

**Minutes**  
**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**September 21, 1994**

The Texas State Soil and Water Conservation Board met on September 21, 1994, at 8:00 a.m. in its Hearings Room at 311 North Fifth Street, Temple, Texas.

Board members present were:

Paul Robertson, Chairman  
Charles D. "Buddy" Clark, Vice Chairman  
C. F. "Dick" Schendel, Member  
Albert Evans, Member  
Harvey Davis, Member

Staff members present were:

Robert G. Buckley, Executive Director  
William C. Neiser, Assistant Executive Director  
Mel Davis, Assistant Executive Director  
James M. Moore, Assistant Executive Director  
Stephen Deiss, Wharton Regional Manager  
Bo Spoons, Director of Programs  
Victoria Suniga, Secretary  
Clyde J. Gottschalk, Information/Education Director  
Cherie King, Director of Programs  
Don Brandenberger, Soil Conservationist  
Sam Unberhagen, Soil Conservationist  
Lupe Pinto, Hydrologist  
Mahendra Mohite, Research Specialist  
Lois Cain, Administrative Technician

Others present were:

John LaRose, National Conservation Tillage Digest  
Comer Tuck, Texas Water Development Board  
Ron Jones, Institute for Applied Research  
Donald Swann, Association of Texas SWCDs  
Kenton Inglis, Soil Conservation Service

Chairman Robertson called the meeting to order and welcomed everyone.

Minutes from July 20 and August 8 board meetings were discussed and on motion of Buddy Clark seconded by Harvey Davis the

minutes for both meetings were approved as amended. Motion carried.

Mel Davis presented district director appointments for consideration. The appointment of Donnie R. Bilbrey to Zone 4 in Donley County SWCD #127 was in order. Mr. Davis discussed a faxed appointment of James R. McCann to Victoria SWCD #346 and advised the Board that original papers had been mailed but as of the Board meeting date had not been received. On motion of Dick Schendel, seconded by Albert Evans, the appointments were approved as presented and Mr. McCann was approved pending receipt of original paperwork. Motion carried.

Mel Davis presented a petition for transfer of territory from Garza SWCD #158 to Lynn County SWCD #119. Mr. Davis advised the Board that both districts agreed to the transfer and the papers are in order. On motion of Albert Evans, seconded by Dick Schendel the transfer of territory was approved as presented. Motion carried.

Mr. Davis presented a request for a subdivision boundary change that effects Subdivision 2 of Lynn County SWCD #119 which became necessary after the transfer of territory from Garza SWCD. On motion of Dick Schendel, seconded by Albert Evans, the subdivision boundary change was approved as presented. Motion carried.

Mel Davis updated the Board on final subdivision changes for Highland SWCD #210 and advised the Board the changes were approved September 15, 1993 pending receipt of map and correct language from the district. No action was required.

Mel Davis discussed in detail information on the Annual State Meeting of Soil and Water Conservation District Directors to be held in Austin at the Hyatt Regency Hotel on September 26-28, 1994. All events are scheduled in the Hyatt except the Get Acquainted Reception which will be in Palmer Auditorium. Board members will kick off each conservation workshops as follows: Paul Robertson in District Operations; Harvey Davis in Legislative Issues; Buddy Clark in Public Information/Education; Dick Schendel in Environmental Issues and Albert Evans in Resource Conservation Issues. The Legislative Appreciation Banquet was also discussed. Mel Davis presented an estimate of revenues and expenditures for the annual meeting and advised the Board the Federal Land Bank Associations of Texas were again donating \$3,000 for the reception to be held on Monday night.

Ron Jones discussed concerns expressed by the State Board pertaining to a proposed amendment to the Clean Water Act. The Board stated their concerns again and Mr. Jones agreed to investigate making the changes that would satisfy the concerns the Board had expressed. It was the consensus of the Board to meet after the annual state meeting and to invite organizations such as Farm Bureau, Texas and Southwestern Cattleraisers Association, American Milk Producers, Cattle Feeders, pork producers, poultry producers, Don Swann from the Association of Texas SWCDs, etc. to work out wording on legislation to take to Congressman Charles Stenholm. Chairman Robertson asked Mr. Buckley to put this group together and work out details.

John LaRose, publisher and editor, **National Conservation Tillage Digest** met with the State Board to propose a cooperative agreement, however, it was discovered during his presentation that he should be addressing the Association of Texas Soil and Water Conservation Districts.

Future annual state meeting sites were then discussed. Mel Davis provided information on meeting facilities gathered on Galveston, Corpus Christi, and El Paso as requested by the Board and also unsolicited information on Arlington, and Fort Worth. On motion of Albert Evans, seconded by Dick Schendel, the Board agreed to conduct the 1995 annual state meeting in Galveston, on October 16-18. Motion carried.

Kenton Inglis gave the Soil Conservation Service report. He said Monty Edwards was now the district conservationist in Stephenville. He brought the Board up to date on the reorganization of SCS. Buddy Clark asked about the office closure issue for SCS. Mr. Inglis advised that no firm decisions have been made.

Comer Tuck reported on activities of the Texas Water Development Board. He said they were beginning fiscal year 1995 with the same funding levels as fiscal year 1994. He said the TWDB staff had recently met with the Legislative Budget Office on FY 1996-1997 funding. He also advised that he plans to attend most of the annual state meeting.

Bill Neiser reported on fiscal year 1994 expenditure report ending August 31, 1994 and discussed each strategy in detail. He

said there are still some expenditures out so the figures would change. Mr. Neiser said the 90 day report would be ready in November and indicated he would provide each board member a copy when available.

Donald Swann reported on the activities of the Texas Association of Soil and Water Conservation Districts. He discussed the recent Association meeting where the directors discussed the legality of the Association belonging to a coalition on private property rights. He also requested a meeting of the Association with the State Board at some time in the future. Mr. Swann informed the Board that the Association voted to enter the Texas State Soil and Water Conservation Board in the Clean Texas 2000 1995 Governor's Award for Environmental Excellence for the nonpoint source 503 program. He reported the Association Board had approved the public information/education budget for next year and any extra funds would be used for education.

Bill Neiser passed out a short summary report on technical assistance funds for fiscal year 1994. Fourth quarter reports are not due in until September 30, 1994. He reported that as of the Board meeting date there were \$24,336.94 available for supplemental payments. Mr. Neiser said that FY 1994 funds not used by districts will go toward their FY 1995 allocation.

Bill Neiser discussed the Fiscal Years 1996-1997 Biennium Legislative Appropriation Request and said it did include the transfer of \$260,000 from nonpoint source cost share to conservation assistance (matching funds). He said there had been

a hearing on September 8, 1994 on the 1996-1997 Legislative Appropriation Request before the Legislative Budget Office and the Governor's Office. Paul Robertson, Buddy Clark, Donald Swann, Bob Buckley, James Moore and Bill Neiser attended the hearing. Mr. Neiser said questions raised pertained to performance measures and federal funds. He said some of the measures would be looked at again and there was an apparent need to change some estimates of workload measures. These will be discussed at a later board meeting.

A fiscal year 1994 Conservation Assistance payment for North Concho River SWCD #252 was discussed by Bill Neiser. The district's final claim for matching funds was erroneously processed as a supplemental claim resulting in an underpayment to the district. Mr. Neiser recommended to the Board to adjust the conservation assistance grants budget to allow payment of \$503.34 out of the remaining fiscal year 1994 available funds. On motion of Buddy Clark, seconded by Harvey Davis the adjustment was made as recommended and payment of \$503.34 approved to North Concho River SWCD #252. Motion carried.

Bill Neiser gave a recruiting update and informed the Board that Stephen Deiss became the Regional Manager for the State Board's Wharton regional office effective September 1, 1994. He also advised the Board that Andy Garza would become the regional manager for the Weslaco regional office effective October 1, 1994.

Bob Buckley informed the Board that Soil Conservation Service funding levels were still unknown at this time.

Clyde Gottschalk reported on public information/education activities and reported there would be a district director training workshop in October. He said a successful workshop had just been completed for the Capitol Area Boy Scouts of America with 240 participants. He reported he was already getting requests to hold teacher workshops for next year. He reported the State Board would have booths again this year at the Lubbock Farm Show to be held in October.

James Moore gave a status report on statewide nonpoint source activities. He said the management program has been submitted to the Governor as authorized by the Board in the August board meeting and the Governor has submitted the management program to EPA, Region 6.

Mr. Moore reported on the status of implementation of Senate Bill 503 and passed out a draft report which will be available at the Annual State Meeting of SWCD Directors in Austin on September 26-28. He explained there were 174 water quality management plans certified in the 1994 fiscal year. He said 149 farmers and ranchers have received financial assistance. He also reported that in fiscal year 1994 there had been 55 contacts about complaints and that 36 were found to be non-agriculture problems and were referred to appropriate entities; nineteen were ag water quality complaints, 14 of which were investigated in fiscal year 1994. Currently 28 soil and water conservation districts are actively implementing the Senate Bill 503 program. Mr. Moore provided the Board a copy of an article in the **Progressive Farmer** concerning the SB 503 program.

He also updated the Board on a Water Conference he had attended in Corpus Christi and provided the Board with comments made by State Senator Carlos Truan.

Mr. Moore then discussed the identification of areas for implementation of S.B. 503. He said there is a need to review priority watersheds the Board adopted last spring and provided the Board a copy of a letter from the Sulphur Cypress Soil and Water Conservation District requesting to add a segment of Big Cypress Creek as a 319 priority watershed because of the concentration of poultry production in that area. Mr. Moore recommended this be approved. On motion of Albert Evans, seconded by Dick Schendel, the Board approved Cypress Creek Basin as a priority watershed. Motion carried. Mr. Moore then discussed areas for consideration to be included in the SB 503 program and recommended the following: Lake Arrowhead, Eagle Mountain Lake; Lower Colorado River; Rio Grande River; Coastal Zone Management Area and Galveston Bay area. In response to questions from the Board Sam Unberhagen reported on a complaint he had investigated in San Angelo on the Concho River Watershed. On motion of Dick Schendel, seconded by Albert Evans, the Board approved the above recommended areas and directed staff to investigate the advisability of including the Concho River Watershed above Lake O. H. Ivie and below Lake Nasworthy and Lake Fisher for implementation of SB 503. Motion carried.

Allocation of fiscal year 1995 cost share funds were then discussed. Mr. Moore said \$2,425,000 is available to be allocated. He passed out proposed allocations which included \$600,000 for the

Panhandle area; \$350,000 for the Lower Rio Grande Valley; \$350,000 for the Gulf Coast, \$400,000 for Central Texas and \$400,000 for Northeast Texas, leaving \$325,240 available statewide. On motion of Harvey Davis, seconded by Buddy Clark the cost share funding was approved as recommended with the funding of Concho River Watershed to be discussed at the next Board meeting. Motion carried. (Copy attached).

James Moore gave an informational report on the Corpus Christi Bay National Estuary Program and reported that Texas Natural Resources Conservation Commission has suggested that someone from the State Board or staff serve on the management committee to represent agriculture. Dick Schendel said he had been asked for someone to serve on the policy committee. The State Board advised assigning a staff member to the management committee should the invitation actually be received.

Mr. Moore reported on the Coastal Zone Management Program and said rules were adopted at the September 16 Coastal Coordination Council and will be published in the **Texas Register** at the earliest convenience. He reported urban nonpoint source pollution had been removed from the plan.

Cherie King discussed the Conservation Awards Program. She referred to the Water Quality Management Award and discussed the need to change the name of the award category or the description. On motion of Albert Evans, seconded by Buddy Clark, the Board voted to change the title of the category to "Water Quality Management Plan Award". Motion carried.

Mel Davis discussed the 1995 Governor's Award for Environmental Excellence which is part of Clean Texas 2000 handled by the Texas Natural Resources Conservation Commission. Mr. Clark suggested entering an individual recognized in the Texas Conservation Awards Program and cited the Bamburger Ranch as an example.

Bill Neiser reported on Board member travel and passed out travel reports through the end of fiscal year 1994. On motion of Harvey Davis, seconded by Buddy Clark it was approved to transfer funds to allow payment of Paul Robertson's per diem. Motion carried.

The next regular board meeting is November 16, 1994.

The meeting adjourned at 4:40 p.m.

Paul J. Robertson  
Chairman

Lois J. Cain  
Secretary

11-16-94  
Date

I certify that the above is a true and correct copy of the minutes of the Board meeting held on September 21, 1994.

11-16-94  
Date

Robert B. Buckley  
Executive Director