

TEXAS STATE SOIL & WATER CONSERVATION BOARD



SEMI - ANNUAL REPORT

TO THE

GOVERNOR,
LIEUTENANT GOVERNOR
AND
SPEAKER OF THE HOUSE

JANUARY 1, 2013

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Forward

In response to Senate Bill (S.B) 1828 passed by the 78th Texas Legislature in Regular Session, 2003, the Texas State Soil and Water Conservation Board (TSSWCB) presents this review of its programs and activities. S.B. 1828 added §201.028 to the Texas Agriculture Code to provide that the TSSWCB shall prepare and deliver to the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives a report, not later than January 1 and July 1 of each year, relating to the status of the budget areas of responsibility assigned to the TSSWCB including outreach programs, grants made and received, federal funding applied for and received, special projects, and oversight of soil and water conservation district activities.

The FY12 Operating Budget with FY10 and FY11 expenditures is attached to this report. Information on grants made to local districts and other entities is incorporated within the program section it involves.

The TSSWCB takes pride in the accomplishments and remarkable progress that have been made in soil and water conservation in this state. Often environmental successes are slow to be realized. We have realized and previously reported one success story that involves reducing the level of Atrazine in several waterbodies, particularly the Aquilla Reservoir in the Hill County-Blackland Soil and Water Conservation District (SWCD).

However, we recognize there remains a continuing challenge and an ongoing need to ensure our land has the capability to produce food and fiber for future Texans. Because of changes in land use, ownership, technology, and population growth, the need for soil and water conservation programs will remain critical. Texas has a finite number of acres to provide for the needs and desires of citizens and visitors, and this places' an ever-increasing demand on agricultural land. Farmers and ranchers face complex decisions concerning the best ways to manage and utilize the land available to them.

We believe that soil and water conservation programs must remain dynamic as land uses change and technology improves to make some conservation practices more capable of meeting demands on soil and water resources. We also maintain the belief that the purpose of the soil and water conservation program is to promote the wise use of our renewable natural resources and provide for the conservation and enhancement of the soil and water resources of this state through and by the dynamic decisions of local SWCDs which promotes the use of each acre of land within its capabilities and treating it according to its needs.

From the beginning, the TSSWCB and local SWCDs have formed an organizational framework through which various complex governmental conservation programs are delivered to local landowners and operators. This relationship has successfully been utilized to disseminate sound management techniques and practices to maintain individual productive land uses to provide for the needs of present and future generations.

To the landowners of Texas, the individual soil and water conservation district directors, and the many agencies and organizations assisting and working with our programs, we offer our sincere thanks.

Historical Background

In the early history of the United States, those involved in agriculture often did not consider the conservation of soil and water resources. Land was cleared and put into farm production. When the land quit producing at a profitable level, the farmers merely moved on to new land farther west and started the process over again. There was no need to be concerned with soil conservation, as there was a seemingly unlimited supply of virgin land waiting to be tilled. This process continued through the 1800s and into the early 1900s. With the outbreak of World War I, farmers in the Great Plains states were encouraged to break out native grassland to grow wheat and other foodstuffs to feed the nation and the world. As a result of these and other unwise management practices and the fact that the farmlands were experiencing long periods of drought, the 1930s produced some of the worst dust storms the nation had ever seen. Clouds of dust rolled across the plains states sending dust storms through the south and into the nation's capital. At the same time, the nation was in the midst of a great economic depression. The federal government, seeking ways to put people back to work and encourage conservation, created the Civilian Conservation Corps and Soil Erosion Service. Through these mechanisms, demonstration projects were initiated to train technicians and to educate the public in ways to conserve soil resources. These programs were successful in putting people back to work, but lacked the local ties to establish lasting conservation programs.

One of the early day leaders in the national effort to control soil erosion was Hugh Hammond Bennett from North Carolina. After graduation from the University of North Carolina in 1903, Hugh Bennett took a job with the Bureau of Soils in the United States Department of Agriculture. Because of his experience, scientific knowledge and leadership ability, he was put in charge of the Soil Erosion Service when it was created in 1933. In 1935, Public Law 46 was passed creating the Soil Conservation Service within the U.S. Department of Agriculture and Hugh Bennett became the first Chief of the agency. He soon became internationally known for his accomplishments in conservation work.

With the help of Congressman Buchanan from Columbus, Texas, Hugh Bennett was able to persuade President Franklin Roosevelt that the soil resources of this nation were being wasted. He convinced the President that a Model Soil Conservation Act should be developed and sent to the governors of each state for passage by their state legislatures. The purpose of this Model Act would be to develop programs at the state and local level to control soil erosion.

In 1936, such a Model Act was sent to the governors with the endorsement of President Roosevelt. The Model Act, developed in Washington, was patterned after the Texas Wind Erosion Act, the Grass Conservation Acts in the Northern High Plains and certain water conservation district law.

In 1937 legislation was introduced in the Texas Legislature based on this Model Act. It is reported that as many as 25 different versions of this soil conservation law were considered before a final version was passed. There was much heated discussion of the proposed legislation. When the final version was adopted, the bill contained many undesirable features. The law would have set up Soil Conservation Districts automatically on a county basis and made County Commissioners Courts the governing body. A portion of the county tax was to be used to finance the program and county agricultural agents were to be the administrative officers.

A number of agricultural leaders from across the state had, by this time, become concerned about the newly passed legislation. It was their opinion that, if the responsibility for installing and maintaining conservation measures lay in the hands of the land owners, the control of such a program should also be in their hands.

As a result of these and other concerns, a group of landowners led by V.C. Marshall of Heidenheimer, Texas, convinced the Governor to veto the 1937 legislation.

Hard feelings among agricultural leaders resulted from the attempt to pass this soil conservation law. Under the leadership of Mr. Marshall, a concerted effort was made during the interim between legislative sessions to heal the old wounds and to put together a version of a law that would be generally accepted by the farmers and ranchers of Texas. Mr. Marshall organized a committee of leaders from across the state to promote the passage of a new Soil Conservation Law. He traveled many miles at his own expense seeking the views of agricultural leaders and promoting the idea of the Soil Conservation District Program.

The key points Mr. Marshall felt should be included in the new law were that (1) farmers and ranchers should determine whether or not a Soil Conservation District was needed and hold a local option election prior to the establishment of the district; (2) the program should be controlled by landowners; and (3) the Soil Conservation Districts should have no taxing authority or the power of eminent domain.

In 1939, the Texas Legislature passed House Bill (H.B.) 20 which incorporated those features and was the first Soil Conservation Law for the state. The law created the State Soil Conservation Board and allowed for the creation of the Soil Conservation Districts. Mr. Marshall was elected as the first Chairman of the Soil Conservation Board and later resigned to become the first Executive Director of the agency.

On April 30, 1940, the Secretary of the State issued Certificates of Organization for the first 16 Soil Conservation Districts paving the way for the program we now operate. Today, Texas has 216 local SWCDs that encompass more than 99% of the state.

As previously mentioned, the Model Act endorsed by President Roosevelt was in part patterned after the Texas Wind Erosion Act. Texas was already making attempts to address soil conservation as a result of the “Dust Bowl” days of the 1930s. The 44th Legislature in 1935 passed legislation authorizing the establishment of Wind Erosion Conservation Districts. This law provided for the creation of districts to “conserve the soil by prevention of unnecessary erosion caused by winds, and the reclamation of lands that have been depreciated or denuded of soil by reasons of winds.” Although a number of Wind Erosion Control Districts were created, the passage of the Soil Conservation District Law in 1939 resulted in those districts becoming dormant.

In 1975, Governor Dolph Briscoe, by Executive Order, designated the TSSWCB as lead agency to assume the planning and management responsibility for control of agricultural and silvicultural nonpoint source pollution as required by the Federal Water Pollution Control Act.

In 1981, the 67th Legislature passed H.B. 1436, which for the first time codified the agricultural laws of Texas. Title 7, Chapter 201 of this code contains the portion pertaining to Soil and Water Conservation.

In 1985, the 69th Legislature passed S.B. 1083 creating a Brush Control Program in Texas and granting new powers and responsibilities, without funding, to the TSSWCB and SWCDs under Chapter 203 of the Agriculture Code.

In 1999, the TSSWCB received its first appropriation in the FY00-01 biennium to control water-depleting brush and trees, such as cedar and mesquite. The program received \$9.1 million to establish a pilot project in the North Concho Watershed.

In 1993, the 73rd Legislature passed S.B. 503 which named the TSSWCB the lead agency to address water quality issues relating to runoff from diffused, or nonpoint sources resulting from agricultural and forestry operations. In 1999, the Legislature expanded the TSSWCB's environmental mission and appropriated money to address water pollution from nonpoint sources under a separate, federally mandated program.

The leaders who framed the Texas Soil and Water Conservation Law in 1939 recognized that landowners and operators of private land constitute the basic resource for the conservation of our renewable natural resources. Without the support and willing participation of private landowners and operators in the development and implementation of soil and water conservation programs there is little hope of success. Local soil and water conservation districts led by farmers and ranchers who know the land and the local conditions and problems have the means to develop conservation plans that address each acre of land specific to its needs to solve or reduce the severity of its problems.

Status Report on Implementation of Sunset Legislation Provisions

During FY10, the mission and performance of the TSSWCB (State Board) was reviewed by the Legislature as required under the Texas Sunset Act. The Commission adopted recommendations for the State Board in June 2010, and the Texas Legislature enacted H.B. 1808 (Cook, 82nd Legislature) in 2011 that continued the TSSWCB through 2023.

H.B. 1808 added standard Sunset language requiring impartial appointments to the State Board, modified standard Sunset language requiring members of the State Board to complete training before assuming their duties to apply the language to appointed, as well as elected, board members, and modified standard Sunset language specifying the grounds for removing a State Board member to apply the language to appointed, as well as elected, board members. None of these bill provisions required specific implementation action by the agency.

H.B. 1808 required the State Board to establish specific program goals and statewide grant practices and to measure impacts for state-funded competitive grant programs.

For the Water Supply Enhancement Program (WSEP), the agency established both general and specific goals related to an intensified focus on water yielded in areas exhibiting a conservation need.

GENERAL WSEP 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.
- Enhance mining and recovery of minerals, power generation, navigation and recreation and pleasure, and other beneficial uses.

SPECIFIC WSEP GOALS

- Implement project proposals that most enhance water quantity to the municipal water supplies most in need.

- Evaluation Criteria
 - Water supplies expected to benefit
 - Firm yield benefit to water supplies
 - Water user groups (WUGs) relying on water supplies
 - Percent of augmented water supply used by WUGs
 - Population of WUG
 - A ranking index that gives a measure of the yield benefit per capita

- Compliance Monitoring
 - Performance certifications are carried out to verify initial treatment, and status reviews are performed to verify compliance with follow-up treatment requirements that specify the brush canopy is being maintained at 5% or less of what was established after initial treatment.

- Analysis
 - The feasibility studies provide simulated water yields, therefore based on the project's progress (number of acres treated) at a given point in time the amount of water yielded can be estimated. Additionally, the results of status reviews provide the agency a measure of compliance with follow-up treatment that can be used to estimate continuing water yield benefits over the course of the ten-year contract with the participant. Acres not in compliance may be eliminated from water yield calculations. Finally, when available, water quantity monitoring data is analyzed to observe actual impacts on water supplies.

- Direct program grant funds toward acreage within an established project that will yield the most water.
 - Evaluation Criteria
 - A spatial analysis of a geographic information system is used to rank zones within a project's overall watershed into categories of high, medium, and low potential to yield water. The criteria include:
 - Soils
 - Slope
 - Density of brush
 - Proximity to streams

 - Compliance Monitoring

- Performance certifications carried out to verify initial treatment provide verification that the treated area is within a specified zone.
- Analysis
 - Treatment of acreage not within the scope of the contract is not reimbursed through the program.

For the Water Quality Management Plan (WQMP) Program, the agency established three specific goals aimed at focusing on water quality problems as recommended by a regional stakeholder group, determining which conservation best management practices are the most effective at reducing common pollutants and subsequently encouraging them through incentives, and eliminating existing participants from the Program that are no longer in compliance with their WQMP.

SPECIFIC WQMP GOALS

- Implement water quality management plans to abate agricultural and/or silvicultural nonpoint source pollutant contributions to impaired or threatened waters as prioritized by a regional stakeholder group in each state district.
 - Evaluation Criteria
 - Texas 303(d) list of impaired and threatened waters (Texas Integrated Report)
 - TSSWCB staff evaluation of agricultural and silvicultural contributions to Texas 303(d) List
 - Stakeholder group priority recommendations
 - State Board established priorities
 - Texas Best Management Practice Evaluation Tool (T-BET) modeling results on each water quality management plan
 - Compliance Monitoring
 - Agency staff will provide information regarding impaired and threatened waters to each stakeholder group. Stakeholder groups will be required to make recommendations that are consistent with the guidelines provided by the agency. Ultimately, the State Board will approve each set of priorities for each state district which serves as compliance monitoring. Additionally, T-BET will be performed on each water quality management plan; this provides an estimate of the load reductions of nitrogen, phosphorus, and sediment that would be realized after implementation.
 - Analysis
 - After each fiscal year the agency will evaluate the progress of the priorities within each state district by reviewing participation records and available water

quality monitoring data. Additionally, the T-BET load reduction estimates will be reviewed to verify that the BMPs being cost-shared are impacting the pollutant of concern in impaired or threatened watersheds. After analysis, modification to priorities and incentives may occur to compensate. Ultimate success is de-listing of an impaired or threatened waterbody.

- Identify best management practices that result in greatest load reductions for nitrogen, phosphorus, and sediment; prioritize more effective practices for better financial incentives.
 - Evaluation Criteria
 - T-BET modeling results.
 - Compliance Monitoring
 - NA to this goal.
 - Analysis
 - T-BET results will be analyzed to identify the most effective BMPs for the abatement of nitrogen, phosphorus, and sediment in each area of the state. Incentives may be modified in order to encourage the most effective BMPs.
- Eliminate water quality management plans that are no longer being followed by program participants from the list of active plans.
 - Evaluation Criteria
 - Results of status reviews. Each agency regional office has been instructed to perform additional status reviews targeting the oldest water quality management plans, as well as a percentage of other plans that are traditionally not targeted as high priorities for status reviews (animal feeding operations, facilities with frequent complaints, etc).
 - Compliance Monitoring
 - Status reviews.
 - Analysis
 - As status reviews are performed, non-complaint operations will be given an opportunity to regain compliance or accept decertification of the plan.

For the State Board's Flood Control Grant Programs, the agency established only one specific program goal. For the FY10-11biennium, the agency was appropriated \$15 million which was used for structural repair grants as well as operation and maintenance (O&M) grants. Because funding was reduced to \$4 million for the FY12-13 biennium, the State Board chose to direct all funds toward structural repair grants. For this reason, only one goal, pertaining to structural repair grants was established. If increased appropriations are available in the future and O&M grants are again dispersed, an additional goal related to completion of a percentage of O&M needs across the state will be established.

FLOOD CONTROL SPECIFIC GOAL

- Through a competitive grant program finance structural repairs on flood control dams. Priority is given to those dams that have the highest hazard classification and the highest potential to fail as a result of a rainfall event.
 - Evaluation Criteria
 - Award grant funds to the highest ranking application based on:
 - The existence of an order to complete a repair on a flood control dam issued by the Texas Commission on Environmental Quality (TCEQ) regarding dam safety.
 - A flood control dam's hazard classification as determined by the TCEQ
 - The type of repair activity required
 - The priority that a dam sponsor places on one dam repair compared to others under its jurisdiction
 - Compliance Monitoring
 - All information required to verify compliance with the goal is available prior to initiating a repair.

H.B. 1808 updated standard Sunset language requiring the State Board to maintain information on all complaints and notify the parties about policies for and status of complaints. The agency had previously implemented a complaint process that addressed all statutory requirements.

- <https://www.tsswcb.texas.gov/en/complaints>

The legislation also added standard Sunset language requiring the State Board to develop a policy that encourages the use of negotiated rulemaking and alternative dispute resolution. The State Board adopted policies on these two matters in September 2011; the policies are available on the agency's website at:

- https://www.tsswcb.texas.gov/en/negotiated_rulemaking
- https://www.tsswcb.texas.gov/en/alternateive_dispute_resolution

H.B. 1808 clarified that the State Board's brush control efforts should focus on water supply enhancement and changed the name of the Program from Brush Control to Water Supply Enhancement. The name change required no significant implementation action other than to modify program documents and rules. The intensified focus on water yield was accomplished through the establishment of the Program's goals and the development of a number of processes detailed below.

The Legislation required the State Board to develop a system to rank and prioritize water supply enhancement projects, rather than areas of the state, based on water conservation need and water yield. Additionally, it required the State Board to rank, based on need for water conservation and potential water yield, watershed projects across the state. It specified criteria for project prioritization, including projected water yield through a model in a feasibility study, and clarified terminology in statute for what is a watershed project, a sub-basin or area within a watershed project, and a cost-share contract within areas of a watershed.

In response, the agency spent a significant portion of 2012 developing the program processes and procedures necessary to meet these new requirements with the assistance of a stakeholder group comprised of:

- Dr. Ken Rainwater, Civil Engineer
- Vacant, Texas Commission on Environmental Quality
- Jason Skaggs, Texas and Southwestern Cattle Raisers
- Jule Richmond, Association of Soil and Water Conservation Districts
- Johnny Oswald, Texas State Soil and Water Conservation Board
- Dr. Robert Mace, Texas Water Development Board

The addition of a competitive nature to the program, inherent due to the requirement for a proposal process, was another result of the legislation. The agency developed an application and a process for entities and individuals to propose the establishment of projects as follows:

- An application is submitted for consideration. A feasibility study is required. If one does not exist, the application is considered for a feasibility study grant (see Draft Feasibility Study Policy).
- Applications are ranked according to process developed by Dr. Robert Mace, TWDB (see Power Point presentation demonstrating this process *Evaluation of Six Locations for Prioritization of Water Enhancement* available on the agency website at https://www.tsswcb.texas.gov/files/docs/brush/Ranking_Process.pdf).

GIS spatial analysis is performed to identify zones of high, medium, and low potential water yield (see Power Point presentation *Demonstration of Brush Removal Criteria for Water Supply Enhancement* available on the agency website at

https://www.tsswcb.texas.gov/files/docs/brush/Demo_Brush_Removal_Rainwater_Spatial_Analysis_11-2012.pdf).

Zones of high potential water yield are considered eligible acres within a project area.

The legislation also required that a feasibility study, to include a computer model that would estimate the potential water yield for the project, be completed prior to the project being implemented. The feasibility study and the projected water yield are required so that the agency could use the information to rank proposals according to a set of criteria. Through the stakeholder group, the agency established a policy on feasibility studies as follows:

1. All projects must have a feasibility study that includes site-specific computer modeled water yield component.
2. Applications for projects that do not have feasibility studies, or have studies that do not include a site-specific computer modeled water yield component developed by a person with expertise as described in 203.053(b), Agriculture Code, will be considered as a request for TSSWCB funding to complete the required study.
3. The State Board may allocate funds for the completion of feasibility studies. If funds are allocated for a feasibility study, the TSSWCB may contract either with the entity who proposed the project, or directly with a qualified technical provider chosen by both parties to conduct the feasibility study.
4. Applications for funding to complete a feasibility study will be referred to the Science Advisory Committee for review. In considering the project's anticipated impact on water resources and in ranking the applications for funding, the Science Advisory Committee will consider:
 - Recommendations in the State Water Plan or a Regional Water Plan to conduct a feasibility study in the specific watershed
 - Published, peer-reviewed science that suggests the proposed WSE project may yield water in Texas. The factor is affected by if such studies were 1) conducted in the specific watershed, 2) a similar watershed in Texas, or 3) a similar watershed outside of Texas.
 - Expert (per Ag Code 203.053(b)) "testimony" on the potential benefit (water yield) of the proposed project.

Once applications are ranked, the Science Advisory Committee will direct applying entities to an appropriate or recommended modeler (per 203.057(a)) to conduct the feasibility study.

The following is a list of requirements for computer modeling:

- Effective applications must demonstrate significant increases in post-treatment water yield as compared to the pretreatment conditions.
- All digital maps must be georeferenced with sufficient metadata to allow overlays with other digital map layers.

- Watershed delineation. The contributing drainage area that includes the target treatment area can be identified using those delineated in the U.S. Geological Survey (USGS) National Hydrography Dataset (NHD) and confirmed by a digital elevation model (DEM).
- Topographic information. Ten-meter DEMs are available from the USGS National Elevation Dataset (NED) and will likely require mosaic assembly to contain the area of interest.
- Surface water bodies and stream and river channels. Appropriate data from the NHD and analysis of the DEM can confirm the locations of channels, impoundments, and reservoirs within the area of interests.
- Soils distribution. The U.S. Department of Agriculture Soil Survey Geographic (SSURGO) database provides polygon-type maps that demonstrate the variations in soil type and other physical parameters that impact runoff and infiltration across the area of concern. These maps must also be joined in a mosaic form.
- Analysis of vegetation and land use. The USGS National Land Cover Dataset (NLCD) 2006 provides up to 16 different land cover classifications at 30 m resolution. For more recent land use description as well as vegetation description, digital orthoquads can be obtained from the USDA website and assembled as a mosaic to envelop the area of interest. Images from 2008 are available, and more recent images from 2010 are coming online. Ground-truth site visits are necessary to confirm vegetation types and locations.
- Roads and highways map. The ESRI datasets include linear features such as streets, county roads, highways, and freeways that may affect local watershed behavior.

When funding a project, the agency has established a process whereby an allocation is calculated based on the number of high ranking eligible acres, the desired number of eligible acres the proposal identifies for treatment, the average cost of brush control for each eligible acre, and the amount of time required to treat the number of acres targeted in the proposal. A reallocation process will be initiated on May 1 of each year whereby an assessment will be used to determine if funds should be de-allocated from some projects and reallocated to others in order to maximize expenditure of program funds in the fiscal year. Meetings with project partners will be required to carry this out, and funds will be reallocated to other already-funded projects in order of highest ranking prior to original allocation, or to finance new feasibility studies.

H.B. 1808 also required the State Board to ensure follow-up brush control treatment and assess the overall effectiveness of the Water Supply Enhancement Program. In response, the agency will continue to require follow-up brush control treatment, at no cost to the State, in its water supply enhancement plans. Status reviews will be conducted within three to five years after initial treatment of Mesquite, Mixed Brush, Juniper or Saltcedar to determine if the canopy is above 5%. A second status review will be performed eight to nine years after initial treatment. If the producer is found out of compliance, he/she will not be eligible for another contract for a period of ten years.

The legislation also clarified the State Board's ability to accept grants, loans, or other funds in its role as administrator of the Texas Invasive Species Coordinating Committee, although this ability has not been exercised by the agency.

Further updates on the status of the State Board's implementation of House Bill 1808 will be reported on the agency website and can be accessed on each program's main website address.

www.tsswcb.texas.gov

Organization

Since inception, the TSSWCB has been governed by five board members, elected by delegates from each of five regions of the state's 216 local soil and water conservation districts. Elections occur annually at regional conventions of the local soil and water conservation districts, with members serving two-year staggered terms. However, with the enactment of S.B. 1828 by the 78th Legislature, two Governor appointees join the five elected board members to create a seven-member board. The two Governor appointed positions are listed below. The term of one member appointed by the Governor expires February 1 of each odd-numbered year, and the term of the other member appointed by the Governor expires on February 1 of each even-numbered year.

Elected State Board members must be 18 years of age or older; hold title to farmland or ranchland; and be actively engaged in farming or ranching. The Governor appointees must be actively engaged in the business of farming, animal husbandry, or other business related to agriculture and wholly or partly owns or leases land used in connection with that business; and may not be a member of the board of directors of a conservation district.

The State Board elects its own Chair and generally meets every odd month, unless specific programs or issues require more immediate action. The following list shows the current Board members and which State Board Region they represent.

Texas State Soil and Water Conservation Board Members

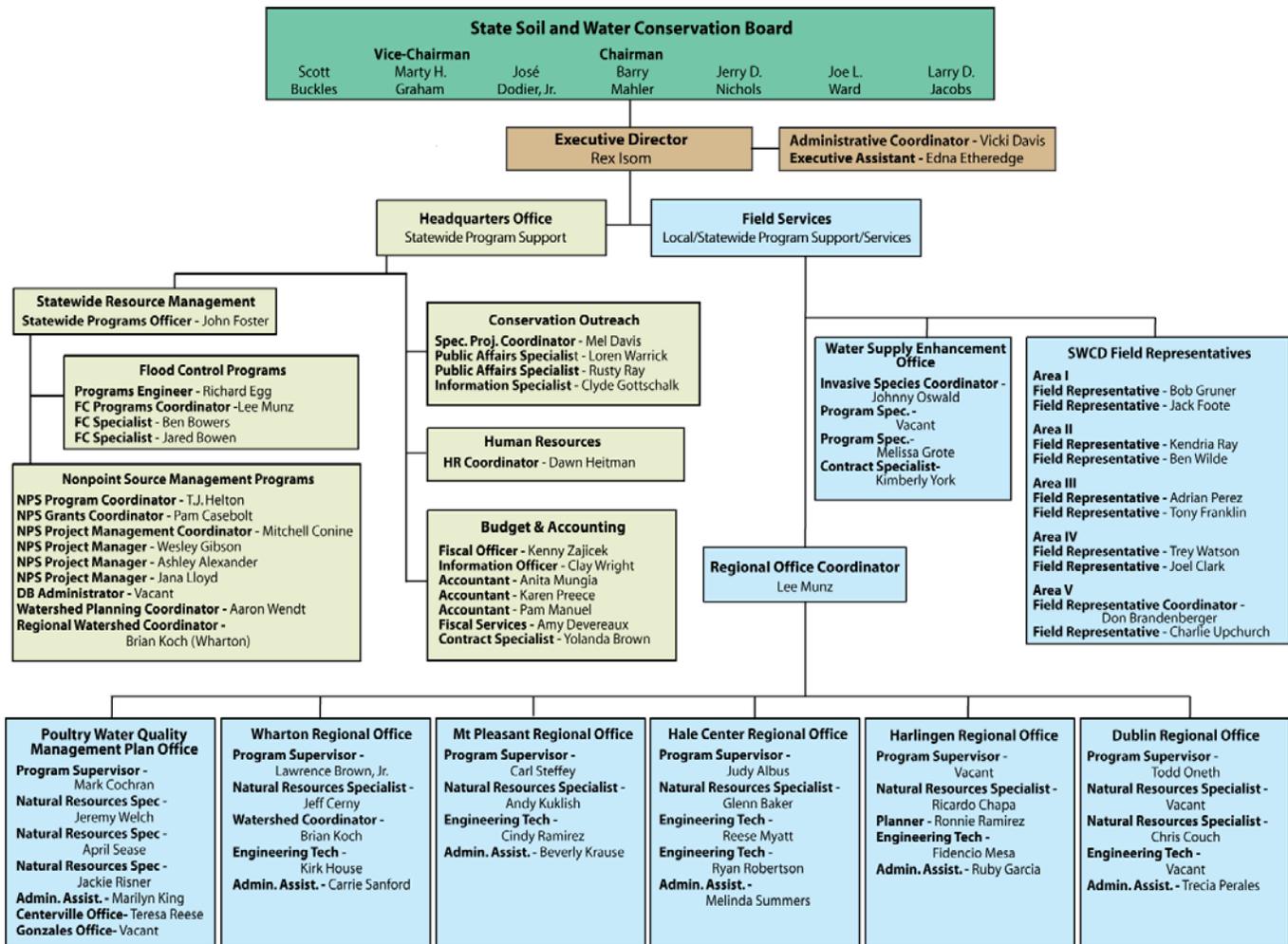
Member Name	Region	Term	Residence
Scott Buckles	#1	May 3, 2011-May 7, 2013	Stratford
Marty H. Graham	#2	May 1, 2012-May 6, 2014	Rocksprings
José O. Dodier, Jr.	#3	May 3, 2011-May 7, 2013	Zapata
Jerry D. Nichols	#4	May 1, 2012-May 6, 2014	Nacogdoches
Barry Mahler	#5	May 3, 2011-May 7, 2013	Iowa Park
Larry D. Jacobs	Appointed	February 1, 2012-February 1, 2014	Montgomery
Joe L. Ward	Appointed	February 1, 2011-February 1, 2013	Telephone

Staff

Mr. Rex Isom has been the Executive Director since January 2004 and continues to carry out the directives of the State Board and directing staff efforts. We emphasize our agency philosophy as stated in our Strategic Plan, “The State Soil and Water Conservation Board will act in accordance with the highest standards of ethics, accountability, efficiency, and openness. We affirm that the conservation of our natural resources is both a public and a private benefit, and we approach our activities with a deep sense of purpose and responsibility.” Mr. Isom, as Executive Director, is leading the agency in that direction and expects all employees to follow that lead.

As of December 1, 2012, the TSSWCB employed 68 staff, 26 of which work in the Temple headquarters. The remaining employees are field staff, either working out of their homes or located in seven satellite offices, located throughout the state. Due to difficulty in recruiting, engineers services are now being contracted with engineering firms. The following organization chart shows the agency’s current structure.

The current structure of the TSSWCB reflects efforts to maintain more personnel in the field and away from headquarters for a 62% to 38% ratio of Field personnel to Headquarters personnel. The regional office staff along with the program specific staff provides on-site technical assistance to farmers and ranchers. The field staff serves as a liaison between the TSSWCB and local districts. The field staff also provides assistance to local districts and district employees concerning operations, programs, and activities. The regional office staff and the program specific staff coordinate with the Texas Commission on Environmental Quality (TCEQ), Texas AgriLife Extension Service, and the USDA’s Natural Resource Conservation Service (NRCS) to provide technical assistance to landowners to implement Water Quality Management Plans (WQMPs).



1 Dec 12

Figure 1. Diagram of Agency Organization

Soil and Water Conservation Districts

The TSSWCB performs many of its activities in coordination with the state's 216 local soil and water conservation districts. These local districts are political subdivisions of the state, established through local option elections of agricultural landowners. Districts generally reflect county boundaries, but may also follow river basin or watershed boundaries, depending on the desires of the local landowners.

The following soil and water conservation district map shows the current 216 local districts that cover the entire state. The map also shows the grouping of the districts into the five State Board Districts that respectively elect a State Board member and shows the field staff that is assigned to work with each district within a specific area.

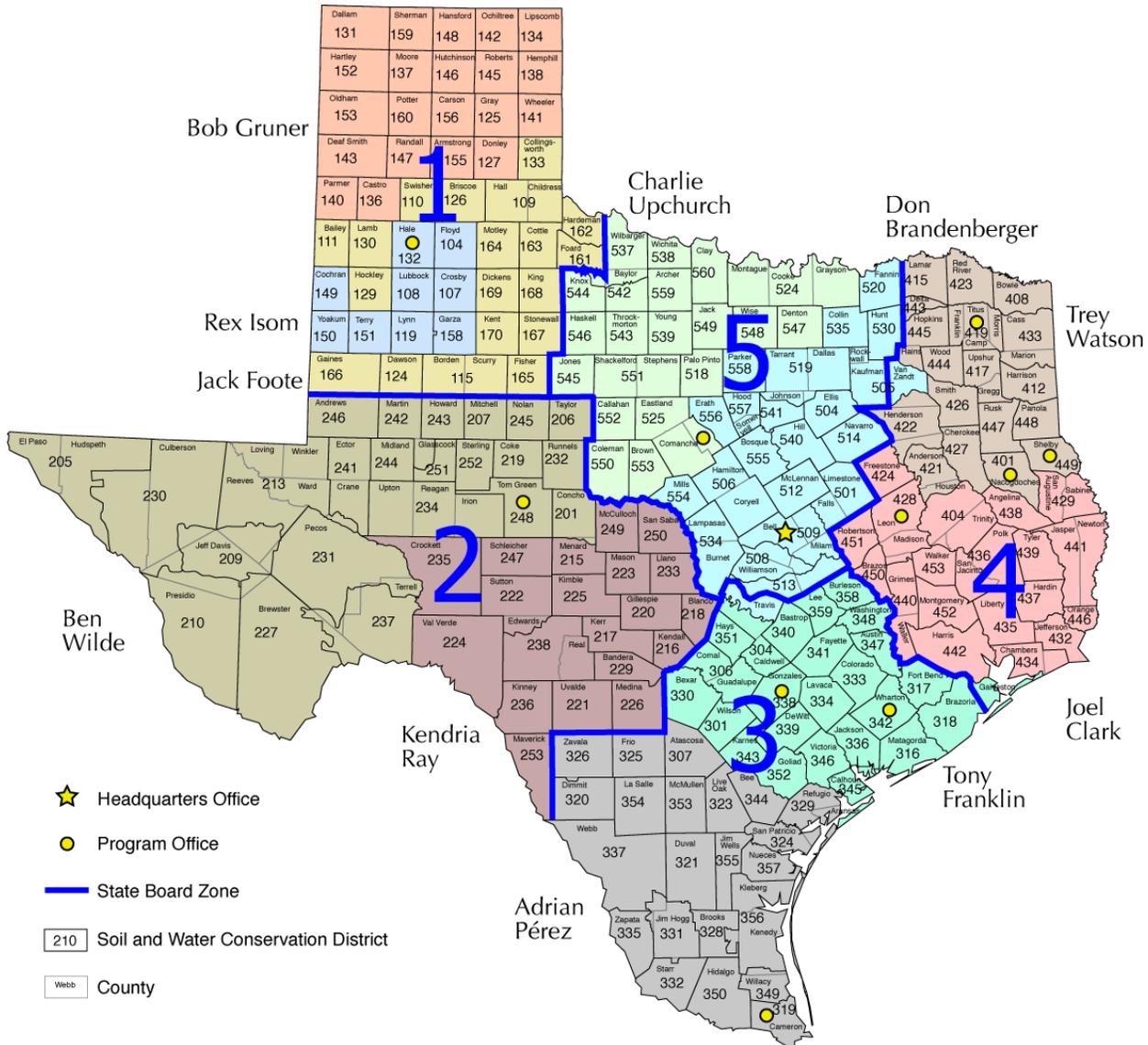


Figure 2. Map of State Board Zones and Soil and Water Conservation Districts

Landowners within these local districts elect the five district directors that comprise the districts governing body or board of directors. This board of directors administers the programs and activities of the district. Representatives of the districts within each region then elect the members of the State Board through a series of convention style-elections.

Districts do not have taxing authority and rely on locally generated funds from various activities and programs, federal assistance, county assistance, and state assistance from the TSSWCB. The USDA Natural Resource Conservation Service (NRCS) provides most of the federal assistance available to districts and through cooperative agreements provides technical assistance to farmers and ranchers requesting assistance from the district.

Annual State Meeting Of Soil and Water Conservation District Directors

The Annual State Meeting of Soil and Water Conservation District Directors, required in §201.081, Texas Agriculture Code, was held October 29-31, 2012 in Bastrop at the Lost Pines Hyatt Regency with 602 registered attendees. The 2013 Annual State Meeting is scheduled for the Omni Hotel in Fort Worth on October 28-30. Registration information will go out in June 2013 for the meeting in Fort Worth.

Director Mileage and Per Diem

The 81st Legislature provided an additional \$134,510 per year to offset costs for the increase in the reimbursement rate for District Director Mileage claims from 18 cents to the current state rate of mileage. The FY11 appropriation for this program is \$434,510.

District Technical Assistance Funds

The TSSWCB disburses Technical Assistance payments to Districts on a reimbursing basis to supplement their efforts in providing assistance to agricultural producers in the state. Distributions are contingent upon Districts filing annual performance reports with the TSSWCB. The FY12 appropriation for this program is \$1,439,554.

District Conservation Assistance Program

The 82nd Legislature provided Conservation Assistance Grants to Districts for the 2012-13 Biennium. The grants are awarded on a matching basis requiring Districts to raise funds from sources other than the TSSWCB. Districts do not have taxing authority and use locally raised funds with this matching grant to support their operational expenses. The FY12 appropriation for this program is \$917,790.

Programs and Activities of the TSSWCB

The services and programs provided by the TSSWCB are focused on rural Texas farmers and ranchers, but the results of these services benefit all Texans. For example, many of the flood control structures maintained by SWCDs serve to protect heavily populated areas from flood damage, and also prevent sediment from building up in drinking water supplies. Another example is the use of best management practices (BMPs), implemented through TSSWCB-certified WQMPs, to prevent pesticides, nutrients, bacteria and other pollutants from impairing the use of Texas streams, rivers, lakes, and estuaries.

The agency is responsible for numerous natural resource conservation efforts, the most prominent of which is serving as the lead state agency responsible for planning, implementing and managing programs and practices for preventing and abating agricultural and silvicultural (forestry-related) nonpoint source (NPS) water pollution. To fulfill this mandate, the agency jointly administers the *Texas Nonpoint Source Management Program* with the Texas Commission on Environmental Quality (TCEQ). As a result, many of the agency's programs and services, aim to improve and protect water quality, including the Water Quality Management Plan Program, the Nonpoint Source Grant Program, the Total Maximum Daily Load Program, and the Watershed Protection Plan Program. Additionally, the TSSWCB is a member of the Coastal Coordination Advisory Committee and the Texas Groundwater Protection Committee.

The TSSWCB is also responsible for programs affecting water quantity. The major existing program is the Water Supply Enhancement Program which seeks to increase water supply through the targeted

control of water-depleting brush. Additionally, many BMPs implemented by farmers and ranchers as prescribed in their WQMP have ancillary water conservation benefits – increasing irrigation efficiency and reducing water demand. The TSSWCB is also a member of the Water Conservation Advisory Council.

Other responsibilities include prevention of soil erosion, control of floods, maintaining the navigability of waterways, the preservation of wildlife, protection of public lands, and providing information to landowners regarding the jurisdictions of the TSSWCB and the TCEQ as related to NPS water pollution.

Flood Control 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. Soil and water conservation districts SWCD 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 the 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

The O&M Grant Program is a reimbursable grant program for local SWCDs and certain co-sponsors of flood control dams. This program reimburses SWCDs 90% of the cost of an eligible O&M activity as defined by the program rules; the remaining 10% must be paid with non-state funding. Rules for the O&M Grant Program were developed by the TSSWCB staff and a representative stakeholder group during the summer of 2009. The rules were adopted by the State Board on September 17, 2009, and

published in the Texas Register on October 9, 2009. The rules became effective October 14, 2009, and the program is fully operational.

In FY10, \$2,472,008 was allocated to 84 SWCDs and co-sponsors to conduct O&M activities on flood control dams. All FY 10 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 \$72,533 to be utilized by June 28, 2013.

Structural Repair Grant Program

Rules for the Structural Repair Grant Program were adopted by the State Board on March 18, 2010, and became effective April 25, 2010. 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 seven 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 and 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. To date, all needed repairs have been completed on one of the two flood control dams and the remaining dam is under construction. \$1,364,836 of FY12 program funds have been obligated.

On October 26, 2012 districts and sponsors were notified that the TSSWCB is seeking applications for structural repair projects on flood control dams in accordance with Texas Administrative Code, Chapter 529, Subchapter B. Applications for Fiscal Year 2013 grant funds were due on November 30, 2012. The TSSWCB received ten applications on 21 dams for structural repair projects. TSSWCB staff will be conducting a ranking exercise to rank the application to determine which projects may receive possible funding.

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

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

Texas Nonpoint Source Management Program

The federal Clean Water Act (CWA) requires States to develop a program to protect the quality of water resources from the adverse effects of NPS water pollution. The *Texas NPS Management Program* is the State's official roadmap for addressing NPS pollution and is jointly administered by the TSSWCB and the TCEQ. The program publication is updated every five years. The *2012 Texas NPS Management Program* was approved by the U.S. Environmental Protection Agency (EPA) August 2012.

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 TSSWCB and the TCEQ have established goals and objectives for guiding and tracking the progress of NPS management in Texas.

On March 13, 2012, TSSWCB distributed the *2011 Annual Report on Managing NPS Water Pollution in Texas* to all SWCDs; the report is jointly published by the TSSWCB and the TCEQ. In order to continue receiving CWA §319(h) funds, the State must annually report to EPA on success in achieving the goals and objectives of the *Texas NPS Management Program*. The report highlights the State's efforts during FY2011 to collect data, assess water quality, implement projects that reduce or prevent NPS pollution, and educate and involve the public to improve and maintain the quality of water resources. The report is available at <http://www.tsswcb.texas.gov/reports#nps>.

Implementation of the *Texas NPS Management Program* involves partnerships among many organizations. With the extent and variety of NPS issues across Texas, cooperation across political boundaries is essential. Many local, regional, state, and federal agencies play an integral part in managing NPS pollution, especially at the watershed level. SWCDs are vital partners in working with landowners to implement BMPs that prevent and abate agricultural and silvicultural NPS water pollution.

Multiple water quality programs administered by and/or coordinated through TSSWCB collectively represent the agency's efforts in supporting the goals and objectives of the *Texas NPS Management Program* including:

- Nonpoint Source Grant Program
- Total Maximum Daily Load (TMDL) Program
- Watershed Protection Plan (WPP) Program
- Water Quality Management Plan (WQMP) Program
- Coastal Coordination Advisory Committee Function
- Texas Groundwater Protection Committee Function

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

Nonpoint Source Grant Program

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

Agricultural and silvicultural NPS pollution prevention and abatement activities that can be funded through the NPS Grant Program include the following: implementation of nine-element WPPs and the NPS portion of TMDL Implementation Plans (I-Plan), surface water quality monitoring, demonstration of innovative best management practices (BMPs), technical assistance and financial incentives for the development and implementation of WQMPs, public outreach/education, development of nine-element WPPs, and monitoring activities to determine the effectiveness of specific pollution prevention methods.

More information on the TSSWCB NPS Grant Program is available at:

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

Clean Water Act §319(h) Grant Funding

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. Texas' share of the §319(h) funding is divided equally between the TCEQ and the TSSWCB. Over the past several years, the State's allocation has been approximately \$8 million per year.

TSSWCB is currently administering approximately \$12 million in unliquidated federal funds from FY08 - 12 CWA §319(h) allocations. There are currently 46 ongoing §319(h) grant-funded projects addressing a wide array of agricultural and silvicultural NPS issues. Specific project activities include implementing BMPs to abate NPS pollution from animal feeding operations, grazing livestock operations and row crop operations; providing technical assistance through SWCDs for the development of WQMPs; providing financial incentives for implementing certain BMPs prescribed in WQMPs; supporting various targeted educational programs; developing and implementing WPPs and implementing the NPS portion of TMDL I-Plans.

Quarterly progress reports for ongoing projects were received on July 15, 2012 and October 15, 2012. To date, reports have been received for 100% of the projects. These reports are entered semi-annually into EPA's Grants Reporting and Tracking System.

On August 31, 2012, TSSWCB SRM staff issued the FY13 Request for Proposals (RFP) for the NPS Grant Program. The RFP was published in the Texas Register, posted on the TSSWCB website, and all SWCDs and cooperating entities were notified of this funding opportunity. 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 12, 2012. TSSWCB received 21 proposals requesting a total of \$8,621,145 in federal funds. Received proposals are being reviewed by SRM staff based on the published ranking criteria and will be selected for funding. Projects receiving federal funding must be submitted to EPA in spring 2013 for review and approval.

State General Revenue Grant Funding

The 80th Texas Legislature appropriated general revenue 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 Texas Legislature renewed this appropriation. On September 17, 2009, the TSSWCB approved a revised *TSSWCB Policy on TMDLs and Watershed Planning, Assessment, and Implementation Activities* which provides guidance to staff on directing state appropriations for the NPS Grant Program. The TSSWCB has approved operating budgets for FY11, FY12, and FY13 that allocated a total of \$3.9 million in state general revenue to the NPS Grant Program.

TSSWCB is currently administering \$2.3 million in unliquidated state funds from FY11 -FY13 State NPS Grant Program allocations. There are currently 9 ongoing general revenue-funded projects addressing an array of agricultural and silvicultural NPS issues. These projects are primarily being used to implement agricultural NPS components of TMDL I-Plans; conduct recreational use attainability analyses (RUAs); 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.

Quarterly progress reports for ongoing projects were received on September 15, 2012 and December 15, 2012. To date, reports have been received for 100% of the projects.

Total Maximum Daily Load Program

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 *2010 Texas Integrated Report for CWA §§305(b) and 303(d)* was approved by EPA on November 18, 2011. The *2012 Integrated Report* identifies over 1,012 impairments (waterbody-pollutant combinations) on 438 waterbody segments.

The State must then establish a Total Maximum Daily Load (TMDL) for certain waterbodies identified on the *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. On September 27, 2006, at a joint meeting, the TSSWCB and the TCEQ renewed this partnership and approved a revised *Memorandum of Agreement on Total Maximum Daily Loads, Implementation Plans, and Watershed Protection Plans*. This framework for collaboration between the two agencies describes the programmatic mechanisms employed to develop and implement TMDLs and I-Plans.

TSSWCB is engaged in implementation activities that support approved I-Plans addressing agricultural or silvicultural NPS load reductions described in adopted TMDLs; collaborating with stakeholders on the development of I-Plans for adopted TMDLs that contain agricultural or silvicultural NPS load reductions; and, actively engaged in the development of TMDLs for waterbodies impaired due to known or suspected agricultural or silvicultural NPS pollution.

TSSWCB funded activities are mitigating bacteria, dissolved oxygen, phosphorus and salinity impairments through TMDLs and I-Plans. Specific watersheds where TSSWCB efforts to restore water quality are channeled through TMDL development and implementation are discussed in the *Watershed Approach to Water Quality Planning and Implementation* section of this Report and shown on Figure 3.

In order to abate agricultural and silvicultural NPS pollution, TMDLs and I-Plans will implement components of other TSSWCB Programs, such as the Water Quality Management Plan Program or the Water Supply Enhancement Program. Additionally, the TSSWCB CWA §319(h) NPS Grant Program and

the State General Revenue NPS Grant Program frequently serve as funding sources to implement the agricultural and silvicultural NPS components of I-Plans. These programs are described in detail in other sections of this Report.

More information on the TSSWCB TMDL Program is available at <http://www.tsswcb.texas.gov/tmdl>.

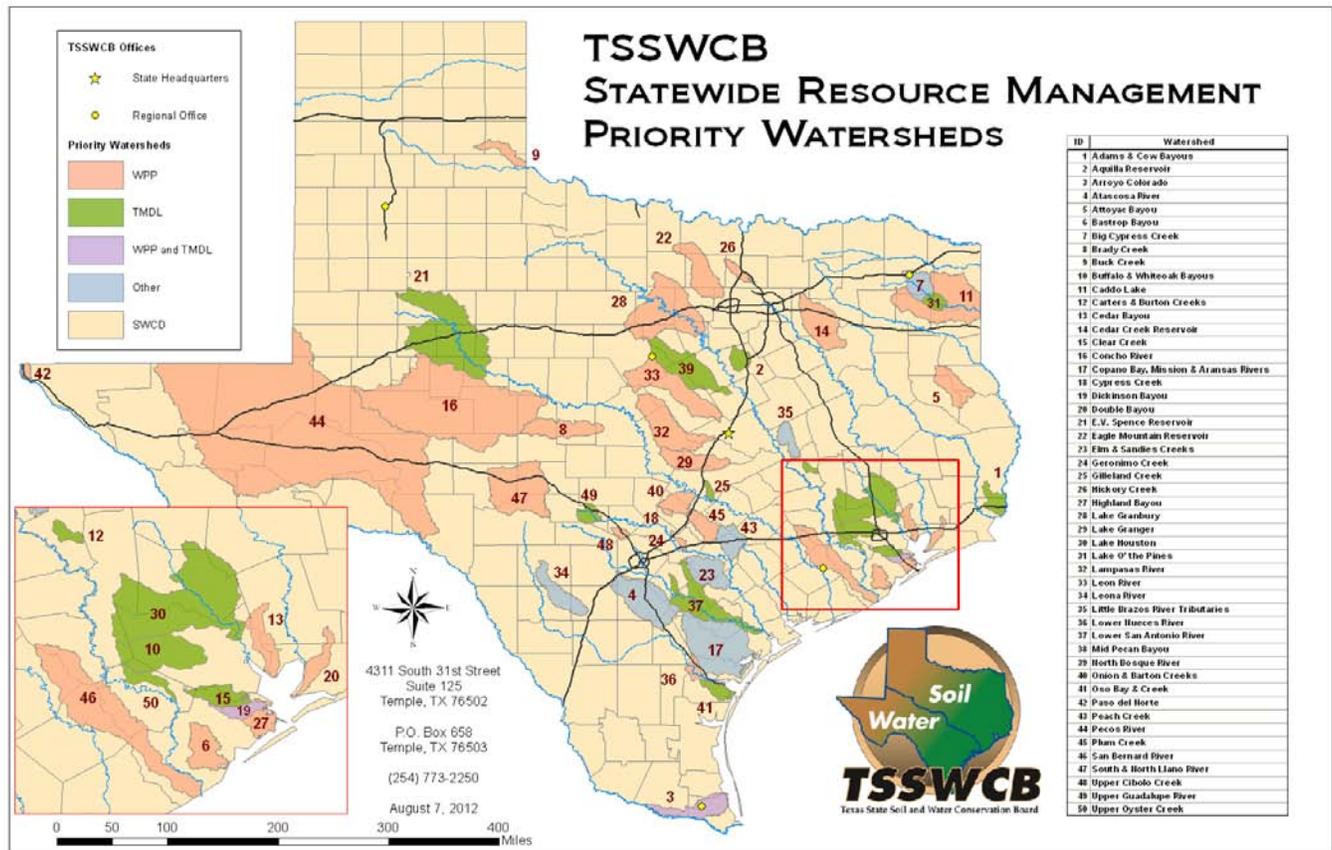


Figure 3. TSSWCB Efforts to Restore Water Quality

Recreational Use Attainability Analyses

According to the *2010 Texas Integrated Report for CWA §§305(b) and 303(d)*, 318 waterbodies are impaired because they do not meet surface water quality standards for bacteria established to protect contact recreation use (in freshwater or saltwater) and/or oyster water use. The magnitude of bacteria impairments in Texas is evident when compared to all other types of water quality impairments.

Critical to solving the breadth of bacteria impairments statewide is ensuring that the water quality standards designed to protect recreation use are appropriate and credible. 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 recreation) 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 may be conducted and a review of historical information may be completed. If the results of the RUAA indicate that a different, more appropriate use is warranted, the resulting change in the associated bacteria criterion may result in the waterbody no longer being identified on the *303(d) List* as impaired, thus negating the need to adopt a TMDL.

The TCEQ and TSSWCB are in the process of conducting RUAAs on waterbodies across the state. Prior to conducting the surveys, local stakeholders will be contacted to seek input on each project's monitoring plan. TCEQ is coordinating communication with SWCDs through the TSSWCB. 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.

Specific watersheds where TSSWCB is funding RUAAs are discussed in the *Watershed Approach to Water Quality Planning and Implementation* section of this Report and shown in Figure #3.

More information on RUAAs being conducted statewide is available at [http://www.tceq.texas.gov/permitting/water_quality/wq_assessment/standards/ruaas/index./](http://www.tceq.texas.gov/permitting/water_quality/wq_assessment/standards/ruaas/index/)

Watershed Protection Plan Program

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 the sources and causes of impairments and threats to both surface and ground water resources within a watershed.

WPPs serve as tools to better leverage the resources of local governments, state and federal agencies, and non-governmental organizations. WPPs integrate activities and prioritize implementation projects based upon technical merit and benefits to the community, promote a unified approach to seeking funding for implementation, and create a coordinated public 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.

EPA requires certain expenditures through CWA §319(h) grants to be in accordance with a WPP. TSSWCB provides technical and financial assistance to local stakeholder groups to develop and implement WPPs to address significant agricultural or silvicultural NPS issues. Additionally, TSSWCB staff provides technical assistance in developing WPPs which are funded and facilitated by other entities, such as the TCEQ.

Partnerships with the Texas AgriLife Extension Service, the Texas Water Resources Institute and the TCEQ have resulted in the development of training programs for local stakeholder groups and watershed coordinators. The Texas Watershed Steward Program (<http://tw.s.tamu.edu/>) supports the development and implementation of WPPs by promoting a sustainable proactive approach to managing water quality at the

local level by empowering individuals to take leadership roles in the management of water resources. The Texas Watershed Planning Short Course (<http://watershedplanning.tamu.edu/>) delivers training to watershed coordinators and water resource professionals to ensure WPPs are adequately planned, coordinated, implemented, and results properly assessed and reported. In order to build upon the fundamental knowledge conveyed through the Short Course, the State hosts Watershed Coordinator Roundtables (<http://watershedplanning.tamu.edu/developing/guidance/roundtable>) semi-annually to continue dialogue between watershed coordinators in order to facilitate interactive solutions to common issues being faced statewide.

On September 27, 2006, at a joint meeting, the TSSWCB and the TCEQ approved a revised *Memorandum of Agreement on Total Maximum Daily Loads, Implementation Plans, and Watershed Protection Plans*. This framework for collaboration between the two agencies describes the programmatic mechanisms employed to develop and implement WPPs.

WPPs currently sponsored by TSSWCB have significant agricultural or silvicultural NPS pollution components and are all funded through CWA §319(h) NPS Grants. 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 as well. There are several other watershed planning efforts across the state which are funded and sponsored by entities and agencies other than the TSSWCB or the TCEQ.

Specific watersheds, where TSSWCB efforts to restore water quality are channeled through WPP development and implementation, are discussed in the *Watershed Approach to Water Quality Planning and Implementation* section of this Report and shown in Figure 3.

In order to abate agricultural and silvicultural NPS pollution, WPPs will implement components of other TSSWCB Programs, such as the Water Quality Management Plan Program or the Water Supply Enhancement Program. Additionally, the TSSWCB CWA §319(h) NPS Grant Program and the State General Revenue NPS Grant Program serve as funding sources to implement the agricultural and silvicultural NPS components of WPPs. These programs are described in detail in other sections of this Report.

More information on the TSSWCB WPP Program is available at <http://www.tsswcb.texas.gov/wpp>.

Water Quality Management Plan Program

With the passage of S.B. 503 in 1993, the Texas Legislature directed the TSSWCB to implement WQMPs to abate agricultural and silvicultural nonpoint source 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 10,173 plans on 3,991,871 acres as of December 18, 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 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. 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.

From September 1, 2012 through December 18, 2012 there have been 49 new WQMPs certified on 60,235 acres. There have also been 63 applications approved for financial incentives to assist producers with the implementation of agricultural nonpoint source pollution abatement practices. More information about the WQMP Program is available at <http://www.tsswcb.texas.gov/wqmp>.

Poultry Water Quality Management Plan (WQMP) Initiative

Background

In 1994, the TSSWCB began assisting poultry operations with the establishment of the Northeast Texas Regional Office in Mt. Pleasant. Between 1994 and 2004, over \$300,000 of WQMP Program funding was provided annually to six SWCDs in Northeast Texas to address animal feeding operations (AFOs). Beginning in 2005, funding for SWCDs in Northeast Texas was reduced to just under \$200,000 annually. Shelby SWCD began receiving state cost-share funds in FY05 and the Nacogdoches SWCD began receiving cost-share funds in FY 2007 to address poultry animal feeding operations in those counties.

In 1995, the TSSWCB initiated three federal Clean Water Act, §319(h) projects to demonstrate composting as a means for dead bird disposal, buffer strips, and proper land application of poultry litter. In 1996, the TSSWCB expanded its efforts by initiating a composting and marketing project. This effort to promote the installation of composters and other means of mortality management on poultry farms resulted in accelerated WQMP development.

In 1997, the Texas Legislature passed Senate Bill 1910, which required all poultry farms to have a TCEQ-approved method of dead bird disposal. The law took effect in March 1998. However, the rules were not adopted and did not take effect until fall 1999. It was during this time that requests for poultry WQMPs significantly increased due to pursuit of cost-share for mandated mortality management. This activity intensified the TSSWCB's poultry initiative.

In 1999, in response to water quality concerns and the initiation of TMDL development in the Big Cypress/Lake O' the Pines watershed, the TSSWCB began using federal §319 funds for cost-share in the area in addition to the state Senate Bill 503 cost-share funds already directed to the watershed. The current implementation process of the TMDL has shown that the WQMP program has resulted in reduced nutrient loadings in the watershed. Due to rising concerns in nearby watersheds, the TSSWCB also included the Sam Rayburn and Toledo Bend Reservoir watersheds in its initiative in 1999. The TSSWCB expanded the poultry initiative again in 2001 to the Gonzales area.

In 2001, the 77th Legislature passed Senate Bill 1339, which requires all poultry facilities in Texas to operate in accordance with a WQMP certified by the TSSWCB. The review and certification process assures the plan includes appropriate practices, management measures, and schedules of implementation.

This law provided for a staggered-schedule of deadlines by which each producer, depending on their initial date of operation, must have requested the development of a WQMP from their soil and water conservation district. Any commercial poultry facility constructed after January 1, 2002 is required to have a WQMP prior to the receipt of any birds. All other commercial poultry facilities were required to have a WQMP no later than December 31, 2007.

In 2004, large dry-litter poultry farms were first defined as concentrated animal feeding operations (CAFOs) due to changes made by the U.S. Environmental Protection Agency (EPA) to the federal

regulations. In response, the Texas Commission on Environmental Quality (TCEQ) adopted a rule change that required larger dry-litter poultry operations to operate under a water quality permit. However, a federal court decision in 2005 vacated portions of EPA's rule and in 2006 TCEQ adopted new rules to allow CAFO size dry-litter poultry farms an exemption to permitting if they obtain and follow a WQMP certified by TSSWCB. EPA's final rule became effective in December 2008. Meetings were held in seven different poultry producing locations in 2008 to inform poultry producers of those additional requirements. In 2011, portions of the 2008 rule were vacated by a federal court and TCEQ is in the process of revising their rules accordingly.

In 2009 the 81st Texas Legislature passed Senate Bill 1693 which prohibits TSSWCB from certifying or re-certifying a WQMP for a farm that is likely to cause a nuisance odor for neighbors within ½ of one mile of the farm unless it obtains an odor control plan. It required TSSWCB to develop rules for determining if a nuisance odor from the facility is likely. The rules allow the farm the option to obtain consent from neighbors in lieu of the odor control plan. The law requires record keeping of litter usage by the poultry farm as well as receivers of poultry litter. It requires owners of new farms to complete an odor control prevention course from Texas A&M poultry science department.

Between 2001-2012, there have been 10 soil and water conservation districts (SWCD) that have had technicians employed to assist with developing and maintaining WQMPs for poultry producers. In August 2012, the last of those technician projects expired and only the TSSWCB staff remains to develop and maintain over 1200 poultry WQMPs in 49 counties across Texas.

The TSSWCB Nacogdoches Poultry Office was established in 2003, while the Gonzales and Centerville offices were established in 2007. The offices are located in heavily poultry populated areas of the state which are Nacogdoches, Gonzales, and Centerville and each also serves the poultry producers in surrounding counties. Those 3 offices serve 29 counties which account for about 68% of the currently over 1200 existing dry-litter poultry farms in Texas. Poultry Program staffing now consists of (1) Program Supervisor, (5) Natural Resource Specialists, and (1) Administrative Assistant to assist poultry producers primarily in those 29 counties, but are available for other counties as needed. In addition, TSSWCB Regional Office staffs also assist poultry producers in their areas across the state.

In May 2010 researchers from Texas A&M University and Stephen F. Austin State University began a project to evaluate technologies for controlling dust and odor from poultry farms. Electrostatic Particle Ionization and BioCurtains were installed and evaluated at a working poultry farm in Central Texas to determine if these technologies can be effectively implemented to reduce dust and odors. The final report was submitted to TSSWCB in December 2011. Results showed a reduction of ammonia by 9-17%, hydrogen sulfide by 9%, and total suspended solids by 34-43%. This project was funded by TSSWCB and NRCS.

Current Issues

Currently, the TSSWCB is aware of 1216 total dry-litter poultry farms, of which 482 (40%) are defined as Concentrated Animal Feeding Operations (CAFO). However, there is an ongoing challenge of identifying new poultry farms continually being constructed and put into production, others going out of business, farms changing bird placement numbers which can affect their AFO/CAFO status, and locating other poultry farms not yet identified.

In FY 2013, staff in the Poultry WQMP Program continues to develop, update, and review Water Quality Management Plans for poultry producers and provide assistance with all issues related to the Poultry

WQMP Program. The Program Supervisor, three Natural Resource Specialists, and one Administrative Assistant staff the Nacogdoches Poultry Office. There are also two other Natural Resource Specialists, one located in Centerville and the other in Gonzales (vacant). Poultry staff work with about 822 (68%) of the 1216 total farms. Regional office staffs assist the other 394 farms. Approximately 485 (40%) of the estimated 1216 dry-litter poultry farms in Texas are located in an eight-county area surrounding Nacogdoches. About 152 (31%) of the 485 farms in the 8-county area are large enough to be defined as Concentrated Animal Feeding Operations (CAFO), which require inspections conducted by TSSWCB staff which could result in needed revisions to their WQMP. In addition, the other existing 333 WQMPs are reviewed regularly for needed updates and revisions. The office also assists other SWCDs in the state with poultry WQMP development and revision and complaint investigations as needed.

Since 2009, there have been 51 odor control plans submitted to TCEQ for approval, 48 of which have been approved and 3 are currently being reviewed by TCEQ.

In March 2011 the U.S. Court of Appeals for the 5th Circuit vacated portions of EPA's 2008 federal CAFO rule, and therefore, TCEQ is in the process of revising the Texas CAFO rule to comply with the federal rule as well as some issues specific to Texas.

In September 2009 researchers from Texas A&M began a project to evaluate In-House Windrow Composting of poultry litter at an actual working poultry farm to determine if composting litter inside the poultry house before it is removed and land applied will improve impacts to water quality from land-applied poultry litter. Litter will be land applied and evaluated at the USDA-ARS research facility at Riesel, Texas. Due to ongoing drought conditions that hinder sample collection, the study has been extended to be complete in October 2013.

Coastal Coordination Advisory Committee

The Texas Coastal Management Program (CMP) was created to coordinate state, local, and federal programs for the management of Texas' coastal resources. The federally approved program brings approximately \$1.8 million in federal Coastal Zone Management Act (CZMA) funds to Texas annually, most of which goes to state and local entities to implement projects and program activities. Texas is one of only a handful of coastal states that pass substantial amounts of CZMA funds through to coastal communities for projects in the coastal zone.

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 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 CCC appointed a Coastal NPS Pollution Control Program workgroup to develop this document. The National Oceanic and Atmospheric Administration (NOAA) and the EPA jointly administer the program at the federal level. In Texas, the TSSWCB and the TCEQ hold primary responsibility for the program's development and implementation.

Section 6217 calls for implementation of management measures (§6217(g)) that will control significant nonpoint sources of pollution to coastal waters. Six source categories are addressed by these measures: agriculture, forestry, urban and developing areas, marinas, wetland/riparian areas, and hydromodification.

States can use voluntary approaches combined with existing state authorities to achieve implementation of management measures. However, if the voluntary mechanisms are not effective, states must have backup enforcement authorities in place to ensure that management measures are implemented.

Texas submitted the Texas Coastal NPS Pollution Control Program to EPA and NOAA in December 1998. In July 2003, NOAA and EPA issued conditional approval of the Texas Coastal NPS Pollution Control Program. The agricultural and silvicultural portions of the program were approved without conditions. Texas has five years to meet the remaining conditions to gain full approval of the program. The NPS Work Group developed a list of potential options to address the remaining conditions and submitted it to NOAA and EPA in July, 2008 for approval. In May 2009 EPA and NOAA requested further information from Texas before lifting the conditions on its approval. 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.

The TSSWCB is responsible for implementing the agricultural and silvicultural management measures of the program. Mechanisms the TSSWCB uses to abate agricultural and silvicultural NPS pollution in the coastal zone include: the agency's Water Quality Management Plan Program, the CWA §319(h) NPS Grant Program, the Total Maximum Daily Load Program, and the Watershed Protection Plan Program.

Fifteen SWCDs are located in the Coastal Management Zone and work with landowners to implement WQMPs. For over twelve years, more than \$300,000 in state appropriations has been spent annually in the coastal zone to provide financial assistance through SWCDs to implement 2277 WQMPs on agricultural land.

Many of the WPPs and TMDLs that the TSSWCB is engaged in are in the coastal zone. WPPs being developed or implemented in the Coastal Zone include Arroyo Colorado, Bastrop Bayou, Armand Bayou, Cedar Bayou, Double Bayou, Dickinson Bayou and San Bernard River, Highland Bayou, and Lower Nueces River. TMDLs being developed or implemented in the Coastal Zone include Adams and Cow Bayous, Clear Creek, Copano Bay, Aransas and Mission Rivers, Dickinson Bayou, and Oso Bay and Creek.

Implementation of the silvicultural management measures in the coastal zone is through a CWA §319 grant to the Texas Forest Service.

The coastal program is dedicating Section 309 funds to the creation of a long-term plan utilizing coastal and marine spatial planning. The first year of this 5-year initiative is to create a report to provide a "snapshot" into the current priorities of the Texas coast. A Technical Advisory Committee (TAC) of coastal experts was formed to review and evaluate the project list and the issues of concern for the four coastal regions. TSSWCB is participating in this planning effort as a member of the TAC. TAC regional meetings were held throughout September in Corpus Christi, South Padre Island, Galveston, and Victoria to identify the critical areas and needs of the Texas coast. The information collected at the TAC meetings is being used to develop a "snapshot" report to inform the 83rd Texas Legislature of the coastal priorities for each of the four regions, and to serve as a baseline for the long-term planning process. This information will be presented to local officials in a series of meetings in early spring. Year 2 of this effort will begin thereafter and will commence the creation of a broader planning effort. This long-term plan will better enable an integrated, adaptive management approach to plan for and balance competing natural and human uses along our coast.

CMP information can be found at <http://www.glo.texas.gov/what-we-do/caring-for-the-coast/grants-funding/index.html>

More information on the Texas Coastal Nonpoint Source Pollution Control Program is available at <http://www.tsswcb.state.tx.us/coastalnps>.

Texas Groundwater Protection Committee Function

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

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

The Texas Water Code requires that the TGPC biennially prepare a report that provides recommendations to improve groundwater protection for legislative consideration and describes the TGPC's activities for the preceding biennium. The final draft of the report, *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 83rd Legislature*, was approved at the October meeting of the TGPC and will be published in January 2013 by TCEQ. Nine groundwater protection recommendations are presented in the report requesting legislative consideration. Two are targeted to TSSWCB programs or grant funded projects: implement an educational outreach program to support plugging of abandoned wells, and to continue support of existing agency groundwater protection programs.

The TGPC has reviewed the methodology the State uses to rank aquifer vulnerability to contamination and has recommended several updates.

Mechanisms the TSSWCB implements in order to prevent and abate agricultural and silvicultural NPS pollution impacting groundwater include the agency's Water Quality Management Plan Program, CWA §319(h) NPS Grant Program, State General Revenue NPS Grant Program, Total Maximum Daily Load Program, and Watershed Protection Plan Program. These programs are described in detail in other sections of this Report. High priority aquifers where TSSWCB has historically committed agency resources include the Seymour Aquifer and the Ogallala Aquifer.

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

Watershed Approach to Water Quality Planning and Implementation

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 WPPs and TMDLs. Specific 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 are shown on the map Figure 3. This list of "priority" watersheds is frequently updated by the TSSWCB. Specific information on each watershed, including waterbody name and segment number, overall water quality condition, pollutants of concern, specific mechanism (TMDL, I-Plan, WPP, UAA) being utilized to restore water quality with lead agency indicated, and links to relevant activities associated with restoration of the waterbody, is available at <http://www.tsswcb.texas.gov/watersheds>

Information Technology

Windows 7 Integration

Agency staff continued to work through the process of integrating the Windows 7 operating system from Microsoft with agency network services and critical desktop applications. All significant challenges related to network services have been resolved and the operating system has been successfully deployed for most employees.

Windows 7 has brought some welcome modernization and includes features and security improvements that should benefit agency users and the services they provide.

The TSSWCB previously made the decision, along with many organizations, not to run Microsoft's previous operating system, Vista, on its PCs and instead opted to stay with the venerable Windows XP operating system.

Windows XP is currently slated to reach end-of-life for security support from Microsoft in April 2014 and the TSSWCB will have each of its installations upgraded to Windows 7 before that time.

PC Hardware Upgrades

The second half of 2012 also saw a continuation of the work to replace the oldest and most problematic agency desktop PCs with more capable and reliable units. This work was part of a continuous process that aims to lessen the risk of unacceptable levels of downtime that could occur following PC hardware failures.

Each of the machines replaced was at or, in most cases, significantly beyond the PC life cycle recommendations from the Texas Department of Information Resources (DIR). All purchases were made in accordance with DIR guidelines through a DIR-approved vendor.

Public Information/Education Report

Background

The purpose of the public information/education program is to provide leadership and coordination of information/education programs relating to the agency and district programs, services, operations and resources. The TSSWCB prepares and disseminates public information relative to the agency and district functions, programs, events and accomplishments for the public and to farmers and ranchers. TSSWCB staff coordinates seminars, conferences, workshops, displays at trade shows and training for district directors and district bookkeepers, conservation professionals, youth groups and other entities. Staff provides guidance to districts with their own individual information/education programs as well as regional and state information/education programs initiated by districts. Staff prepares and disseminates press releases, news stories and printed promotional products. The TSSWCB monitors the use of the publications and use of information. Staff represents the agency as needed with various information/education groups and entities. The TSSWCB has a cooperative agreement with the Association of Texas Soil and Water Conservation Districts to provide assistance and help coordinate district involvement and participation with Association's Information/Education Committee and its programs.

District Program Development

District program development workshops were held January 31-February 1, 2012 and June 26-27, 2012 to provide training specifically for newly elected soil and water conservation district directors, although all district directors and district employees are encouraged to attend the training. In addition, a cooperative effort with the USDA Natural Resources Conservation Service permits a limited number of new NRCS district conservationists to attend the training.

Key topics addressed in the training include:

- the history, powers and duties of the TSSWCB,
- the interaction but different authorities of the local SWCD, TSSWCB, and the Natural Resources Conservation Service,
- the qualifications, terms and duties of SWCD directors,
- the general powers and duties of SWCDs
- the proper method of conducting a local SWCD meeting,
- an overview of current Texas State Soil and Water Conservation Board program responsibilities
- ethics training for SWCD directors
- equal employment opportunity training for SWCD directors
- fiscal operations and responsibilities of SWCDs
- the working relationships between other state and national conservation organizations.

2013 Texas Conservation Awards Program

Each year, the TSSWCB and the Association of Texas Soil and Water Conservation Districts co-sponsor the Texas Conservation Awards Program to recognize and honor those who dedicate themselves and their talents to the conservation and wise use of renewable natural resources. The 2013 Awards Program marks the 35th year of this joint program.

Local districts select their outstanding individuals as winners and submit them by mid-February each year for regional judging. Those selected as regional winners are honored each May at regional Awards Banquets. From these regional winners, a state winner is selected for the Outstanding Conservation Districts, Outstanding Conservation Teacher, Poster Contest, and the Essay Contest. These individuals are invited to the Annual State Meeting for recognition.

The conservation awards program provides competition and incentives to expand and improve conservation efforts, resource development, and increase the wise utilization of renewable natural resources. As a result, soil and water conservation districts, and both rural and urban citizens of Texas are benefited.

Soil and water conservation districts may enter their local recognition honorees in any of 10 categories (East Texas has an additional category of Forestry Conservationist), depending on appropriateness to the category description. For the youth of the district, there is also a poster and essay contest.

Soil & Water Stewardship Public Speaking Contest

The Soil & Water Stewardship Public Speaking Contest is open to high school FFA students interested in soil, water and related renewable natural resource conservation. The contest is aimed at broadening students' interest and knowledge of conservation and how individuals must depend on and take care of the world around them for survival. The contest is coordinated through the Texas FFA, with contests at the local, area and state level. Local winners compete in the 10 state FFA areas and the first and second place winners at the area level compete for the state title. The theme of the 2012 contest was "Soil to Spoon". The theme for 2013 contest will be "Where Does Your Watershed?"

To prepare for the contest, students are to consult with their Agriculture Science teacher and work with their local soil and water conservation district. Students are encouraged to visit with their local SWCD to find out more about conservation practices in their area.

This project is a partnership between the Texas FFA, the Vocational Agriculture Teacher's Association of Texas, The Texas State Soil and Water Conservation Board, and the Association of Texas Soil and Water Conservation Districts. The State Winner of the Soil and Water Stewardship Public Speaking Contest is invited to attend the Annual State Meeting each year and asked to deliver their winning address.

Wildlife Alliance for Youth

The Wildlife Alliance for Youth (WAY) contests offer opportunities at the local district level for 4-H and FFA students to demonstrate their knowledge of the outdoors on wildlife habitat and management, wildlife laws, sportsmanship and other factual information on wildlife. The program offers awards to the high scoring FFA chapter in each of the five state regions and awards to the first, second and third place high scoring teams at the state event. It is a powerful tool for students to become involved in conservation and obtain an appreciation for wildlife.

Agriculture Science students, who compete in the WAY Contest, first acquire the foundational knowledge and skills for this event through the Agscience 381 - Wildlife and Recreation Curriculum. The WAY contests address the following nine subject areas in Wildlife and Recreation Management: Wildlife Plant Identification; Wildlife Plant Preferences; Wildlife Biological Facts; Wildlife Habitat; Habitat Management; Game Laws; Hunter and Boater Safety; and Identification Techniques. FFA and 4-H youth should have an understanding of these subject areas before they compete.

The WAY contests are held in the five Texas State Soil and Water Conservation Board areas. Area IV (East Texas) holds their contest in the fall. Area V (North Central), Area I (Panhandle), Area II (West Texas) and Area III (South Texas) all hold their contests in the spring. Each team is certified to the area level by their local SWCD. The WAY State Contest is held each year in one of the geographical areas of the state. Approximately 2,000 youth participate in the regional contests and statewide contest competition.

The Texas State Soil and Water Conservation Board, Association of Texas Soil and Water Conservation Districts, USDA- Natural Resources Conservation Service, Texas Parks and Wildlife Department, Texas A&M University, Cooperative Extension service, and the Texas Education Agency, along with local soil and water conservation districts (SWCD), all partner in the success of the youth organization.

State Woodland Clinic and Contest

The Texas State Woodland Clinic and Contest is held annually in the month of April. It is a joint effort between local soil and water conservation districts, Stephen F. Austin University School of Forestry and the NRCS-USDA.

The contest is an opportunity for 4-H and FFA youth to demonstrate their expertise in different aspects of forestry management and skills in identification of needed practices and management techniques. Competition is between teams composed of four members representing either a 4-H Club or a FFA Chapter. Prior to the state contest several local districts conduct contests for 4-H Clubs and FFA Chapters within their district and the surrounding area.

The contest began in the late 1950s and was initiated by local SWCDs and timber industry personnel to develop forestry and woodland curriculum in schools in the commercial timber area of the state (East Texas Piney Woods). The clinic and contest have experienced widespread popularity and now has participation from outside of the commercial timber area on a regular basis. The state participation level for teams averages around 55 teams per year, with the vast majority of teams being composed of FFA Chapters. Winners at the state level are eligible to participate in the four states regional woodland contest held each May in one of four states. Texas, Louisiana, Arkansas and Oklahoma host the regional contest on a rotational basis.

Regional Woodland Contest

The four states regional woodland contest is sponsored by soil and water conservation districts in each of the four states with program and technical support provided by USDA-NRCS and Resource Conservation and Development (RC&D), state organizations and industry personnel. The soil and water conservation districts in Texas hosted the first four states or southern regional woodland contest in 1984.

Each state is allowed to send a maximum of six teams to the regional contest. Each state has a competition that determines the six teams from that state that may enter in the regional contest. Those teams may be composed of individuals representing either a 4-H Club or an FFA Chapter.

Conservation Education Video Library

The Association of Texas Soil and Water Conservation Districts has established and updated a conservation related video library that is maintained by TSSWCB staff on their behalf for the benefit of local districts and educators. Currently, there over 200 conservation-related videos in the library that are available to districts and teachers. The Association of Texas Soil and Water Conservation Districts' Public Information/Education Committee pays the first transit postage costs to mail the video(s) to the requester. Postage for returning will be the responsibility of the borrower and all videos must be insured upon return. Borrowing privileges are for a length of two weeks and must be returned upon date specified by the librarian. Videos can be ordered through local soil and water conservation districts or by contacting the TSSWCB.

Nonpoint Source (NPS) Pollution Watershed Flow Model

The NPS model is a hands-on representation of a landscape that allows students to understand how water sources can become polluted from nonpoint sources. The plastic landscape structure has industrial, undeveloped, agricultural, and residential and roadway features complete with individual houses, trees, cars, tractors and cows. When "rain" falls on the model, the runoff flows into a city lake. Using various products to add color to the water, the model demonstrates how potential pollutants are picked up by runoff.

The model is a layout of a watershed that includes all the factors that may contribute to polluting our water. (Urban features such as: factories, parking lots, construction sites, lawn chemicals and golf courses and rural features such as: forested land, dairies, feedlots, cropland and pastureland). To demonstrate how each type of potential pollutant can enter a waterbody Kool-Aid and cocoa are used to color "runoff". Grape Kool-Aid is used to represent pollution from factories and oil from parking lots and roads. Orange Kool-aid represents pollution from lawn chemicals, golf courses, and cropland and pastureland chemicals. Cocoa is used to represent pollution from construction sites, forested land, dairies and feedlots. The Kool-aid and Cocoa are sprinkled on the model in the areas that represent each type of pollutant. Once all the pollutants are sprinkled on the model a spray bottle with water is use to represent rainfall. As the pollutants get wet and start to runoff the students can see how the water carries them to the streams and into the lake where we get our drinking water. Once all the pollutants have run into the lake the students can see how these factors have the potential to make surface waters unattractive and unsafe. This demonstration leads to a discussion about how to protect the water quality and prevent our water from looking like the model.

Invasive Species

The 81st Legislature created the Texas Invasive Species Coordinating Committee consisting of representatives of: the Department of Agriculture; the Parks and Wildlife Department; the State Soil and Water Conservation Board; the Texas AgriLife Extension Service; the Texas Forest Service; and the Texas Water Development Board.

The Invasive Species Coordinating Committee is administratively attached to the State Soil and Water Conservation Board and is charged with serving as a catalyst for cooperation between state agencies in the area of invasive species control and to facilitate governmental efforts, including efforts of local governments and special districts, to prevent and manage invasive species. The coordinating committee was specifically tasked with securing non-state funds for invasive species control. The member agencies of the coordinating committee held their first organizational meeting in November 2009. Since that time

the committee has failed to secure non-state funding for the control of invasive species due to the downturned economy.

Water Supply Enhancement Program

The 81st Legislature continued funding for the Water Supply Enhancement Program (WSEP) by providing \$2,135,413.00 in General Revenue Funds in FY12. Staff has begun implementing SB 1808 and the Sunset Commission recommendations.

The WSEP staff developed a new program application, "Proposal for Water Supply Enhancement Program", an explanation page to assist in completing the project application correctly, and guidelines for upcoming FY 2013 WSEP projects. These three forms were added to the TSSWCB's website and are available for download. A training session was held for TSSWCB staff and District staff to discuss the new application and ranking process.

The WSEP staff participated in a variety of activities and meetings in order to communicate and exchange ideas regarding the program. The WSEP staff has been actively 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, WSEP staff consulted with Senator Duncan and Representative Hilderbran regarding WSEP and attended the LBB Budget Hearing and House Agriculture & Livestock Hearing.

WSEP staff participated in EDYS modeling training provided by Dr. Ken Rainwater and Arcview training provided by Dr. Ernest Fish to gather new information and ideas regarding feasibility studies and updated mapping systems. WSEP staff also consulted with the Science Advisory Committee (Dr. Rainwater and John Bumgarner) to establish a process for funding feasibility studies.

The WSEP has been actively involved in allocating 2012 project funds, certifying ongoing projects, and planning for FY 2013 projects. The WSEP completed all 2012 project allocations 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.

Below is Fiscal Year 2012 Projects:

Edwards Aquifer - GR-12

23 Contracts Written
1,660.0 Acres Under Contract
\$317,220.00 Obligated
\$145,567.02 in Payments

Guadalupe River - GR-12

9 Contracts Written
1,259.0 Acres Under Contract
\$249,690.00 Obligated
\$60,660.00 in Payments

Lake Brownwood Watershed - GR-12

12 Contracts Written
1,190.0 Acres Under Contract
\$249,900.00 Obligated
\$68,250.00 in Payments

Pedernales Watershed - GR-12

20 Contracts Written
1,879.0 Acres Under Contract
\$312,742.50 Obligated
\$41,335.00 in Payments

Twin Buttes Watershed - GR-12

5 Contracts Written
2,747.0 Acres under Contract
\$249,977.00 Obligated
\$48,756.50 in Payments

Wichita River Watershed - GR-12

8 Contracts Written
9,460.8 Acres Under Contract
\$198,676.80 Obligated
\$137,781.00 in Payments

WSEP staff also compiled data regarding Predicted Water Yield on all FY 2012 projects.

FY 2012 Project	Acres	Increase in Water Yield (gal/acre/year)
Twin Buttes	3174	90,199,060 gal/ac
Lake Brownwood	1408	127,971,407 gal/ac
Little Wichita	13,178.40	2,416,692,073.2 gal/ac
Bosque	400	41,384,000 gal/ac
Ft Phantom Hill	572	59,179,120 gal/ac
Palo Pinto	725	145,600,843 gal/ac
Guadalupe	423	26,896,300 gal/ac
Pedernales	425	247,577,791 gal/ac
Edwards Aquifer	865	137,851,491 gal/ac

***Grand Total:** Acres Treated & Cleared = 21,170.40

***Grand Total:** Increase in Water Yield (gal/ac) = 3,293,352,085.2 gal/ac

***Grand Total:** Acres ft. Per Year = 10, 106.90

Currently, The WSEP office has received eighteen Project Proposals to be considered for FY 2013 funding. They were separated into funding for actual WSEP cost-share and feasibility studies.

A ranking system recommended by the Stakeholder Committee (Dr. Robert Mace, Texas Water Development Board) is the approach that the WSEP staff approved for ranking projects. Essentially, there are six steps to consider when ranking potential projects:

Approach (Mace, 2012)

- Step 1: Water supplies expected to benefit
- Step 2: Firm yield benefit to water supplies

- Step 3: WUGs relying on water supplies
- Step 4: Percent of augmented water supply used by WUGs
- Step 5: Population of WUG
- Step 6: Ranking Index (RI)

To meet the requirements of Section 202.053 Criteria for Accepting and Prioritizing Water Supply Enhancement Projects: (2) projected water yield of areas of the project, based on soil, slope, land use, types and distribution of trees, brush, and other vegetative matter, and proximity of trees, brush, and other vegetative matter to rivers, streams, and channels; the WSEP staff will digitize this information onto maps submitted with WSEP applications.

As of to date, funding allocations for FY 2013 projects is pending. Dr. Ken Rainwater and his staff are analyzing the WSEP applications to evaluate the effectiveness of the program. Providing a portion of our State funds for evaluating the effectiveness of the WSEP was a non-statutory Sunset recommendation that was recently reviewed by the State Auditor's office.

Attachment

RECONCILIATION DISTRIBUTION BY STRATEGY

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83rd Regular Session, ABEST/USAS, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

592 Soil and Water Conservation Board

GOAL: 1 Soil and Water Conservation Assistance
 OBJECTIVE: 1 Provide Prog Expertise, Finan Asst. & Tech Guide to All SWC Districts
 STRATEGY: 1 Program Expertise, Financial & Conservation Implementation Assistance

CODE	DESCRIPTION	USAS ACTUAL 2012 Quarter 4
Objects of Expense:		
1001	SALARIES AND WAGES	\$728,616.00
1002	OTHER PERSONNEL COSTS	\$21,020.00
2001	PROFESSIONAL FEES AND SERVICES	\$7,871.95
2002	FUELS AND LUBRICANTS	\$538.41
2003	CONSUMABLE SUPPLIES	\$2,213.47
2004	UTILITIES	\$16,807.50
2005	TRAVEL	\$200,105.03
2006	RENT - BUILDING	\$15,408.35
2007	RENT - MACHINE AND OTHER	\$3,727.23
2009	OTHER OPERATING EXPENSE	\$58,599.64
4000	GRANTS	\$3,647,945.55
	TOTAL, OBJECT OF EXPENSE	\$4,702,853.13
Method of Financing:		
1	General Revenue Fund	\$3,793,960.09
	SUBTOTAL, MOF (EXCLUDING FEDERAL FUNDS)	\$3,793,960.09
555	Federal Funds	
	10.912.000 ENVIRONMENTAL QUALITY INC	\$908,893.04
	CFDA Subtotal, Fund 555	\$908,893.04
	SUBTOTAL, MOF (FEDERAL FUNDS)	\$908,893.04

83rd Regular Session, ABEST/USAS, Version 1
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592 Soil and Water Conservation Board

GOAL: 1 Soil and Water Conservation Assistance
 OBJECTIVE: 1 Provide Prog Expertise, Finan Asst. & Tech Guide to All SWC Districts
 STRATEGY: 1 Program Expertise, Financial & Conservation Implementation Assistance

CODE	DESCRIPTION	USAS ACTUAL 2012 Quarter 4
	TOTAL, METHOD OF FINANCING	\$4,702,853.13
	FULL-TIME-EQUIVALENT POSITIONS	12.5

592 Soil and Water Conservation Board

GOAL: 1 Soil and Water Conservation Assistance
 OBJECTIVE: 2 Flood Control Dam Maintenance & Structural Repair
 STRATEGY: 1 Flood Control Dam Maintenance & Structural Repair

CODE	DESCRIPTION	USAS ACTUAL 2012 Quarter 4
Objects of Expense:		
1001	SALARIES AND WAGES	\$139,632.24
1002	OTHER PERSONNEL COSTS	\$2,620.00
2002	FUELS AND LUBRICANTS	\$7,788.42
2003	CONSUMABLE SUPPLIES	\$430.74
2004	UTILITIES	\$3,335.20
2005	TRAVEL	\$10,036.06
2006	RENT - BUILDING	\$3,746.06
2007	RENT - MACHINE AND OTHER	\$780.17
2009	OTHER OPERATING EXPENSE	\$849,018.77
4000	GRANTS	\$516,210.81
	TOTAL, OBJECT OF EXPENSE	\$1,533,598.47
Method of Financing:		
1	General Revenue Fund	\$1,533,598.47
	SUBTOTAL, MOF (EXCLUDING FEDERAL FUNDS)	\$1,533,598.47
	TOTAL, METHOD OF FINANCING	\$1,533,598.47
	FULL-TIME-EQUIVALENT POSITIONS	3.0

592 Soil and Water Conservation Board

GOAL: 2 Administer a Program for Abatement of Agricul Nonpoint Source Pollution
 OBJECTIVE: 1 Reduce Agricultural/Silvicultural NPS Pollution w/Prevention Program
 STRATEGY: 1 Implement a Statewide Management Plan for Controlling NPS Pollution

CODE	DESCRIPTION	USAS ACTUAL 2012 Quarter 4
Objects of Expense:		
1001	SALARIES AND WAGES	\$544,318.43
1002	OTHER PERSONNEL COSTS	\$9,220.00
2002	FUELS AND LUBRICANTS	\$10,853.16
2003	CONSUMABLE SUPPLIES	\$2,554.55
2004	UTILITIES	\$10,561.21
2005	TRAVEL	\$49,116.96
2006	RENT - BUILDING	\$16,980.79
2007	RENT - MACHINE AND OTHER	\$18,100.65
2009	OTHER OPERATING EXPENSE	\$1,373,976.41
4000	GRANTS	\$4,112,392.14
	TOTAL, OBJECT OF EXPENSE	\$6,148,074.30
Method of Financing:		
1	General Revenue Fund	\$1,297,346.00
	SUBTOTAL, MOF (EXCLUDING FEDERAL FUNDS)	\$1,297,346.00
555	Federal Funds	
	66.460.000 Nonpoint Source Implement	\$4,850,728.30
	CFDA Subtotal, Fund 555	\$4,850,728.30
	SUBTOTAL, MOF (FEDERAL FUNDS)	\$4,850,728.30
	TOTAL, METHOD OF FINANCING	\$6,148,074.30

83rd Regular Session, ABEST/USAS, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

592 Soil and Water Conservation Board

- GOAL: 2 Administer a Program for Abatement of Agricl Nonpoint Source Pollution
OBJECTIVE: 1 Reduce Agricultural/Silvicultural NPS Pollution w/Prevention Program
STRATEGY: 1 Implement a Statewide Management Plan for Controlling NPS Pollution

CODE	DESCRIPTION	USAS ACTUAL 2012 Quarter 4
	FULL-TIME-EQUIVALENT POSITIONS	10.0

592 Soil and Water Conservation Board

- GOAL: 2 Administer a Program for Abatement of Agricul Nonpoint Source Pollution
 OBJECTIVE: 1 Reduce Agricultural/Silvicultural NPS Pollution w/Prevention Program
 STRATEGY: 2 Pollution Abatement Plans for Problem Agricultural Areas

CODE	DESCRIPTION	USAS ACTUAL 2012 Quarter 4
Objects of Expense:		
1001	SALARIES AND WAGES	\$1,383,275.86
1002	OTHER PERSONNEL COSTS	\$68,414.44
2001	PROFESSIONAL FEES AND SERVICES	\$14,817.60
2002	FUELS AND LUBRICANTS	\$39,007.57
2003	CONSUMABLE SUPPLIES	\$11,401.33
2004	UTILITIES	\$25,357.39
2005	TRAVEL	\$36,168.18
2006	RENT - BUILDING	\$120,160.97
2007	RENT - MACHINE AND OTHER	\$15,195.74
2009	OTHER OPERATING EXPENSE	\$241,640.01
4000	GRANTS	\$1,899,263.66
	TOTAL, OBJECT OF EXPENSE	\$3,854,702.75
Method of Financing:		
1	General Revenue Fund	\$3,788,324.75
	SUBTOTAL, MOF (EXCLUDING FEDERAL FUNDS)	\$3,788,324.75
555	Federal Funds	
	10.912.000 ENVIRONMENTAL QUALITY INC	\$66,378.00
	CFDA Subtotal, Fund 555	\$66,378.00
	SUBTOTAL, MOF (FEDERAL FUNDS)	\$66,378.00
	TOTAL, METHOD OF FINANCING	\$3,854,702.75

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592 Soil and Water Conservation Board

- GOAL: 2 Administer a Program for Abatement of Agricl Nonpoint Source Pollution
OBJECTIVE: 1 Reduce Agricultural/Silvicultural NPS Pollution w/Prevention Program
STRATEGY: 2 Pollution Abatement Plans for Problem Agricultural Areas

CODE	DESCRIPTION	USAS ACTUAL 2012 Quarter 4
	FULL-TIME-EQUIVALENT POSITIONS	32.0

592 Soil and Water Conservation Board

GOAL: 3 Protect and Enhance Water Supplies
 OBJECTIVE: 1 Conserve and Enhance Water Supplies for the State of Texas
 STRATEGY: 1 Provide Financial/Technical Assistance for Water Quantity Enhancement

CODE	DESCRIPTION	USAS ACTUAL 2012 Quarter 4
Objects of Expense:		
1001	SALARIES AND WAGES	\$209,081.64
1002	OTHER PERSONNEL COSTS	\$5,460.00
2001	PROFESSIONAL FEES AND SERVICES	\$6,562.50
2002	FUELS AND LUBRICANTS	\$7,642.47
2003	CONSUMABLE SUPPLIES	\$1,200.33
2004	UTILITIES	\$4,390.80
2005	TRAVEL	\$17,419.48
2006	RENT - BUILDING	\$18,254.62
2007	RENT - MACHINE AND OTHER	\$694.07
2009	OTHER OPERATING EXPENSE	\$57,484.20
4000	GRANTS	\$1,670,855.35
	TOTAL, OBJECT OF EXPENSE	\$1,999,045.46
Method of Financing:		
1	General Revenue Fund	\$1,999,045.46
	SUBTOTAL, MOF (EXCLUDING FEDERAL FUNDS)	\$1,999,045.46
	TOTAL, METHOD OF FINANCING	\$1,999,045.46
	FULL-TIME-EQUIVALENT POSITIONS	3.4

592 Soil and Water Conservation Board

GOAL: 4 Indirect Administration
 OBJECTIVE: 1 Indirect Administration
 STRATEGY: 1 Indirect Administration

CODE	DESCRIPTION	USAS ACTUAL 2012 Quarter 4
Objects of Expense:		
1001	SALARIES AND WAGES	\$473,668.72
1002	OTHER PERSONNEL COSTS	\$15,243.52
2001	PROFESSIONAL FEES AND SERVICES	\$1,310.45
2002	FUELS AND LUBRICANTS	\$2,092.57
2003	CONSUMABLE SUPPLIES	\$2,044.24
2004	UTILITIES	\$11,481.38
2005	TRAVEL	\$67,466.42
2006	RENT - BUILDING	\$14,991.09
2007	RENT - MACHINE AND OTHER	\$2,286.59
2009	OTHER OPERATING EXPENSE	\$27,935.74
	TOTAL, OBJECT OF EXPENSE	\$618,520.72
Method of Financing:		
1	General Revenue Fund	\$618,520.72
	SUBTOTAL, MOF (EXCLUDING FEDERAL FUNDS)	\$618,520.72
	TOTAL, METHOD OF FINANCING	\$618,520.72
	FULL-TIME-EQUIVALENT POSITIONS	9.5

RECONCILIATION DISTRIBUTION BY STRATEGY

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SUMMARY TOTALS:

OBJECTS OF EXPENSE	\$18,856,794.83
METHODS OF FINANCING	\$18,856,794.83
FULL-TIME-EQUIVALENT POSITIONS	70.4