

**Minutes**  
**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**July 17, 1996**

The Texas State Soil and Water Conservation Board met on July 17, 1996 at 8:00 a.m. in its Hearings Room at 311 North Fifth Street, Temple, Texas.

**Board members present were:**

Clarence F. "Dick" Schendel, Chairman  
Harvey Davis, Vice Chairman  
Paul Robertson, Member  
Charles D. "Buddy" Clark, Member  
Gene Sollock, Member

**Staff members present were:**

Robert G. "Bob" Buckley, Executive Director  
William C. "Bill" Neiser, Assistant Executive Director  
James M. Moore, Assistant Executive Director  
Mel Davis, Assistant Executive Director  
Clyde J. Gottschalk, Information/Education Director  
Judy Jacobs, Accountant  
Beade Northcut, Engineer  
Sam Unberhagen, Program Specialist  
Bo Spoons, Director of Programs  
Randy Jones, Human Resources Director  
Maria Pinto, Hydrologist  
Mahendra Mohite, Engineer Assistant  
Justin Hester, Planner  
Lois J. Cain, Administrative Technician  
Rex Isom, Program Specialist  
Bob Gruner, 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  
Steve Jones, Dublin Regional Office Manager  
John O'Connor, Mt. Pleasant Regional Office Manager  
Charley Rodgers, Hale Center Regional Office Manager  
Stephen Deiss, Wharton Regional Office Manager  
Andy Garza, Harlingen Regional Office Manager

Others present were:

Wes Oneth, Natural Resources Conservation Service  
Comer Tuck, Texas Water Development Board  
Dr. Bill Dugas, Texas Agricultural Experiment Station

Chairman Schendel called the meeting to order and welcomed those present. On motion of Harvey Davis, seconded by Gene Sollock the minutes of the May 16 and June 7, 1996 board meetings were approved as mailed.

Mel Davis presented district director appointments for consideration. He advised the Board all appointments appeared to be in order. On motion of Gene Sollock, seconded by Paul Robertson, the following appointments were approved as presented:

Dale Rankin, King SWCD #168  
Phil Breitschopf, Gonzales County SWCD #338  
Johnny R. McNeely, Marion-Cass SWCD #433  
Voncille Plunkett, Lower Sabine-Neches SWCD #446  
B. W. Teague, Hamilton-Coryell SWCD #506  
Wess Jerry Cassens, Jr., Little River-San Gabriel SWCD #508

Bill Neiser briefly discussed the Fiscal Year 1996 Expenditure versus Budget Report ending June 30, 1996. Mr. Buckley discussed the need to upgrade the GIS system work station in order to be able to work with Blackland Research Center and other agencies. The cost would be about \$18,000. The Board concurred with updating the GIS system.

Bill Neiser discussed each category of the proposed operating budget for Fiscal Year 1997 and said the dollars are the same as Fiscal Year 1996. On motion of Paul Robertson and seconded by Gene Sollock the Board voted to adopt the proposed operating budget as presented.

Mr. Neiser discussed proposed allocations for Technical Assistance for Fiscal Year 1997 and proposed allocations for Conservation Assistance for Fiscal Year 1997. He reported that the proposed allocations are the same as the Fiscal Year 1996 allocations. The Board then discussed with their respective field representatives the proposed

Technical Assistance and Conservation Assistance allocations for their respective districts for Fiscal Year 1997.

Mr. Neiser then discussed current year Technical Assistance and Conservation Assistance supplemental payments. On motion of Harvey Davis, seconded by Gene Sollock the Board authorized staff to solicit supplemental claims for payments.

The 1998-1999 Legislative Appropriation Request was then discussed and Mr. Neiser advised the Board that word has not been received from the Legislative Budget Board on requested exceptional funding items which required the Governor's and Legislative Budget offices' approval. Mr. Buckley requested the Board to set a date in August when the Board could meet and approve the Legislative Appropriation Request for submission. The date set is for August 5th at 1:00 p.m. in the State Board's Hearings Room.

Mr. Neiser presented and explained a request from the Upper Pecos Soil and Water Conservation District #213 to restore FY 1995 Technical Assistance funds in the amount of \$629.41. After discussion and on motion of Buddy Clark, seconded by Gene Sollock, the Board approved restoring the amount of \$629.41 to the Upper Pecos SWCD for Technical Assistance.

Mr. Neiser presented a letter from Upper Pease SWCD #164 requesting a waiver of Conservation Assistance rules regarding the May 15th deadline date and to allow their Conservation Assistance request received after the deadline date. After discussion and on motion of Paul Robertson, seconded by Harvey Davis, the Conservation Assistance rules were waived to allow the \$939.22 reduction to be reinstated. Motion carried.

Randy Jones gave a staffing update and advised that a new secretary has been hired for the Mount Pleasant regional office and that the positions in Temple for a Director

of Programs and Planner have been filled. He advised the Engineer position in the Harlingen regional office was vacant and that interviews would begin shortly.

James Moore gave the Board a status report on SB 503 and stated that a total of 1501 plans have been certified since the program began. He reported that \$1,547,586.90 has been obligated in cost share funds for Fiscal Year 1996 and that \$458,721.42 remains in unobligated funds. He reported no new complaints had been received since the last reporting period. Four complaints were under investigation at the beginning of the activity period, all have been investigated and resolved. Mr. Moore then discussed the report on annual status reviews for Fiscal Year 1994 and said there were only three requiring follow up visits and explained each situation. Beade Northcut discussed updated forms to be used in the SB 503 program indicating the changes were to make the forms easier to use.

Mr. Moore discussed a proposed Memorandum of Understanding between the Texas State Soil and Water Conservation Board and the Texas Natural Resources Conservation Commission which had previously been approved by the Board. He stated that his last communication with TNRCC staff indicated the MOU would soon be published in the **Texas Register**. The Board postponed any further action until TNRCC took some final action.

James Moore reported on Section 319 activities. He reported that EPA Region 6 may soon allow 319 funds to be used for cost share in targeted watersheds but no official word has yet to be received. He further explained that such action would allow the use of SB 503 cost share funds to satisfy match requirements.

Beade Northcut discussed Fiscal Year 1996 SB 503 statewide cost share allocations and presented three requests for funding from the statewide allocation. He also presented a list of districts requesting additional cost share funds along with the amount

needed to complete one plan and indicated that he anticipated additional releases of cost share funds from other districts. Mr. Northcut then presented a special request from Lubbock County SWCD #108 for an additional \$10,000 for a poultry production facility. After much discussion Paul Robertson moved to follow the allocation schedule as proposed by State Board staff and if money is available to allocate Lubbock County SWCD the \$10,000 they requested. The motion failed for lack of a second. Buddy Clark then moved to fund the three requests from statewide funds: Rusk SWCD #447, Navarro SWCD #514, and Fannin SWCD #520, in the amount of \$30,578.96. Harvey Davis seconded the motion. Motion carried with Mr. Clark, Mr. Davis and Gene Sollock voting for the motion and Paul Robertson voting against. This left \$30,618.89 available in statewide funds. Paul Robertson then moved to grant Lubbock Co. SWCD their requested \$10,000 out of statewide funds and then follow proposed process of allocation of funds as presented by the staff. There was no second and motion died. Action was postponed until later in the meeting and staff was directed to identify those requests which would be used for concentrated animal feeding operations.

Wes Oneth gave a report on Natural Resources Conservation Service activities and updated the Board on the EQIP program. Texas is to receive \$5.4 million to fund the Great Plains program on an interim basis. This allocation has have been obligated but Texas could get additional funds if other states don't utilize their allocation. Buddy Clark asked if the program will continue to operate under the Great Plains rules when EQIP goes into effect and Mr. Oneth indicated it would. Mr. Oneth discussed a meeting he and Bob Buckley had with both their staffs to put together guidelines for the 1996 Farm Bill and stated that they feel this is an opportunity to put districts out in the forefront. Mr. Oneth also talked about the State Technical Committee which will probably not be put into full use until Fiscal Year 1998.

Comer Tuck updated the Board on activities of the Texas Water Development Board. He said each soil and water conservation district has been mailed a letter informing them of the Texas Water Development Board's water conservation loan program which can make loan funds available to producers through soil and water conservation districts.

Dr. Bill Dugas from the Texas Agriculture Experiment Station advised the Board they were in the process of upgrading their computer connections at Blackland Research Center and that the upgrade would allow the State Board to connect to their system.

Mel Davis advised the Board of the Association activity report in their notebooks from Memo Benavides who was unable to attend the meeting.

The Board resumed discussion of Fiscal Year 1996 cost share allocations for SB 503. James Moore informed the Board that after staff review there were four CAFO projects on the reallocation request list. After additional discussion Buddy Clark moved, that due to time constraints, to accept staff recommendation and allocate funds down the list as far as possible and for staff to investigate better methods of reallocation to be used in the future. Gene Sollock seconded the motion and motion carried. (Copy attached)

James Moore discussed proposed Fiscal Year 1997 cost share allocations for SB 503. Beade Northcut discussed changes from FY 1996 allocations recommended for districts in the Lower Rio Grande Valley which were the only recommended changes from allocations made for the 1996 fiscal year. Harvey Davis moved to adopt the FY 97 cost share allocations as recommended by the staff with recommended changes in the Lower Rio Grande Valley. Buddy Clark seconded the motion and motion carried. (Copy attached)

Beade Northcut discussed the list of approved practices eligible for SB 503 cost share and recommended the Board adopt guidance on some of the practices and that the guidance be printed on the back of the approved practice list. Buddy Clark questioned the

life span of brush control and range seeding practices and was informed that they were based on the ACP Handbook. Mr. Buckley informed the Board that the life span of any practice could be changed at any time the Board wished to do so. Buddy Clark moved to adopt the recommended guidance and change the life span on brush management and range seeding from 5 years to 10 years. Harvey Davis seconded the motion and the motion carried .

James Moore updated the Board regarding activities dealing with water quality on the North Bosque River. He discussed a new organization called "Friends of the Bosque" and reviewed seven objectives set by them.

James Moore discussed the activities of the Texas Coastal Management Program. Dick Schendel advised the Board of a Coastal Coordination Council meeting to be held on July 26th in Corpus Christi and informed them that one item to be discussed at the meeting will be certification of agency rules regarding the SB 503 program. Mr. Moore provided the Board a copy of a letter to the Coastal Coordination Council in which the TSSWCB requested Council certification that rules 31 TAC, Chapter 523 are consistent with goals and policies of the Texas Coastal Management Program. Mr. Moore also provided a copy of a letter from Gary Mauro, Chairman of the Coastal Coordination Council discussing status of federal approval of the State's Coastal Management Program.

Mr. Moore provided background information on a U.S. Fish and Wildlife Service Safe Harbor designation being pursued by the San Patricio SWCD. He explained that the district had requested help in securing the designation relative to a project being carried out in Nueces Bay by the City of Corpus Christi and that the designation would protect agricultural produces in the area should endangered species appear in Nueces Bay. There are no endangered species in the area at this time.

Bob Buckley discussed the 1996 Farm Bill and said the focus at this time, as far as districts are concerned, is on EQIP. Meetings are being scheduled in September for district chairman and district conservationists to receive training on conducting local working group meetings. Locations are in Livingston, Alice, Gilmer, Cuero, Borger, Gatesville, Graham, Rockwall, San Angelo and Fort Stockton.

Mel Davis discussed the Conservation Awards Program and provided an incomplete breakdown of expenses for the 1996 conservation awards program. A draft category for Outstanding District Conservationist was provided for the Board's consideration as a means to possibly increase participation in the awards program. On motion of Harvey Davis, seconded by Gene Sollock, the new category for Outstanding District Conservationist was approved as presented for addition to the Conservation Awards Program. There was also discussion of preparing an "in-house" audio tape on the slide presentations for the awards banquets as long as it was "first-class". Dick Schendel appointed Clyde Gottschalk and one of his staff members, under the direction of Bob Buckley, to investigate the possibilities and report back to the Board.

Mel Davis provided information on the 1996 Annual Statewide Meeting of Soil and Water Conservation District Directors to be held in Fort Worth, Texas on September 16-18 at the Radisson Hotel. He discussed possible activities for the spouses. Entertainment for the Get Acquainted Reception was discussed. The Board was provided copies of resolutions that have been received as of the board meeting date.

Future State Meeting sites were then discussed by Mel Davis. Information had been requested from Corpus Christi, South Padre Island and San Antonio since they were the three top choices in a survey of district directors. San Antonio did not reply to any of Mr. Davis' requests for information. Gene Sollock moved for South Padre Island to be the



site for the 1997 Annual State Meeting and Corpus Christi to be the site for the 1998 Annual State Meeting. Paul Robertson seconded the motion and motion carried.

Bob Buckley discussed the Sierra Club versus Glickman lawsuit in which the TSSWCB had been mentioned. He said we were not out of the lawsuit, but do not need to provide any information.

Clyde Gottschalk reported on activities of the Information/Education Department. He said he will be meeting with the State FFA Advisor regarding the proposed annual state wildlife clinic; provided a list of articles his staff has prepared that have been published; teacher conservation workshops have been completed for the summer; working with Texas Tech University on a teacher graduate program; his attendance at the State FFA Convention. Gene Sollock had also attended the State FFA Convention and presented the state speech contest winner with a plaque. Mr. Sollock said this is a very rewarding program and it was a treat for him to attend the convention. Mr. Gottschalk has been asked by Texas Education Agency to serve on the FFA State Board to represent the TSSWCB. Gottschalk advised the Board of his visit with NACD personnel in League City concerning the Soil and Water Stewardship theme for 1997.

Bill Neiser provided reports on Board member travel and per diem expense. The NACD Leadership Conference in Jackson Hole, Wyoming was discussed. On motion of Harvey Davis, seconded by Buddy Clark, travel was authorized for any Board member who could attend. Motion carried. Hotel reservations and agendas were provided Board members for the South Central Region meeting of NACD to be held in Lafayette, La. on July 28-30, 1996.

Randy Jones discussed the Risk Management Plan and advised the Board that all state agencies were mandated by the Governor's Office to prepare and maintain a Return to Work Program as a part of the Workers' Compensation Commission. The

representative approved the content and format of the program and requested the plan be reviewed and approved by the Board. After the Board's review, on motion of Gene Sollock, seconded by Paul Robertson, the Return to Work program was adopted as presented.

The Board then discussed a meeting date for their September board meeting since the regular date will fall during the Annual State Meeting in Fort Worth. The date of September 11th at 8:00 a.m. was set to meet in the Hearings Room of the State Board office in Temple.

The Board then took action on the proposed Fiscal Year 1997 Technical Assistance and Conservation Assistance allocations that were presented and reviewed earlier. On motion of Paul Robertson, seconded by Gene Sollock the proposed allocations for Technical Assistance and Conservation Assistance were approved as presented. (Copy attached)

The meeting adjourned at 4:40 p.m.

Clarence F. Achenbach  
Chairman

Louis J. Caseri  
Secretary

9-11-96  
Date

I certify that the above is a true and correct copy of the minutes of the Board meeting held on July 17, 1996.

9-11-96  
Date

Robert S. Buckley  
Executive Director