

Minutes
TEXAS STATE SOIL AND WATER CONSERVATION BOARD
September 8, 1999

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

Board members present were:

Gene Sollock, Chairman
James K. (Rooter) Brite, Vice Chairman
Dayton Elam, Member
Charles D. (Buddy) Clark, Member

Staff members present were:

Robert G. (Bob) Buckley, Executive Director
James M. Moore, Director of Conservation Programs
Mel Davis, Director of District Operations
Bobbie Stephens, Director of Administration
John Millican, Program Administrator
Beade Northcut, Engineer
Johnny Oswald, Program Administrator
Kenny Zajicek, Contract Manager
Kevin Canfield, Planner
Bo Spoons, Program Specialist
Richard Egg, Engineer
Mahendra Mohite, Engineer
Lois Forehand, Human Resources Specialist
Lois J. Cain, Administrative Technician

Others present were:

John Burt, Natural Resources Conservation Service
Charles Conklin, Natural Resources Conservation Service
Wayne Halbert, Southmost Soil and Water Conservation District #319
Larry Graham, Sunset Commission
Comer Tuck, Texas Water Development Board

Chairman Gene Sollock called the meeting to order and welcomed those present.

He asked the Board for consideration of excusing Board member Waldo Smith from the September 8, 1999 Board meeting per Section 201.0151 of the Agriculture Code because of his health situation. On motion of Rooter Brite, seconded by Buddy Clark, Mr. Smith's absence from the meeting was excused.

Minutes from the July 14-15, 1999 Board meeting were considered. After some discussion, on motion of Buddy Clark, seconded by Dayton Elam, the minutes were approved as mailed.

Mel Davis presented district director appointments for consideration and advised they met the qualifications and appeared to be in order. On motion of Dayton Elam, seconded by Buddy Clark, the following district director appointments were approved:

Larry S. Jones, Floyd County SWCD #104
John M. Collett, Gaines County SWCD #166
Bill Cowden, Toyah-Limpia SWCD #209
James D. Locker, San Saba SWCD #250
Richard Snelgrove, Marion-Cass SWCD #433
Jim W. Steakley, Robertson County SWCD #451
Clarence Engelbrecht, McLennan County SWCD #512
John R. Sawyer, Hill County-Blackland SWCD #540
Levi Kirk, Jack SWCD #549

Mel Davis then discussed the program and plans for the Annual Statewide Meeting of Soil and Water Conservation District Directors to be held October 18-20, 1999 in the Lubbock Memorial Civic Center, Lubbock, Texas. Mr. Davis provided and discussed an estimated statement of revenues and expenses. The possibility of providing a continental breakfast on Tuesday morning was discussed. On motion of Dayton Elam, seconded by Rooter Brite, the Board decided against providing the continental breakfast. After discussion, the Board was advised the registration fee

could be as low as \$25.00 for attendees and \$10.00 for spouses. Resolutions to be considered at the meeting were provided and briefly discussed.

James Moore reported on the status of Section 319 activities. He said the statewide nonpoint source management plan developed jointly with the Texas Natural Resource Conservation Commission is out for public comment. He reported that one change had been made since the last Board meeting to the list of fiscal year 1999 319(h) project proposals, which involved the addition of a project addressing alternative litter and manure management in East Texas designed to support the TMDL on the Big Cypress Creek. He also discussed a project with Central Texas Cattlemen's Association on the Fort Hood Military Reservation for brush management and watershed restoration. The Board was advised that funds for this project, appropriated by the Legislature, had been made available to the Central Texas Cattlemen's Association for use on the Fort Hood Project.

Mr. Moore then reviewed fiscal year 2000 Section 319 grant proposals. He said Texas was expected to receive \$9,469,400 with agriculture receiving half through the State Board and non-agricultural nonpoint sources receiving the other half through the Texas Natural Resource Conservation Commission. A list of proposed project titles and goals was discussed along with estimated funding for each.

John Burt reported on activities of the Natural Resources Conservation Service. He advised that no decision had been made concerning the co-location site of the state offices of the NRCS, Rural Development and Farm Services Agency. His agency had instructions from Washington to co-locate all field offices that had

not yet been done; reported on what Texas has done on the Work Load Analysis; discussed Administrative Convergence of NRCS, FSA and RD. He also mentioned possible forums on conservation issues being considered by the Secretary of Agriculture with one of them being held in Amarillo. He thanked the Board for their help and support and said it looked like NRCS may be able to avoid closing more offices this coming year.

Comer Tuck reported that during the last board meeting of the Texas Water Development Board a Subchapter H grant was given to the Fayette Soil and Water Conservation District for mapping equipment. He also advised the regional water planning process appeared to be on schedule and that first task forms were being received and should be completed by January 1, 2000.

Larry Graham informed the Board the Sunset Commission anticipates beginning their review shortly with staff work being done from September 1999 to January 2000.

Beade Northcut presented reports on the Agricultural Water Quality Management Program and said 775 statewide water quality plans were developed for fiscal year 1999 and that although reporting was not complete, 293 status reviews had been performed for the same period. Four complaints had been received since the July Board meeting - three had been reviewed (two were valid and one was invalid) and one complaint was pending.

James Moore updated the Board on the Total Maximum Daily Load (TMDL) program. He indicated that arrangements had been made with Blackland Research Center in Temple for office space to house four State Board employees that will

make up a TMDL team. He also discussed new EPA TMDL guidelines currently out for public comment.

As a result from a request at the July Board meeting, Mr. Moore provided and discussed a proposed schedule for evaluating program effectiveness and priorities of the Nonpoint Source Pollution Abatement Program. After discussion and by consensus the Board agreed to follow the proposed schedule as it was presented. Mr. Moore discussed allocation of fiscal year 2000 Water Quality Management Program cost share funds that had been deferred at the last Board meeting for the following districts: Upper Leon SWCD #525, Rio Blanco SWCD #107, Duck Creek SWCD #169, Hidalgo SWCD #350, Southmost SWCD #319, Upshur-Gregg SWCD #417, Sulphur-Cypress SWCD #419, and Marion-Cass SWCD #433 because they are to be receiving cost share funding through Section 319 projects for fiscal year 2000 also, and were contacted concerning their fiscal year 1999 Water Quality Management Program funding. Some of the districts had indicated a willingness to release some of their 503 funding allocation to be used in other districts while 319 funding was available to them. After discussion and on motion of Rooter Brite, seconded by Buddy Clark, the Board left these districts' allocations as they were in 1998 and left it up to the districts to voluntarily release an undesignated amount of 503 allocation.

Mr. Davis presented a district director appointment that had been faxed in from Anderson-Houston Soil and Water Conservation District #421 appointing Tommy Davis to replace Fernando DeCosta in Zone 1. On motion of Dayton Elam,

seconded by Rooter Brite, the appointment was approved pending receipt of original paperwork.

Mr. Davis passed out a corrected statement of estimated revenues and expenses for the 1999 Annual Statewide Meeting of Soil and Water Conservation District Directors that had been discussed earlier in the meeting. After discussion and on motion of Rooter Brite, seconded by Buddy Clark, registration fees were set at \$35.00 for attendees and \$10.00 for spouses.

James Moore gave a progress report on the North Concho River Brush Control Program. Johnny Oswald, Program Administrator for the program advised the Board that fourteen landowners had signed up for the program by noon on September 7, 1999 and many inquiries have been received. Mr. Oswald passed out and discussed a workload analysis by county (Tom Green, Sterling, Glasscock and Coke Counties). Mr. Moore presented a Cooperative Agreement between the Texas State Soil and Water Conservation Board and the Upper Colorado River Authority for monitoring and evaluation of the North Concho River relative to the Brush Control Project at a total project cost of \$320,000. On motion of Buddy Clark, seconded by Rooter Brite, the Board approved the agreement and authorized the Executive Director to sign it.

Mr. Moore then updated the Board on the status of the Brush Control Feasibility Study. He presented an Interagency Cooperative Contract between the Texas State Soil and Water Conservation Board and the Texas Agricultural Experiment Station in College Station to cover portions of feasibility studies on eight watersheds named in the agency appropriation bill at a cost not to exceed \$650,000.

On motion of Buddy Clark, seconded by Dayton Elam the Board approved the agreement and authorized the Executive Director to sign it.

A Cooperative Agreement between the Texas State Soil and Water Conservation Board and the Upper Colorado River Authority was presented by Mr. Moore that provided for conducting activities relative to feasibility studies on the Middle Concho and Upper Colorado Watersheds at a cost of \$75,000. On motion of Dayton Elam, seconded by Buddy Clark, the cooperative agreement was approved and the Executive Director authorized to sign it.

James Moore discussed House Bill 2599, which establishes the State Prescribed Burn Program. The State Board is directed to serve as a member of the Prescribed Burning Board, which is chaired by the Texas Department of Agriculture. Mr. Moore indicated that the Executive Director would be appointing a representative to serve on the Board at the appropriate time as directed by the statute.

Mr. Moore provided a copy of the reissued Subchapter B: Concentrated Animal Feeding Operations rules and discussed their impact on programs of the State Board.

In the absence of Clyde Gottschalk, Mel Davis advised the Board of a written report on the activities of the Public Information/Education Department since the last Board meeting.

Bobbie Stephens provided a Sunset Review Status Report and updated the Board on what has been done so far in the review process. She said a questionnaire is currently being developed to be sent to district directors, which will be a vehicle for the districts to have direct input into the Sunset process.

Ms. Stephens discussed the Budget versus Expenditure Report for the twelve-month period ending August 31, 1999 and advised that vouchers were still being processed.

A fiscal year 1999 Conservation Assistance (Matching Funds) Supplemental Summary, broken down by area, was provided for the Board's information. (Copy attached). The maximum amount paid to any district was \$462.19. A total of 153 districts requested supplemental funds and all funds were expended.

Bobbie Stephens discussed proposed amendments to Title 31, Natural Resources and Conservation, Part XVII, Chapters 517, 519 and 521 regarding Conservation Assistance, Technical Assistance and Subchapter H Technical Assistance and pointed out changes to be considered. On motion of Rooter Brite, seconded by Buddy Clark, the Board accepted changes to proposed rules.

Ms. Stephens passed out to Board members the Risk Assessment Report for the Internal Auditor for their review and discussed the four top priority areas. She asked the Board to appoint a designee for her to contact for guidance on any questions or problems. Dayton Elam recommended Bob Buckley, Executive Director and Gene Sollock, Chairman for designees as point of contact. Buddy Clark seconded and motion carried. Ms. Stephens said she will work to have bids available for the November Board meeting.

Bobbie Stephens discussed the procedures for compliance of Chapter 2102, Government Code - the Internal Auditing Act. She explained what is expected of the agency and the process that we are about to begin.

Mel Davis provided information for the annual meeting of the National Association of Conservation Districts that will be held in Colorado Springs, Colorado on January 30-February 3, 2000.

Lois Forehand updated the Board with a Human Resources report that included recruiting and staffing activity, affirmative action update and employee training.

Bobbie Stephens provided a travel allocation breakdown for fiscal year 1999 for all staff and Board members. Bob Buckley informed the Board on rule changes effective September 1, 1999 that allow Board members to receive reimbursement of \$95.00 per day including room and meals when traveling and representing the State Board. Travel allocations for fiscal year 2000 that were presented at the July Board meeting were presented with revisions. On motion of Rooter Brite, seconded by Dayton Elam, the revised allocations were approved as presented. (Copy attached)

Bobbie Stephens provided a travel report for Board members for the twelve-month period ending August 31, 1999. Rooter Brite informed the Board of the need for out of state travel for September 13-15 to Kansas City, Missouri to attend a meeting for ARS on research priorities and also a meeting in November with the NACD Farm Bill Task Force. On motion of Buddy Clark, seconded by Dayton Elam, out of state travel for Rooter Brite for the two mentioned meetings was approved.

The Board then discussed future State Board meeting dates. A date was tentatively set for a strategic planning session to be held between the State Board, Association of Texas SWCD Directors and other invited agencies and organizations.

The meeting date of November 17, 1999 was set for the next regular State Board meeting.

The meeting adjourned at 3:30 p.m.

Gene Sollock Leis J. Cain
Chairman Secretary

11-17-99
Date

I certify that the above is a true and correct copy of the minutes of the Board meeting held on September 8, 1999.

11-17-99 Robert L. Buckley
Date Executive Director