



TEXAS STATE SOIL & WATER CONSERVATION BOARD

WATER QUALITY MANAGEMENT PLAN PROGRAM

Program Overview

The Water Quality Management Plan (WQMP) Program is a voluntary certification program created by the Texas Legislature that provides farmers, ranchers, and other landowners a way to demonstrate appropriate and effective management toward the protection of water quality from agricultural and silvicultural (forestry-related) nonpoint sources. Nonpoint source (NPS) pollution, or runoff, occurs when rainfall comes in contact with potential pollutants on the ground and flows into waters of the state. Agricultural and silvicultural nonpoint source pollution abatement is not regulated by permit and is the responsibility of the Texas State Soil and Water Conservation Board (TSSWCB). Possessing a certified WQMP provides certainty, for both the State and the landowner, that the agricultural and/or silvicultural activities conducted on the land are done so in a manner that is consistent with state water quality standards.

NPS Pollution Abatement in Texas

The Federal Clean Water Act (CWA) established the Section 319 - Nonpoint Source Management Program, recognizing that the U.S. Environmental Protection Agency (EPA) should work more closely with states, territories, and tribes to focus on technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring to ensure nonpoint sources do not lead to water quality degradation. Texas' Nonpoint Source Management Program is jointly administered by the TSSWCB and the Texas Commission on Environmental Quality (TCEQ), with the approval of the Governor and the EPA. The WQMP Program is Texas' primary, statutorily enacted, technical and financial assistance mechanism for implementing the overall nonpoint source program for agriculture and silviculture.

11,260 Active WQMPs Statewide

5 Million Total Acres

1.5 Million Acres of Cropland

776,718 Acres of Pasture/Hayland

2.5 Million Acres of Rangeland

96,957 Acres of Irrigated Land

1,510 Animal Feeding Operations

4 Auction Barns

40 Beef Cattle Operations

1,236 Poultry Operations

3 Sheep or Goat Operations

10 Pork Operations

6 Horse Operations

211 Dairy Operations

Water Quality Management Plans

WQMPs are voluntary, site-specific conservation plans developed cooperatively between a landowner and a local soil and water conservation district (SWCD) with an emphasis on water quality. The plan includes appropriate land treatment practices, production practices, management measures, technologies, or combinations thereof to achieve a level of pollution prevention or abatement determined by the TSSWCB, in consultation with local SWCDs, to be consistent with state water quality standards. There are 216 individual SWCDs, administratively associated with the TSSWCB. Each SWCD is responsible for identifying local natural resource concerns and directing landowners toward technical and financial assistance programs. The TSSWCB assists SWCDs with identification and mitigation strategies and establishes the conservation planning threshold that must be met in order for the State to certify a WQMP under Section 201.026(g), Agriculture Code, consistent with Section 26.1311, Water Code.

Applicability

Any farming, ranching, forestry, or other rural landowner can request planning assistance toward the development of a WQMP, so long as the operation is not considered a point source under federal and state water quality law. Unless an operation is defined as a concentrated animal feeding operation (CAFO), therefore a point source by definition, it is eligible for a WQMP. Smaller animal feeding operations (AFOs) that do not meet the animal numbers are considered nonpoint source and are eligible. Definitions for AFO and CAFO can be found in the TCEQ CAFO Rules at Title 30, Chapter 321, Subchapter B.

Poultry Operations

An exception to the voluntary aspect of the WQMP Program applies to poultry operations. Section 26.302, Water Code, requires all persons who own or operate a poultry facility to implement and maintain a WQMP certified by TSSWCB. This exception also applies to poultry operations defined as CAFOs that do not use a liquid waste handling system. The law applies to any person who owns or operates a poultry facility for commercial purposes and requires that the WQMP include adequate means to handle and dispose of poultry carcasses, poultry litter, and other poultry waste regardless of whether the person owns the poultry. Poultry CAFOs that use a liquid waste handling system are required to obtain a permit or other authorization from the TCEQ.



1,236 Active Poultry WQMPs

1,207 Chicken Operations

29 Turkey Operations

Statewide Species Headcount

7 Million Breeders

154.2 Million Broilers

655,300 Layers

3.5 Million Pullets

1.9 Million Turkeys

Development and Certification

State law requires that the landowner voluntarily request the planning assistance and agree to the terms and provisions of a WQMP. The local SWCD is responsible for determining if the lands within the scope of the requested planning assistance meet the TSSWCB's rules for an acceptable operating unit. Rules for the WQMP Program are adopted by the TSSWCB and are located at Title 31, Chapter 523, Texas Administrative Code. The TSSWCB has adopted the USDA-Natural Resource Conservation Service (NRCS) Field Office Technical Guide's water quality criteria for a resource management system (RMS) as the technical basis for a WQMP. The NRCS, or an NRCS-approved third-party, verifies that the technical requirements are met. The TSSWCB issues certification that a WQMP satisfies the rules and criteria and complies with state water quality standards established by the TCEQ.

COMPONENTS OF A WQMP

- District cooperative agreement
- Request for planning assistance
- Soil map with appropriate interpretations
- Conservation plan map
- Plan of operations
- Implementation schedule
- Inventory and/or planning worksheets
- Certification sheet

ESSENTIAL CONSERVATION PRACTICES

- Conservation crop rotation/residue management
- Prescribed grazing/livestock water
- Wildlife management
- Forest management
- Nutrient mangament/waste utilization
- Pest management
- Animal waste management systems
- Irrigation water management
- Erosion control measures

Fiscal Year 2022 Planning Requests

187 WQMPs Certified/Re-Certified

67 SWCDs Represented

96,480 Total Acres Added

7,877 Acres of Cropland Added

11,090 Acres Pasture/Hayland Added

73,851 Acres Rangeland Added

4,913 Acres Irrigated Land Added



NPS Priorities and Financial Incentives for Participation

Because the WQMP Program is voluntary, participation is incentivized with financial assistance toward the implementation of certain conservation practices. When private landowners utilize properly installed conservation practices on an individual basis, the public at large benefits from the improved water quality. The TSSWCB approves a list of approved practices that are eligible for cost-sharing assistance not to exceed 75% of the total cost. The exact cost-share rate is determined by the appropriate local SWCD, but there is a maximum one-time per operating unit limit of \$15,000 established by the TSSWCB. Applications for cost-share may be submitted to the local SWCD once the WQMP has been certified. Because funding is limited, the TSSWCB ranks applications based on water quality parameters linked to agriculture and silviculture identified in the Texas Integrated Report of Surface Water Quality approved by the TCEQ. Performance certifications are conducted by TSSWCB to ensure practices are installed according to required specifications.

Status Reviews and Complaint Investigations

To maintain the integrity of the WQMP Program, TSSWCB conducts on-site status reviews to verify that a WQMP is being implemented in accordance with its implementation schedule. Status reviews, when performed on poultry operations defined as CAFOs by TCEQ, may be considered an inspection by TCEQ and reported to EPA. The TSSWCB also performs investigations and resolves water quality complaints filed with TSSWCB or referred to TSSWCB by the TCEQ. State law requires TSSWCB to refer noncompliance with state water quality laws or corrective action plans within a WQMP to TCEQ for possible enforcement actions in certain cases.

Measuring Success

Because the overall success of nonpoint source abatement programs is generally measured in terms of load reductions, TSSWCB partnered with the USDA-Agricultural Research Service to customize a version of the Soil and Water Assessment Tool (computer model) to assess relative reductions in predicted loads of nitrogen, phosphorus, and sediment resulting from full implementation of a WQMP. The Texas Best Management Practice Evaluation Tool (T-BET), is applied to each certified WQMP to predict the impact of the WQMP Program on the environment. During Fiscal Year 2022, TSSWCB certified WQMPs that would result in 427,034 pounds of nitrogen, 52,610 pounds of phosphorus, and 45,710 tons of sediment from reaching the nearest surface waters if fully implemented in one year.

Fiscal Year 2022 Status Reviews

554 Status Reviews Performed

145 Poultry CAFO Inspections

60 Deficiencies Identified

41 Resolved by Remedy

19 Still Pending (*at close of fiscal year*)

Fiscal Year 2022 Complaint Investigations

23 Complaints Received

23 Investigations

15 Complaints Considered Valid

10 Complaints Received from TCEQ

14 Complaints Referred to TCEQ

Resources

To identify the specific SWCD or TSSWCB Regional Office service area within which an operating unit is located, the TSSWCB website includes the resources below:

SWCD: www.tsswcb.texas.gov/swcds/locatormap

Regional Office: www.tsswcb.texas.gov/contact-us/regional-office-service-areas

