TEXAS STATE SOIL AND WATER CONSERVATION BOARD

Monthly Program News and Activities

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http://www.tsswcb.state.tx.us

May 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

- The 2012 -2013 Biennial District Budget Request was distributed on March 30th. Information on how to complete and submit the request can be found through the following web address http://www.tsswcb.state.tx.us/en/swcds/resources. The deadline for submitting the request is June 1st.

- 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.

Please see the Budget and Accounting Section for more information on the TSP bullet.

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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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- 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.

HUMAN RESOURCES

TSSWCB is currently recruiting for the following:

- Natural Resource Specialist III- Temple

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 - All SWCDs should be receiving registration information for the June 29-30 Program Development Workshop. The mailing was sent to all districts on Thursday, May 26. The workshop is open to any SWCD director or district employee. The TSSWCB is particularly encouraging new directors to register and participate in the training. The workshop will be held at the Hilton Garden Inn in Temple.

State Wildlife Contests Held in May

Tommy Marchetti, a student at Rusk High School and a member of the Rusk FFA chapter was high point individual in the FFA division at the State Wildlife Contest held May 11, at the Stephen F. Austin Experimental Forest near Nacogdoches. Marchetti earned a total score of 142 out of a possible mean score of 135-150 points.

Daniel Haverlah of the Kerr County 4-H chapter was high point individual with a top score of 130 in the 4-H division.

The top scoring FFA chapter in the event was the Rusk Chapter from Rusk. The team earned a collective score of 400 points. The Kerr County 4-H chapter earned a collective team score of 369 points in its division.

In respective order, the second place high scoring individual in the FFA division was Garrett Deike, a member of the Johnson City FFA chapter. Deike scored a total of 137 points. Third ranking high scoring individual was Josh Fountain, a member of the Lindale FFA chapter from Lindale High School. His total score was 131 points.
The second place top scoring team in the event was the Johnson City FFA chapter with an overall score of 398. The Samuel Clemens-Cibolo Creek FFA chapter placed third with a collective score of 371 points.

In the 4-H division, Nathan Bird, a member of the Kerr County 4-H team, earned second place honors. Third place honors were claimed by Logan Carroll who is a member of the Harris County 4-H team.

The Association of Texas SWCDs public information program presents cash awards to the top three high scoring teams in both the FFA and 4-H divisions. Both top scoring teams earned a cash

award of $500. Second place high scoring teams in both divisions received a $300 cash award and the third place teams in the FFA and 4-H divisions received a $200 cash award.

The Wildlife Alliance for Youth (WAY) consists of a consortium of local, state, federal, and private organizations working together to provide support and technical assistance to agricultural science teachers and 4-H leaders who train youth in various aspects of wildlife conservation and habitat management.

Competitive events in the program focus on plant identification, wildlife plant food preferences, wildlife biological facts, wildlife habitat evaluation, habitat management, fish and game laws, safety, the outdoors, wildlife identification techniques and navigation in the field.

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

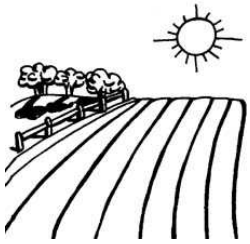
The Association of Texas Soil and Water Conservation Districts' Public Information/Education Committee will pay the first transit postage costs to mail the video(s) to the requester. Postage for returning the video(s) will be the responsibility of the borrower. All videos must be insured upon return.

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.

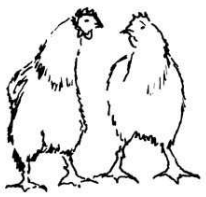
A total of 753 WQMPs were certified by the State Board in FY2009. This is 21.5% greater than the yearly goal.

District cost-share fund allocations for FY2010 have been approved by the State Board. The period for obligating FY2010 cost-share funds goes from September 1, 2009 to April 30, 2010.

Lapsed cost-share funds have been reduced by 69% in the last five years. Approximately 8.3% of total cost-share funds are being lapsed statewide at the present time. The lapsed fund report for FY-07 was completed in September, 2009.

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 52 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 $15 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. 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.

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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/ccc.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.

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 RUAA protocols in Texas. In order to change the presumed level of recreation use of a waterbody and the associated bacteria criterion, an RUAA would need to be completed and approved by TCEQ and subsequently EPA. The May 2009 TCEQ *Procedures for a Comprehensive RUAA and a Basic RUAA Survey* is available at http://www.tceq.state.tx.us/permitting/water_quality/stakeholders/swqsawg_handouts.html#proc.

The purpose of an RUAA 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 RUAA 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 RUAA 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 RUAAs 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 RUAAs will be conducted in spring and summer 2010. After the RUAAs 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 RUAAs will not likely be reflected until the *2014 303(d) List* is published.
Summaries of other RUAA 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-neneasttexruaa.html. These RUAAs 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 April 28, 2010, the Angelina & Neches River Authority hosted a CRP Angelina and Upper Neches River Basin Steering Committee meeting in Nacogdoches. The status of developing the Attoyac Bayou WPP, which is being funded with a CWA §319(h) NPS grant from TSSWCB, was discussed. More information is available at http://www.anra.org/.

On April 30, 2010, TSSWCB SRM staff [Mitch Conine] attended the Nueces River Authority Coordinated Monitoring meeting in Corpus Christi. Discussion focused on coordinating surface water quality monitoring activities planned for FY2011 among various entities collecting data in order to avoid overlap and maximize resources in the Nueces River Basin, the San Antonio-Nueces Coastal Basin, and the Nueces-Rio Grande Coastal

Basin. TSSWCB is currently funding several monitoring projects that support the development and implementation of TMDLs and WPPs in these areas including Copano Bay, Oso Bay and Creek, and Arroyo Colorado. More information is available at http://www.nueces-ra.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 May 4, 2010, TSSWCB SRM staff [Brian Koch] attended a steering committee meeting for the San Antonio Bay Partnership in Victoria. Updates on the progress of establishing the partnership were given. Four more steering committee members have been added, including Jack Campbell with the Calhoun County Westside Navigation District; Commissioner Kenny Finster with Calhoun County Precinct 4; Rhonda Cummins with Texas AgriLife Extension in Calhoun County; Everett Johnson, publisher of the Texas Saltwater Fishing Magazine; and Bryan Serold with GBRA. This brings the total number of members to 17 for the steering committee. Developing a workplan and a mission statement was assigned to workgroups as follows;

- Goals and Governance: John Kisalus, Terry Baiamonte, and James Dodson (advisory)
- Outreach and Events: Rhonda Cummins, Danny May, Roy Foley, Brian Koch, and Terry Baiamonte
- Funding: Bob McCan, Gary Burns, Roy Foley, Beau Hardegree, and Brian Koch
- Scientific and Technical: Beau Hardegree, Carla Guthrie, Norman Boyd, Brian Koch, Bryan Serold, and Steve Raabe (advisory)

These groups will meet before the next steering committee meeting in June. An update was given on the contracts from the CBBEP and SARA; work includes compiling data for the San Antonio Bay System and looking at some GIS programs with user interfaces to make data available. Several examples of maps were shown to the group. The next public meeting was confirmed and will be held June 24, 2010 at University of Houston-Victoria. TSSWCB staff noted that the U.S. House of Representatives had passed HR 4715, which reauthorizes the National Estuary Program through the Clean Water Act under the EPA. GBRA reported on several of the programs they have in support of San Antonio Bay, including monitoring and other studies.

Coordination with Texas AgriLife Research

On April 20, 2010, TSSWCB SRM staff [Aaron Wendt] met with the Council of Resident Directors in Temple. This group consists of the Directors of the 13 AgriLife Research Centers spread across the state. TSSWCB staff highlighted agency programs and discussed specific projects currently being conducted in collaboration with AgriLife Research and future TSSWCB research priorities.

Fertilizer Stakeholder Group

On April 27, 2010, TSSWCB SRM staff [Brian Koch] attended a Fertilizer Stakeholder Group meeting in Houston. The meeting was hosted by Harris County Watershed Protection Group. The Fertilizer Stakeholder Group was formed to examine nutrient levels in Harris County streams and to make comparisons to bacteria levels in order to better understand the bacteria/nutrient relationship. This was the first meeting for the

group, and several strategies were discussed to address the issue.

Creekside Conservation Efforts highlighted in Tour

On May 17, 2010, TSSWCB SRM staff [Pamela Casebolt] and TSSWCB WSEP staff [Melissa Grote] attended the Creekside Conservation Program field tour in Johnson City. Field tour attendees included Pedernales SWCD directors and staff, in addition to staff from LCRA, EPA and NRCS. The tour highlighted the success of the program by visiting two properties in Blanco County. The primary conservation practices installed on the properties included brush management, cross fencing, and range seeding. The Creekside Conservation Program is a cost-share program administered by the LCRA that helps retain soil and enhance productivity on privately owned land within LCRA's 10 statutory districts and Lampasas County. More information is available at http://www.lcra.org/community/conservation/creekside.html.

Upcoming Public Meetings

- June 3, 2010 – Watershed Coordination Steering Committee (Columbus)
- June 11, 2010 – *Greenhouse Gas Emissions and Animal Agriculture* (NLPELC webcast)
- June 17, 2010 – *Feral Hogs – The Good, The Bad, and The Ugly* (TWA webcast)
- June 24, 2010 – TGPC Public Outreach & Education Subcommittee (Austin)
- June 24, 2010 – San Antonio Bay Partnership Public Meeting (Victoria)
- July 14, 2010 – TGPC Agricultural Chemicals Subcommittee (Austin)
- July 14, 2010 – TGPC Meeting (Austin)
- 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)

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 on-going 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

On April 29, 2010, TSSWCB SRM staff [Brian Koch] attended a stakeholder meeting for the Bastrop Bayou WPP in Lake Jackson. An update on the WPP was given; the document is essentially completed but is waiting on the results of the Tidal Prism model. This model will describe the pollutant loading and load reductions expected for the tidal reach of the bayou. Also, HGAC developed a brochure that briefly describes the WPP; copies were distributed for review and comment from the stakeholders.

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

On April 29, 2010, TSSSWCB SRM Staff [Aaron Wendt, Loren Henley] attended a Carters and Burton Creeks TMDL meeting in College Station. Carters and Burton Creeks have been the focus of a water quality monitoring project that began in 2007 to evaluate bacteria levels in the creeks. Long-term water quality data indicates that both Carters and Burton Creeks have average bacteria levels that exceed Texas' current water quality standards. As a result, TCEQ has been developing TMDLs for these two creeks which will determine needed bacteria reductions to meet the water quality standards.

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

On April 30, 2010, TSSWCB SRM staff [Aaron Wendt] attended a Cypress Creek WPP public meeting in Wimberley. The group was updated on progress in modeling pollutant loadings from bacteria. Preliminary model results were presented and the group was asked to provide input on model parameters. The subcommittees each provided updates on work that has been conducted since the last meeting.

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 on-going 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 May 10, 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.

Presentations were given by the Comal and Guadalupe Counties regarding their On-Site Sewage Facility enforcement policies. Initial Spatially Explicit Load Estimation Calculation Tool (SELECT) results were shown to the workgroup which lead to a discussion explaining the results.

On May 11, 2010 TSSWCB SRM staff [Brian Koch and Loren Henley] attended a Geronimo and Alligator Creeks Partnership Meeting in Seguin. Earlier in the day the Partnership participated in a watershed tour. The partnership meeting began with updates from each of the workgroups and the different topics that were discussed. A presentation was given on Load Duration Curves (LDCs) and the partnership was shown the initial LDCs for the project.

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/mygovenvironmentalwater319grant.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 May 18, 2010, TSSWCB SRM staff [Brian Koch] attended a monthly meeting of the BIG in Houston. The steering committee asked for individual workgroup meetings to approve the specific sections of the I-plan for each group. The reason is that the review process for each section is not long enough, and not everybody is able to review them in that time period. As a result, the workgroups will meet in June and July and the BIG will meet again as a group when all sections are approved. Also, TCEQ reported on the progress of

the TMDLs in the BIG area, 5 are going to the commission for adoption and public comment, Greens Bayou is going for adoption, and Halls, Simms, Brays, and East Houston are going for public comment. No BIG meetings are scheduled for June or July.

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

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

On May 6, 2010, TSSWCB SRM staff [Brian Koch, Pamela Casebolt, Aaron Wendt] attended a meeting of the Plum Creek Watershed Partnership Steering Committee in Lockhart. The group was updated on progress in implementing various components of the Plum Creek WPP including urban stormwater BMPs in the City of Kyle, feral hog education and technical assistance, and the development and implementation of WQMPs for cattle operations. Additionally, the Steering Committee reached consensus on moving forward with the draft 4b Rationale which TCEQ intends to submit to EPA.

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

On May 20, TSSWCB SRM staff [Brian Koch] attended a stakeholder meeting for the San Bernard River WPP in Wharton. Brian Koch gave an overview of the TSSWCB WQMP program and gave an overview of the overall implementation in the watershed through the program. In all 152 WQMPs have been implemented covering over 64,000 acres. These totals include cropland, hayland, and grazing land. Also, the process in obtaining a WQMP was given. HGAC provided an overview on the monitoring plan for BMP effectiveness, and the sites include rowcrop, grazing land, and areas of potentially failing OSSFs. Stakeholders indicated that they would like to see monitoring from rice farming and residential NPS sources. HGAC then followed with an overview of potential water quality models, and provided pros and cons of each one, and left it to the stakeholders to decide which one they want after careful review.

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, Burleson, Lee, Milam, Washington, and Williamson Counties.

South Llano River
Impairment: None
Mechanism: Assessment and Planning
Lead: Third party

On April 29, about 30 people attended a Texas Watershed Steward workshop in Junction. Sponsored by TSSWCB , through a CWA §319(h) grant, and facilitated by the Texas AgriLife Extension Service, the training discussed watershed impairments, managing urban and rural lands through the use of BMPs, and how to get involved in community-driven watershed protection and management. The workshop was held in support of on-going watershed planning efforts being facilitated by the South Llano Watershed Alliance in the South Llano River watershed. More information on the Texas Watershed Steward Program is available at http://tws.tamu.edu/.

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

Current Water Supply Enhancement Projects throughout the State and Project Managers:

- 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
- Prepare for Honey Creek tour in Johnson City
- Prepare for Peacock Ranch tour in Johnson City

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. Applications for Fiscal Year 2010 grant funds are due no later than 8:00 am on June 7, 2010. The TSSWCB anticipates moving swiftly to review and rank applications due to the limited amount of time remaining in Fiscal Year 2010. Contracts must be in place 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 May 27, 2010:

- $ 2,472,008.85 Total Allocated O&M Grant Funding (84 allocations)
- $ 1,098,080.53 Total State Funded O&M Reimbursements (189 requests)
- $ 54,894.28 Total Admin Fees Paid
- $ 272,721.00 Total In-Kind Match Reported (60 match reports submitted)
- $ 56,668.52 Total Allocation Transfers (11 transfers)
- $ 1,319,034.04 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

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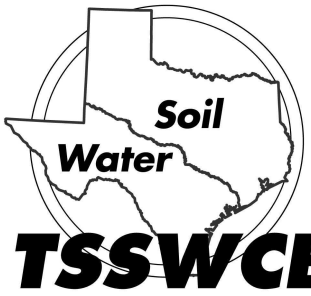
Monthly Program News and Activities is produced by the Texas State Soil and Water Conservation Board (TSSWCB) for use by Texas soil and water conservation district directors. If you have any questions regarding its contents, or have information you would like to see in a future issue, please contact 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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