

**Minutes**  
**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**March 17, 1999**

The Texas State Soil and Water Conservation Board met on March 17, 1999 at 8:00 a.m. in the Hearings Room at 311 North Fifth Street, Temple, Texas.

**Board members present were:**

Charles D. (Buddy) Clark, Chairman  
Gene Sollock, Vice Chairman  
Paul Robertson, Member  
Waldo Smith, 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  
Bobbie Stephens, Assistant Executive Director  
Leonard Pietzsch, Jr., Accountant  
Victoria Gutierrez, Human Resources Specialist  
Clyde J. Gottschalk, Program Administrator  
Sam Unberhagen, Program Specialist  
Richard Egg, Engineer  
Mahendra Mohite, Engineering Assistant  
Lois J. Cain, Administrative Technician

**Others present were:**

Comer Tuck, Texas Water Development Board  
Charles Conklin, Natural Resources Conservation Service

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

Minutes from the Board meeting held on January 20, 1999 were considered. On motion of Waldo Smith, seconded by Rooter Brite, the minutes were approved as mailed.

Mel Davis presented district director appointments for consideration and said all four appointments listed on the agenda met the qualifications and appeared to be in order. On motion of Paul Robertson, seconded by Gene Sollock, the following district director appointments were approved:

E. B. (Buzz) Summerour, Dallam SWCD #131  
Charles E. Mongrain, King SWCD #168  
Curtis Lee Carr, El Paso-Hudspeth SWCD #205  
Patrick West, Atascosa County SWCD #307

Mel Davis discussed the legal boundary description for Upshur-Gregg Soil and Water Conservation District #417 that had been drawn in error in 1964 and requested Board action to correct. On motion of Gene Sollock, seconded by Paul Robertson, action to correct the boundary legal description was approved.

Mr. Davis then discussed a correction that needed to be made concerning county names that had been transposed in some places in the legal subdivision boundary description of the Upshur-Gregg Soil and Water Conservation District #417. On motion of Rooter Brite, seconded by Waldo Smith, the Board accepted the corrections as requested.

Bob Buckley advised the Board of the receipt of dues notice for the National Association of Conservation Districts in the amount of \$550.00 and asked the Board for direction. On motion of Rooter Brite, seconded by Gene Sollock, the Board approved paying the dues.

James Moore discussed the re-adoption of agency rules as required by Article IX, Section 167 of the Appropriations Act. The rules had been proposed at the last Board meeting, were published in the **Texas Register** and no comments were received. Staff recommended to re-adopt rules. On motion of

Gene Sollock, seconded by Rooter Brite, the Board adopted without changes Title 31, Part XVII, Chapter 517, Financial Assistance, Chapter 519, Technical Assistance, Chapter 521, Agricultural Water Conservation and Chapter 523, Agricultural and Silvicultural Water Quality Management in accordance with Article IX, Section 167 of the Appropriations Act.

James Moore discussed a proposed revision of the State Brush Control Plan in detail and asked the Board to authorize the staff to make changes as discussed with the Board and publish the plan for public comment. Comer Tuck asked if there had been consideration for funding of brush control from other sources such as the Texas Water Development Board's water assistance grant program. After discussion, Mr. Clark said the agency could make landowners aware of this source of funding, but had no authority to direct the use of those funds. On motion of Rooter Brite, seconded by Gene Sollock, the staff was authorized to publish notice of availability of the State Brush Control Plan in the **Texas Register**.

Mr. Moore provided the Board a copy of a signed cooperative agreement between the State Board and the Texas Department of Criminal Justice (TDCJ). Offenders would be used, under the supervision of the TDCJ, to control brush and other undesirable vegetation on lands identified by the Board as having potential to increase watershed water yield and increase available supplies of state water.

Mr. Moore advised the Board of the need to set a date for a public hearing on the State Brush Control Plan. On motion of Waldo Smith, seconded by Paul

Robertson, the Board voted to set the public hearing for 1:30 p.m. on May 19, 1999, the next Board meeting date. Rooter Brite discussed the possibility of moving the date of the next Board meeting to May 20<sup>th</sup>. After discussion and on motion of Rooter Brite, seconded by Gene Sollock, the date of the public hearing and Board meeting was left at May 19<sup>th</sup> with the Board meeting beginning at 8:00 a.m. and the public hearing beginning at 1:30 p.m.

Charles Conklin reported on Natural Resources Conservation Service (NRCS) activities and passed out a proposed budget for the Temple NRCS office for fiscal year 2000. He advised John Burt would be attending the National Association of Conservation Districts (NACD) Spring Legislative Conference in Washington, D.C. and there would be scheduling information packets available for the Sunday meeting. He said Natural Resources Recognition Week of February 7<sup>th</sup> had been very successful. He also advised NRCS was in the middle of an EQIP sign up period; advised NRCS had received \$990,000 for FIPS which will be used mostly in East Texas; advised that Elisha Kuehn will be replacing Tom Cunningham in San Angelo as Assistant State Conservationist of Field Operations; and said Bob Ensor will be moving to a new position in Washington, D.C. District signs in front of Service Centers were discussed. Mr. Conklin said districts could purchase a sign for about \$35. Mr. Buckley said this would be discussed with State Board field staff at the next staff meeting.

Comer Tuck reported the regional water planning process is going well with all sixteen regions having signed a contract with the Texas Water

Development Board. He said a bill has been introduced to add four months to the contract for regional plans to be due by January 1, 2000.

James Moore advised the Board that three Senate Bill 503 statewide cost share requests had been received since the last Board meeting and none were in response to a complaint. Staff recommended they be deferred to the May Board meeting. On motion of Gene Sollock, seconded by Rooter Brite, action on the requests was deferred to the May Board meeting.

Bobbie Stephens discussed proposed rules for Soil and Water Conservation District Fiscal Management and Auditing of Soil and Water Districts, Chapter 525, Subchapter A, Sec. 525.1 - 525.8. Staff recommended approval of the rules and that they be published as proposed rules. On motion of Waldo Smith, seconded by Paul Robertson, rules were approved and authorized for publication.

James Moore provided a working draft of proposed rules for the Statewide Brush Control Program. He asked the Board to review the draft and provide staff with any comments they wished to make. Mr. Moore said the rules for the Brush Control Program would be presented at the May Board meeting as proposed rules for Board approval so they could be adopted at the July Board meeting and could be in place by September 1, 1999.

Mr. Moore provided a working draft of proposed rule revisions to amend rules used to implement Senate Bill 503 so that they would cover cost share for other purposes. He invited the Board's input and indicated they would be brought to the Board for possible action at the May Board meeting.

Bob Buckley discussed the 2000-2001 Biennium Legislative Appropriation Request. He advised there would be a Senate Mark-up Hearing on Wednesday, March 23, 1999. All of the State Board's Exceptional Items have been placed in Article XI in the House.

Bobbie Stephens discussed the six-month budget versus expenditure report ending February 28, 1999 and reported we are on track with our spending.

Mel Davis discussed a proposed survey letter that could be sent to district directors concerning their preference for future state meeting sites. On motion of Paul Robertson, seconded by Gene Sollock, staff was authorized to survey district directors.

James Moore discussed activities relative to Animal Feeding Operations and provided the Board a copy of a comment letter dated March 1, 1999 to EPA signed by Bob Buckley on the Region 6 proposed general permit for concentrated animal feeding operations.

The Board was provided a copy of a signed Memorandum of Agreement between the Texas Natural Resources Conservation Commission (TNRCC) and the State Board on Total Maximum Daily Loads (TMDLs). The executive director had been authorized to sign this agreement at the last Board meeting.

Mr. Moore updated the Board on Section 319 and said EPA had some comments regarding our management program but everything else is going along as it should.

Mr. Moore discussed the status of Senate Bill 503. He said 86 districts have done 400 water quality management plans to date for this fiscal year; 79

status reviews have been performed; five complaints have been received since the last Board meeting and two have been investigated - one was valid and one was invalid, and three complaints are currently under investigation.

James Moore briefly reported on Total Maximum Daily Load (TMDL) activities. He said the North Bosque and Big Cypress Creek projects were moving along with the North Bosque projected to have model output completed in the next couple of months. He reported the Arroyo Colorado is falling behind schedule.

Mr. Moore did a follow up report on the status of the 1999 303(d) list revision. He said a second draft was made available recently for public comment, which was made available through the field staff. He reported that the number of water bodies on the list now exceeds 200. The list should be submitted to EPA in April.

James Moore reported on the Corp of Engineers Mid-Brazos Reconnaissance Study. He said they are looking at the Bosque, Leon and Lampasas Rivers (Mid-Brazos) and are looking at habitat restoration and flood control needs.

Mel Davis advised the Board the second mailing to districts that had not provided names and addresses for delegates and alternates to the State Board member elections had recently been done. Deadline for delegates to be received is April 2<sup>nd</sup>. Board members up for election are Areas I, III, and V. Board members in those areas were provided a list of delegates that had been

received as of March 16th. Elections will be held on May 4<sup>th</sup> at the following locations and times:

- |          |   |
|----------|---|
| Area I   | Plainview Country Club Ballroom<br>Plainview, Texas<br>6:00 p.m.                                      |
| Area III | Yoakum Community Center<br>105 Huck<br>Yoakum, Texas<br>5:00 p.m.                                     |
| Area V   | Tarleton State University<br>Student Development Center, Room 219<br>Stephenville, Texas<br>6:00 p.m. |

Mel Davis provided the Board with a draft copy of the 1999 Conservation Awards packet for their review and were advised they would be asked at the May Board meeting for any suggestions or questions. There is a concern statewide on the number of entries in the program.

Bob Buckley briefly reported on the national NACD-NASCA meeting held in San Diego, California recently. Mr. Buckley said he is no longer president of NASCA (National Association of State Conservation Agencies) but is still on the NASCA board as immediate past president.

Mr. Buckley said the NACD Spring Legislative Conference would begin Sunday afternoon, March 21 in Washington, D.C. with a NASCA board meeting to be held Sunday morning. The Board was provided an agenda for the meeting.

Victoria Gutierrez provided the Human Resources report. She said there had recently been two promotions in the agency and that recruiting is currently

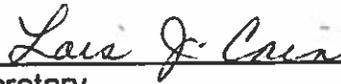
under way for two vacancies. She also provided an update report on Affirmative Action and Employee Training.

Clyde Gottschalk updated the Board on activities of the Public Information/Education Department with a written report. He said on March 18<sup>th</sup> there would be a Water Quality Conference in Mount Pleasant and ninety-one people have pre-registered. Attendees will receive two and one half continuing education units. He also said that Project Food, Land and People has been launched in Texas.

Bobbie Stephens provided a travel report for Board members for the six-month period ending February 28, 1999.

Paul Robertson was honored with a plaque from the other Board members for his service to the State Board. He was elected as a Board member in May 1991. Mr. Robertson has chosen not to seek re-election at the May 4, 1999 Board member election.

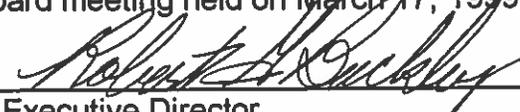
  
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Chairman

  
\_\_\_\_\_  
Secretary

5-19-99  
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 17, 1999.

5-19-99  
Date

  
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Executive Director