



TEXAS STATE SOIL & WATER CONSERVATION BOARD

Monthly Program News and Activities

4311 South 31st Street, Suite 125, Temple, Texas 76502
PO Box 658, Temple, Texas 76503
(254) 773-2250

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

August 2012

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
Legislative Update	2
Human Resources	2
Special Projects	2
Public Information and Education	3
Water Quality Management Plan Program	3
Poultry Water Quality Management Plans	4
Water Conservation Advisory Council	4
Texas Nonpoint Source Management Program	5
Nonpoint Source Grant Program	6
Total Maximum Daily Load Program	7
Watershed Protection Plan Program	8
Coastal NPS Pollution Control Program	8
Texas Groundwater Protection Committee	10
Water Quality Coordination Activities	10
Upcoming Public Meetings	14
Water Quality Planning and Implementation	14
Water Supply Enhancement Program	19
Flood Control Dam Programs	20

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 at the Holiday Inn in Temple**. 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 deadline for submitting a final AWEP 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.

LEGISLATIVE UPDATE

The Texas Legislature's appropriation process is beginning to move toward the upcoming legislative session (beginning in January 2013). The TSSWCB submitted its legislative appropriations request on August 16, and is already scheduled for a joint budget hearing before staff of the Legislative Budget Board and the Governor's Office of Budget, Planning, and Policy on September 6. The agency is also scheduled for a hearing with the House Agriculture and Livestock Committee on September 13.

HUMAN RESOURCES

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

Database Administrator - 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 we are maintaining a waiting list.

If you have a reservation and will not be needing it, please contact the state office so that we may transfer it to someone on the waiting list.

Online meeting registration will start soon, and we will e-mail districts when that is configured.

PUBLIC INFORMATION AND EDUCATION

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.

Follow TSSWCB on Twitter, Facebook, and LinkedIn!

<http://twitter.com/TSSWCB>

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

<http://www.linkedin.com/company/968674>



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 was 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 10,133 plans on 3,930,069 acres as of August 8, 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 financial incentive 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, 268 new WQMPs have been certified on 107,159 acres in FY12. There have also been 238 applications approved for financial incentives to assist producers with implementation of needed practices.

Following SWCD and regional office approval, all grant notifications to priority SWCDs (that receive an allocation of SB 503 funds) are due to the regional office coordinator by August 31, 2012.

Fiscal year 2013 begins on September 01, 2012 and all SWCDs receiving an allocation need to accept their allocation, set the maximum financial incentive per producer (not to exceed \$15,000.00), set the financial incentive % (not to exceed 75%), adopt the NRCS field office tech guide as its standards and specifications, adopt a list of approved practices from the state board approved practice list, and set the average cost per practice. This information is due in written form as approved by the SWCD in the state board regional office prior to November 1, 2012.

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.

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.

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

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 June 2012. 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.

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 39 on-going §319(h) grant-funded projects addressing a wide array of agricultural and silvicultural NPS issues. Unliquidated federal funds for these 39 on-going projects total approximately \$11.8 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 \$1.9 million and are primarily being used to implement agricultural NPS components of TMDL I-Plans; conduct recreational use attainability analyses (RUAAs); 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>.

Technical Advisory Committee

The CCAC is forming a Technical Advisory Committee (TAC). The TAC will participate in meetings along the coast to provide analysis and input regarding critical areas of the coast, including identification of problems and potential solutions. This information will be used in a legislative report on coastal priorities to be considered by the 83rd Texas Legislature, which convenes January 8, 2013.

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 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>.

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 August 2, 2012, TSSWCB SRM staff [Aaron Wendt] attended an RUAA public meeting at Lake Somerville State Park. This was the first meeting held by TCEQ for this RUAA project. This RUAA is being conducted on Middle Yegua Creek (segment 1212A) which is primarily in Lee County. The TCEQ contractor presented information on the RUAA process and sought input from stakeholders

on any survey sites that landowners would provide access to. Field work will be conducted this summer.

Summaries of 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 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.

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, plus bays and estuaries, 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.

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 Integrated Report*.

On July 31, 2012, TSSWCB SRM staff [Brian Koch] attended a CRP Steering Committee meeting hosted by the Lavaca-Navidad River Authority in Edna. This meeting was held to update basin stakeholders of water quality, water quantity, and other related happenings in the Lavaca and Navidad River Basins. Presentations included information on Hydraulic Fracturing or Fracing and its effects on surface and groundwater, and focused on information on the Eagle Ford Shale geologic formation, which is present in a portion of the Lavaca River Basin. The next presentation was on data compilation and information gathering for the Lavaca Basin Summary Report. Texas Stream team

presented volunteer data collected on Lake Texana since 1993, and TCEQ presented 12 years of salinity data for Lavaca Bay.

More information on CRP is available at <http://www.tceq.texas.gov/waterquality/clean-rivers/index.html>.

San Antonio Bay Estuary Program

On July 24, 2012 SRM staff [Brian Koch] attended a series of meetings for the San Antonio Bay Partnership in Victoria. The first meeting was the Inventory of Conservation, Restoration, and Protection of Sites in San Antonio Bay, where 67 sites have been identified for restoration and/or protection. The sites include oyster reefs, coastal marsh, freshwater wetlands, and rookery islands.

On July 24, 2012, SRM staff [Brian Koch] attended a Status and Trends meeting, which featured updates on data gathered on the San Antonio Bay, including fisheries and colonial waterbirds.

On July 24, 2012, SRM staff [Brian Koch] attended a finance committee meeting, which updated on funding and expenses for the past quarter.

On July 24, 2012, SRM staff [Brian Koch] attended the Board of Directors meeting, where updates and action items were presented before the board and then voted upon.

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.

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.

On July 25, 2012, TSSWCB SRM staff [Brian Koch] attended a quarterly Galveston Bay Council meeting in Pasadena. This meeting featured presentations focused on dredging and a vote on the strategy for developing the 2015 Galveston Bay Plan update. The first presentation provided information on sediment toxicity and the impacts it can have on different macroinvertebrates. Another presentation focused on beneficial uses of dredge material such as creating coastal marshes. The next meeting is scheduled for October 24, 2012.

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 the Galveston Bay complex in Brazoria, Chambers, Galveston, Harris and Liberty Counties.

Texas Watershed Coordinator Roundtable

On July 26, 2012, TSSWCB SRM staff [Aaron Wendt, Brian Koch] participated in the Texas Watershed Coordinator Roundtable in College Station. Over 60 people attended representing many of the on-going watershed planning efforts across the state. The theme presented at this Roundtable was "Partner Programs for Watershed Planning". There were many specific topics covered at the workshop including: Supplemental Environmental Projects Funding by TCEQ, a new initiative by TPWD on Watershed-Scale Conservation of Native Fish Communities, demonstration of the Texas Stream Team water quality data viewer, and the Texas Well Owner Network curriculum (which is funded by a grant from TSSWCB). Additionally, the Panel Discussion from the previous Roundtable on CWA §319(h) NPS Grant Program changes was continued.

The primary purpose of the Texas Watershed Coordinator Roundtable is to provide a forum for continuing dialogue between watershed coordinators in order to facilitate interactive solutions to common issues being faced statewide

affecting the development and implementation of WPPs. More information is available at <http://watershedplanning.tamu.edu/developing/roundtable>.

Upcoming Public Meetings

- 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)
- August 30, 2012 – Chambers County Dredging/Beneficial Uses Workshop (Anahuac)
- August 30, 2012 – USEPA Nutrient Indicators Dataset Webinar
- September 5, 2012 – WCAC meeting (Austin)
- September 6, 2012 – Southeast and South Central Texas Regional Watershed Coordination Steering Committee (Columbus)
- September 7, 2012 – Middle Trinity Water Quality Workshop (Corsicana)
- September 11, 2012 – Texas Watershed Stewards Workshop (Lockhart)
- September 12, 2012 – *Memorandum of Agreement* Meeting (Austin)
- September 20, 2012 – Texas Groundwater Protection Committee Public Outreach and Education Subcommittee Meeting (Austin)
- September 21, 2012 – Texas Groundwater Protection Committee NPS Task Force Meeting (Austin)
- September 24-28, 2012 – Texas Watershed Planning Short Course (Bandera)
- September 29, 2012 – San Antonio Bay Day (Seadrift)

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 II

Leona River*

Impairment: Bacteria
Concern: Nutrients
Mechanism: Assessment
Lead: TSSWCB
Project: “Assessment of Water Quality and Watershed Planning for the Leona River”, Texas Institute for Applied Environmental Research; GR \$861,714*

On July 19, 2012, TSSWCB SRM staff [Ashley Alexander] and Conservation Outreach staff [Loren Warrick] attended a Leona River Assessment project meeting in Uvalde. The meeting began with a project update from the Texas Institute for Applied Environmental Research (TIAER). TIAER presented the results from the first survey of the Recreational Use Attainability Analysis portion of the project to attendees. The purpose of the meeting was to gain support from local landowners to help the process of noting recreation in the Leona River.

More information is available at <http://www.leonariver.org/>. This project affects livestock operations in the Frio, Uvalde, and Zavala Counties.

South and North Llano Rivers

Impairment: None
Mechanism: WPP
Lead: TSSWCB
Project: “Development of the Upper Llano River Watershed Protection Plan”, Texas Water Resources Institute; Federal \$ 666,167/ External \$447,239

On August 14, 2012, TSSWCB SRM staff [Jana Lloyd, Aaron Wendt], field staff [Kendria Ray] and Area 2 State Board Member [Marty Graham] attended the kickoff meeting for the Upper Llano River Watershed in Junction. The meeting was opened by a welcome from the Kimble County Judge. Following the welcome, a presentation was given by TSSWCB staff on watershed planning process. Other presentations included topics of water quality in the North and South Llano rivers by a representative of the South Llano Watershed Alliance, Upper Llano River Watershed studies and watershed protection plan by representatives of Texas Tech University Llano River Field Station and Texas Water Resource Institute, as well as, discussion covering watershed partnership structure, how to get involved and what the next steps are in this process.

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, Menard, Real and Sutton Counties

STATE DISTRICT III

Arroyo Colorado

Impairment: Bacteria, Dissolved Oxygen
Concerns: Nutrients, Sediment
Mechanism: WPP, UAA
Lead: TCEQ
Project: “Implementing Educational Components of the Arroyo Colorado Watershed Protection Plan Focused on Agricultural Nonpoint Source Pollution”, Texas Water Resources Institute; Federal \$202,443/ External \$135,191
Project: “Implementing the Arroyo Colorado Watershed Protection Plan by Providing Technical and Financial Assistance to Reduce Agricultural Nonpoint Source Pollution”, Southmost SWCD #319, Hidalgo SWCD #350; Federal \$532,516/ External \$200,000

On July 19, 2012, TSSWCB SRM staff [Aaron Wendt] and Regional Office staff [Luis Pena, Ronnie Ramirez] attended the Arroyo Colorado Watershed Partnership Steering Committee meeting in Weslaco. Each of the work groups, including the Agricultural Issues work group, provided an update on progress to implement various activities in the WPP. The primary focus of discussion during the meeting was on the process and funding to update and revise the WPP, as this phase of implementation ends in 2015, and how to address the bacteria impairments along the Arroyo. The group discussed proposed modeling of pollutant loading (nutrients) to be funded by TCEQ and a proposed bacterial source tracking project to be funded by TSSWCB. The Steering Committee will need to make decisions on how to incorporate the outcomes of these two proposed projects into an updated WPP for the Arroyo Colorado.

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.

Copano Bay and Mission and Aransas Rivers

Impairment: Bacteria
Mechanism: TMDL, UAA
Lead: TCEQ (TMDL), TSSWCB (UAA)
Project: “Recreational Use Attainability Analysis for Aransas Creek”, Nueces River Authority; GR \$125,402

On August 1, 2012, TSSWCB SRM staff [Brian Koch] attended a Copano Bay Water Quality Stakeholder meeting in Refugio. This meeting was held to discuss management measures for reducing bacteria in the Copano Bay Watershed, including the Mission and Aransas Rivers. The stakeholders identified members to serve on the Coordinating Committee that represents all of the different interest groups during the development of the TMDL and I-plan for Copano Bay.

More information on the TMDL is available at <http://www.tceq.texas.gov/waterquality/tmdl/42-copano.html> and on the RUAA at <http://www.tsswcb.texas.gov/managementprogram/>

[aransaruaa](#). 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.

Geronimo Creek

Impairment: Bacteria
Mechanism: WPP
Lead: TSSWCB
Project: “Development of a Watershed Protection Plan for Geronimo Creek”, Guadalupe-Blanco River Authority; Federal \$472,398/ External 320,115
Project: “Water Quality Monitoring in the Geronimo Creek Watershed and Facilitation of the Geronimo and Alligator Creeks Watershed Partnership”, Guadalupe-Blanco River Authority; Federal \$292,421/ External \$191,435

On August 7, 2012, TSSWCB SRM staff [Jana Lloyd], Conservation Outreach staff [Loren Warrick] and field staff [Tony Franklin] attended the Geronimo and Alligator Creeks Watershed Partnership meeting in Seguin. Discussion centered on the overview of the final draft of the Geronimo and Alligator Creeks Watershed Protection Plan. At the conclusion of the meeting, the Steering Committee members approved and signed the watershed protection plan. The document will now be sent to EPA for nine element consistency review.

More information is available at <http://geronimocreek.org/>. This WPP affects ranching and farming operations in the Geronimo Creek watershed in Guadalupe and Comal Counties.

Plum Creek

Impairment: Bacteria
Concerns: Nutrients
Mechanism: WPP
Lead: TSSWCB
Project: “Coordinating Implementation of the Plum Creek Watershed Protection Plan”, Guadalupe-Blanco River Authority; Federal \$216,000/ External \$144,000

Project: “Implementing Agricultural Nonpoint Source Components of the Plum Creek Watershed Protection Plan”, Caldwell Travis SWCD #304, Texas AgriLife Extension Service; Federal \$996,079/External \$425,520

Project: “Surface Water Quality Monitoring and Additional Data Collection Activities to Support the Implementation of the Plum Creek Watershed Protection Plan”, Guadalupe-Blanco River Authority; Federal \$485,545/ External \$257,165

On August 9, 2012, TSSWCB SRM staff [Jana Lloyd and Aaron Wendt] attended the Plum Creek Watershed Partnership Steering Committee meeting in Lockhart. Updates were given on the Caldwell County Community Clean up Events, Texas Hog Out challenge, as well as Plum Creek Feral Hog Education and implementation of agricultural BMPs. The Plum Creek Watershed Partnership is implementing components of the Plum Creek WPP in an effort to restore water quality within the Plum Creek watershed.

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.

San Bernard River

Impairment: Bacteria
Mechanism: WPP, UAA
Lead: TCEQ
Project: “Surface Water Quality Monitoring to Support Implementation of the San Bernard River Watershed Protection Plan”, Houston-Galveston Area Council; Federal \$221,654/ External \$82,388

On August 16, 2012, TSSWCB SRM staff [Brian Koch] attended a stakeholder meeting for the San Bernard River WPP in West Columbia. This meeting featured changes made to the executive summary of the WPP, which is expected to be released in fall 2012. Houston-Galveston Area Council (H-GAC) reported that the automated samplers for pre and post BMP monitoring have

been installed. They will be sampling runoff from cropland, pastureland, and OSSFs.

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

STATE DISTRICT IV

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.

Cedar Bayou

Impairment: Bacteria
Concerns: Macrobenthic Community, Dissolved Oxygen, Nutrients
Mechanism: WPP
Lead: TSSWCB
Project: “Development, of a Watershed Protection Plan for Cedar Bayou”, Houston-Galveston Area Council; Federal \$804,000/ External \$353,876

On July 31, 2012, TSSWCB SRM staff [Ashley Alexander, Brian Koch] attended a Cedar Bayou Watershed Partnership Agriculture, Wildlife and Habitat workgroup meeting in Mont Belvieu. The focus of the meeting was to discuss bacteria management practice opportunities for agriculture,

wildlife and habitat. Open discussion of this as well as other stakeholder-driven topics ensued. Finally, a wrap-up of the progress of the Cedar Bayou WPP project and its next steps was presented by the project lead, Houston-Galveston Area Council. Further refinement of recommendations of possible solutions, based on information provided by workgroup attendees, will be provided to the Steering Committee at their next meeting.

On August 1, 2012, TSSWCB SRM staff [Ashley Alexander] attended three additional Cedar Bayou Watershed Partnership Workgroups in Baytown: Industry and Commerce, Wastewater, and Human Impact. The focus of these workgroups were to discuss bacteria management practice opportunities for their respective topic area. Open discussion of these as well as other stakeholder-driven topics ensued. Finally, a wrap-up of the progress of the Cedar Bayou WPP project and its next steps was presented by the project lead, H-GAC. Further refinement of recommendations of possible solutions, based on information provided by workgroup attendees, will be provided to the Steering Committee at their next meeting.

More information is available at <http://www.cedarbayouwatershed.com>. This WPP will affect livestock operations in the Cedar Bayou watershed in Harris, Liberty, and Chambers Counties.

STATE DISTRICT V

Eagle Mountain Reservoir

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

On August 10, 2012, TCEQ released a suite of recommendations on changes to water quality standards (recreation use and bacteria criteria) for five waterbodies in the Eagle Mountain Reservoir watershed resulting from completed RUAA field work and published reports. The waterbodies are West Fork Trinity River below Bridgeport Reservoir (segment 0810), Big Sandy Creek

(segment 0810A), Garrett Creek (segment 0810B), Martin Branch (segment 0810C), and Salt Creek (segment 0810D). TCEQ recommends retaining primary contact recreation for two of the waterbodies, and changing the designated use to secondary contact recreation 1 for the other three waterbodies. Public comments are being solicited on these staff recommendations; the comment period extends through September 11, 2012. Information on TCEQ's rationale for these recommendations and on how to submit comments is available at <http://www.tceq.texas.gov/waterquality/standards/ruaas/index>.

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

Leon River

Impairment: Bacteria, Dissolved Oxygen
Mechanism: WPP, TMDL, UAA
Lead: TCEQ (TMDL, UAA), TSSWCB (WPP)
Project: "Implementation of the Leon River WPP through Technical and Financial Assistance to Repair or Replace On-Site Sewage Facilities in Hamilton County", Hamilton County, Texas AgriLife Extension Service; Federal \$365,976/ External \$66,536

On August 10, 2012, TCEQ released a suite of recommendations on changes to water quality standards (recreation use and bacteria criteria) for seven waterbodies in the Leon River watershed resulting from completed RUAA field work and published reports. The waterbodies are Leon River below Proctor Lake (segment 1221), Resley Creek (segment 1221A), South Leon River (segment 1221B), Pecan Creek (segment 1221C), Indian Creek (segment 1221D), Plum Creek (segment 1221E), and Walnut Creek (segment 1221F). TCEQ

recommends retaining primary contact recreation for three of the waterbodies, changing the designated use to secondary contact recreation 1 for one of the waterbodies, and changing the designated use to secondary contact recreation 2 for the other three waterbodies. Public comments are being solicited on these staff recommendations; the comment period extends through September 11, 2012. Information on TCEQ's rationale for these recommendations and on how to submit comments is available at <http://www.tceq.texas.gov/waterquality/standards/ruaas/index>.

More information on the postponed bacteria TMDL is available at <http://www.tceq.texas.gov/waterquality/tmdl/34-leonbacteria.html>. More information on the WPP is available at <http://www.brazos.org/LeonRiverWPP.asp>. More information on the RUAA is available at <http://www.tceq.texas.gov/waterquality/standards/ruaas/ruaasbrazos>. The WPP, the TMDL, and the RUAA affect livestock operations in the Leon River watershed in Comanche, Coryell, Mills, Erath and Hamilton Counties.

STATEWIDE PROJECTS (NOT WATERSHED-SPECIFIC)

Project: "Groundwater Nitrogen Source Identification and Remediation in the Texas High Plains and Rolling Plains Regions", Texas Water Resources Institute; Federal \$450,010/ External \$300,732

On July 17, 2012, TSSWCB SRM staff [Ashley Alexander] attended the Rolling Plains Summer Field Day in Chillicothe. The overall theme of the Field Day was "Maximizing Nutrient and Water Use Efficiencies". The field day began with a five stop tour of the Chillicothe Research Station demonstration fields. Each stop on the tour included a presentation, while allowing attendees to evaluate the results of the various plots. Presentation titles

included: Availability of well water and soil nitrate for crop uptake, Irrigation scheduling technologies, Five years of no-till, what have we learned, Greenhouse gas emissions and cropping systems, and Cover crops in dryland cotton. Two additional presentations followed the tour including one from USDA-ARS, which showed results from another ongoing TSSWCB project, "Efficient Nitrogen Fertilization: Accounting for Field Nitrogen Mineralization". The second presentation was from the NRCS Conservationist Agronomist, which focused on soil health strategies.

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 TWDB 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.

Fiscal Year 2013 Guidelines for Water Supply Enhancement Projects

Project Eligibility Requirements:

- Computer model or feasibility study
- A water need according to the Region Water Plans
- Show brush removal as a strategy in the Region Water Plans
- Meet the following Water Supply Enhancement Program Goals for 2013:

Primary Goals:

- Enhance domestic and municipal uses, including water for sustaining human life and the life of domestic animals, agricultural and industrial uses, which means processes designed to convert materials of a lower order of value into forms having greater usability, commercial value, and Environmental Flows.

Additional Information:

- Grant funds are competitive and will be prioritized based on water need and water yield
- November 1, 2012, is the deadline for submitting all FY 2013 WSEP Project Applications
- A maximum of \$600,000.00 may be requested for an individual project
- Allocation amounts will be awarded based on the amount of funds that can be obligated to participants during the allocation period

Contact Information:

For further information or assistance with completing a 2013 WSEP Project Application, please contact:

- Cody York: 325-481-0335
- Chad Gagliardi: 830-868-2506

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.

In response to this appropriation, the 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 \$166,828 to be utilized by June 28, 2013.

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 all 18 flood control dams.

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 five of the six flood control dams the remaining dam is 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.

For more information on these programs, please visit the TSSWCB's website at:

<http://www.tsswcb.texas.gov/en/floodcontrol>

Monthly Program News and Activities is published by the TSSWCB for use by Texas SWCD Directors. If you have any questions regarding its contents, or have information you would like to see in a future issue, please call (254) 773-2250.



4311 SOUTH 31ST STREET, SUITE 125
TEMPLE, TEXAS 76502
(254) 773-2250

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

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.