



TEXAS STATE SOIL & WATER CONSERVATION BOARD

Monthly Program News and Activities

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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

CONTENTS

State Board Work Session and Meeting 1
 Budget and Accounting 1
 Human Resources 2
 Special Projects..... 2
 Public Information and Education 2
 Water Quality Management Plan Program..... 4
 Poultry Water Quality Management Plans..... 4
 Water Conservation Advisory Council..... 5
 Texas Nonpoint Source Management Program 6
 Nonpoint Source Grant Program..... 7
 Total Maximum Daily Load Program..... 9
 Watershed Protection Plan Program 9
 Coastal NPS Pollution Control Program10
 Texas Groundwater Protection Committee..... 11
 Water Quality Coordination Activities..... 12
 Upcoming Public Meetings..... 15
 Water Quality Planning and Implementation 15
 Water Supply Enhancement Program 17
 Flood Control Dam Programs..... 18

STATE BOARD WORK SESSION AND MEETING

The State Board has scheduled a Work Session on **Wednesday, September 19, 2012** and a formal State Board Meeting on **Thursday, September 20, 2012**. More information is available at <http://www.tsswcb.texas.gov/boardmeetings>, or by contacting Karen Preece at (254) 773-2250, ext. 245 or kpreece@tsswcb.texas.gov.

BUDGET AND ACCOUNTING

- The last day of work to be completed for an AWEPP claim is July 29th. The deadline for submitting a final AWEPP claim is August 31st.
- The deadline for submitting a fiscal year 2012 matching fund claim is August 31st.
- The deadline for submitting a fiscal year 2012 technical assistance performance report is August 31st.
- The deadline for submitting a fiscal year 2012 financial statement/audit notification form is September 1st.

- The deadline for submitting a 4th quarter mileage and per diem claim and return of unused advance funds for fiscal year 2012 is September 30th. Advance payments for fiscal year 2013 will not be made if unused advance funds for fiscal year 2012 are not returned by the deadline.
- The deadline for submitting a fiscal year 2012 technical assistance claim is September 30th.
- The last day work can be completed for EQIP is September 30th. The deadline for submitting a final EQIP claim is October 31st.
- Important dates and deadlines through December 31, 2012 may also be found on the SWCD resources page of the TSSWCB website.

For more budget and accounting information, contact Kenny Zajicek at (254) 773-2250 ext. 236 or kzajicek@tsswcb.texas.gov.

HUMAN RESOURCES

TSSWCB is currently recruiting for the following State position at this time:

Natural Resource Specialist (Project Manager)-
Temple Office

INDEPENDENT CONTRACTOR OPPORTUNITIES (NON-STATE EMPLOYEE POSITIONS)

TSSWCB does intend to engage the services of **contracted** conservation planners to provide services including recruitment of landowners and/or agricultural land operators and the development of conservation plans, in the specified sub-watersheds inside Wilson, Karnes, and Goliad counties. This initiative is a component of the United States Department of Agriculture – Natural Resources Conservation Service’s (USDA-NRCS) overall San Antonio River Watershed Protection Plan Implementation Conservation Initiative. Interested individuals should visit http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=98000 for more information. **These positions will be**

independent contractors and will NOT be state employees.

For additional information on posted vacancies or to download an application, visit <https://www.tsswcb.texas.gov/employment>.

SPECIAL PROJECTS

Program Overview

The TSSWCB Special Projects department provides coordination for the Annual State Meeting of Soil and Water Conservation District (SWCD) Directors, facilitates open government functions required by the Texas Administrative Procedures Act, and directs the completion of other mandatory agency responsibilities such as publishing the agency’s Semi-Annual Report and coordinating rule-making functions.

Annual State Meeting of SWCD Directors

Mark your calendars for October 29 - 31, 2012 and plan on attending the 72nd Annual State Meeting held at Bastrop. Lodging reservations for the Hyatt Lost Pines Resort are currently sold out, and a waiting list will be started August 1st. Online meeting registration will start soon, and we will e-mail districts when that is configured.

PUBLIC INFORMATION AND EDUCATION

Program Development Workshop

A total of thirty individuals attended the Program Development Workshop held June 26-27 in Temple. Participants included thirteen directors and, a combination of seventeen TSSWCB and SWCD employees and 10 NRCS district conservationists.

Soil Stewardship Public Speaking Contests

The 2012 FFA soil stewardship public speaking area contests were held in late spring. First and second place winners in each of the ten FFA areas competed in state competition held in conjunction

with the 84rd Texas FFA State Convention. The convention was in Corpus Christi, July 9-12.

Top area contestants from the following chapters who competed at the State event were:

Contestant	FFA Chapter	Area
Kelsey Richards	Idalou	1
Brittany Fowler	Abernathy	1
Michelle Montgomery	Irion	2
Meghan Glover	Haskell	2
Heidi Karp	Seven Lakes	3
Nicholas Krause	Katy	3
Savannah Bowers	Iowa Park	4
Cheyenne Holt	Dublin	4
Brady Thompson	Prosper	5
Tori Abner	Howe	5
Micah Newton	New Boston	6
Rocio Martinez	Mineola	6
Kellam Nabers	Blanco	7
Patrick Clay	Sandra Day O'Connor	7
James Bousquet	Waxahachie	8
Ana Garcia	Dawson	8
Charles Hensley	San Augustine	9
Leighton Chachere	Dayton	9
Michelle House	Jourdanton	10
Victoria Mathis	Calallen	10

Of the twenty contestants competing at the state event, Kelsey Richards with the Idalou FFA Chapter won first place in the competition. Leighton Chachere of the Dayton FFA Chapter placed second and Micha Newton of the New Boston FFA Chapter placed third in the state event.

First, second, and third place winners in the state level soil stewardship public speaking contest earned scholarships. First place winner will receive a \$3,000 scholarship; second place winner will receive a \$2,000 scholarship and the third place winner will receive a \$1,000 scholarship.

The theme of this year's contest is "Soil to Spoon" The contest is a cooperative effort of Texas FFA, TSSWCB and the Association of Texas Soil and

Water Conservation Districts. The theme of the contest is based on the National Association of Conservation Districts' annual soil stewardship program.

The first place winner in the Soil Stewardship Public Speaking contest will be a guest speaker at the annual meeting of SWCD directors which will be held October 29-31 in Bastrop.

Wildlife Alliance for Youth (WAY)

The Wildlife Alliance for Youth will hold its annual meeting on Wednesday, August 1, in Amarillo. The purpose of the meeting is to establish the 2013 regional and state contest dates. In addition, a major change in the program will include the organization of a technical writing committee to insure that contest curriculum and rules adhere to prescribed guidelines and standards.

Texas Conservation Awards Program Survey

SWCDs throughout the state are beginning to submit responses to the survey that was sent to them in June. The deadline for districts to complete and submit their responses relative to the future of the Texas Conservation Awards Program is August 15.

Water Enhancement Program Educational Booklet

Assistance is being given to the TSSWCB Water Enhancement Office and local SWCDs regarding the development of a general education document that presents an overview of the research efforts to increase available water supplies through scientific based research projects.

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<http://www.facebook.com/tsswcb>

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Conservation News

Conservation News is a collection of readily available current news and information regarding natural resource issues. TSSWCB periodically distributes Conservation News via email to those

interested. To subscribe, send an email to conservation-news-subscribe@tsswcb.texas.gov. Conservation News is also available at <http://www.tsswcb.texas.gov/news>.

Texas Conservation Awards Program

All SWCDs should have received a survey in the mail giving each an opportunity to provide input on the future direction of the Texas Conservation Awards Program.

Districts may complete a hard copy of the survey and mail it back to the TSSWCB or they may complete the survey online. The deadline for completing and returning the survey is August 15.

Conservation Video Library

About the Library

There are over 200 conservation-related videos available; the 2011 catalog can be downloaded at <http://www.tsswcb.texas.gov/infoed/videolibrary>. No rental fees are assessed to those wishing to borrow videos from the library.

Ordering a Video

Select a video from the Conservation Video Catalog, then contact Loren Warrick at lwarrick@tsswcb.texas.gov to check it out. The Association of Texas SWCDs 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.

WATER QUALITY MANAGEMENT PLAN PROGRAM

Program Overview

With the passage of Senate Bill 503 in 1993, the Texas Legislature directed the TSSWCB to implement water quality management plans (WQMPs) to abate agricultural and silvicultural nonpoint source water pollution. A WQMP is a site-specific plan developed through and approved by SWCDs. The agency has been implementing WQMPs on private lands since late 1993 and has

certified 10,121 plans on 3,923,867 acres as of July 9, 2012. All agriculture and silviculture producers in the state are eligible to have a water quality management plan developed. The TSSWCB identifies areas of the state where water quality is being negatively impacted by agricultural and silvicultural nonpoint source water pollution and allocates funding to those priority areas to serve as financial incentives to increase participation in the program. SWCDs with lakes, rivers or stream segments listed on the 303(d) list as impaired due to agriculture are eligible to be included as priority areas. FY2013 Water Quality Management Plan cost-share allocations to priority SWCDs will be set at the July State Board Meeting. All animal feeding operations are considered to be high priority and are eligible to receive financial incentives to install needed practices in their WQMP through their priority area or statewide assistance program. More information about the WQMP Program is available at <http://www.tsswcb.texas.gov/wqmp>.

To date, 262 new WQMPs have been certified on 106,059 acres in FY12. There have also been 232 applications approved for financial incentives to assist producers with implementation of needed practices.

SWCD requests for supplemental statewide water quality management plan funding are due in the Dublin Regional Office prior to August 13, 2012. SWCDs should submit requests through their area regional office.

FY 2010 financial incentives will lapse on August 31, 2012. All practices must be certified along with receipts and the completed performance certification form turned into the regional offices no later than August 01, 2012. This will allow time for the payment to be processed prior to August 31.

POULTRY WATER QUALITY MANAGEMENT PLANS

Program 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 WQMP certified by the TSSWCB.

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.

In October 2011, the U.S. Environmental Protection Agency proposed a rule for all Concentrated Animal Feeding Operations (CAFOs) to report certain information to EPA. On July 13, 2012 EPA withdrew its proposed rule, stating they would instead gather the information from existing sources.

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. For more information on Poultry WQMPs, please visit <http://www.tsswcb.texas.gov/poultry> or contact the Poultry Program Office at (936) 462-7020.

WATER CONSERVATION ADVISORY COUNCIL

Program Overview

Recognizing the importance of water conservation in meeting our future demand, the 80th Texas Legislature in 2007, via the passage of Senate Bill 3 and House Bill 4, directed the Texas Water Development Board (TWDB) to appoint the members of the newly created Water Conservation Advisory Council (WCAC). The WCAC was created to provide the Governor, Lieutenant Governor, Speaker of the House of Representatives, Legislature, TWDB, Texas Commission on Environmental Quality (TCEQ), political

subdivisions, and the public with the resource of a select council with expertise in water conservation.

According to the legislation, the WCAC is composed of 23 members appointed by the TWDB. At their August 27, 2007 meeting, the TWDB appointed one member to represent each of the 23 entities or interest groups. The TSSWCB is a statutorily-authorized member of the WCAC.

Duties of the WCAC include:

- Monitoring trends in water conservation implementation and new technologies for possible inclusion as best management practices (BMPs)
- Monitoring the effectiveness of the statewide water conservation public awareness program and developing and implementing a state water management resource library
- Developing and implementing a public recognition program for water conservation
- Monitoring the implementation of water conservation strategies by water users included in regional water plans
- Monitoring target and goal guidelines for water conservation to be considered by the TWDB and TCEQ
- Evaluating the desirability of requiring certification of water conservation training facilities, entities, and programs that provide assistance to retail public utilities in developing water conservation plans

The agricultural workgroup is updating the state's agricultural water conservation BMPs that were developed by the Water Conservation Task Force (2003-2005). The workgroup determined that all existing, agricultural BMPs are still valid and is in the process of updating them. The agricultural workgroup will also review current methods of reporting irrigation water use (e.g., gal/ac, gal/ton) to evaluate if current methods are appropriate, or if more efficient methods should be developed and used.

The workgroups do not make any decisions, but make recommendations to the WCAC for any required decisions. All interested persons are welcome and encouraged to participate as members

of the various workgroups. If anyone is interested in becoming a workgroup member, please contact Richard Egg at (254) 773-2250 ext. 246 or regg@tsswcb.texas.gov.

A meeting was held for the WCAC on July 35, 2012.

The WCAC is working on its report of activities to the legislature. More information on the WCAC is available at <http://www.savetexaswater.org/>.

Water Conservation Report

The TSSWCB and TWDB released the report “An Assessment of Water Conservation- Report to the 82nd Legislature.” This report is mandated to be written and released every five years in conjunction with the State Water Plan. The report assesses the status of water conservation in Texas and makes recommendations to the Legislature on policies that could enhance the adoption of water conservation practices.

The report is available online at:

http://www.tsswcb.texas.gov/files/docs/waterconservation/TWDBTSSWCB_82nd.pdf

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 comprehensive strategy for addressing NPS pollution. The program publication is updated every five years. The most recent revision approved by the U.S. Environmental Protection Agency (EPA) was submitted 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 *Annual Report on Managing NPS Water Pollution in Texas*, which is submitted to the 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. SWCDs are vital partners in working with landowners to implement best management practices (BMPs) that prevent and abate agricultural and silvicultural NPS water pollution.

More information on the *Texas NPS Management Program*, including the *2011 Annual Report*, is available at

<http://www.tsswcb.texas.gov/managementprogram>.

The following is a compilation of relevant information pertaining to the multiple water quality programs and functions 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.

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.texas.gov/watersheds>.

Summaries of the TSSWCB's activities within specific watersheds are provided in the *Water Quality Planning and Implementation* section of this report.

Texas Nonpoint Source Management Program – Revision Status

The *2012 Texas NPS Management Program* document has been jointly developed by TSSWCB SRM staff and TCEQ staff consistent with regulatory guidance from EPA to satisfy requirements of the federal CWA. The *Texas NPS Management Program* document, which was last approved in December 2005, must be submitted to EPA to ensure continued CWA §319(h) funding. The 2012 document incorporates EPA's nine components of an effective program; establishes long- and short-term goals for the program; provides for the coordination of NPS-related programs and activities conducted by federal, state, regional, and local entities; and prioritizes assessment, planning, and implementation activities in priority watersheds and aquifers.

On May 24, 2012, the State Board approved the revised *2012 Texas NPS Management Program* document. On May 30, 2012, the Commission took the same action. The Management Program was submitted to EPA from the Governor on June 18, 2012.

The 2012 draft document is available at <http://www.tsswcb.texas.gov/managementprogram#revision>.

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.

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.

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 annually through the EPA to States for the 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; however, between FY2010 and FY2012, Congress and EPA cut nearly 20% from the State's allocation

In November 2011, EPA submitted *A National Evaluation of the Clean Water Act Section 319 Program* to the Office of Management and Budget (OMB). This national program evaluation was conducted by EPA to improve understanding of how States currently utilize and leverage §319(h) grant funds to achieve NPS management program goals and to identify opportunities for improvement of the §319(h) program. Recommendations for programmatic improvement included in the report may be used by EPA, OMB, the Administration, or Congress to improve accountability and effectiveness of the §319(h) grant program. The report is available at <http://www.epa.gov/owow/nps/pdf/319evaluation.pdf>.

In July 2012, the Government Accountability Office (GAO) published a report to Congress, *Nonpoint Source Water Pollution – Greater Oversight and Additional Data Needed for Key EPA Water Program*. This national program evaluation was conducted to improve understanding of how States currently utilize and leverage §319(h) grant funds to achieve NPS management program goals and to identify opportunities for improvement of the §319(h) program. GAO examined (1) states' experiences in funding projects that address nonpoint source pollution, (2) the extent to which EPA oversees the 319 program and measures its effectiveness, and (3) the extent to which key agricultural programs complement EPA efforts to control such pollution. Recommendations for programmatic improvement included in the report will be used by EPA, the Administration, and Congress to improve accountability and effectiveness of the §319(h) grant program. The report is available at <http://www.gao.gov/products/GAO-12-335>.

FY2007 – FY2011 CWA §319(h) Grant Status

There are currently 42 on-going §319(h) grant-funded projects addressing a wide array of agricultural and silvicultural NPS issues. Unliquidated federal funds for these 42 on-going projects total approximately \$12.5 million and are primarily being used to implement BMPs to abate NPS pollution from animal feeding operations, grazing livestock operations and row crop operations; provide technical assistance through SWCDs for the development of WQMPs; provide financial incentives for implementing certain BMPs prescribed in WQMPs; support various targeted educational programs; develop and implement WPPs; and implement the NPS portion of TMDL I-Plans.

FY2012 CWA §319(h) Grant Application Status

TSSWCB SRM staff identified priority areas and activities for this funding cycle based on the *Texas NPS Management Program* and the *2010 Integrated Report*. The deadline for proposal submission was October 14, 2011. TSSWCB received 28 proposals requesting a total of \$11,040,653 in federal funds.

TSSWCB's FY2012 CWA §319(h) allocation from EPA is \$3,715,500. TSSWCB selected 9 proposals to be included in the FY2012 CWA §319(h) grant application, which was submitted to EPA on June 20, 2012.

State General Revenue Grant Funding

Background

The 80th Texas Legislature appropriated general revenue (GR) funds 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 and 82nd Texas Legislatures renewed this appropriation.

The State Board has approved operating budgets for FY2010, FY2011 and FY2012 that allocated a total of \$3.77 million in state general revenue to the NPS Grant 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. This *Policy* is available at <http://www.tsswcb.texas.gov/managementprogram#StateGR>.

FY2010 – FY2012 State General Revenue Grant Status

There are currently 10 on-going general revenue-funded projects addressing an array of agricultural and silvicultural NPS issues. Unliquidated state funds for these 10 on-going projects total approximately \$246 million and are primarily being used to implement agricultural NPS components of TMDL I-Plans; conduct recreational use attainability analyses (RUAAAs); support increased analytical infrastructure at public bacterial source tracking (BST) laboratories; demonstrate innovative BMPs on animal feeding operations and grazing lands; and collect and analyze water quality data for watersheds with impaired waterbodies.

TSSWCB SRM staff are in the process of finalizing workplans and budgets with collaborating entities to obligate remaining FY2012 allocated funds.

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 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 TMDL allocates 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. TSSWCB shares responsibility with the TCEQ for the development and implementation of TMDLs.

More information on TMDLs is available at <http://www.tsswcb.texas.gov/tmdl>. 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 water quality protection and restoration strategies driven by environmental objectives. Through the watershed planning 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 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 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 that incorporates new knowledge into decision-making.

TSSWCB provides technical and financial assistance to local stakeholder groups to develop and implement WPPs to address significant agricultural or silvicultural NPS issues. EPA requires certain expenditures through CWA §319(h) grants to be in accordance with a WPP. 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.

More information on WPPs is available at <http://www.tsswcb.texas.gov/wpp>. 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 CMP improves the management of the State's coastal resources to ensure long-term ecological and economic productivity of the coast. The CMP 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) and the Land Commissioner are responsible for coordinating activities associated with the CMP. The Coastal Coordination Advisory Committee (CCAC), established by the Texas Legislature, advises the Land Commissioner on matters related to implementation of the CMP; the TSSWCB is a statutorily-authorized member of the CCAC.

The GLO 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 GLO reviews significant actions taken or authorized by state agencies and subdivisions of state government that may adversely affect coastal natural resources to determine consistency with CMP goals and policies. In addition, the GLO 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.texas.gov/what-we-do/caring-for-the-coast/grants-funding/cmp/index.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. NOAA identified five areas the State must strengthen or correct; 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 State 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. However, in May 2009, GLO received comments from NOAA and EPA which concluded that enough progress had been made to lift only one of the conditions.

On January 26, 2012, GLO submitted the State's approach to resolving one of the remaining conditions (associated with on-site sewage facilities) to NOAA and EPA for review and approval.

Coastal Coordination Advisory Committee

The Coastal Coordination Advisory Committee (CCAC) was reviewed by the Sunset Advisory Commission this biennium. Sunset legislation (SB656) has been signed by the Governor. The act abolishes the CCC and transfers its functions to the Land Commissioner and the GLO. The legislation also requires establishment of a Coastal Coordination Advisory Committee to advise the Land Commissioner on matters related to the CMP. This Advisory Committee includes a representative of the TSSWCB designated by the Chairman of the State Board. The act took effect September 1, 2011.

The general structure of the coastal program will be work groups from the agencies and governor appointees to focus on specific projects, modeled on the grants workgroup. The main function of the Advisory Committee will be to provide consistency review of federal projects and actions, and to provide support to the work groups.

More information on the CCAC is available for a limited time at

<http://www.glo.texas.gov/GLO/boards-and-commissions/coastal-coordination-council/index.html>.

CMP Grant Program

Through the CMP, GLO awards approximately \$1.8 million of the federal §306/§306A coastal management grant funds received from NOAA to local governments and other entities along the coast for planning and implementation of projects that address environmental problems affecting the coastal area and that promote sustainable economic development.

Application information for Grant Cycle 18 was distributed in April 2012. The GLO expects to award approximately \$1.8 million for planning, acquisition, construction, education, and research projects during Grant Cycle 18. The deadline for pre-proposals was June 20, 2012. The full application is due September 26, 2012. Submission of the pre-proposal is only necessary if applicants would like written comments on their pre-proposals. The GLO will accept applications for both construction and non-construction projects that address any of the following funding categories:

- Coastal Natural Hazards Response
- Critical Areas Enhancement
- Public Access to Beaches
- Water Sediment Quantity and Quality Improvements
- Waterfront Revitalization and Ecotourism Development
- Permit Streamlining/Assistance, Governmental Coordination, and Local Government Planning Assistance

Three grant workshops were held on the coast to inform potential applicants about the changes made to the grant program and to discuss potential project application submissions. All potential applicants were strongly encouraged to attend the workshops.

More information on the CMP grant program can be found at <http://www.glo.texas.gov/what-we->

[do/caring-for-the-coast/grants-funding/cmp/index.html](http://www.glo.texas.gov/what-we-do/caring-for-the-coast/grants-funding/cmp/index.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 is 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.

Activities of the TGPC and Subcommittees

The TGPC NPS task force is currently working on updating the methodology the State uses to rank aquifer vulnerability to contamination.

On July 18, 2012, TSSWCB SRM staff [Richard Egg] attended a TGPC meeting in Austin. The TGPC is currently developing its Report to the 83rd Legislature on Activities and Recommendations of the TGPC

The next TGPC Committee meeting is scheduled for October 10, 2012, in Austin.

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

Water Quality Coordination Activities

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 including meeting regularly to discuss the status of the NPS Management Program and its related projects. The MOA is available at <http://www.tsswcb.texas.gov/tmdl#moa>.

Coordination with EPA

On June 19-21, 2012, TSSWCB SRM staff [Aaron Wendt] attended the *National Nonpoint Source Meeting for State and EPA Program Managers* in Annapolis, Maryland. The primary focus of the meeting was to shape the future of the CWA §319(h) grant program, especially in light of recent assessments conducted by OMB and GAO. Attendance at the meeting was a requirement to ensure continued CWA §319(h) funding. National and state NPS program coordinators gathered to share information on emerging issues facing watershed managers at the national, state, and local levels. Interactive discussion focused on efforts being made nationwide to effectively implement, evaluate, and monitor the control of NPS pollution at the watershed level. Major topics discussed included: increasing national consistency in annual progress and performance determinations; protecting healthy watersheds utilizing 319 grants; preparing for the FY2013 USDA/EPA National Water Quality Initiative; and better integration between the 303(d) Program and the 319 Program. The meeting allowed state and federal program managers to discuss their respective programs, share ideas, and find ways to work together to improve and restore water quality.

Coordination with TWDB

On June 28, 2012, TSSWCB SRM staff [Aaron Wendt] joined TCEQ staff in a meeting in Austin with staff from the TWDB to discuss coordination between the three agencies. TWDB manages the Clean Water State Revolving Fund (CWSRF) which is a federal CWA program administered by EPA. The CWSRF provides loans at interest rates lower than the market to political subdivisions to be used for planning, design, and construction of wastewater treatment facilities; sewer collection systems; and NPS pollution control projects. Discussion focused on increasing the use of the CWSRF for NPS projects designed to implement WPPs and TMDLs. The group discussed the process to initiate projects selected in the FY2012 Intended Use Plan (IUP), and proposals received through the solicitation for projects for FY2013 CWSRF funding, including one project designed to implement portions of the Plum Creek WPP. The draft FY2013 IUP has been released for public review and comment. A public hearing on the draft FY2013 IUP was held July 19, 2012 and the public comment period ended July 23, 2012. More information is available at <http://www.twdb.texas.gov/financial/programs/cwsrf.asp>.

Surface Water Quality Standards Revision

On June 30, 2010, the TCEQ adopted major 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 significant modifications to contact recreation use and associated bacteria criteria. The adopted Standards became effective as a State rule on July 22, 2010. TCEQ submitted the revised Standards and IPs to EPA on August 4, 2010. EPA must now take action to approve these changes to the Standards in accordance with the federal CWA.

On June 29, 2011, EPA notified TCEQ of action taken on the water quality standards revisions. EPA approved the changes to recreation use and bacteria criteria. However, the high flow exemption was disapproved.

More information on the revisions to the Standards is available at:

http://www.tceq.state.tx.us/permitting/water_quality/stakeholders/2010standards.html.

More information on this Standards review process is available at

<http://www.tceq.texas.gov/waterquality/standards/stakeholders/swqsawg.html>.

Watershed Action Planning Process

Watershed Action Planning (WAP) is a new process for coordinating, documenting, and tracking the State's water quality management programs. The WAP process coordinates planning and activities among TCEQ, TSSWCB, the Texas Clean Rivers Program partners, and stakeholders at the watershed level. The process can have significant implications for regional and local residents. The major objectives of WAP are to:

- engage stakeholders more fully in determining strategies that restore water quality,
- improve access to state agencies' water quality management decisions and increase transparency of decision-making, and
- improve accountability of state agencies' commitments to improve water quality

The WAP process recognizes a range of tools and options for addressing impaired waterbodies on the *303(d) List*. The WAP process provides for a stakeholder-led evaluation of watershed-specific circumstances and a deliberative and collective decision as to what tool to apply to move forward with addressing the impairment. A major product of the WAP process is a comprehensive strategy for improving the quality of impaired waters and protecting waterbodies of special interest. Those strategies are summarized in the *WAP Strategy Table* which is maintained by TCEQ. The *WAP Strategy Table* will be updated as frequently as needed to meet the objectives of this evolving process. The *WAP Strategy Table* lists:

- impaired and special interest waterbodies
- the recommended strategies to improve water quality in impaired segments or to protect waterbodies of special interest
- the status of each strategy

- the lead agency and program for tracking each strategy

On January 13, 2012, TCEQ published the first iteration of the *WAP Strategy Table* (December 2011). During 2011, participating agencies initiated this complex cycle and recommended strategies for nearly 1,190 impairments and over 30 special interest waterbodies.

WAP will increase the transparency of the State's water quality management programs by presenting the list of impaired waters in such a manner as to communicate activities and intentions collectively to the public at large. WAP is key to providing for the collaboration being called for and the coordination necessary to achieve the goal of clean water for Texas. More information on WAP is available at

<http://www.tceq.texas.gov/waterquality/planning/wap/>.

Recreational Use Attainability Analyses

The 2010 revisions to the Texas Surface Water Quality Standards establish a four tier approach to recreation use including primary contact recreation, secondary contact recreation 1, secondary contact recreation 2, and noncontact recreation. In order to change the presumed level of recreation use of a waterbody (i.e., primary contact) to any of the other 3 tiers and the associated bacteria criterion, a recreational use attainability analysis (RUAA) must be completed for each waterbody and approved by TCEQ and subsequently EPA.

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 are conducted and a review of historical information is 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.

The TCEQ is in the process of conducting RUAAs on over 100 waterbodies across the state; TSSWCB is taking the lead on conducting RUAAs on another 12 waterbodies. TCEQ contractors were asked to coordinate communication with SWCDs through TSSWCB SRM staff. 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.

On July 12, 2012, TSSWCB SRM staff [Ashley Alexander] attended a TCEQ-led RUA public meeting in Temple for three waterbodies in the Brazos River Basin. These waterbodies included Trimmier Creek (segment 1216A), Pond Creek (segment 1242F), and Deer Creek (segment 1242J). These waterbodies are in Bell, Falls, and Milam Counties. RUA field surveys for each of these waterbodies will soon be initiated, and thus it is of vital importance to get stakeholder input about each waterbody and their uses.

Summaries of 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 on RUAAs is available at <http://www.tceq.texas.gov/waterquality/standards/ruaas/index>. These RUAAs affect livestock operations in scores of watersheds across the state.

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 November 18, 2011, EPA approved the *2010 Texas 303(d) List of Impaired Waters*. TCEQ had approved the *2010 Texas Integrated Report* for

submission to EPA on August 25, 2010. A total of 1,012 impairments are identified on 438 waterbody segments. Impairments due to elevated bacteria associated with recreation use and oyster waters use continue to dominate the list. A significant achievement for the State is EPA's conclusion that the *Rationale for Reclassifying Plum Creek (Segment 1810) from Category 5 to Category 4b on the Texas Integrated Report* adequately demonstrates how other pollution control requirements (i.e., the Plum Creek WPP) will lead to water quality standards attainment in a reasonable period of time. This is the first successful submission of a WPP in lieu of a TMDL. EPA's approval letter to TCEQ is available at http://www.epa.gov/region6/region-6/tx/tx_303d.html.

More information on the *Texas Integrated Report*, including the 305(b) Assessment and 303(d) List, is available at http://www.tceq.texas.gov/waterquality/assessment/305_303.html.

San Antonio Bay Estuary Program

On July 10, 2012, TSSWCB SRM staff [Brian Koch] attended a boat tour of San Antonio Bay, hosted by the San Antonio Bay Partnership. This tour was held to view several sites that were identified in the Site Inventory being conducted on the San Antonio Bay System. The tour started in Seadrift, and sites along the Victoria Barge Canal and Gulf Intracoastal Waterway were first visited. Then, sites in Espiritu Santo Bay and other sites closer to Port O'Connor were viewed. Many of these sites were identified as in need of restoration and protection from erosion effects, and were identified as suitable habitat for bird rookeries and buffers against development.

More information is available at <http://www.sabaypartnership.org/>. The development of a Comprehensive Conservation and Management Plan for San Antonio Bay has the potential to affect agricultural and silvicultural operations in watersheds that drain to the San Antonio Bay complex in Aransas, Calhoun, Goliad, Refugio, and Victoria Counties.

Texas Watershed Stewards Workshop

Two Texas Watershed Steward Program workshops took place in the City of San Antonio on July 10, 2012 and July 11, 2012. Sponsored by the Texas AgriLife Extension Services and TSSWCB in coordination with the San Antonio River Authority and the San Antonio Water System, the training discussed what it is to be a watershed steward, watershed impairments, managing urban and rural lands through the use of BMPs and how to get involved in community-driven watershed protection management. Over 80 participants from across the City of San Antonio attended these workshops. The workshop included an overview of water quality and watershed management in Texas and primarily focused on water quality issues relating to various tributaries of the Upper San Antonio River in the City of San Antonio area. More information on the Texas Watershed Steward Program is available at <http://tw.s.tamu.edu/>.

Upcoming Public Meetings

- July 31, 2012 – Cedar Bayou Watershed Partnership Agriculture, Wildlife and Habitat Workgroup Meeting (Mont Belvieu)
- July 31, 2012 – Lavaca-Navidad River Authority Clean Rivers Program Steering Committee Meeting (Edna)
- July 31, 2012 – Cypress Creek Watershed Protection Plan Boat Tour (San Marcos)
- August 1, 2012 – Cedar Bayou Watershed Partnership Industry and Commerce Workgroup Meeting (Baytown)
- August 1, 2012 – Cedar Bayou Watershed Partnership Wastewater Infrastructure Workgroup Meeting (Baytown)
- August 1, 2012 – Cedar Bayou Watershed Partnership Human Impact Workgroup Meeting (Baytown)
- August 1, 2012 – Copano Bay TMDL Public Meeting (Refugio)
- August 7, 2012 – Geronimo and Alligator Creeks Watershed Partnership Meeting (Seguin)
- August 9, 2012 – Plum Creek Watershed Partnership Steering Committee Meeting (Lockhart)
- August 14, 2012 – Upper Llano River WPP Public Meeting (Junction)

- August 15, 2012 – Upper San Marcos Coordinating Group Meeting (San Marcos)
- August 22, 2012 – TCEQ Agenda Meeting regarding the adoption of the Carters and Burton Creeks TMDL and I-Plan (Austin)
- August 28-30, 2012 – Texas Groundwater Summit (Austin)
- August 30, 2012 – Texas Watershed Stewards Workshop focused on the North and South Llano Rivers Watershed (Junction)
- August 30, 2012 – Atascosa River UAA Public Meeting (Pleasanton)

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.texas.gov/watersheds>; more detailed information on all watersheds described below is available at this website. Watersheds described below are organized by the five State Board Member State Districts. TSSWCB-funded projects associated with each watershed are also listed. Watersheds or projects that cross multiple State Districts or watersheds are indicated with an *.

STATE DISTRICT III

Lower Nueces River

Impairment: None
Concern: Chlorophyll-a, Nutrients, Sediment
Mechanism: WPP
Lead: Third Party

On July 12, 2012, TSSWCB SRM staff [Aaron Wendt] attended a Lower Nueces River Watershed Partnership meeting in Corpus Christi. The group discussed the status of a septic system inventory and homeowner maintenance workshop funded by the Texas General Land Office, as well as, river cleanups funded and conducted by various entities.

The major focus of the meeting was a review of the draft *Source Water Protection Plan for the Lower Nueces River*. This draft will be submitted to the City of Corpus Christi at the end of July.

More information, including the draft *Source Water Protection Plan*, is available at <http://www.nuecesriverpartnership.org/>. This WPP has the potential to affect livestock and farming operations in the Lower Nueces River watershed below Lake Corpus Christi in Jim Wells, Nueces, and San Patricio Counties.

Lower San Antonio River

Impairment: Bacteria
Mechanism: TMDL
Lead: TCEQ
Project: "San Antonio River Watershed Implementation Conservation Initiative", TSSWCB and NRCS; External \$214,010/ GR \$71,336

On June 26, 2012, TSSWCB SRM staff [Brian Koch] attended the Karnes/Goliad Watershed Master Plan meeting hosted by the San Antonio River Authority in Goliad. This meeting was focused on the San Antonio River watershed in Goliad County. This plan is examining flooding and water quality, and strategies to improve the river in these areas. There was a similar meeting held in Kenedy the week before. This plan is expected to continue being developed over the next year.

More information is available at <http://www.tceq.texas.gov/waterquality/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.

STATE DISTRICT IV

Adams and Cow Bayous

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

On July 11, 2012, TSSWCB SRM staff [Brian Koch] attended a Flood Risk Workshop for the Lower Sabine River Basin in Orange. This study, funded by the Federal Emergency Management Agency, is assessing the flood potential in the Lower Sabine River Basin in southwestern Louisiana and southeastern Texas. This meeting featured historical flood insurance claim information, population data, and flood zone data for review. It also provided a forum to share information on areas that flood which are not currently identified as flood prone areas. Information on flood mitigation and insurance claims was also provided.

More information on the Adams and Cow Bayous TMDL and I-Plan is available at <http://www.tceq.texas.gov/waterquality/tmdl/37-orangecounty.html>. These TMDLs affect livestock and forestry operations in Orange, Jasper and Newton Counties.

Carters and Burton Creeks

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

On August 22, 2012, the TCEQ will consider adopting as final *Three TMDLs for Indicator Bacteria in the Carters Creek Watershed* (Segments 1209C, 1209D, and 1209L) and the *I-Plan for Three TMDLs for Indicator Bacteria in the Carters Creek Watershed* (Segments 1209C, 1209D, and 1209L). The public comment period ended May 28, 2012.

More information is available at <http://cartersandburton.tamu.edu/> and <http://www.tceq.texas.gov/waterquality/tmdl/85-carterscreek.html>. This TMDL and I-Plan will affect livestock operations in the Carters Creek watershed in Brazos County.

Lake Houston

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

The Bacteria Implementation Group (BIG) is focused on implementing 72 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 13, 2012, the TCEQ approved publishing and soliciting public comment on the draft *Implementation Plan for Seventy-Two TMDLs for Bacteria in the Houston-Galveston Region* (Segments 1004E, 1006D, 1006F, 1006H, 1006I, 1006J, 1007B, 1007C, 1007D, 1007E, 1007F, 1007G, 1007H, 1007I, 1007K, 1007L, 1007M, 1007N, 1007O, 1007R, 1008, 1008H, 1009, 1009C, 1009D, 1009E, 1010, 1011, 1013, 1013A, 1013C, 1014, 1014A, 1014B, 1014E, 1014H, 1014K, 1014L, 1014M, 1014N, 1014O, 1016, 1016A, 1016B, 1016C, 1016D, 1017, 1017A, 1017B, 1017D, 1017E, 1101, 1101B, 1101D, 1102, 1102A, 1102B, 1102C, 1102D, and 1102E). The BIG I-Plan implements TMDLs in the Houston Metropolitan Area, Buffalo and Whiteoak Bayous, Clear Creek, and watersheds upstream of Lake Houston. The public comment period is through July 30, 2012. Four public meetings to receive comments on the proposed I-Plan were held July 10, 2012 in New Caney; July 10, 2012 in Pearland; July 11, 2012 in Waller; and July 11, 2012 in Houston. Comments not submitted at the public meetings must be provided in writing and must be received by TCEQ no later than July 30, 2012. A response to comments received will be developed by TCEQ staff and, if appropriate, the draft I-Plan may be revised. Based on the environmental target of the TMDLs, this I-Plan prescribes the measures necessary to mitigate anthropogenic (human-caused) sources of bacteria in order to restore the primary contact recreation use of these waterbodies. The I-Plan specifies limits for point source dischargers and recommends BMPs for nonpoint sources. It also lays out a schedule for implementation. This I-Plan must be approved by TCEQ before it is effective.

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.texas.gov/waterquality/tmdl/82-lakehouston.html>. These TMDLs affect livestock operations in the Lake Houston watershed in Grimes, Harris, Liberty, Montgomery, San Jacinto, Walker and Waller Counties.

WATER SUPPLY ENHANCEMENT PROGRAM

The 81st Legislature continued funding for the Water Supply Enhancement Program by providing \$2,135,413 in General Revenue Funds in FY2012. Staff has begun implementing HB 1808 and the Sunset Commission's recommendations.

Staff Activities

- A training session was held for TSSWCB staff and SWCD staff discussing the new application and ranking process.
- Since the May 2012 Board meeting, The Water Supply Enhancement Program has been working with the Texas Water Development Board to gather information on the water need for Texas, and has been collaborating with the Texas Department of Agriculture with respect to water yield enhancement.
- Also, staff has been consulting with Dr. Ken Rainwater and Dr. Ernest Fish to gather information and ideas on requirements for new studies and to assist with evaluating current studies.
- The Water Supply Enhancement Program Stakeholder Committee, Working Committee, and Feasibility Study Committee has been communicating and exchanging ideas regarding the Water Supply Enhancement Program.
- Finally, the Water Supply Enhancement Program has been actively involved in allocating 2012 project funds in the following six project areas: Edwards Aquifer, Guadalupe River Watershed, Lake Brownwood Watershed, Pedernales River

Watershed, Twin Buttes Watershed, and Little Wichita River Watershed.

- The expiration date for all 2012 project allocations is set for Friday, August 17, 2012.

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 began. 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 TSSWCB for grants to local SWCDs during the 2010-2011 biennium for O&M

and structural repairs.

In response to this appropriation, TSSWCB assembled a representative stakeholder group and began the process of developing programs to deliver the funds to the sponsors of flood control dams during the Summer of 2009. It was determined that the most efficient and effective way to proceed was to develop two separate grant programs, one to address O&M, and the other to address structural repairs, due to their difference in complexity.

O&M Grant Program Update

In FY10, \$2,472,008 was allocated to 84 SWCDs and co-sponsors to conduct O&M activities on flood control dams. All FY10 funds have been utilized.

In FY11, \$2,472,008 was allocated to 84 SWCDs and co-sponsors to conduct O&M activities on flood control dams. Currently, there is a balance of \$215,616 to be utilized by August 31, 2012.

Structural Repair Grant Program Update

In FY10, \$4,055,471 in program funds were obligated to conduct structural repairs on 18 flood control dams. The TSSWCB and local SWCDs partnered and leveraged resources through the USDA-NRCS Emergency Watershed Protection (EWP) Program for disaster recovery and provided funding for structural repair activities on five of these dams. To date, all needed repairs have been completed on 14 of the 18 flood control dams and the remaining four are under construction.

In FY11, \$2,823,166 in program funds was obligated to conduct structural repairs on six flood control dams. The TSSWCB and local SWCDs continued to partner and leveraged resources through the USDA-NRCS Emergency Watershed Protection (EWP) Program for disaster recovery and provided funding for structural repair activities on one of these dams. To date, all needed repairs have been completed on one of the six flood control dams and the remaining five are under construction.

In FY12 the TSSWCB's budget was reduced from \$7.5 million per fiscal year to \$2 million per fiscal

year. Due to this reduction in funding the TSSWCB is currently only able to fund two flood control dam repair projects. Currently, \$1,364,836 of FY12 program funds has been obligated.

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Established in 1939, the TSSWCB administers Texas' soil and water conservation law and delivers coordinated natural resource conservation programs to agricultural producers through the State's 216 individual SWCDs. The agency is governed by a seven-member State Board composed of two Governor appointees and five individuals elected from across Texas by 1,080 Directors of local SWCDs. The TSSWCB is the lead state agency for planning, implementing, and managing programs for preventing and abating agricultural and silvicultural (forestry) nonpoint sources of water pollution; administers a water supply enhancement program through the targeted control of brush species in areas in need of water conservation; provides operation, maintenance, and structural repair grant funds to local government sponsors of the State's network of 2,000 flood control dams; and facilitates the Texas Invasive Species Coordinating Committee.