

**Minutes**  
**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**September 10, 1997**

The Texas State Soil and Water Conservation Board met on September 10, 1997 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  
Clarence F. "Dick" Schendel, Member  
Gene Sollock, Member  
James K. "Rooter" Brite, 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, Program Administrator  
Leonard Pietzsch, Accountant  
Victoria Suniga, Human Resources Specialist  
Cheremie Viator, Program Administrator  
Beade Northcut, Engineer  
Bo Spoons, Program Administrator  
Sam Unberhagen, Program Specialist  
Mahendra Mohite, Engineering Assistant  
Lois J. Cain, Administrative Technician

**Others present were:**

Gary Ivy, Rio Blanco Soil and Water Conservation District #107  
Gregg Arnold, Duck Creek Soil and Water Conservation District #169  
Ed Logan, Natural Resources Conservation Service  
Charley Morris, Natural Resources Conservation Service  
Dr. Clarence Richardson, Agriculture Research Service  
Comer Tuck, Texas Water Development Board  
Dr. Sam Feagley, Texas Agricultural Extension Service  
Darlene Hicks, Natural Resources Conservation Service

John Burt, Natural Resources Conservation Service  
Dr. Allan Jones, Texas Agricultural Experiment Station  
Memo Benavides, Association of Texas SWCDs  
Dayton Elam, Association of Texas SWCDs  
Barry Mahler, Association of Texas SWCDs  
John Earl Smith, Association of Texas SWCDs  
Wayne Halbert, Association of Texas SWCDs  
Irene Bucek, Association of Texas SWCDs  
Ed Albrecht, Association of Texas SWCDs

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

On motion of Buddy Clark, seconded by Dick Schendel, the minutes of the July 16, 1997 Board meeting were approved as mailed.

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

David Dunn, Tule Creek SWCD #110  
Loy Kern, Cochran SWCD #149  
Arnold Braden, Upper Pecos SWCD #213  
Mary M. Tortorice, Lower Neches SWCD #437  
Howard D. Lowe, Callahan Divide SWCD #552

Financial assistance grants limits to individuals participating in Section 319 projects were discussed. James Moore presented background information on Section 319 projects that incorporate cost share assistance similar to that available under Senate Bill 503. Districts involved in two Section 319 projects, the Texas Rolling Plains Project and the Oak Creek, Lake Trammell Water Quality Project, had requested a cost share cap greater than the cap set for SB

503. Mr. Moore asked the Board for their guidance. Representatives from the Duck Creek SWCD #169 and Rio Blanco SWCD #107 were present to give a presentation and to formally ask the Board to consider a greater cap arguing that a \$10,000 cap will not adequately address the large land holdings in the White River Watershed. Similar discussion followed relative to the other project. After discussion Buddy Clark moved to establish a \$50,000 cap in the Texas Rolling Plains Technical Assistance Project and the Oak Creek, Lake Trammell Water Quality Project which include Crosby, Dickens, Garza and Nolan Counties, and that future requests for increased caps come before the Board for decision on a case-by-case basis. More discussion followed. After discussion Rooter Brite seconded Mr. Clark's motion and motion carried.

Clyde Gottschalk reported on activities of the Public Information/Education Department. The district director training conference scheduled for the first week in September was canceled due to low enrollment but the annual training conference will again be held in January 1998. He advised the Board he had attended an EPA environmental conference in Dallas; attended a public affairs conference in Minnesota and will be working at two water quality conferences in Wharton and in the Rio Grande Valley in January 1998. He said his department is working on several documentaries. Summary reports on activities of the Public Information/Education Department were provided.

Bob Buckley discussed the Legislative Interim Studies and said the Interim charges for the Senate Committee on Finance will require testimony from the Board at some future date.

Bill Neiser presented and discussed a report on budget versus expenditures for the fiscal year ending August 31, 1997.

Mr. Neiser then reported on fiscal year 1997 supplemental conservation assistance. He said 137 districts had requested supplemental funds and the maximum payment was \$544.04.

The Annual Meeting Fund report was given by Bill Neiser. The Public Investment Act requires that a report to the agency's Board be made on any funds the agency controls that are not in the State Treasury. On motion of Rooter Brite, seconded by Gene Sollock, the Board adopted the report as given by Mr. Neiser.

Mr. Neiser then provided the Board a copy of a letter from the State Comptroller's office concerning the agency's post-payment audit. He discussed the process and the purpose of the audit. He said it was a very good audit report.

Bill Neiser presented the 1998-1999 biennial operating plan to be filed with the Department of Information Resources. He advised the Board that the plan is required every two years following the legislative session. On motion of Gene Sollock, seconded by Dick Schendel, the Board voted to accept the operating plan as presented.

John Burt, State Conservationist for the Natural Resources Conservation Service, introduced John Edwards as the new Deputy State Conservationist for Texas. He then discussed the summary of the 1997 EQIP proposals and said 55% of the applications that were received were funded. He then discussed 1998 EQIP proposals and said they focused more on smaller areas and were done by basins. A news release was provided the Board on CRP sign up which begins on October 14th and ends on November 14th.

Comer Tuck reported that at the August board meeting of the Texas Water Development Board matching grants were approved for the Hemphill and Lipscomb Soil and Water Conservation Districts. He also discussed what the Texas Water Development Board is doing to meet their requirements in Senate Bill 1. He advised they were working on policy and rules for groundwater management plans. Mr. Tuck reported they have a new human resources director and discussed other areas in their agency where changes have been made in personnel.

Dr. Allan Jones briefly reported on activities of the Texas Agricultural Extension Service.

Dr. Clarence Richardson reported the Agriculture Research Service has recently been reorganized and that natural resources became one of the three major groups in agriculture. He also advised that ground has been broken for a new ARS facility in Lubbock.

Darlene Hicks from the regional office of the Natural Resources Conservation Service reported on regional partnership activities when they met in Tunica, Mississippi. She also discussed the Rally Foundation meeting to be held in Birmingham, Alabama in October and said Seco Creek will be a feature at that meeting.

Sam Feagley reported on activities of the Soil and Crop Sciences Department of the Texas Agricultural Extension Service. He said his agency is currently cooperating in poultry projects in several counties.

Bo Spoons gave a status report on Section 319 activities and said the grant application for fiscal year 1998 funds has to be in to EPA by September 22, 1997.

Beade Northcut provided and discussed reports on status of Senate Bill 503. He said in fiscal year 1997 671 water quality management plans were developed making a total of 2,220 to date since the program began in 1994. Mr. Northcut reported enough cost share funds were released to fund all statewide requests for fiscal year 1997. He updated the Board on complaint activity since the last board meeting. He said four complaints had been investigated, two were valid and two were invalid. No complaints are currently under investigation. A report on annual status review for fiscal years 1994 and 1995 was provided and showed a total of 184 water quality management plans had been reviewed. Of those only four required follow up assistance.

James Moore reported on TMDL activities and gave an overview of what EPA and TNRCC are doing. He said the next TMDL to be developed with agricultural nonpoint source implications is the Arroyo Colorado and the start date is now. The next segment involving agricultural nonpoint source to have a TMDL developed will be Big Cypress Creek which will begin next fiscal year.

Mr. Moore discussed an assessment being done by the Texas Natural Resources Conservation Commission on poultry litter which was required by the Texas Legislature. The Texas State Soil and Water Conservation Board will not have any direct financial input into this assessment at this time, but will be involved in providing information and coordinating agency activities with the study as needed.

Mr. Moore then brought the Board up-to-date on agency participation in the Drought Response and Monitoring Committee created by Senate Bill 1. He reported that the State Board was added to the committee by Senate Bill 1 and discussed five basic responsibilities of the committee. Comer Tuck from the Texas Water Development Board, which also serves on the committee, added additional comments. Mr. Moore indicated that the agency's role will become better defined as involvement in committee functions continue.

The Board was updated on the Cross Timbers Concerned Citizens lawsuit against the Environmental Protection Agency. Mr. Moore advised that Friends of the Bosque and the City of Clifton had joined the law suit and the City of Waco has been asked to join.

Beade Northcut presented a request from Sulphur Cypress Soil and Water Conservation District #419 to include freezers for dead birds for poultry operations as an approved practice on the cost share list. Mr. Northcut also asked the Board to revise the state approved cost share list to specify the components of a Waste Management System that are eligible for cost share. Gene Sollock moved to approve and specifically list all components of a waste management system eligible for cost share as recommended, which included freezers, and to add composters as an eligible component. Rooter Brite seconded the motion and motion carried. The Board also considered conservation cover as a practice for cost share. No action was taken.

Bob Buckley discussed Natural Resources Conservation Service field office structure. He advised the Board of the need to take a stand to keep districts going in the way they are now going and would like to see this discussed at length at the annual statewide meeting in October at South Padre Island. Mr. Buckley said unless the NRCS gets more help there will be no technical help for districts and the Board needs to be on record as doing everything possible to keep the local NRCS offices open. On motion of Rooter Brite, seconded by Buddy Clark, the attached position was adopted by the Board. (Copy attached)

James Moore reported on Corpus Christi Bay National Estuary Program activities and said they are working on an action plan which includes some actions addressing agricultural nonpoint source pollution. He indicated that to

date all actions proposed were consistent with and complimentary to State Board programs and policies.

Mel Davis provided information on the Annual Statewide Meeting of Soil and Water Conservation District Directors to be held at South Padre Island on October 13-15, 1997 in the South Padre Island Convention Centre. It was the consensus of the Board to recognize Harvey Davis for his service to the district program at this meeting and present him a plaque. The Board was provided copies of the resolutions to be considered, area discussion agenda, list of those directors to receive service awards, and layout of the convention center. Bill Neiser provided and discussed an estimate of revenues and expenses for the meeting. Mr. Davis advised the Board of being contacted by the new director of the Corpus Christi Convention Center advising of a conflict of days set for the 1998 annual meeting. The Board was advised the date for the 1998 meeting has been changed to October 12-14, 1998 at the Corpus Christi Convention Center.

Victoria Suniga provided the human resources update and said there are currently three vacancies and one new hire.

Dick Schendel discussed a recent Coastal Coordination Council meeting he had attended and said funding for a permitting assistance coordinator was approved. James Moore discussed the third round of Coastal Program Grants and indicated that no soil and water conservation district had applied.

He reported the next Coastal Coordination Council meeting is set for November 12 at Brownsville.

Bob Buckley discussed a meeting he had attended on August 28 on the Upper Colorado River Authority's proposed brush control project on the North Concho River at O. C. Fisher Lake. The meeting was called by State Representative Rob Junell of San Angelo. A committee was appointed with the State Board serving as co-chair to put together a grant proposal to develop a brush control plan which will be sent to the Texas Water Development Board. The resulting plan will be used to seek funding for brush control during the next session of the legislature.

Bill Neiser provided the Board members a report on their travel for the twelve month period ending August 31, 1997. No Board member requested approval for any out of state travel.

The next regular board meeting is November 19, 1997.

The meeting adjourned at 3:50 p.m.

Paul E. Robertson  
Chairman

Lois J. Cain  
Secretary

11-19-97  
Date

I certify that the above is a true and correct copy of the minutes of the Board meeting held on September 10, 1997.

11-19-97  
Date

Robert S. Buckley  
Executive Director