriation Request as included in the proposed appropriation bill.

Mr. Neiser updated the Board on the status of the current performance measure audit. He advised the Board that the staff had requested a mock audit be done as of February 28, 1997, by the State Auditor's office as a management service to determine the State Board's present level of compliance with performance reporting requirements. Mr. Buckley advised the Board the staff is fully committed to having a clean audit the next time around.

James Moore discussed cooperative brush management proposals and said the Texas Water Development Board had requested the State Board to write a section on brush management to be included as a part of the State Water Plan. He informed the Board the information submitted will be provided to them when it becomes available.

Bob Buckley gave a legislative update and advised the Board the hearing on House Bill 1808 has been set for 8:00 am on Tuesday, March 18, 1997.

James Moore reported on the second annual EPA Region 6 Nonpoint Source Conference that was held March 3-5, 1997 in Austin. He stated that the meeting, sponsored by the State Board, was a successful meeting with several notable people attending. He reported that Sec. 319 grant funding is forthcoming for the fiscal year 1997 grants and that

public workshops on fiscal year 1998 grants are now concluding. Mr. Moore discussed a concept with the Board where technical assistance funding and increased cost share funds could be obtained through the 319 grant program. He explained that changes in EPA policy regarding the use of 319 funds made this possible. The Board agreed this would be a good program for the agency as long as it will not unduly restrain administration of ongoing state funded nonpoint source pollution abatement programs. Mr. Moore then informed the Board of a request by the cattlemen's association from Fort Hood inquiring about 319 funding for watershed restoration efforts on the army base, and of plans to develop and help fund a proposal. Dick Babcock discussed how NRCS is now involved in brush control efforts at Fort Hood.

James Moore reported on SB 503 activities which had resulted in a total of 345 water quality management plans certified for fiscal year 1997 with 65 additional plans in the state office to be certified. He informed the Board that one complaint was being referred to the Texas Natural Resources Conservation Commission due to a failure to implement corrective actions on a small feedlot in South Texas. He explained that the local district had concurred in this action. Mr. Moore discussed annual status reviews and said there were five plans noted in the report as needing follow up. He explained that most problems were weather related and would receive follow up visits when weather permits problem correction.

Mr. Moore discussed the agency's Memorandum of Understanding with TNRCC on nonpoint source pollution management. He reported on a meeting with TNRCC Commissioner John Baker concerning elimination of confusing language and further clarification of agency roles. Mr. Moore indicated that two points remained unresolved. Mr.

Buckley said until an agreement was reached, the MOU would not move forward. The Board concurred.

James Moore reported on activities relative to the North Bosque River and provided news articles appearing recently in the **Waco Tribune Herald** which discussed water quality in Lake Waco and was contributing it to dairies above Lake Waco. He reported the USDA project on the Goose Branch Watershed is on-going and will be a key in showing some positive results in the North Bosque Watershed.

Mr. Moore reported on the Coastal Management Program and briefed the Board on progress in preparing materials to submit relative to meeting federal requirements for coastal nonpoint source controls. He said the state has 30 months beginning January 10th, 1997 to develop an approved program under the Federal Coastal Zone Management Program.

Mr. Moore advised the Board there were no additional requests at this time for any statewide SB 503 cost share funds. He also provided a table showing Board action on requests for statewide funds this year.

Tracy Gonzales-Schmidt offered assistance from the Attorney General's Office to the State Board.

Dick Schendel reported on the Coastal Coordination Council meeting he attended on March 7th. He said cycle one and two of the coastal grants program are complete and cycle three is beginning now. He indicated the next quarterly meeting of the Council is to be held in Corpus Christi.

Comer Tuck reported on activities of the Texas Water Development Board and discussed how some legislation, if passed, would effect them. He said his board would be

meeting in May and would be approving agriculture grants to districts for water conservation and water quality monitoring equipment.

Dick Babcock, Assistant State Conservationist, reported on Natural Resources Conservation Service activities and said John Burt, State Conservationist, couldn't attend the board meeting because he was in Washington, D.C. He said CRP sign up was on-going until March 28th and passed out and discussed a statewide summary for the first week of CRP sign up. He briefly discussed EQIP and the Wetland Reserve Program. Mr. Babcock advised the Board that Tomas Dominguez, Deputy State Conservationist for Texas, will be leaving Texas to become the State Conservationist in Kansas.

Mel Davis advised the Board that the state level agreement between the Natural Resources Conservation Service and the Texas State Historic Preservation Officer has now been signed by both parties. He then introduced Calvin Sanders, Cultural Resources Specialist for the NRCS to give a brief overview of the agreement and to answer any questions. Mr. Sanders said they tried to design the agreement to protect the rights of the private landowner and SHPO will be involved only with the landowner's consent.

Memo Benavides reported on activities of the Association of Texas Soil and Water Conservation Districts. He said the Legislative Conference is going on in Washington, DC and the Association is being represented by Wayne Halbert. He discussed an upcoming meeting of the "Committee of 100" to be held in Austin on March 24-25, 1997 and invited State Board members to attend the Association board meeting to be held on Monday, March 24 at 5:30 p.m. He advised he has been attending area association meetings throughout the state and was planning to attend three of the area awards banquets in May.

Bill Neiser provided the Board with a human resources update saying there is one vacancy that will probably be filled very shortly. He also provided an affirmative action report and training information update.

The national NACD meeting which was held in Kansas City, Missouri on February 2-5, 1997 was discussed and a copy of resolutions that were adopted were provided for the Board. Mr. Buckley brought the Board up-to-date on action of the Council and said NACD is now making plans to implement the new executive board and there will no longer be a Council. Harvey Davis said he attended the NASCA meeting in Kansas City and was impressed with their work. Mr. Buckley said the South Central Region and Southeastern Region of NACD will have a joint meeting in Tunica, Mississippi on July 27-30, 1997.

Mr. Buckley advised the Board of a letter from the Association and a resolution concerning audit requirements adopted at the Annual Statewide Meeting of Soil and Water Conservation District Directors in Fort Worth last September. He asked Memo Benavides to discuss further. The letter and resolution concerned amending the State Board rules on audit requirements raising the threshold of state dollars received so an audit would not be required every other year and the money spent on paying for an audit could be kept in the district and used for conservation work. On motion of Gene Sollock, seconded by Paul Robertson, the Board authorized the State Board staff to talk with the State Auditor's Office after the legislative session to discuss in detail before making a recommendation to the Board. Motion carried.

Mel Davis discussed State Board member elections to be held on May 6, 1997 for State Districts I, III, and V.

Bill Neiser provided each Board member a travel report showing their travel and per diem paid as of the board meeting date.

Mr. Neiser provided a status report on district financial statements and audits. He said there were six districts that had not yet filed their report and four of these districts are doing audits. He advised the Board that state grants payments to these districts have been frozen until the financial statements or audits are received. Mr. Neiser said the field staff is working closely with these districts to get their reports submitted as quickly as possible.

The next regular State Board meeting is set for May 21, 1997.

The meeting adjourned at 2:45 p.m.

Clarence J. Schendel  
Chairman

Louis J. Cain  
Secretary

5-29-97  
Date

I certify that the above is a true and correct copy of the minutes of the Board meeting held on March 12, 1997.

5-29-97  
Date

Robert L. Buckley  
Executive Director