



# Texas State Soil & Water Conservation Board

November 26, 2002

**TO: ALL SOIL & WATER CONSERVATION DISTRICTS**

**FROM: JAMES MOORE, EXECUTIVE DIRECTOR**

**RE: BOARD MEETING SUMMARY FOR NOVEMBER 21, 2002**

## **District Director Appointments**

Floyd Franklin, Hartley #152, Zone 3, Replace Robert Thompson  
David Williams, Highland #210, Zone 3, Replace N.M. (Jack) Saunders  
Billy Foster, Devil's River #224, Zone 5, Replace Ross Foster  
Jon Walther, Burlison-Lee #313, Zone 1  
Jerry Hudec, Colorado #333, Zone 2, Replace Doris Albright  
Calvin Boecker, Washington #348, Zone 5  
James L. Waldrop, Davy Crockett-Trinity #404, Zone 4, Replace Grady Grounds  
Jim Meley, Harris #442, Zone 3, Replace Glenn Hegar  
Robert Wright, Delta #443, Zone 4, Replace Charles Darter  
John E. Mauney, Montgomery County #452, Zone 5, Replace Larry Jacobs

## **2002 Annual State Meeting Recap**

There were 788 total attendees at this year's meeting. The Board commented on how effective the pre-registration process was. Of the 788 total attendees, 602 individuals pre-registered. Of the 216 SWCDs, 126 Districts were represented. (*See attached totals*)

A total of 56 District Directors were recognized for their service to conservation at the State Meeting. (*See attached totals*)

## **Human Resources Report**

### **NEW HIRES**

- Avery Buckholt began work November 4, 2002 as an Information Specialist II in the Information/Education Department.
- Karen Preece began work November 12, 2002 as a Data Entry Operator III in the Accounting Department.
- Kevin Isom will begin work December 2, 2002 as the Natural Resources Specialist IV in the Mt. Pleasant Regional Office.
- Max Berry will begin work January 2, 2003 as the Engineer IV in the Mount Pleasant Regional Office.

**PROMOTIONS**

- Mark Cochran has been promoted to Assistant Executive Director for Conservation Programs.
- Chad Reed has been promoted to Regional Manager of the Hale Center Office.
- Richard Egg has been promoted to Engineer V.
- Kenny Zajicek has been promoted to Contract Specialist IV.
- Tammy Richter has been promoted to Accountant III.
- Paula Zinglemann has been promoted to Accountant III.
- Lee Munz has been promoted to Program Specialist II.
- Jason McAlister has been promoted to Planner II.

**RECLASSIFICATIONS**

- All five Secretaries at the Regional Offices have been reclassified as Administrative Technicians II.

The Board approved adding the following policies to the Human Resources Policies & Procedures Manual:

- A. HIV/Aids
- B. Nepotism
- C. Whistle Blowing
- D. Professional Services and Consulting Contracts
- E. Information Resources Security

**Brush Control Report**

Staff presented the Board with the following status report on the Brush Control Program.

**NORTH CONCHO**

Cost share funding in the amount of \$13,026,165 is available in the North Concho River watershed. As of November 14, 2002:

- \$14,205 remained to be obligated
- 307, 113 acres were under contract to be treated at a cost of \$13,011,960
- 156, 204 acres had been treated at a cost to the State of \$6,591,045
- \$42.20 is the average cost to the State per acre treated.

**PEDERNALES**

Cost share funding in the amount of \$3,509,824 is available in the Pedernales River watershed. As of November 15, 2002:

- 65 contracts has been approved
- 12,542 acres were under contract to be treated at a cost of \$974,516.50
- \$2,535,307.50 remained to be obligated (72%)
- 84 acres had been treated at a cost to the State of \$3,618.90
- \$43.08 is the average cost to the State per acre treated.

### **TWIN BUTTES**

Cost share funding in the amount of \$6,933.450 is available in the Twin Buttes watershed. As of November 18, 2002:

- 24 contracts had been approved
- 37,483 acres were under contract to be treated at a cost of \$1,712,732.50
- \$5,220,717.50 remained to be obligated (73%)
- 1,956 acres had been treated at a cost to the State of \$93,481.92
- \$47.79 is the average cost to the State per acre treated.

### **LAKE BALLINGER**

Cost share funding in the amount of \$500,000 is available in the Ballinger watershed. As of November 18, 2002:

- 1 contract had been approved
- 158.7 acres were under contract to be treated at a cost of \$8,331.75
- \$491,668.25 remained to be obligated (98%)
- 0 acres had been treated at a cost to the State of \$0
- \$0 is the average cost to the State per acre treated.

### **OAK CREEK LAKE**

Cost share funding in the amount of \$1,000,000 is available in the Oak Creek watershed. As of November 18, 2002:

- 9 contracts had been approved
- 5,721 acres were under contract to be treated at a cost of \$281,367.50
- \$718,632.50 remained to be obligated (72%)
- 0 acres had been treated at a cost to the State of \$0
- \$0 is the average cost to the State per acre treated

### **PECAN CREEK**

Cost sharing funding in the amount of \$323,887 is available in the Pecan Creek watershed. As of November 18, 2002:

- 0 contracts had been approved
- 0 acres were under contract to be treated at a cost of \$0
- \$323,887 remained to be obligated (100%)
- 0 acres had been treated at a cost to the State of \$0
- \$0 is the average cost to the State per acre treated

### **MOUNTAIN CREEK LAKE**

Cost share funding in the amount of \$332,429 is available in the Mountain Creek watershed. As of November 18, 2002:

- 2 contracts had been approved
- 1,013 acres were under contract to be treated at a cost of \$44,701.50
- \$287,737.50 remained to be obligated (86%)
- 0 acres had been treated at a cost to the State of \$0
- \$0 is the average cost to the State per acre treated

### **CHAMPION CREEK LAKE**

Cost share funding in the amount of \$906,932 is available in the Champion Creek watershed. As of November 18, 2002:

- 1 contract had been approved
- 2,000 acres were under contract to be treated at a cost of \$105,000
- \$801,932 remained to be obligated (88%)
- 0 acres had been treated at a cost to the State of \$0
- \$0 is the average cost to the State per acre treated

### **SPRING CREEK/DOVE CREEK**

Cost share funding in the amount of \$1,146,275 is available in the Spring/Dove watershed. As of November 18, 2002:

- 3 contracts had been approved
- 7,700 acres were under contract to be treated at a cost of \$209,175
- \$937,100 remained to be obligated (82%)
- 0 acres had been treated at a cost to the State of \$0
- \$0 is the average cost to the State per acre treated

### **Brush Control Feasibility Studies**

The Board decided to defer action on approving the Brush Control Feasibility Studies on Lake Brownwood, Lake Palo Pinto, Lake Fort Phantom Hill and Lake Arrowhead until the January 2003 Board Meeting so members can review final results.

### **Proposed Amendments to 31 TAC Chapter 517 Brush Control Program**

In response to Audit Recommendations received on April 9, 2002, amendments to the brush control rules were proposed to the State Board on May 21, 2002. As a result of the receipt of numerous requests for a public hearing, three public hearings were held to discuss the proposed rule amendments at the July 2002 State Board Meeting. The State Board met on August 29, 2002 and September 20, 2002 to discuss the comments received from the public hearings and what actions are needed. At the September 20, 2002 meeting, the State Board decided to delay action on the proposed amendments until its November meeting.

As directed by the State Board, staff drafted proposed brush control rules that address comments, comply with the Brush Control Law (§203 of the Agriculture Code) and provide for local involvement in the administration for the Brush Control Program to the maximum extent possible. New Sections in the proposed rules include State Brush Control Plan, Designation of Critical Areas, Approval of Brush Control Methods and Consultation with the Texas Parks and Wildlife Department. To develop this set of proposed rules, staff integrated the law, existing rules, existing procedures, the State Brush Control Plan, and input from Soil and Water Conservation Districts, Texas Parks and Wildlife Department, Natural Resources Conservation Service, Texas Department of Agriculture, Office of the Attorney General, Texas A&M University, Texas Farm Bureau, Upper Colorado River Authority, State Board staff, and Association of Texas Soil and Water Conservation Districts staff.

### **Status Reports**

Staff presented status reports to the Board on the following items:

- Water Quality Management Program
- Total Maximum Daily Load Program
- Implementation of Senate Bill 1339
- Clean Water Act (CWA) 319(w) Program

### **Technical Criteria and Guidance for Comprehensive Nutrient Management Planning**

The Board approved the technical criteria and guidance for comprehensive nutrient management planning as the minimum standard for certification of a CNMP.

The following additional criteria has been incorporated into the technical criteria TSSWCB CNMPs:

- 1) A certification that all retention control structures (ponds/lagoons) meet or exceed the capacity required by the operating permit or registration is required.
- 2) Soil sampling done in accordance with the operating permit or registration issued under §§321.21-321.49 of Title 30, Texas Administrative Code (Texas CAFO Rules), must be performed for the express purpose of developing the current CNMP and must have been analyzed by an appropriate laboratory not more than 120 days prior to the date the CNMP is submitted to the SWCD.
- 3) The CMNP shall be submitted to the SWCD in the specific format described in the technical criteria approved by the State Board.

### **Proposed Amendments to TAC Chapter 523 Agricultural and Silvicultural Water Quality Management CNMP**

The Board approved the proposed amendments to TAC Chapter 523 Agricultural and Silvicultural Water Quality Management CNMP for publication and a 30-day comment period. The rules addressed in 523.8 are necessary to define how the TSSWCB will administer a CNMP Program. Issues addressed within the rules include:

- 1) Applicability of producers
- 2) The process for obtaining a CNMP
- 3) The manner in which TSSWCB cost-share will be made available
- 4) Certification of CNMPs by the TSSWCB
- 5) Technical criteria and programmatic guidance
- 6) The possibility that certain environmental stewardship programs for owners and/or operators of animal feeding operations may require a TSSWCB certification of a CNMP as a required element of the stewardship program
- 7) The definition of "watersheds characterized by intensive animal agriculture"
- 8) The requirement for an implementation scheduled prior to certification

### **"Conservation Across America" Signs**

UPDATE - The Board was informed that the Association will enter into a contract with the TSSWCB and the NRCS for a grant to develop and pay for the signs. The

Association will subcontract with the Navasota SWCD and they will contract with the Texas Department of Criminal Justice to produce the signs. The Navasota SWCD will then distribute the signs.

During discussions it was determined that not all of the signs would be hung on fences. Some signs may need to be hung in a separate stand-alone unit (similar to a tall realtor sign). This would increase the costs of the grant thereby increasing the 50% portion the State Board agreed to supply.

**Public Hearing Announcement**

A public hearing to discuss the proposed changes to the Brush Control Program rules will be held on Thursday, January 16, 2003 at 8:00 a.m. in the TSSWCB Hearings Room.

**Next Board Meeting**

The next Board Meeting is tentatively scheduled for Thursday, January 16, 2003 at 9:00 a.m. at TSSWCB Headquarters in Temple.