

Minutes
TEXAS STATE SOIL AND WATER CONSERVATION BOARD
May 20-21, 1998

The Texas State Soil and Water Conservation Board met on May 20-21, 1998
in the State Board's Hearings Room at 311 North Fifth Street, Temple, Texas.

Board members present were:

Paul Robertson, Chairman
Charles D. "Buddy" Clark, Vice Chairman
Waldo Smith, Member
Gene Sollock, Member
James K. "Rooter" Brite, Member

Staff members present were:

James M. Moore, Assistant Executive Director
William C. "Bill" Neiser, Assistant Executive Director
Mel Davis, Assistant Executive Director
Leonard Pietzsch, Jr., Accountant
Beade Northcut, Engineer
Sam Unberhagen, Program Specialist
Victoria Suniga, Human Resources Specialist
Clyde J. Gottschalk, Program Administrator
John Millican, Program Administrator
Justin Hester, Planner
Bobbie Stephens, Contract Manger
Lois J. Cain, Administrative Technician
Bob Gruner, Program Specialist
Rex Isom, Program Specialist
Johnny Oswald, Program Specialist
Joe Freeman, Program Specialist
Roy Freeman, Program Specialist
Adrian Perez, Program Specialist
David Powell, Program Specialist
Joel Clark, Program Specialist
Dub Crumley, Program Specialist
Don Brandenberger, Program Specialist
Charlie Rodgers, Regional Manager
Steve Jones, Regional Manager
Stephen Deiss, Regional Manager
John O'Connor, Regional Manager
Andy Garza, Regional Manager

Others present were:

Wayne Register, President, Assn. of Texas Soil & Water Conservation Dists.
Bill Thomas, Alternate Director, Assn. of Texas SWCDs
Bob Ensor, Natural Resources Conservation Service
Mike Golden, Natural Resources Conservation Service
Conrad Nitze, Natural Resources Conservation Service
Jerry Clark, Associated Milk Producers, Inc.

Chairman Robertson called the meeting to order at 2:50 p.m. and welcomed those present.

Minutes from the March 26, 1998 Board meeting were discussed. Buddy Clark requested the minutes be changed to reflect concerns he stated regarding the notification of districts along the Mexico border prior to submitting names to Texas Parks and Wildlife Department concerning the Border XXI advisory committee. After discussion and on motion of Rooter Brite, seconded by Gene Sollock, the minutes were approved as corrected.

Mel Davis presented district director appointments for consideration and advised all appointments appeared to be in order. On motion of Rooter Brite, seconded by Buddy Clark, the following appointments were approved as presented:

Elaine Stengel, Gillespie County SWCD #220
James W. Bader, West Nueces-Las Moras SWCD #236
Stanford Conoly, West Nueces-Las Moras SWCD #236
Toby Bryant, Midland SWCD #244
Stephen Diebel, Victoria SWCD #346
John H. LaRue, Davy Crockett-Trinity SWCD #404
A. Melvin Reynolds, Upshur-Gregg SWCD #417
Kent Batman, Lower Neches SWCD #437
John English, Long Leaf SWCD #439
Walter Barbee, Hill Country SWCD #534

Wayne Register discussed the presentation made before the House Agriculture and Livestock Committee concerning District Capacity Building earlier in

the day on May 20th. He felt positive about the presentation and said the committee can see the need. He also reported support from the Ag Council. James Moore said a complete list of all the questions asked by the House Agriculture and Livestock Committee would be prepared with answers and sent to Board members for their review before they are submitted to the Committee. Mr. Moore also informed the Board that the Texas Farm Bureau is planning to get a resolution supporting District Capacity Building before their group at their annual meeting.

Clyde Gottschalk reported on activities of the Information/Education Department. He advised he had attended a hearing on Environmental Education on May 7th in Sugarland and would be attending another on May 21st. He updated the Board on the continuing education program that had been approved at the March 26, 1998 Board meeting. Mr. Gottschalk reported the FFA Soil Stewardship contest in Texas has really grown and has received information on winners from eight of the ten areas. He reported there would be a meeting of the Food Land and People program on May 27, 1998 in Austin and hopes to get a steering committee in place for Texas.

Beade Northcut gave a status report on Senate Bill 503 activities. He said 383 water quality management plans had been approved for fiscal year 1998. He also advised that about 70% of the cost share funds had been obligated for this fiscal year. Mr. Northcut said at the last Board meeting there were two complaints under investigation and four new complaints had been received. All six complaints have been investigated - four were valid and two were invalid. One complaint has been referred to the Texas Natural Resources Conservation Commission due to failure to implement a corrective action plan. As of the Board meeting date 215 annual status

reviews had been completed. Mr. Northcut also provided a status report on Allocation Requests and Practice Lists for fiscal year 1997 for each priority area.

Beade Northcut provided a letter from the Upper Colorado Soil and Water Conservation District #115 requesting to be included in SB 503 priority areas. Mr. Northcut advised the Board that in order to include this district in the program would require additional funding or reduce funding of other districts. Mr. Moore said in the past the Board has informed districts that no funds are available at the present time but the request could be considered in the July Board meeting for fiscal year 1999 allocations. However, without additional funding the Board has not designated new priority areas in the past. On motion of Rooter Brite, seconded by Gene Sollock, the request was tabled until the July board meeting.

Mr. Northcut then discussed allocation of Fiscal Year 1998 Senate Bill 503 cost share funds. Requests from Rusk SWCD #447 and Upper Elm-Red SWCD #524 had previously been deferred by the Board until the May board meeting along with a new request from Nacogdoches SWCD #401. None of the three requests were complaint driven. There were also letters from Sulphur Cypress SWCD #419 and Marion-Cass SWCD #433 requesting additional cost share funding. After discussion and on motion of Gene Sollock, seconded by Rooter Brite, action was deferred until the July board meeting. Mr. Northcut asked the Board if they wished to ask districts to release cost-share funds not projected to be obligated this fiscal year as had been done in the past. The Board by consensus directed staff to send such a letter to districts.

Mr. Northcut provided two letters of request to amend the approved practice list for SB 503 cost share. One letter was from Nolan County SWCD #245 requesting Deferred Grazing (code 352), Proper Grazing Use (code 528) and Nutrient Management (code 590) be added for a project on Oak Creek/Lake Trammel Water Quality Project. After discussion Rooter Brite made the motion to approve deferred grazing only if it was to be cost-shared in lieu of any other practice. Buddy Clark seconded and asked for clarification. After discussion motion carried. Mr. Moore said the staff will prepare for the Board's review and approval at the July meeting technical requirements for eligibility.

The second request to amend the approved practice list was from Andy Garza, Regional Manager from the State Board's Harlingen office. The request was for incentive payments for nutrient management on cropland. Mr. Moore suggested the Board allow the staff to write up a proposal for the July board meeting. After some discussion Waldo Smith moved to table action until the July meeting and hear a report from the staff. Gene Sollock seconded and motion carried.

Bob Ensor reported on NRCS activities. He said locations for state office collocation for the Natural Resources Conservation Service, Farm Services Agency and Rural Development Service are still being considered. Sites being considered are Temple, College Station and a third location across the state which could possibly be Abilene. Mr. Ensor also reported there are no major changes in the NRCS budget for fiscal year 1999.

The Human Resources report was given by Victoria Suniga. She said Karla Stone will begin work on June 1, 1998 as an Information Specialist in the

Information/Education Department and that staff is continuing to recruit for the Planner I position in the Statewide Management Program.

Bill Neiser discussed the eight month budget versus expenditure report ending April 30, 1998 and said spending was going according to budget and discussed each appropriation item.

Mr. Neiser reported on proposed Subchapter H Technical Assistance Funds and said there was \$59,765.79 available to allocate. If done as in the past the breakdown would be: Area I - \$16,663.92; Area II - \$12,337.71; Area III - \$14,580.93; Area IV - \$5,287.59; and Area V - \$10,895.64. The total amount did not include the special allocations to Cross Timbers SWCD #556 and Upper Leon SWCD #525 of \$3,500 each. The field staff was instructed to work on their district allocations and then get back to their Board member with recommendations.

Mr. Neiser then discussed the fiscal year 1998 Conservation Assistance Funds. If districts had not claimed two-thirds of their funds by May 15th their allocation was reduced. A list of districts whose funding was reduced was provided the Board. Mr. Neiser said the funds will remain in the available budget and can be used for supplemental matching funds on August 1, 1998 if the Board chooses to pay supplemental matching funds as they have done in the past. On motion of Gene Sollock, seconded by Waldo Smith, the staff was instructed to follow procedures as in the past for supplemental matching fund payments at the end of the fiscal year.

Bill Neiser provided a draft copy of the Agency's Strategic Plan for the 1999-2003 period for the Board's review. He said the plan was updated but there were no significant changes. Only changes were in the Objective and Measures for Non Point

Source Pollution Abatement. James Moore explained the changes in the non point source objective.

Bill Neiser discussed the proposed 2000-2001 Biennium Legislative Appropriations Request and said the budget request for the biennium cannot exceed the FY 1998 expended plus FY 1999 appropriated. Mr. Neiser said some proposed Exceptional Items can be included in the Legislative Appropriation Request. It was the consensus of the Board to include District Capacity Building, the Brush Control Program, and additional Senate Bill 503 areas. The Board discussed action to be taken if District Capacity Building fails. Mr. Neiser said this item could be further discussed at the July board meeting since the LAR is not due until August 15, 1998.

Jerry Clark, Associated Milk Producers, Inc. addressed the Board and said he would take an active role in getting his industry to support District Capacity Building.

The board meeting recessed at 6:15 p.m. for the evening and resumed at 8:00 a.m. on the following day, May 21, 1998.

Mr. Neiser provided a copy of the Auditor's Report on 1996 Management Control Follow Up Audit that had been discussed at the March board meeting. He said it was a good report; three of the recommendations have been implemented, four recommendations are being implemented, and one does not need to be implemented.

Mr. Neiser discussed the agency travel budget status on all agency personnel. At the last board meeting the Board had authorized Mr. Buckley to request a waiver on the travel cap. The request for waiver had not been filed as of the board meeting

date. Mr. Neiser pointed out that total travel expense is under the cap and may stay below the cap for the year. After discussion the Board took no further action.

State Board members' travel was then discussed with no out of state travel pending for approval. The possibility of Board members exceeding their travel allowance was discussed. Gene Sollock made the motion to give staff authority to make adjustments on board member travel so no board member would run out of travel funds. Board members asked about upcoming meetings and it was noted there would be another Board meeting in July, the NACD South Central Region meeting in July in South Padre Island, Texas, and the NACD Leadership Conference in Rapid City South Dakota in August. After further discussion Mr. Sollock withdrew his motion. Buddy Clark asked if he gave up \$1,000 out of his travel allowance at this time could the remainder be transferred to the fieldmen in Area II. Mr. Neiser said the travel budgets were in two different appropriation items and funds would have to be transferred. He said the Executive Director has authority to transfer funds. On motion of Buddy Clark, seconded by Rooter Brite and Waldo Smith \$1,000 from Mr. Clark's travel allowance was transferred to Rooter Brite's travel budget.

The Board then went back to the 1999-2003 Agency Strategic Plan after they had had a chance to review it. Rooter Brite suggested wording that described educating cooperators on the continuing benefits of implementing and maintaining their conservation plans. Mr. Neiser said the staff could work on including the wording and get back with the Board for their review. On motion of Waldo Smith, seconded by Gene Sollock, the Strategic Plan was approved as presented with additional wording suggested by Rooter Brite.

Mr. Neiser discussed the need of adding another signature to the Travel Advance Account. Two authorized signatures has worked well but on occasion a third signature would have been helpful when one of the other two signatures was not available. Mr. Neiser recommended Lois Cain be designated as the third signature. On motion of Rooter Brite, seconded by Gene Sollock, Lois Cain was authorized to be added to the signature card.

Mel Davis discussed the 1998 Conservation Awards Program and passed out a financial statement that showed each of the area awards banquets. He stated the awards program costs keep increasing and this is the second year in a row the program has lost money. Mr. Davis said 185 districts contributed to the program this year and provided a list of the districts that did not participate. Mr. Davis and James Moore said the banquets and programs this year were excellent.

Mr. Davis provided a copy of the 1998 awards program packet and said it was time to consider changes if the Board desired to do so. Buddy Clark asked about equipment used in the slide presentations and suggested considering updating this equipment in the next budget cycle. Mr. Davis said staff will look into backup supplies for current equipment and see what equipment might need to be repaired or replaced. No changes in the program packet were suggested.

Mel Davis informed the Board that data for future state meeting sites is still being received and would have more information at the July board meeting.

The planning committee for the 1998 Annual Statewide Meeting of Soil and Water Conservation District Directors was discussed. The State Meeting will be held October 12-14, 1998 in Corpus Christi, Texas. Mr. Davis said the committee

normally consisted of the Chairman of the State Board, President of the State Association, Board member and Association Director from the area in which the meeting is being held, President of the Auxiliary, Executive Director and any staff he needs to help. A meeting is usually set just prior to the July board meeting. On motion of Gene Sollock, seconded by Rooter Brite, the Board voted to name the committee as discussed and meet in conjunction with the July State Board meeting.

Mel Davis discussed a draft Memorandum of Understanding between the Natural Resources Conservation Service, Texas Agricultural Experiment Station and the State Board concerning soil survey work along the coastal region of Texas. Mike Golden from the NRCS said they are working to update the soils information for this area and update to digitized data. He discussed why the system needed to be updated saying they want to have the best scientific information available to the customer. Mr. Davis pointed out in the MOU the portion that concerned the State Board and what was expected of the Board. On motion of Waldo Smith, seconded by Gene Sollock, the Board approved the MOU and authorized the Executive Director to sign.

Mel Davis advised the Board of the NACD Leadership Conference to be held August 20-22, 1998 at the Holiday Inn Rushmore in Rapid City, South Dakota. On motion of Rooter Brite, seconded by Gene Sollock, the chairman or his designee was authorized to attend the meeting.

James Moore discussed Section 319 program activities and gave a status update. He said the State Board management program is being updated and at the insistence of EPA will be combined with the management program of the Texas

Natural Resource Conservation Commission to be presented to EPA as one program for Texas. Agricultural and silvicultural nonpoint source programs will remain the responsibility of the State Board. Chairman Robertson asked about the 319 project on White River Lake. Mr. Moore responded that contracts are being readied for signature to get the project underway. Mr. Moore discussed the 319 project on Fort Hood and said work was underway to get that project approved and in place.

Mr. Moore said proposals are coming in for fiscal year 1999 funding. He explained that the majority of the FY 1999 funding would probably be needed to help develop and implement the agricultural nonpoint source components of total maximum daily loads.

He also reported that the 319 program is providing funds to the Forest Service in East Texas to help clean up fallen timber knocked down by heavy thunderstorms in a way that will minimize sedimentation in nearby streams. Buddy Clark asked if a certified water quality management plan would be a prerequisite for cost share in the 319 project on Oak Creek-Lake Trammel. Mr. Moore explained that SB 503 program guidelines were being used to implement the 319 projects that involved cost share and that certified water quality management plans were the basis for cost share eligibility. Mr. Clark then asked if those areas should be designated as 503 priority areas. Mr. Moore responded that the Board could consider that in July when it took up 503 cost share allocations for FY 1999.

James Moore discussed the President's Clean Water Action Plan. He said emphasis is being placed on state Unified Watershed Assessments and that the State Board had been asked by NRCS to work with TNRCC to lead an effort on the

state's unified watershed assessment. A draft of the Watershed Assessment is due in August with the final due in October. Mr. Moore advised the Board of a meeting on June 15, 1998 at the Harvey Hotel DFW Airport in Irving, Texas held by the Association of State and Interstate Water Pollution Control Agencies to discuss nonpoint source pollution programs.

The Board then resumed discussion on the fiscal year 1998 Subchapter H Technical Assistance allocations from the previous day. On motion of Gene Sollock, seconded by Rooter Brite, the allocations were accepted as recommended. (Copy attached).

James Moore discussed recent activities to begin development of the Arroyo Colorado Total Maximum Daily Load (TMDL). Meetings have been scheduled for late June and July for the Watershed Steering Committee and in July for the Science and Technical Advisory Committee. Meetings will be held in Weslaco.

Mr. Moore updated the Board on Source Water Protection activities. Marlin City Lake which has had Atrazine detections for some time is the subject of a grant given the City of Marlin by TNRCC. Installation of filter strips is being considered as a demonstration project to meet grant requirements and demonstrate one solution to help reduce the Atrazine levels in the water supply. Mr. Moore noted that the local soil and water conservation district will take the lead in the filter strip demonstration. Source water protection activities in the Aquilla Lake Watershed were discussed. Meetings have been held by various entities in the watershed and plans are under way to conduct a major training and educational meeting involving all producers.

Atrazine levels have declined and the maximum contaminant level is no longer being exceeded.

James Moore discussed Coastal Nonpoint Source Program Development and provided the Board a copy of the state's draft submission document which describes the NPS program in the coastal area as it now exists. Mr. Moore asked for the Board's approval to make available for public comment. On motion of Gene Sollock, seconded by Rooter Brite, the Board approved the document for the purpose of soliciting public comment.

Activities of the Coastal Coordination Council were then discussed. Gene Sollock reported on the May 13th Coastal Coordination Council meeting held in Austin. He said most all of the items on the agenda were met favorably.

James Moore advised the Board of actions of the TNRCC Dam Safety Task Force. He said the Task Force would recommend that authority be given to districts with operation and maintenance responsibility to collect taxes for upgrading dams not meeting dam safety standards. He further explained recommendations will be made to have only high and low hazard dam classification and to keep the 200 acre foot exemption in tact.

James Moore asked Johnny Oswald, State Board Program Specialist from San Angelo, to report on the North Concho River Brush Control Study. He reported that twenty landowners attended a recent meeting to discuss the study and potential funding resulting from it. There will be another meeting toward the end of July. Mr. Oswald presented a request from local districts that they be allowed to use funds designated for public participation for technical assistance. On motion of Buddy

Clark, seconded by Waldo Smith and Rooter Brite the Board directed the staff to initiate changes in the agency's contract with the Upper Colorado River Authority to allow the involved soil and water conservation districts to use up to \$1,000 for technical assistance costs. Buddy Clark then invited the Board to hold their September meeting in San Angelo to observe the study area.

The next item on the agenda was election of officers. Chairman Robertson asked for nominations for chairman. On motion of Rooter Brite, seconded by Gene Sollock, Buddy Clark was elected as chairman. Mr. Robertson then asked for nominations for vice chairman. On motion of Waldo Smith, seconded by Rooter Brite, Gene Sollock was elected as vice chairman.

The meeting date for July was changed to Tuesday, July 14, 1998 because of conflicts in schedules.

The meeting adjourned at 11:25 a.m.

Buddy Clark
Chairman

Lauri J. Cain
Secretary

7-14-98
Date

I certify that the above is a true and correct copy of the minutes of the Board meeting held on May 20-21, 1998.

7-14-98
Date

James M. May
Assistant Executive Director