



TEXAS STATE SOIL AND WATER CONSERVATION BOARD

Monthly Program News and Activities

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June 2010

The TSSWCB produces this monthly update of the agency's activities as an informational service to local soil and water conservation district directors. I hope you find this information helpful, and if you have any questions please don't hesitate to call your local Field Representative or our State Headquarters.

REX ISOM, Executive Director

Budgeting and Accounting

- New Technical Service Provider (TSP) funds are now available for 2010. These funds will be in addition to the 2010 TSP funds Soil and Water Conservation District (SWCDs) have already been allocated. However, the criteria required by the Natural Resources Conservation Service for using the new funds will be different. The new funds may only be used for handling and ranking applications, contract planning, contract development, contract management and conservation practice implementation on Environmental Quality Incentives Program (EQIP) and Agriculture Water Enhancement Program (AWEP) contracts. Given the new criteria, SWCDs are being surveyed to identify the amount of TSP funds they can expend in an eleven-month time period. This survey is available to SWCDs on the TSSWCB website. The deadline for submitting the survey is June 30th.
- July 1st is the deadline for submitting 1st, 2nd, and 3rd Quarter Mileage & Per Diem claims.

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STATE BOARD WORK SESSIONS AND MEETINGS

The State Board has scheduled a Board Work Session for 1:30 p.m. on **Wednesday, July 21, 2010** at the Hilton Garden Inn in Temple. A formal State Board Meeting is scheduled for 8:00 a.m. on **Thursday, July 22, 2010** at the Hilton Garden Inn in Temple.

For more information on past and pending State Board Work Sessions and Meetings, please visit the agency's website at

<http://www.tsswcb.state.tx.us/boardmeetings>, or contact Karen Preece at (254) 773-2250, ext. 245.

Board Meeting Minutes

Minutes from the May 13, 2010, State Board Meeting will be considered for approval at the meeting scheduled for July 22, 2010. To view any past Board Meeting minutes visit the agency's website at

<http://www.tsswcb.state.tx.us/boardmeetings/minutes>

BUDGET AND ACCOUNTING

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- July 1st is the deadline for submitting 1st, 2nd, and 3rd Quarter Mileage & Per Diem claims.

HUMAN RESOURCES

TSSWCB is currently recruiting for the following:

- Natural Resource Specialist III - Gonzales

For more information on TSSWCB employment please visit the link below:

<http://www.tsswcb.state.tx.us/employment>

SPECIAL PROJECTS

Program Overview

Special Projects is a department within the TSSWCB that provides coordination for the Annual State Meeting of Soil and Water Conservation Directors, facilitates open government functions required by the Texas Administrative Procedures Act, and directs the completion of other mandatory agency responsibilities such as compiling the agency's Semi-Annual Report and rule making.

70th Annual State Meeting of Texas Soil and Water Conservation District Directors

The 70th Annual State Meeting is scheduled for October 25-27, 2010 in Lubbock. Please make plans to attend.

Reservations for the meeting may be made at:

- Radisson Downtown Lubbock by calling 806-747-0171.
- Overton Hotel by calling 806-776-7000.

Proposed Amendment of Chapter 523, Agricultural And Silvicultural Water Quality Management, (Section 523.3, Water Quality Management Plan [WQMP] Certification Program)

The State Board proposed an amendment to Section 523.3, Water Quality Management Plan (WQMP) Certification Program and the proposed rule has been published in the April 23, 2010 issue of the *Texas Register* for review and comment.

The amendment adds new language that will allow for the “conditional” certification of a WQMP in certain situations for demonstrating experimental conservation technologies, and to modify the requirements associated with documenting neighbor consent relating to odor control plans for a proposed poultry facility.

At their May 13th meeting, the State Board proposed the following rules for review:

- **Chapter 517, Subchapter A, Financial Assistance**
- **Chapter 519, Subchapter A, Technical Assistance Program**
- **Chapter 521, Subchapter A, Technical Assistance program for Soil and Water Conservation Land Improvement Measures.**

The agency believes that the reason for adopting the rules continues to exist. The rules will be published in the May 28th issue of the *Texas Register* for a 30 day comment period.

PUBLIC INFORMATION AND EDUCATION

Program Development Workshop Scheduled for June 29-30

Thirty individuals are registered and expected to attend the Program Development Workshop scheduled June 29-30. The workshop will be held at the Hilton Garden Inn in Temple.

Soil and Water Conservation Public Speaking Contest

Ten first place and ten second place FFA area winners will be competing for the State award in the Soil Stewardship Public Speaking Contest at the 82nd Annual Texas FFA Convention. The convention will be held July 13-16 in Corpus Christi.

Semi-finals in the contest will be held on Monday July 12. The public speaking event finals will be held on Tuesday, June 13. The state winner will be announced at the Star of Texas Scholarship event during the General Assembly on Wednesday evening.

Names of all first and second place area winners as well as the state winner will be published in the next Monthly Program Update.

TSSWCB Conservation Video Library About The Catalog

There are over 200 conservation-related videos available; the 2009 catalog can be downloaded from the TSSWCB website at <http://www.tsswcb.state.tx.us/files/docs/infoed/2009VideoLibraryCatalogue.pdf>. The 2009 Catalog includes 30 new titles in DVD format. No rental fees are assessed to those wishing to borrow the videos from the library. However, the borrower is responsible for paying the return postage. Borrowing privileges are for a length of two weeks and must be returned upon the date specified by the librarian. Videos can be ordered through your local SWCD or by contacting the Public Information/Education department of the TSSWCB.

How Shipping Works

The Association of Texas Soil and Water Conservation Districts' Public Information/Education Committee will pay the first transit postage costs to mail the video(s) to the requester. Postage for returning the video(s) will be the responsibility of the borrower. All videos must be insured upon return.

Ordering a Video

Select a video from the TSSWCB Conservation Video Catalog, then contact Meredith Whitley at mwhitley@tsswcb.state.tx.us to check it out.

WATER QUALITY MANAGEMENT PLAN PROGRAM

Program Overview

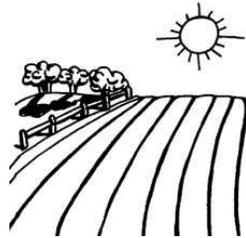
The passage of Texas Senate Bill 503 (1993) directed the Texas State Soil and Water Conservation Board to implement water quality management plans (WQMPs) in Texas. A WQMP is a site-specific plan developed through and approved by SWCDs for agricultural or silvicultural lands. The agency has been implementing WQMPs since the mid 1990s and has completed over 14,000 plans in the State of Texas.

<http://www.tsswcb.state.tx.us/wqmp>.

A total of 528 water quality management plans have been certified by the State Board as of May 31, 2010 or the end of the 3rd quarter of FY-2010. The yearly goal is 620 plans.

The period for obligating FY-10 cost-share funds ended on April 30, 2010. All funds not obligated through supplemental requests were transferred to the Statewide Fund. Additional allocations will be considered at the July, 2010 State Board meeting.

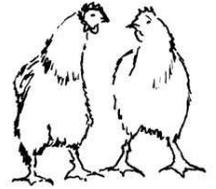
Lapsed cost-share funds have been reduced by 68.9% in the last five years. Approximately 8.3% of total cost-share funds are being lapsed statewide at the present time. The next lapsed fund report for the FY-08 funding cycle will be completed in September, 2010.



POULTRY WATER QUALITY MANAGEMENT PLANS

Overview

In 2001, the 77th Texas Legislature amended the Texas Water Code to require all persons who own or operate a poultry facility to implement and maintain a Water Quality Management Plan that is certified by the State Soil and Water Conservation Board. In 2009, the 81st Texas Legislature amended the Texas Water Code to require TSSWCB to assess whether the siting and construction of all new poultry farms or existing farms that expand by more than 50% within ½ mile of permanently inhabited residences, businesses, or places of worship is likely to cause a persistent nuisance odor. An odor control plan may be required for those farms. The new law also requires all poultry producers and most receivers of poultry litter to keep records of poultry litter usage. For more information on Poultry WQMPs, please visit <http://www.tsswcb.state.tx.us/poultry>.



Program Activities

TSSWCB continues to conduct inspections of poultry CAFO facilities to ensure they are meeting all the necessary requirements. In addition, staff continues to review and update existing WQMPs and develop plans for newly constructed farms.

Contact the poultry office at (936) 462-7020 if you have questions about the poultry program.

TEXAS NONPOINT SOURCE MANAGEMENT PROGRAM

Program Overview

The federal Clean Water Act (CWA) requires States to develop a program to protect the quality of water resources from the adverse effects of nonpoint source (NPS) water pollution. The *Texas NPS Management Program* is the State's official

roadmap for addressing NPS pollution. The program publication is updated every five years. The most recent revision was submitted to the U.S. Environmental Protection Agency (EPA) by the Governor in December 2005. The *Texas NPS Management Program* is jointly administered by the TSSWCB and the Texas Commission on Environmental Quality (TCEQ).

The *Texas NPS Management Program* utilizes baseline water quality management programs and regulatory, voluntary, financial, and technical assistance approaches to achieve a balanced program. NPS pollution is managed through assessment, planning, implementation, and education. The TCEQ and TSSWCB have established goals and objectives for guiding and tracking the progress of NPS management in Texas. Success in achieving the goals and objectives are reported annually in the *NPS Annual Report*, which is submitted to EPA in accordance with the CWA.

Implementation of the *Texas NPS Management Program* involves partnerships among many organizations. With the extent and variety of NPS issues across Texas, cooperation across political boundaries is essential. Many local, regional, state, and federal agencies play an integral part in managing NPS pollution, especially at the watershed level. They provide information about local concerns and infrastructure and build support for the kind of pollution controls that are necessary to prevent and reduce NPS pollution. SWCDs are vital partners in working with landowners to implement best management practices (BMPs) that prevent and abate agricultural and silvicultural NPS water pollution. By establishing coordinated frameworks to share information and resources, the State can more effectively focus its water quality protection efforts.

More information on the *Texas NPS Management Program* is available at <http://www.tsswcb.state.tx.us/managementprogram>.

The following is a compilation of relevant information pertaining to the multiple water quality programs administered by and/or coordinated

through the TSSWCB Statewide Resource Management (SRM) group that collectively represent the agency's efforts in supporting the goals and objectives of the *Texas NPS Management Program*.

Watershed Approach

Protecting the State's rivers, streams, lakes, bays, and aquifers from the impacts of NPS pollution is a complex process. Texas uses a Watershed Approach to focus efforts on the highest priority water quality issues of both surface and ground water. The Watershed Approach is based on the following principles:

- Geographic focus based on hydrology rather than political boundaries;
- Water quality objectives based on scientific data;
- Coordinated priorities and integrated solutions; and,
- Diverse, well-integrated partnerships.

For groundwater management, the geographic focus is on aquifers rather than watersheds. Otherwise, the approach is the same. Wherever interactions between surface and ground water are identified, management activities will support the quality of both resources.

The TSSWCB applies the Watershed Approach to managing NPS pollution by channeling its efforts to restore and protect water quality through the development and implementation of watershed protection plans (WPPs) and total maximum daily loads (TMDLs) in those watersheds where agricultural and/or silvicultural NPS pollution is contributing to a water quality impairment or concern to an extent which TSSWCB believes is sufficient to justify expenditure of agency resources. A list of these watersheds including links to on-going restoration projects within those watersheds is available at <http://www.tsswcb.state.tx.us/watersheds>.

Texas Nonpoint Source Management Program – 2010 Revision Status

TSSWCB SRM staff and TCEQ staff are in the process of updating the *Texas NPS Management*

Program document. Staffs from both agencies are currently reviewing the revised, draft chapters of the 2010 program publication. A completed draft is expected by the middle of the summer. After which, staff intend to circulate the draft document to affected entities for preliminary review and comments. The revised program publication must be submitted to EPA by December 2010 to ensure continued CWA §319(h) funding.

FY2009 Nonpoint Source Annual Report Status

The 2009 Annual Report on Managing NPS Water Pollution in Texas has been printed and is ready for distribution to SWCDs and other entities. In order to continue receiving CWA §319(h) funds, the State must annually report on success in achieving the goals and objectives of the Texas NPS Management Program. The report highlights the State's efforts during FY2009 to collect data, assess water quality, implement projects that reduce or prevent NPS pollution, and educate and involve the public to improve and maintain the quality of water resources. This report must be submitted to EPA to ensure continued funding. The FY 2009 Annual Report is available for download at <http://www.tsswcb.state.tx.us/reports#nps>

Nonpoint Source Grant Program

The NPS Grant Program is administered by the TSSWCB for the purpose of providing funding as grants to cooperating entities for activities that address the goals and objectives stated in the *Texas NPS Management Program*. The Texas Legislature and the U.S. Congress (through the EPA) provide funding to the TSSWCB to administer the agricultural and silvicultural components of the *Texas NPS Management Program* through the TSSWCB NPS Grant Program.

Agricultural and silvicultural NPS pollution prevention and abatement activities that can be funded through the NPS Grant Program include: implementation of WPPs and the NPS portion of TMDL Implementation Plans (I-Plans), surface water quality monitoring, demonstration of innovative BMPs, technical and financial assistance for the development and implementation of WQMPs, public outreach and education,

development of WPPs, and monitoring activities to determine the effectiveness of specific pollution prevention methods.

Summaries of the TSSWCB's activities within specific watersheds funded through this NPS Grant Program are available in the *Water Quality Planning and Implementation* section of this report.

FY2010 Request for Proposals

SRM staff identified priority areas and activities for this funding cycle based on the *Texas NPS Management Program* and the *2008 Texas Water Quality Inventory and 303(d) List*. Twenty-two proposals requesting nearly \$8.5 million in federal funding were received through the public Request-for-Proposals. Proposals are currently being reviewed by SRM staff based on the published ranking criteria and selected for funding. Projects receiving federal funding must be submitted to EPA in early summer 2010 for review and approval.

Clean Water Act §319(h) Grant Funding

Background

Congress enacted §319(h) of the CWA in 1987, establishing a national program to control NPS water pollution. Through §319(h), federal funds are provided through the EPA to States for the development and implementation of each State's NPS Management Program. The §319(h) funding in Texas is divided equally between the TCEQ and the TSSWCB. Over the past several years, the State's allocation has been approximately \$9 million.

FY2004 – FY2009 CWA §319(h) Grant Status

There are currently 49 ongoing §319(h) grant-funded projects addressing a wide array of agricultural and silvicultural NPS issues. Unliquidated federal funds for these 52 ongoing projects total approximately \$14 million and are primarily being used to address NPS pollution from animal feeding operations, prevent atrazine runoff, provide technical assistance, implement BMPs, support various NPS outreach/education programs, develop and implement WPPs, and implement the NPS portion of TMDL I-Plans. Summaries of the TSSWCB's activities within specific watersheds

funded through these grants are available in the *Water Quality Planning and Implementation* section of this report.

State General Revenue Grant Funding

Background

The 80th Texas Legislature appropriated \$3.1 million dollars in general revenue funds, for the FY2008-FY2009 biennium, to the TSSWCB for the purpose of planning, implementing, and managing programs and practices for preventing and abating agricultural and silvicultural NPS water pollution in impaired watersheds. The 81st Texas Legislature renewed this appropriation for the FY2010-FY2011 biennium. TSSWCB is committed to funding projects encompassing monitoring, assessment, modeling, planning, education and implementation that address the goals and objectives stated in the *Texas NPS Management Program*. On September 17, 2009, the Board approved a revised *TSSWCB Policy on TMDLs and Watershed Planning, Assessment, and Implementation Activities* which provides guidance to SRM staff on directing these state appropriations for the NPS Grant Program. The Policy is available at <http://www.tsswcb.state.tx.us/managementprogram#StateGR>.

FY2008 Grant Status

On July 19, 2007, the Board approved an operating budget for FY2008 that allocated \$1,200,494 in state appropriations to the NPS Grant Program. There are currently two ongoing projects associated with the Little Brazos River Tributaries Bacteria Assessment Project. Five projects have been completed.

FY2009 Grant Status

On July 17, 2008, the Board approved an operating budget for FY2009 that allocated \$1,296,426 in state appropriations to the NPS Grant Program. There are currently twelve ongoing projects that support implementation of agricultural NPS components of TMDL I-Plans, technical assistance for the development of WQMPs on agricultural lands, demonstration of innovative BMPs on animal feeding operations, and the collection and analysis

of water quality data for watersheds with impaired waterbodies. One project has been completed.

FY2010 Grant Status

On July 16, 2009, the Board approved an operating budget for FY2010 that allocated \$1,200,494 in state appropriations to the NPS Grant Program. There are currently two ongoing projects. SRM staff are in the process of finalizing workplans and budgets with collaborating entities for various projects.

Total Maximum Daily Load Program

Background

The CWA requires Texas to identify lakes, rivers, streams and estuaries failing to meet or not expected to meet water quality standards and not supporting their designated uses (swimming, drinking, aquatic life, etc.). This list of impaired waterbodies is known as the *Texas 303(d) List* and must be submitted to the EPA for review and approval every two years.

The State must then establish a Total Maximum Daily Load (TMDL) for certain waterbodies identified on the *Texas 303(d) List*. A TMDL defines the maximum amount of a pollutant that a waterbody can assimilate on a daily basis and still meet water quality standards. The pollution reduction goal set by the TMDL is necessary to restore attainment of the designated use of the impaired waterbody. The maximum amount of a pollutant is determined by conducting a detailed water quality assessment that provides the information for a TMDL to allocate pollutant loads between point sources and nonpoint sources. It also takes into account a margin of safety, which reflects uncertainty and future growth.

Based on the environmental target of the TMDL, an Implementation Plan (I-Plan) is then developed that prescribes the measures necessary to mitigate anthropogenic (human-caused) sources of that pollutant in that waterbody. The I-Plan specifies limits for point source dischargers and recommends BMPs for nonpoint sources. It also lays out a schedule for implementation. Together, the TMDL

and the I-Plan serve as the mechanism to reduce the pollutant, restore the full use of the waterbody and remove it from the *303(d) List*. EPA must approve the TMDL, but the I-Plan only requires State approval.

With authority as the lead agency in Texas for planning, implementing, and managing programs and practices for preventing and abating agricultural and silvicultural NPS water pollution, TSSWCB shares responsibility with the TCEQ for the development and implementation of TMDLs. TSSWCB is committed to funding and collaborating with TCEQ on TMDL projects encompassing monitoring, assessment, modeling, planning, education and implementation. More information on TMDLs is available at <http://www.tsswcb.state.tx.us/tmdl>.

The TSSWCB's efforts to restore water quality are channeled through TMDL and WPP development and implementation. Impaired waters may be addressed through either mechanism depending on the specific situation. Summaries of the TSSWCB's activities within specific watersheds are available in the *Water Quality Planning and Implementation* section of this report.

Watershed Protection Plan Program

Background

Watershed Protection Plans (WPPs) are locally-driven mechanisms for voluntarily addressing complex water quality problems that cross multiple jurisdictions. WPPs are coordinated frameworks for implementing prioritized and integrated water quality protection and restoration strategies driven by environmental objectives. Through the WPP process, TSSWCB encourages stakeholders to holistically address all of the sources and causes of impairments and threats to both surface and ground water resources within a watershed.

WPPs serve as tools to better leverage the resources of local governments, state and federal agencies, and non-governmental organizations. WPPs integrate activities and prioritize implementation projects based upon technical merit and benefits to

the community, promote a unified approach to seeking funding for implementation, and create a coordinated public communication and education program. Developed and implemented through diverse, well integrated partnerships, a WPP assures the long-term health of the watershed with solutions that are socially acceptable and economically viable which achieve environmental goals for water resources. Adaptive management is used to modify the WPP based on an on-going science-based process involving monitoring and evaluating strategies and incorporating new knowledge into decision-making.

TSSWCB-sponsored WPPs are consistent with guidelines promulgated by the EPA in 2003. These guidelines describe nine elements fundamental to a potentially successful plan. TSSWCB provides technical and financial assistance to local stakeholder groups to develop and implement WPPs to address significant agricultural or silvicultural NPS issues. While WPPs sponsored by TCEQ have significant water quality issues related to urban NPS pollution or wastewater treatment, most, to varying degrees, have agricultural or silvicultural NPS pollution components. There are several other watershed planning projects across the state which are funded and sponsored by entities and agencies other than TSSWCB or TCEQ. These third-party WPPs may or may not adequately satisfy EPA's nine elements. More information on WPPs is available at <http://www.tsswcb.state.tx.us/wpp>.

The TSSWCB's efforts to restore water quality are channeled through WPP and TMDL development and implementation. Impaired waters may be addressed through either mechanism depending on the specific situation. Summaries of the TSSWCB's activities within specific watersheds are available in the *Water Quality Planning and Implementation* section of this report.

Coastal NPS Pollution Control Program

Background

The Texas Coastal Management Program (CMP) was created to coordinate state, local, and federal programs for the management of Texas coastal

resources. The program brings in federal Coastal Zone Management Act (CZMA) funds to Texas to implement projects and program activities for a wide variety of purposes. The Texas General Land Office (GLO) is responsible for coordinating activities associated with the CMP. The Coastal Coordination Council (CCC), established by the Texas Legislature, administers the CMP; the TSSWCB is a statutorily-authorized member of the CCC.

The CCC is charged with adopting uniform goals and policies to guide decision-making by all entities regulating or managing natural resource use within the Texas coastal area. The CCC reviews significant actions taken or authorized by state agencies that may adversely affect coastal natural resources to determine consistency with CMP goals and policies. In addition, the CCC oversees the CMP Grants Program and the Small Business and Individual Permitting Assistance Program.

The federal Coastal Zone Act Reauthorization Amendments (CZARA) §6217, requires each State with an approved CMP to develop a federally approvable program to control coastal NPS pollution. The National Oceanic and Atmospheric Administration (NOAA) and the EPA jointly administer §6217 at the federal level. In Texas, the TSSWCB and the TCEQ hold primary responsibility for the development and implementation of the *Texas Coastal NPS Pollution Control Program*.

More information on the CMP is available at <http://www.glo.state.tx.us/coastal.html>.

Conditional Approval Status of Coastal NPS Program

Texas submitted the *Texas Coastal NPS Pollution Control Program* to EPA and NOAA in December 1998. In July 2003, NOAA and EPA issued conditional approval of the *Texas Coastal NPS Pollution Control Program*. The agricultural and silvicultural portions of the program were approved without conditions. Texas had five years to meet the remaining conditions to gain full approval. States

that fail to submit an adequate program (full approval) face penalties including loss of EPA and NOAA funds, including CWA §319(h) NPS grant monies.

In July 2008, the CCC again responded to the remaining conditional approval findings of NOAA and EPA. It was anticipated that this response would address the remaining conditions resulting in a fully approved program.

On May 29, 2009, GLO received e-mail comments from NOAA and EPA which stated, in part, that:

“NOAA and EPA find that enough progress has been made to lift only the hydromodification condition. For several urban management measures, Texas identifies planned activities to meet the conditions. While those activities may result in the measures being met in the future, NOAA and EPA must evaluate the actual activities, rather than a plan for future actions, in order to lift the conditions.”

TCEQ is finalizing a letter to NOAA and EPA that describes the State’s approach to addressing the conditional approval findings. TSSWCB, TCEQ, and GLO plan to meet with NOAA and EPA staff in the near future to discuss requirements for Texas to fully meet all conditions.

Coastal Coordination Council (CCC)

CCC meeting information is available at <http://www.glo.state.tx.us/coastal/cc.html>.

Sunset Review of CCC

The CCC is currently undergoing Sunset Review. The Sunset Advisory Commission has released the Staff Report on the CCC. Key Recommendations include:

- Continue the CCC for 12 years.
- Require the CCC to create a comprehensive, five-year Texas Coastal Plan, and provide annual updates to the Legislature on

progress toward meeting goals established in the Plan.

- Require the CCC to use goals developed through the Texas Coastal Plan to target its grant funding and evaluate the success of grant funds spent toward meeting the Plan's goals.
- Require the CCC to evaluate the need for the Permitting Assistance Group in its current form, and statutorily authorize the CCC to assign it additional duties and add members if needed.
- The CCC should establish standard types of data that networked agencies must include in their quarterly reports.

The Sunset Advisory Commission met on April 6, 2010 to hear public testimony on the CCC and the Staff Report. Based on public input and the Staff Report, the Commission will adopt recommendations for the 82nd Legislature to consider when it convenes in January 2011. The Sunset Advisory Commission has tentatively scheduled a May 25-26, 2010 meeting to deliberate and decide on its recommendations for the CCC.

More information, including the Sunset Advisory Commission Staff Report on the CCC and a schedule of public meetings, is available at <http://www.sunset.state.tx.us/>.

Coastal Management Program Grant Cycle 16

Application information for Grant Cycle 16 was distributed in April 2010. As in the previous grant cycles, the CCC expects to award approximately \$1.8 million for planning, acquisition, construction, education, and research projects in Grant Cycle 16. The deadline for pre-proposals is June 23, 2010. Submission of the pre-proposal is optional and is only necessary if written comments are desired. The full application is due October 13, 2010.

Further information on the CMP grant program is available at <http://www.glo.state.tx.us/coastal/grants/index.html>.

Section 309 Assessment and Strategies Review

Section 309 of the CZMA allocates funds to encourage states with federally approved CMPs to develop projects that will effect program enhancements in one or more of the following nine enhancement areas: wetlands, public access, coastal hazards, cumulative and secondary impacts, energy and government facility siting, marine debris, ocean resources, special area management plans, and aquaculture. As a condition of receiving grant funds under §309, Texas must submit a §309 Assessment and Strategies Report to NOAA every five years. The Report presents an analysis for each enhancement area, identifies needs, and outlines how the CMP plans to use §309 funds to address those needs over the next five years.

In 2006, the CCC drafted its third §309 Assessment and Strategies Report covering the time period of 2006-2010. In its 2006 Report, the Council identified four of the nine enhancement areas as being of high priority to the state. These included wetlands, public access, coastal hazards, and cumulative and secondary impacts. Energy and government facility siting and aquaculture were ranked as medium priorities and ocean resources, marine debris, and special area management plans were ranked as low priorities.

In November 2009, the CCC initiated its program review and assessment for the 2011-2015 report. The report and assessment is being developed by the Harte Research Institute for Gulf of Mexico Studies.

Information on the meeting times and locations, a copy of the draft report, and a link to provide online comments is available at <http://www.glo.state.tx.us/coastal/cmp/309/309grants.html>.

Coastal Resilience Symposium

On May 26, 2010, TSSWCB SRM staff [Brian Koch] attended the Coastal Resilience Symposium at Rice University in Houston. The symposium was

hosted by the Severe Storm Prediction, Education and Evacuation from Disasters Center (SSPEED) at Rice University. The SSPEED was funded by the Houston Endowment Fund to research how Hurricane Ike has impacted the region and what lessons may be learned from it, as a result, a team of academic experts from Texas and across the nation was assembled to research this. The research began in July 2009, and is expected to be completed in the summer of 2011. The symposium was composed of various experts on community and environmental planning. The topics ranged from Coastal Threats like storm surge, Risks and Vulnerabilities, such as infrastructure, the vulnerability of coastal communities, and emergency planning. In the afternoon session the topics were options to deal with storms and were broken into Structural and Non-structural options. Structural options like the Ike Dike and current structural ideas in Louisiana and Mississippi focused on levees and gate systems that are designed to handle storm surge. Non-structural options included mitigation strategies such as coastal wetlands, community planning, and exploring ideas from Louisiana and the Netherlands. The final speakers focused on public policy issues, including post disaster recovery and regional strategies.

Texas Groundwater Protection Committee

Background

Established by the Texas Legislature in 1989, the Texas Groundwater Protection Committee (TGPC) bridges the gap between State groundwater programs, improves coordination between member agencies and works to protect groundwater as a vital resource; the TSSWCB is a statutorily-authorized member of the TGPC.

The Texas Water Code sets non-degradation of the State's groundwater resources as the goal for all State programs and asserts that groundwater be kept reasonably free of contaminants that interfere with its present and potential uses. The TGPC implements the State's groundwater protection policy which:

- requires that pollution discharges, waste disposal and other regulated activities not harm public health or impair current or potential groundwater use,
- recognizes the variability between aquifers,
- acknowledges the importance of water quality,
- balances the protection of the environment and the long-term economic health of the state, and
- recognizes the use of the best professional judgment of the responsible state agencies to implement the policy.

The Texas Groundwater Protection Committee:

- Reports on its activities and recommends new protection programs to the Legislature.
- Publishes numerous reports.
- Advises the TCEQ on the development of agricultural chemical plans for groundwater.
- Develops, implements and updates a comprehensive *Texas Groundwater Protection Strategy* and an annual *Joint Groundwater Monitoring and Contamination Report*.

More information on the TGPC is available at <http://www.tgpc.state.tx.us/>.

Water Quality Coordination Activities

MOA Coordination with TCEQ

On September 27, 2006, at a joint meeting, the TSSWCB and the TCEQ approved a new *Memorandum of Agreement (MOA) on TMDLs, I-Plans, and WPPs*. This framework for collaboration between the two agencies describes the programmatic mechanisms employed to develop and implement TMDLs and WPPs. TSSWCB SRM staff continue to work with TCEQ staff to implement components of the MOA. The MOA is available at

<http://www.tsswcb.state.tx.us/tmdl#moa>.

Surface Water Quality Standards Revision

In the January 29, 2010 *Texas Register*, the TCEQ proposed for public comment revisions to 30 Texas Administrative Code Chapter 307, Texas Surface Water Quality Standards (Standards), and the *Procedures to Implement the Texas Surface Water Quality Standards, RG-194* (IPs).

These major revisions to the Standards include the establishment of numeric nutrient criteria for large reservoirs and modifications to contact recreation use and bacteria criteria. The IPs are an in-depth protocol that provides guidance and explanation of the general and technical procedures used by TCEQ in applying the Standards. This rulemaking provides for a periodic public review and revision of the State's Surface Water Quality Standards, as provided for in the Texas Water Code, §26.023, and as required by the federal CWA §303(c).

TCEQ adoption of the proposed Standards changes and approval of the IPs is not expected until July 2010. If adopted, the final rule will then be published in the *Texas Register* and become effective in August 2010. EPA must then take action to approve any changes to the Standards in accordance with the federal CWA.

More information on the Standards, including copies of the proposed rule and guidance, is available at http://www.tceq.state.tx.us/permitting/water_quality/stakeholders/2010standards.html.

Texas Integrated Report for CWA §§305(b) and 303(d)

The *Texas Integrated Report* (IR) summarizes the status of the State's surface waters, including concerns for public health, fitness for use by aquatic species and other wildlife, and specific pollutants and their possible sources, as required by CWA §305(b). The IR also identifies waterbodies not attaining water quality standards (i.e., impaired), as required by CWA §303(d).

On February 5, 2010, TCEQ staff released the draft *2010 Texas Integrated Report*, which constitutes the State's CWA §305(b) Assessment and §303(d) List of Impaired Waters, for public comment. The IR was published in 2008 as the *Texas Water Quality Inventory and 303(d) List*.

TCEQ will develop a response to public comment received and revise the IR as appropriate. TCEQ intends to submit the final 2010 IR to EPA in June 2010.

More information on the *Texas Integrated Report*, including the 305(b) Assessment and 303(d) List, is available at

http://www.tceq.state.tx.us/compliance/monitoring/water/quality/data/wqm/305_303.html.

Recreational Use Attainability Analyses

In light of the pending revisions to the Surface Water Quality Standards, TCEQ has developed procedures for conducting Recreational Use Attainability Analyses (RUAAs); previously there were no RUAAs in Texas. In order to change the presumed level of recreation use of a waterbody and the associated bacteria criterion, an RUAAs would need to be completed and approved by TCEQ and subsequently EPA. The May 2009 TCEQ *Procedures for a Comprehensive RUAAs and a Basic RUAAs Survey* is available at http://www.tceq.state.tx.us/permitting/water_quality/stakeholders/swqsawg_handouts.html#proc.

The purpose of an RUAAs is to ascertain the actual recreation occurring on a waterbody, establish or verify a presumed use, and, if necessary, assign a more appropriate use. During an RUAAs information is collected on water recreation activities, stream flow type, and stream depth; additionally, interviews from users who are present during surveys and those familiar with the waterbody may be conducted and a review of historical information may be completed. If the results of the RUAAs indicate that a different, more appropriate use is warranted, the resulting change in the associated bacteria criterion may result in the waterbody no longer being identified on the *303(d)*

List as impaired, thus negating the need to adopt a TMDL.

TCEQ, and their contractors, are in the process of conducting RUAs on over 110 waterbodies across the state. Prior to conducting the surveys, TCEQ contractors contacted local stakeholders seeking input on each project's monitoring plan. Specifically, contractors ask for input on potential sites near stream crossings to perform evaluations, and ask landowners to provide access to evaluate those stretches of the river that are not readily accessible to the public. TCEQ contractors were asked to coordinate communication with SWCDs through TSSWCB. Some of these RUAs will be conducted in spring and summer 2010. After the RUAs are conducted, TCEQ will evaluate the information and again consult with stakeholders regarding potential site-specific revisions to the surface water quality standards for each waterbody.

Because proposed changes to the surface water quality standards affecting recreation use and bacteria criteria must first be approved by TCEQ, and this is not expected until July 2010, and subsequently EPA, any changes to specific waterbodies as a result of these RUAs will not likely be reflected until the 2014 303(d) List is published.

Summaries of other RUA activities on waterbodies where TMDLs and/or WPPs are also on-going are available in the *Water Quality Planning and Implementation* section of this report.

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/94-neneasttexrua.html>. These RUAs affect livestock operations in scores of watersheds across the state.

Texas Clean Rivers Program

The Texas Clean Rivers Program (CRP) is a state fee-funded program for water quality monitoring, assessment, and public outreach administered by the TCEQ. CRP is a collaboration of 15 partner agencies who conduct water quality monitoring and

assessments in the 23 river and coastal basins in Texas.

Each river or coastal basin is assigned to one of the designated CRP partner agencies. Each CRP partner agency has an established steering committee to set monitoring and assessment priorities within its basin. These committees bring together the diverse interests in each basin and are designed to allow local concerns to be addressed through regional solutions.

The Texas Water Code requires the TCEQ and CRP partner agencies to coordinate monitoring and assessment activities with local SWCDs through the TSSWCB. Basin steering committee meetings are being scheduled and will be held throughout the state between March-May 2010. SWCDs should look for notices of these meetings as they are scheduled and make plans to attend.

The data generated by CRP partner agencies is used to identify significant long-term water quality trends and characterize water quality conditions. Each CRP partner agency develops and publishes an annual *Basin Highlights Report* and a five-year *Basin Summary Report*. The TCEQ also uses CRP-generated data in the biennial assessment conducted for the *Texas Water Quality Inventory and 303(d) List*.

More information is available at <http://www.tceq.state.tx.us/nav/eq/texcleanriver.html>.

On June 17, 2010, the Upper Colorado River Authority hosted a CRP Upper Basin Steering Committee meeting in San Angelo. More information is available at <http://www.ucratx.org/>.

On June 22, 2010, TSSWCB SRM staff [Brian Koch] attended a steering committee meeting for the Lower Colorado River Authority Clean Rivers Program in Matagorda. This meeting focused on the Lower Basin of the Colorado River and presentations and updates focused on activities in the area. TCEQ reported on the Mid Texas Coast Bacteria study, looking at the impaired oyster

waters from San Antonio Bay to East Matagorda Bay. Also, TCEQ reported on the Caney Creek RUAA, over 90 people were contacted and over 50 responded. There were many users of the stream, including swimming, wading, canoeing, fishing and hunting, also the contractors have witnessed contact recreation in the stream. The next meeting will be in the fall or winter of 2010. More information is available at <http://www.lcra.org/>.

Galveston Bay Estuary Program

Galveston Bay is an estuary of national importance and, through the federal CWA §320, is included in the National Estuary Program administered by the EPA. The Galveston Bay Council is the stakeholder advisory group that coordinates the implementation of the *Galveston Bay Plan*, which is a Comprehensive Conservation and Management Plan developed under the auspices of the National Estuary Program. The TSSWCB is a named member of the Galveston Bay Council.

More information is available at <http://www.gbep.state.tx.us/>. The implementation of the *Galveston Bay Plan* affects agricultural and silvicultural operations in watersheds that drain to Galveston Bay in Brazoria, Chambers, Galveston, Harris and Liberty Counties.

San Antonio Bay Estuary Program

On June 4, 2010 TSSWCB SRM staff [Brian Koch] attended meetings for the San Antonio Bay Partnership subcommittee meetings, Science and Technical and Funding, and a Steering Committee meeting. The Science and Technical subcommittee met first and discussed the role of the group. Discussion focused on data compilation, and the group listed the type of data that would be beneficial to the partnership. The types of data would include: fisheries, SWQM, colonial water birds, migratory birds, wetland inventories/trends, land use/land cover, freshwater inflows, gain loss studies, oysters, changes in bay circulation-natural and man made, bay access, contact recreation, commercial boat traffic, navigation hazards, harmful algal blooms and invasive/exotic species.

Included in this discussion was where to obtain the data.

The Funding Subcommittee met to discuss the role of the subcommittee and to identify funding opportunities for the partnership. The group explored and discussed the many funding options to pursue, including federal grants and private foundations. Federal grants discussed were Coastal Management Program, Coastal Impact Assistance Program, and Clean Water Act funding. Also, there were many private foundations mentioned with funding available to pursue. Currently, the partnership is looking into funding to continue the work that has been started.

The steering committee met the afternoon after both workgroup meetings. An update on the work performed since the May 4 steering committee, which has involved data gathering and information compilation. Also, work continues on the partnership website www.sabaypartnership.org and it is trying to be made into a one stop for information on San Antonio Bay. Reports on the subcommittees were given, the Goals and Governance subcommittee has drafted a Purpose and Goals statement for the partnership that outlines a role for the partnership. The Funding and Science/Technical Subcommittees met earlier in the day and their updates were provided. The arrangements and agenda for the General Stakeholder meeting were discussed among the group, including presentations on San Antonio Bay, Oil Spill contingency plans for the middle Texas Coast and opportunity for the public to ask questions and provide comments on the process. The stakeholder meeting will be held June 24, 2010 at the UH-Victoria campus in Victoria.

Fertilizer Stakeholder Group

On June 8, 2010, TSSWCB SRM staff [Brian Koch] participated in a Fertilizer Stakeholders Group meeting in Houston. Discussion focused on current education being provided by different groups. Currently, Harris County has a public education outreach program in place that targets homeowners with messages about keeping yard trimmings out of

the gutters and following fertilizer label directions. Also, it was suggested that soil testing be a part of any education campaign.

Development and Implementation of an Environmental Training Program for Manure and Compost Haulers/Applicators in the Texas High Plains

On June 16, 2010, TSSWCB SRM staff [Mitch Conine, and Aaron Wendt] and TSSWCB Field Representative [Bob Gruner] attended a project advisory group meeting at the Texas AgriLife Research and Extension Center in Amarillo. The purpose of the project is to facilitate the development and implementation of education, training and demonstration program to improve the understanding of environmental protection principles by manure/compost haulers, equipment operators, certified crop advisors and crop producers across the Texas panhandle. The meeting provided a way to present the project goals and tasks to the advisory group. Project personnel discussed potential sites for the demonstration portion of the project and asked for assistance in locating additional potential sites. Review of the draft environmental knowledge assessment was discussed as well the project advisory group. The next advisory group meeting is tentatively scheduled for early January 2011.

More information is available at <http://www.tsswcb.state.tx.us/en/managementprogram/TCFAEDU>. The project has an impact on the entire Texas panhandle.

Watershed Coordination Steering Committee

On June 3, 2010 TSSWCB SRM staff [Brian Koch] hosted a quarterly Southeast and South Central Texas Watershed Coordination Steering Committee Meeting. Brian Koch started the meeting with an update of involvement activities across the TSSWCB Wharton Regional Office service area. Activities included a review of the FY2010 CWA §319 grant proposals, WPP updates from Plum Creek, Geronimo Creek, Bastrop Bayou, and San

Bernard River, TMDL I-plan updates from the BIG and Adams and Cow Bayous, and coordination activities with estuary programs and Clean Rivers Programs.

HGAC presented information on their Eco-Logical project, which is a transportation project for HGACs 8 county area currently under their transportation plan, to preserve high priority environmental areas and prevent them from being fragmented. HGAC worked with many partners to help identify these critical areas to create a regional transportation support system by incorporating a transportation plan into an environmental plan and create a tool for conservation groups. The ecotypes that were being looked at were coastal prairie, tidal marsh, bottomland and upland forests, water bodies, and local icons. The tool was developed using GIS and population predictions, current land use and predicted future land use, and predicted ecotype changes due to anticipated growth. HGAC then provided a run-through on the Eco-logical website for the group.

James Dodson with GroundSwell Enterprises provided the group an overview of the San Antonio Bay Partnership and its progress to date so far. Funding from the Coastal Bend Bays and Estuaries Program was provided to explore the possibility of an estuary program for the San Antonio Bay system, which drains the Guadalupe and San Antonio River Basins, the San Antonio River Authority has provided additional funding to continue the ongoing work. A meeting was held in Victoria on January 12, 2010 to gauge the public's response to propose a voluntary, stakeholder driven management program for the San Antonio Bay Estuary, and those in attendance overwhelmingly were in favor of moving forward with the process. As a result, a steering committee was formed to carry forward with the task.

The steering committee has been meeting since March 2010, and is developing strategies to find funding, mapping out direction by using ongoing watershed planning approaches (WPPs, Instream Flows, Freshwater Inflows, etc...) and focusing on identifying stakeholders. There will be a public

meeting on June 24, 2010 in Victoria focusing on the progress of the partnership and asking the public to move forward.

Upcoming Public Meetings

- July 14, 2010 – TGPC Agricultural Chemicals Subcommittee (Austin)
- July 14, 2010 – TGPC Meeting (Austin)
- July 23, 2010 – San Antonio Bay Partnership Science and Technical Subcommittee (Victoria)
- July 26, 2010 – *Key EPA Internet Tools for Watershed Planning Course* (Dallas)
- July 27, 2010 – Texas Watershed Coordinator Roundtable (Dallas)
- July 28, 2010 – Galveston Bay Council (Houston)
- September 2, 2010- Watershed Coordination Steering Committee (Columbus)

WATER QUALITY PLANNING AND IMPLEMENTATION

The TSSWCB applies the Watershed Approach to managing NPS pollution by channeling its efforts to restore and protect water quality through the development and implementation of WPPs and TMDLs. A list of watersheds including links to ongoing restoration projects within those watersheds is available at

<http://www.tsswcb.state.tx.us/watersheds>; more detailed information on all watersheds described below is available at this website.

Adams and Cow Bayous

Impairment: Bacteria, Dissolved Oxygen, pH
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/37-orangecounty.html>. These TMDLs have limited affect on livestock and forestry operations in the Adams and Cow Bayous watershed in Orange, Jasper and Newton Counties.

Aquilla Reservoir

Impairment: Atrazine
Mechanism: TMDL, I-Plan
Lead: TSSWCB

More information is available at <http://www.tsswcb.state.tx.us/watersheds#aquillareservoir>. This TMDL and I-Plan affect farming operations in the Aquilla Reservoir watershed in Hill and Johnson Counties.

Arroyo Colorado

Impairment: Bacteria, Dissolved Oxygen
Concerns: Nutrients, Sediment
Mechanism: WPP, TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.arroyocolorado.org/>. This WPP affects farming operations in the Arroyo Colorado watershed in Cameron, Hidalgo and Willacy Counties.

Atascosa River

Impairment: Bacteria, Dissolved Oxygen
Mechanism: UAA
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/31-atascosa.html>. This project affects livestock operations in the Atascosa River watershed in Atascosa, Bexar, Frio, Karnes, Live Oak, McMullen, Medina and Wilson Counties.

Attoyac Bayou

Impairment: Bacteria
Concern: Nutrients
Mechanism: WPP
Lead: TSSWCB

More information is available at <http://attoyac.tamu.edu/>. This WPP will affect livestock, farming, and silvicultural operations in the Attoyac Bayou watershed in Nacogdoches, Rusk, San Augustine, and Shelby Counties.

Bastrop Bayou

Concern: Bacteria
Mechanism: WPP
Lead: TCEQ

More information is available at <http://www.bastropbayou.org/>. This WPP has the potential to affect livestock and farming operations in the Bastrop Bayou watershed in Brazoria County.

Big Cypress Creek

Concern: Bacteria
Mechanism: Assessment
Lead: TSSWCB

More information is available at <http://www.tsswcb.state.tx.us/watersheds#bigcypresscreek>. This project will affect poultry and livestock operations in the Big Cypress Creek watershed (including tributaries Hart and Tankersley Creeks) in Titus, Camp, Upshur and Morris Counties.

Brady Creek

Impairment: Dissolved Oxygen
Mechanism: WPP
Lead: TCEQ

More information is available at <http://www.ucratx.org/NPSBrady.html>. This project has the potential to affect agricultural operations in the Brady Creek watershed in McCulloch, Concho, San Saba and Menard Counties.

Buck Creek

Impairment: Bacteria
Mechanism: WPP
Lead: TSSWCB

More information is available at <http://twri.tamu.edu/buckcreek/>. This WPP will affect livestock and farming operations in the Buck Creek watershed in Donley, Collingsworth, and Childress Counties.

Buffalo and Whiteoak Bayous

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

The Bacteria Implementation Group (BIG) is focused on implementing bacteria TMDLs in the greater Houston area, including Buffalo and Whiteoak Bayous. The BIG is responsible for receiving input, establishing workgroups, facilitating communications, developing recommendations, and providing oversight in the development of the I-Plan designed to achieve the load reductions called for in these TMDLs. Current activities of the BIG are detailed in the *Lake Houston* section of this report.

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/22-buffalobayou.html>. This TMDL will have limited affect on livestock operations in the Buffalo and Whiteoak Bayous watershed in Harris, Fort Bend and Waller Counties.

Caddo Lake

Impairment: Dissolved Oxygen, pH
Mechanism: WPP
Lead: TCEQ

More information is available at http://www.netmwd.com/Caddo%20Lake%20Protection%20Plan/Caddo_index.html. This WPP has the potential to affect poultry, forestry and other agricultural operations in the Caddo Lake watershed in Upshur, Camp, Titus, Morris, Cass, Harrison, Marion, Wood, Gregg, Franklin, and Hopkins Counties.

Carters and Burton Creeks

Impairment: Bacteria
Mechanism: TMDL
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/85-carterscreek.html>. This TMDL will affect livestock operations in the Carters Creek watershed in Brazos County.

Cedar Creek Reservoir

Impairment: pH
Concerns: Nutrients
Mechanism: WPP
Lead: Third party

More information is available at <http://nctx-water.tamu.edu/>. This WPP will affect agricultural operations in the Cedar Creek watershed in Henderson, Kaufman, Rockwall and Van Zandt Counties.

Clear Creek

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

The Bacteria Implementation Group (BIG) is focused on implementing bacteria TMDLs in the greater Houston area, including Clear Creek. The BIG is responsible for receiving input, establishing workgroups, facilitating communications, developing recommendations, and providing oversight in the development of the I-Plan designed to achieve the load reductions called for in these TMDLs. Current activities of the BIG are detailed in the *Lake Houston* section of this report.

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/68-clearcreekbacteria.html>. This TMDL has limited affect on livestock operations in the Clear Creek watershed in Galveston, Harris, Brazoria and Fort Bend Counties.

Concho River

Impairment: Bacteria, Dissolved Oxygen, Macrobenthic Community
Mechanism: WPP
Lead: TSSWCB

More information is available at http://www.ucratx.org/CRiverRest_UCRA.html. This WPP affects farming and livestock operations in the Concho River watershed in Coke, Concho, Crockett, Glasscock, Howard, Irion, Menard,

Midland, Reagan, Runnels, Schleicher, Sterling, Tom Green, and Upton Counties.

Copano Bay and Mission and Aransas Rivers

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/42-copano.html>. This TMDL will affect livestock operations in the Copano Bay and Mission and Aransas Rivers watershed in Bee, Goliad, Refugio, Karnes, Aransas and San Patricio Counties.

Cypress Creek

Concerns: Dissolved Oxygen, Bacteria
Mechanism: WPP
Lead: TCEQ

More information is available at <http://www.cypresscreekproject.org/>. This WPP has the potential to affect livestock and farming operations in the Cypress Creek watershed in Hays County.

Dickinson Bayou

Impairment: Bacteria, Dissolved Oxygen
Mechanism: WPP, TMDL, I-Plan, UAA
Lead: TCEQ

This WPP is proceeding in tandem with the ongoing TMDLs for bacteria and dissolved oxygen. More information on the TMDL is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/17-dickinson.html>.

More information on the WPP is available at <http://www.dickinsonbayou.org/>. Both the WPP and the TMDLs have the potential to affect farming and ranching operations in the Dickinson Bayou watershed in Galveston and Brazoria Counties.

Eagle Mountain Reservoir

Impairment: Bacteria
Concerns: Nutrients
Mechanism: WPP, UAA
Lead: Third party

More information on the WPP is available at <http://nctx-water.tamu.edu/>. This WPP has the potential to affect agricultural operations in the Eagle Mountain Reservoir watershed in Clay, Jack, Montague, Parker, Tarrant and Wise Counties.

Elm and Sandies Creeks

Impairment: Bacteria, Dissolved Oxygen
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/31-elmsandies.html>. This TMDL will affect livestock operations in the Elm and Sandies Creeks watershed in Gonzales, DeWitt, Karnes, Wilson and Guadalupe Counties.

Galveston Bay

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/74-uppercoastoyster.html>. This TMDL has limited affect on livestock operations around the Galveston Bay complex in Chambers, Harris, Galveston and Brazoria Counties.

Geronimo Creek

Impairment: Bacteria
Mechanism: WPP
Lead: TSSWCB

On June 7, 2010 TSSWCB SRM staff [Brian Koch and Loren Henley] attended a Geronimo and Alligator Creeks Wastewater Workgroup Meeting at the Navarro High School Library in Seguin. A presentation was given by Texas AgriLife Extension on their educational program regarding On-Site Sewage Facilities. Overviews were given

by the City of New Braunfels and Seguin on their Sanitary Sewer Overflow Initiative. A discussion was lead on education and outreach activities that would best suit this workgroup.

On June 8, 2010 TSSWCB SRM staff [Brian Koch and Loren Henley] attended a Geronimo and Alligator Creeks Urban and Agricultural workgroup meetings in Seguin. At the Urban workgroup presentations and handouts were given on many education and outreach efforts across the watershed that includes the spay and neuter program, Seguin and New Braunfels development and pet ordinances. A presentation was given by TCEQ explaining their Nonpoint Source Program and the funding they receive from U.S. EPA. In the Agricultural workgroup an overview was given on the TSSWCB WQMP program and USDA NRCS EQIP program. Also, Feral Hog Publications describing the many management measures on how to trap feral hogs as well as tracking in them in a database was presented to the group.

More information is available at <http://www.tsswcb.state.tx.us/watersheds#geronimocreek>. This WPP has the potential to affect ranching and farming operations in the Geronimo Creek watershed in Guadalupe and Comal Counties.

Gilleland Creek

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/69-gillelandcreekbacteria.html>. This TMDL has limited affect on livestock operations in the Gilleland Creek watershed in Travis County.

Lake Granbury

Concern: Bacteria
Mechanism: WPP
Lead: TCEQ

More information is available at <http://www.brazos.org/gbWPP.asp> or <http://lakegranbury.tamu.edu/>. This WPP has the

potential to affect agricultural operations around Lake Granbury in Hood and Parker Counties.

Lake Granger

Impairment: Bacteria
Concern: Sediment
Mechanism: WPP
Lead: TSSWCB

More information is available at <http://www.tsswcb.state.tx.us/watersheds#lakegranger>. This WPP will affect farming and livestock operations in the Lake Granger watershed in Williamson and Burnet Counties.

Hickory Creek

Concern: Nutrients, Sediment
Mechanism: WPP
Lead: TCEQ

More information is available at <http://www.cityofdenton.com/pages/mygoenvirontmentalwater319grant.cfm>. This WPP has the potential to affect farming and livestock operations in the Hickory Creek watershed in Denton County.

Lake Houston

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

The Bacteria Implementation Group (BIG) is focused on implementing bacteria TMDLs in the greater Houston area, including Lake Houston, Buffalo and Whiteoak Bayous, Clear Creek and others. The BIG is responsible for receiving input, establishing workgroups, facilitating communications, developing recommendations, and providing oversight in the development of the I-Plan designed to achieve the load reductions called for in these TMDLs.

On June 16, 2010 SRM staff [Brian Koch] attended an Ag/Animal Sources workgroup meeting for the BIG in Houston. This meeting was held for the workgroup to approve the Ag/Animal source section of the I-plan. Most of these measures will be focused on implementing Agricultural BMPs,

mainly through the TSSWCB WQMP program and USDA NRCS EQIP programs and SWCDs, with outreach and education for ag BMPs handled by AgriLife Extension and HGAC. Feral Hog implementation will consist of workshops targeted to landowners and city and county officials, these workshops will consist of information on managing feral hog populations, rules and regulations regarding feral hogs, and biology and life history. After some minor changes in language in the draft documents, the group approved the section of the I-plan. The next BIG meeting is scheduled for September 21, 2010.

More information on the greater Houston area Bacteria Implementation Group (BIG) is available at <http://www.h-gac.com/community/water/tmdl/BIG/default.aspx>. More information on the Lake Houston TMDLs is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/82-lakehouston.html>. These TMDLs have the potential to affect livestock operations in the Lake Houston watershed in Grimes, Harris, Liberty, Montgomery, San Jacinto, Walker and Waller Counties.

Lake O' the Pines

Impairment: Dissolved Oxygen
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/19-lakeopines.html>. This TMDL and I- Plan affect poultry, dairy and forestry operations in the Lake O' the Pines watershed in Upshur, Camp, Titus, Morris, Cass, Harrison and Marion Counties.

Lampasas River

Impairment: Bacteria, Dissolved Oxygen
Mechanism: WPP
Lead: TSSWCB

On June 18, 2010, TSSWCB SRM staff [Pamela Casebolt] attended the Lampasas River Watershed Partnership Urban/Suburban Issues and Wastewater Infrastructure Joint Work Group meeting in Killeen.

At the April work group meetings, the two work groups requested to be joined together. The joint work group will now be called “Urban Nonpoint Source.” Preliminary data results from the SELECT model were presented. Urban influences modeled in SELECT included OSSFs, dogs, and WWTFs. The work group was agreeable to the model results. There was an in depth discussion on the need for more education regarding OSSFs as homeowners are transitioning from the city to rural areas and installation of appropriate OSSFs for the household and family size.

On June 21, 2010, TSSWCB SRM staff [Pamela Casebolt] attended the Lampasas River Watershed Partnership Agricultural Issues and Habitat and Wildlife Joint Work Group meeting in Lampasas. At the April work group meetings, the two work groups requested to be joined together. The joint work group will now be called “Agriculture and Wildlife.” Preliminary data results from the SELECT model were presented. Work group members requested to use horse numbers from each county versus a watershed average to account for the higher horse population in the lower portion of the watershed. Deer population estimates were presented for all wildlife management associations in the watershed. Data from the WMAs will be used and in areas where a WMA did not exist, the work group agreed on 100 deer per 1,000 acres. Work group members agreed on the SELECT results for feral hogs, cattle, goats, and sheep. Discussion also centered on additional monitoring and bacterial source tracking as well as an opportunity to host a NRCS Riparian Function workshop.

On June 21, 2010, TSSWCB SRM staff [Pamela Casebolt] attended the Lampasas River Watershed Partnership Outreach and Education Work Group meeting in Lampasas. Discussion focused on the development of a partnership logo, other outreach and education efforts in WPPs across Texas, and targeting potential audiences and events. The work group decided to have a contest to develop a partnership logo. The logo should be representative of the watershed as a whole and include elements such as water, wildlife, and vegetation. The solicitation for art should be promoted through area

art guilds, local newspapers, and camps. Work group members also identified target audiences which include, but are not limited to, school-aged children, wildlife management associations, state youth camps, homebuilders, homeowner associations. Additional community events were added to a list developed at the April work group meeting..

More information is available at <http://www.lampasasriver.org/>. This WPP will affect livestock operations in the Lampasas River watershed in Bell, Burnet, Hamilton, Lampasas and Mills Counties.

Leon River

Impairment: Bacteria, Dissolved Oxygen
Mechanism: WPP, TMDL, I-Plan, UAA
Lead: TCEQ (TMDL, UAA), TSSWCB (WPP)

More information on the postponed bacteria TMDL is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/34-leonbacteria.html>. More information on the WPP is available at <http://www.brazos.org/LeonRiverWPP.asp>. Both the WPP and the TMDL will affect livestock operations in the Leon River watershed in Comanche, Coryell, Mills, Erath and Hamilton Counties.

Little Brazos River Tributaries

Impairment: Bacteria
Mechanism: Assessment
Lead: TSSWCB

More information is available at <http://www.tsswcb.state.tx.us/watersheds#littlebrazosriver>. This project will affect livestock and poultry operations in the Walnut, Pin Oak, Campbells, Mud and Spring Creek watersheds in Robertson County.

Lower San Antonio River

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/34-lowersanantoniobac.html>. This TMDL affects livestock operations in the Lower San Antonio River watershed in Karnes, Goliad, Refugio, DeWitt, Wilson, Victoria, and Guadalupe Counties.

North Bosque River

Impairment: Nutrients, Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/06-bosque.html>. This TMDL affects dairy operations in the North Bosque River watershed in Bosque, Erath, Somervell, Hamilton, Coryell and McLennan Counties.

Onion Creek

Impairment: None
Mechanism: WPP
Lead: Third party

More information is available at <http://www.waterqualityplan.org/>. This WPP affects agricultural operations in the Onion Creek watershed in Hays and Travis Counties.

Oso Bay and Oso Creek

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/67-osobaybacteria.html>. This TMDL may affect livestock and farming operations in the Oso Bay/Creek watershed in Nueces County.

Peach Creek

Impairment: Bacteria
Mechanism: TMDL, I-Plan
Lead: TCEQ

More information is available at http://www.tceq.state.tx.us/implementation/water/tmdl/34-peachcreek_group.html. This TMDL will affect livestock operations in the Peach Creek watershed in Gonzales, Bastrop, Fayette and Caldwell Counties.

Pecos River

Impairment: Dissolved Oxygen
Concern: Salinity
Mechanism: WPP
Lead: TSSWCB

More information is available at <http://pecosbasin.tamu.edu/>. This WPP affects agricultural operations in the Pecos River watershed in Andrews, Brewster, Crane, Crockett, Culberson, Ector, Jeff Davis, Loving, Pecos, Presidio, Reagan, Reeves, Terrell, Upton, Val Verde, Ward and Winkler Counties.

Plum Creek

Impairment: Bacteria
Concerns: Nutrients
Mechanism: WPP
Lead: TSSWCB

More information is available at <http://plumcreek.tamu.edu/>. This WPP affects livestock and farming operations in the Plum Creek watershed in Caldwell and Hays Counties.

Red River above Lake Texoma

Impairment: Bacteria
Mechanism: Assessment
Lead: Third party

More information is available at <http://www.rivers.txstate.edu/projects/rivers/Red-River.html>. This project affects livestock operations in portions of the Red River Basin in numerous counties.

Rio Grande below Falcon Reservoir

Impairment: Bacteria

Mechanism: WPP

Lead: TCEQ

This project has the potential to affect livestock operations in Starr, Jim Hogg and Hidalgo Counties.

San Bernard River

Impairment: Bacteria

Mechanism: WPP, UAA

Lead: TCEQ

More information is available at <http://www.h-gac.com/go/sanbernard> and <http://www.sanbernardriver.com/>. This WPP has the potential to affect farming and livestock operations in the San Bernard River watershed in Austin, Brazoria, Colorado, Fort Bend and Wharton Counties.

Lake Somerville

Impairment: pH, Dissolved Oxygen

Mechanism: Assessment

Lead: TCEQ

This project has the potential to affect farming and livestock operations in the Lake Somerville watershed in Bastrop, Burlison, Lee, Milam, Washington, and Williamson Counties.

South Llano River

Impairment: None

Mechanism: Assessment and Planning

Lead: Third party

More information is available at <http://southllano.org>. This project has the potential to affect farming and livestock operations in the South Llano River watershed in Edwards, Kerr, Kimble, Real and Sutton Counties.

E.V. Spence Reservoir

Impairment: Salinity

Mechanism: TMDL, I-Plan

Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/04-spence.html>. This TMDL and I-Plan affect agricultural operations in the E.V. Spence Reservoir watershed in Borden, Coke, Howard, Mitchell, Nolan, Scurry, and Sterling Counties.

Upper Cibolo Creek

Impairment: Bacteria

Concern: Dissolved Oxygen, Nutrients

Mechanism: WPP

Lead: TCEQ

More information is available at <http://www.ci.boerne.tx.us/>. This WPP has the potential to affect livestock operations in the Upper Cibolo Creek watershed in Kendall County.

Upper Guadalupe River

Impairment: Bacteria

Mechanism: TMDL, I-Plan

Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/65-guadalupeabovecanyon.html>. This TMDL affects livestock operations in the Upper Guadalupe River watershed in Kerr County.

Upper Oyster Creek

Impairment: Bacteria, Dissolved Oxygen

Mechanism: TMDL, I-Plan, UAA

Lead: TCEQ

More information is available at <http://www.tceq.state.tx.us/implementation/water/tmdl/25-oystercreek.html>. These TMDLs will have limited affect on farming and livestock operations in the Upper Oyster Creek watershed in Fort Bend County.

Water Supply Enhancement Program Status Report

Background:

Administered by the TSSWCB, the goal of the program is to enhance the state's quantity of water resources through selective control of brush species. The 81st Legislature continued funding for the Water Supply Enhancement Program by providing \$4,503,641.00 in General Revenue Funds in FY10. These funds were directed to be used for continuation of brush control projects designated by the State Soil and Water Conservation Board. Since the beginning of the Water supply Enhancement program in 1999 there has been 766,529 acres of brush treated in various watersheds throughout the State.

Program Activities

TSSWCB provided the following SWCDs with Water Supply Enhancement Program Updates, Water Supply Enhancement Program Certification, and /or Contracts:

Area 1 District

Donley County SWCD

Area 2 Districts

Middle Concho SWCD

Eldorado-Divide SWCD

Tom Green SWCD

Pedernales SWCD

Gillespie County SWCD

Kerr County SWCD

Kendall SWCD

Area 3 Districts

McMullen County SWCD

LaSalle County SWCD

Caldwell-Travis SWCD

Comal-Guadalupe SWCD

Webb County SWCD

Frio SWCD

Area 5 Districts

Archer County SWCD

Lower Clear Fork of the Brazos SWCD

Pecan Bayou SWCD

Bosque SWCD

Little Wichita SWCD

Currently the Water Supply Enhancement Program is administrating 17 projects throughout the State. Listed below are the projects in their respective areas and the projects contact person.

- Canadian River Project- Rod Goodwin
Canadian River Municipal Water Authority
- Greenbelt Reservoir- Bob Gruner
- Twin Buttes- Tuffy Wood
- O.C. Fisher reservoir Project- Tuffy Wood
- Lake Ivie (Main Concho)- Johnny Oswald
- Pedernales Project- Melissa Grote
- Guadalupe River Project- Melissa Grote
- Edwards Aquifer Project (Bandera County)-
Melissa Grote
- Fort Phantom Hill- Cody York
- Nueces River Project- Adrian Perez
- Frio River Watershed – Adrian Perez
- Lower Guadalupe River – Kendria Ray
- Carrizo-Wilcox Aquifer- Kendria Ray
- Palo Pinto- Cody York
- Bosque Project- Cody York
- Little Wichita River (Archer and Clay
Counties)- Cody York
- Lake Brownwood Project- Cody York

Evaluating Watersheds are based on the following criteria as per Chapter 203.053:

In ranking areas under the plan, the board shall consider:

- (1) the location of various brush infestations;
- (2) the type and severity of brush infestations;
- (3) the various management methods that may be used to control brush;
- (4) the amount of water produced by a project and the severity of water shortage in the project area; and any other criteria that the board considers relevant to assure that the brush control program can be most effectively, efficiently, and economically implemented

Evaluating Limits on Cost Share Participation as per Chapter 203.154

- (a) Not more than 70 percent of the total cost of a single brush control project may be made available as the state's share in cost sharing.
- (b) A person is not eligible to participate in the state brush control program or to receive money from the state brush control program if the person is simultaneously receiving any cost-share money for brush control on the same acreage from a federal government program.
- (c) The board may grant an exception to Subsection (b) if the board finds that joint participation of the state brush control program and any federal brush control program will:
 - (1) enhance the efficiency and effectiveness of a project;
 - (2) lessen the state's financial commitment to the project; and
 - (3) not exceed 80 percent of the total cost of the project.
- (d) A political subdivision is eligible for cost sharing under the brush control program, provided that the state's share may not exceed 50 percent of the total cost of a single project.
- (e) Notwithstanding any other provision of this Section, 100 percent of the total cost of a single project on public lands may be made available as the state's share in cost sharing.

Staff Activities

- Evaluate all current projects
- Assisted landowners in Twin Buttes, Pedernales, Pecan Bayou, Lake Arrowhead, Lake Kickapoo, Bosque River with Brush Certifications
- Assisted landowners in Twin Buttes, Pedernales, Pecan Bayou, Lake Arrowhead, Lake Kickapoo, Bosque River with Brush Contracts
- Assisted Gonzales County SWCD with Water Enhancement Project on the Carrizo Wilcox Aquifer
- Assist Texas Sunset Advisory Commission on Water Enhancement Program

- Assisted UCRA with the Twin Buttes lake basin project
- Exit conference with Texas Sunset Advisory Commission
- Prepare formal responses to the Texas Sunset Advisory Commission
- Assist Lower Guadalupe River project with contracts

For more information on the Water Supply Enhancement Program contact the Water Supply Enhancement office at (325) 481-0335.

FLOOD CONTROL DAM PROGRAMS

Background

Nearly 2,000 floodwater retarding structures, or dams, have been built over the last 60 years within the State of Texas. The primary purpose of the structures is to protect lives and property by reducing the velocity of floodwaters, and thereby releasing flows at a safer rate. These are earthen dams that exist on private property, and were designed and constructed by the United States Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS). They were built with the understanding that the private property owner would provide the land, the federal government would provide the technical design expertise and the funding to construct them, and then units of local government would be responsible for maintaining them into the future.

Local sponsors of the dams were required before a federal project was begun. Local sponsors signed a watershed agreement which outlined the duties and responsibilities of the federal and local sponsors. In general, local sponsors are required to obtain and enforce easements, conduct operation and maintenance (O&M) inspections, maintain the structures, and implement land treatment measures in the watershed. SWCDs are one of the local sponsors in all watershed projects. Other local sponsors include counties, cities, and Water Control and Improvement Districts (WCIDs).

Due to the passage of time and difficulty in raising

adequate funds locally, many sponsors approached the Texas Legislature with their concerns over amount of needed O&M and repairs. In recognition that these dams will continue to serve as a critical protection for our state's infrastructure, private property, and lives, the Legislature appropriated \$15 million dollars to the TSSWCB for grants to local SWCDs during the 2010-2011 biennium for O&M and structural repairs.

Structural Repair Grant Program

On May 4, 2010 districts and sponsors were notified that the TSSWCB is seeking applications for structural repair projects on flood control dams in accordance with Texas Administrative Code, Chapter 529, Subchapter B. Seventeen applications were received covering 39 dams. TSSWCB staff is ranking these applications and will contract with qualifying districts or sponsors prior to August 31, 2010.

O&M Grant Program

Since the O&M Grant Program went into effect on October 14, 2009, the TSSWCB has processed reimbursement requests, in-kind match reports, and administrative transfers of SWCD allocations in the following amounts as of June 25, 2010:

- \$ 2,472,008.85 Total Allocated O&M Grant Funding (84 allocations)
- \$ 1,473,772.31 Total State Funded O&M Reimbursements (250 requests)
- \$ 73,678.91 Total Admin Fees Paid
- \$ 287,121.00 Total In-Kind Match Reported (65 match reports submitted)
- \$ 56,668.52 Total Allocation Transfers (11 transfers)
- \$ 924,557.63 Remaining Un-Liquidated Allocated Amount

For more information on these new programs, please visit the TSSWCB's website at:
<http://www.tsswcb.state.tx.us/en/floodcontrol>

Monthly Program News and Activities is produced by the Texas State Soil and Water Conservation Board (TSSWCB) for use by Texas soil and water conservation district directors. If you have any questions regarding its contents, or have information you would like to see in a future issue, please contact Meredith Whitley (254) 773-2250 or mwhitley@tsswcb.state.tx.us.

The Texas State Soil and Water Conservation Board (TSSWCB) is a state agency that administers Texas' soil and water conservation law and coordinates conservation and pollution abatement programs throughout the State. Headquartered in Temple, Texas, the TSSWCB offers technical assistance to the state's 216 soil and water conservation districts (SWCDs). The TSSWCB is the lead state agency for the planning, management, and abatement of agricultural and silvicultural (forestry) nonpoint source pollution, and administers the Texas Brush Control Program. The TSSWCB maintains regional offices in strategic locations in the State to help carry out the agency's responsibilities.



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