



ANNUAL REPORT

2021

TABLE OF CONTENTS

Historical Background	4
Current Review of TSSWCB By the Sunset Advisory Commission	6
Organization	6
Soil and Water Conservation Districts	8
Annual State Meeting of Soil and Water Conservation District Directors	9
Director Mileage and Per Diem	9
District Technical Assistance Funds	9
Farm Bill Assistance Funds	9
Conservation Activity Program	9
District Conservation Assistance Program	9
TSSWCB Programs and Activities	10
Flood Control Programs	10
• O&M Grant Program	11
• Structural Repair Grant Program	11
• Dam Rehabilitation	12
Texas Nonpoint Source Management Program	12
• Nonpoint Source Grant Program	13
• Clean Water Act §319(h) Grant Funding	13
• State Grant Funding	14
• Total Maximum Daily Load Program	14
• Watershed Approach to Water Quality Planning and Implementation	15
• Watershed Protection Plan Program	17
Water Quality Management Plan Program	18
• Poultry Water Quality Management Plan Program	18
Coastal Coordination Advisory Committee	19
Texas Groundwater Protection Committee Function	20
SWCD Information Technology Assistance	21
• PC Hardware Replacement	21
Public Information and Education	22
• District Leadership Development Workshop	22
• 2021 Texas Conservation Awards Program	22
• Soil & Water Stewardship Public Speaking Contest	23
• Wildlife Alliance for Youth	23
• Nonpoint Source (NPS) Pollution Watershed Flow Model	24
• Texas Invasive Species Coordinating Committee	24
Rio Grande Carrizo Cane Eradication Program	25
On-The-Ground Conservation Program	26
Conservation Initiatives	27
• Feral Swine Control Pilot Program	27
• National Association of Conservation Districts Grant Program	27
Attachments	29

FORWARD

In response to Senate Bill (S.B.) 1828 passed by the 78th Texas Legislature in Regular Session, 2003, and as amended by S.B. 59 passed by the 83rd Texas Legislature in Regular Session, 2013, the Texas State Soil and Water Conservation Board (TSSWCB) presents this review of its programs and activities. S.B. 59 amended §201.028 of 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 an annual report, not later than January 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 (SWCD) activities.

The Fiscal Year (FY) 2022-2023 Operating Budget is attached to this report. Information on grants available to local SWCDs 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 reported success stories that include reducing the level of Atrazine in several water bodies, particularly the Aquilla Reservoir, reducing the levels of bacteria in the Leon River, Lower San Antonio River, Buck Creek, Attoyac Bayou, Pecan Creek, Catfish Creek, and improving the dissolved oxygen levels in Oso Bay and a tributary to Toledo Bend Reservoir

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 puts an ever-increasing demand on agricultural land. Farmers and ranchers face complex decisions concerning the best ways to manage and utilize the natural resources 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 programs 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 SWCD directors, and the many agencies and organizations assisting and working with our programs, we offer our sincere gratitude.

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 Great 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 (USDA). 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 (P.L.) 46 was passed creating the Soil Conservation Service within the USDA 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, 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 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 landowners, then 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 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 100% of the state.

As previously mentioned, the Model Soil Conservation 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. Only local SWCDs 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 and to solve or reduce the severity of its problems.

CURRENT REVIEW OF TSSWCB BY THE SUNSET ADVISORY COMMISSION

The Sunset Advisory Commission began a review of the agency in October 2021 and anticipates the review to be completed in time for the Legislature to consider their recommendations prior to the 88th Regular Session beginning in January 2023.

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 SWCDs. Elections occur annually at regional conventions of the local SWCDs, 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 1st of each odd-numbered year, and the term of the other member appointed by the Governor expires on February 1st 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 SWCD.

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 4, 2021-May 9, 2023	Stratford
Marty H. Graham	#2	May 3, 2018-May 3, 2022	Rocksprings
José O. Dodier, Jr.	#3	May 4, 2021-May 9, 2023	Zapata
David Basinger	#4	May 3, 2018-May 3, 2022	Deport
Barry Mahler	#5	May 4, 2021-May 9, 2023	Iowa Park
Carl Ray Polk Jr.	Appointed	May 21, 2017-February 1, 2023	Lufkin
Tina Y. Buford	Appointed	May 21, 2017-February 1, 2022	Harlingen

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, 2021, the TSSWCB has 68 employees, 27 of which work in the Temple headquarters. The remaining 41 employees are field staff, either working out of their homes or located in eight satellite offices, located throughout the state. Due to difficulty in recruiting, engineer 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 61% to 39% 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 A&M AgriLife Extension Service, and the USDA’s Natural Resource Conservation Service (NRCS) to provide technical assistance to landowners to implement Water Quality Management Plans.

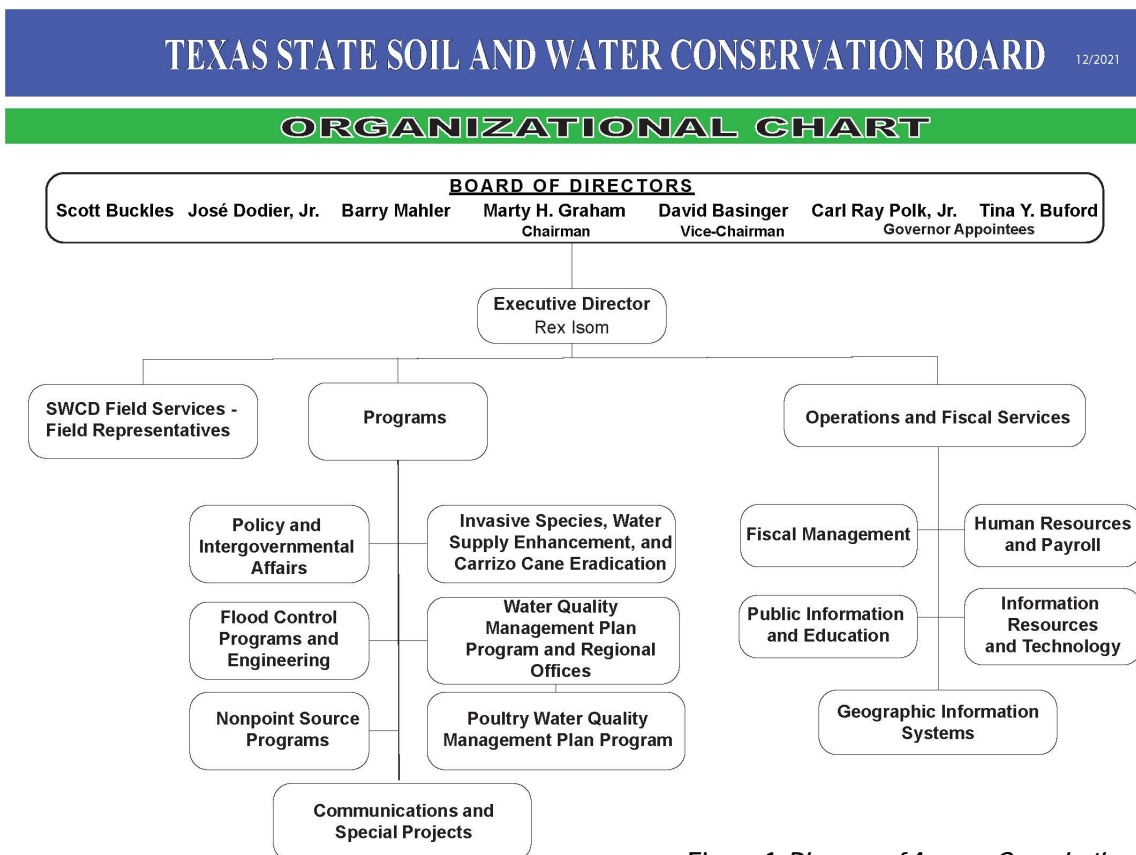
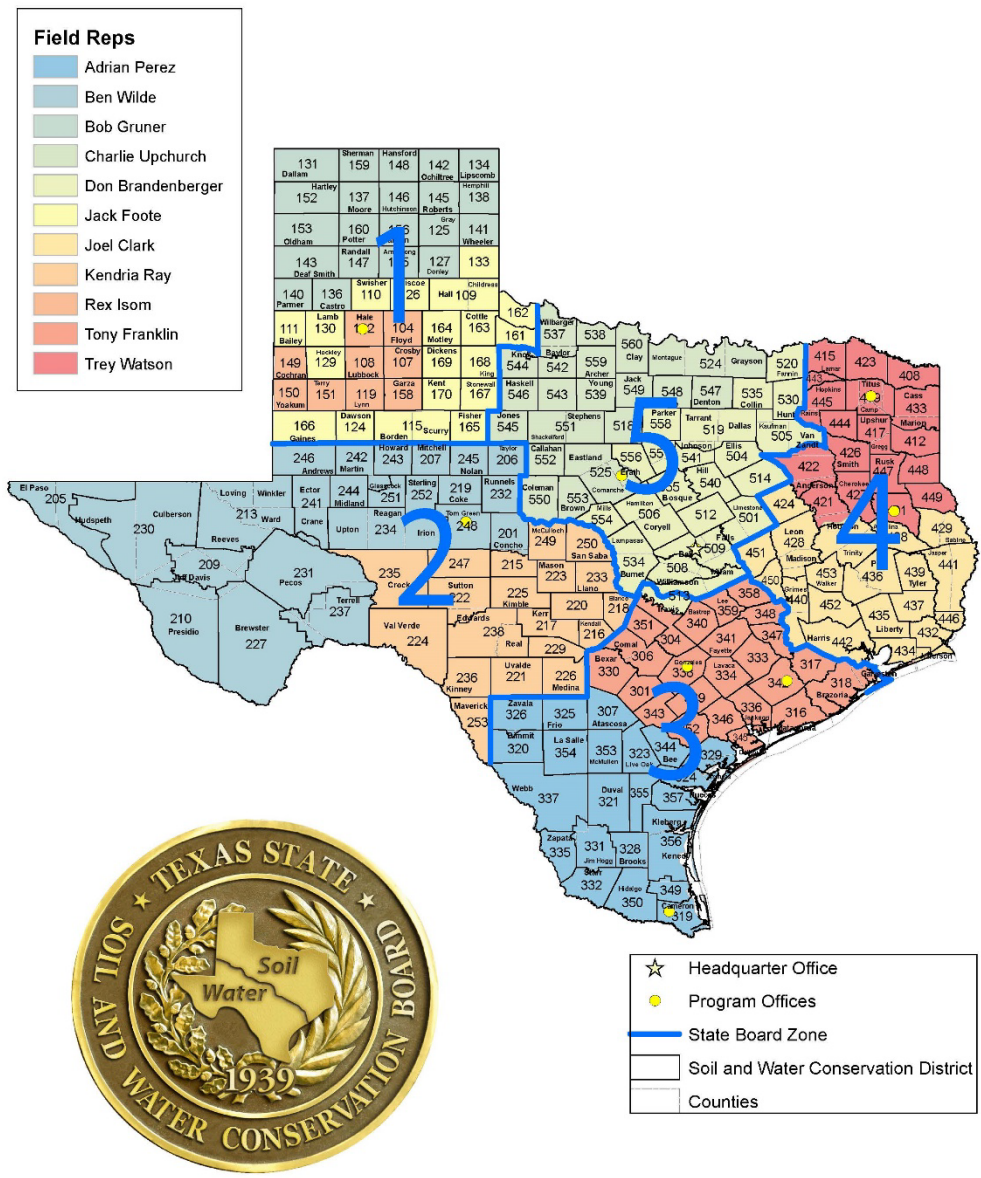


Figure 1. *Diagram of Agency Organization*

SOIL AND WATER CONSERVATION DISTRICTS

The TSSWCB performs many of its activities in coordination with the state’s 216 local SWCDs. These local SWCDs are political subdivisions of the state, established through local option elections of agricultural landowners. SWCDs generally reflect county boundaries, but may also follow river basin or watershed boundaries, depending on the desires of the local landowners. The following SWCD map shows the current 216 local SWCDs that cover the entire state. The map below also shows the grouping of the SWCDs 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 SWCD within a specific area.

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



SWCDs 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-NRCS provides most of the federal assistance available to SWCDs and through cooperative agreements which provide technical assistance to farmers and ranchers requesting assistance from the SWCD.

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

ANNUAL STATE MEETING OF SOIL AND WATER CONSERVATION DISTRICT DIRECTORS

The Annual State Meeting of Soil and Water Conservation District Directors is required in §201.081, Texas Agriculture Code. The 81st Annual Meeting of Texas Soil and Water Conservation District Directors was held October 4-6, 2021 in Round Rock. The 82nd Annual Meeting of Texas Soil and Water Conservation District Directors will be held October 24-26, 2022, in Galveston.

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 FY2022 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 FY2022 appropriation for this program is \$2,303,077.

FARM BILL ASSISTANCE FUNDS

The USDA-NRCS disburses federal payments through the TSSWCB to Districts on a reimbursing basis for conservation assistance and the accelerated delivery of Farm Bill programs. The FY2022 federal appropriation for this program is \$400,200.

CONSERVATION ACTIVITY PROGRAM

The Conservation Activity Program provides Districts an opportunity to offset operating expenses by completing ten core conservation education activities. These activities serve to inform landowners of local conservation concerns and encourage the voluntary implementation of conservation practices to address those concerns. The FY2022 appropriation for this program is \$326,500.

DISTRICT INTERNET SERVICE AND AUDIT REIMBURSEMENTS

The TSSWCB provides financial assistance through grants to Districts for maintaining cellular data service and third-party preparation of annual financial reports. The cellular data service provides a continuity of Operations for Districts whose employees co-locate and share resources within USDA service centers. A mobile data service provides Districts the resources to continue operations independent of a federal shutdown or office closure. The third-party preparation of annual financial reports serves to assist Districts with limited funding in meeting their annual financial reporting requirements.

DISTRICT CONSERVATION ASSISTANCE PROGRAM

The 61st Legislature initiated a program through which funds are appropriated to the State Soil and Water Conservation Board for allocation to Soil and Water Conservation Districts. 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 FY2022 appropriation for this program is \$1,134,000.

TSSWCB PROGRAMS AND ACTIVITIES

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 water quality management plans (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 WQMP Program, the Nonpoint Source Grant Program, the Total Maximum Daily Load (TMDL) 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

Approximately 2,000 floodwater retarding structures, or dams, have been built over the last 73 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 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.

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 operation and maintenance (O&M) and structural 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.

FLOOD CONTROL PROGRAMS CONTINUED

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.

Currently, \$12 million is needed for O&M on 2,000 dams, \$108 million is needed to repair 162 flood control program dams in Texas, and \$2 billion is needed to upgrade and rehabilitate about 500 high hazard dams where downstream urban development has resulted in public safety issues.

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.

For FY2020, \$4,916,599 was available for sponsors to submit proposals to complete O&M work. A total of 210 proposals were received and were approved for funding to complete O&M activities.

For FY2021, \$4,460,519 was available for sponsors to submit proposals to complete O&M work. A total of 183 proposals were received and approved for funding to complete O&M activities.

For FY2022, \$2,000,000 was approved by the State Board for funding O&M, and 82 proposals have been approved for funding. This work is currently underway.

Structural Repair Grant Program

The Structural Repair Grant Program is a reimbursable grant program for local SWCDs and certain co-sponsors of flood control dams. This program reimburses SWCDs 95% of the cost of dam repair and 98.25% of the cost of dam upgrade to meet high hazard criteria as defined by the program rules; the remaining 5% or 1.75% must be paid with non-state funding. Rules for the Structural Repair Grant Program were adopted by the State Board on March 18, 2010 and became effective April 25, 2010. The rules were amended to be effective February 6, 2020.

Economic Stabilization Fund (ESF) \$150 Million Plan

On June 6, 2019, a supplemental appropriation in the amount of \$150,000,000 was approved for TSSWCB to assist sponsors with dam repair and rehabilitation. These funds were obligated in contracts and agreements by June 5, 2021. ESF funds must be expended within 4 years after the obligation year.

Current Issues – ESF and General Revenue Funding

Construction bids received since June 2021 have been about 30% over the amount of funding provided in agreements with sponsors. If bids continue to come in 30% high, an additional \$22 million will be needed to fund all projects that were obligated before June 5, 2021. Without additional funding, some projects will be delayed or cancelled because of lack of sufficient funding to move forward with construction.

Structural Repair Grant Program Continued

Structural Repair – Economic Stabilization Fund and General Revenue Funding

Construction was completed on 37 dam repairs in Fiscal Years 2020, 2021, and 2022. Construction contracting is currently underway on 13 dam repairs and 15 high hazard dam upgrades.

DAM REHABILITATION

In FY 2021, TSSWCB signed agreements with NRCS for \$8.97 million in federal funding for rehabilitation design and construction on 7 dams. TSSWCB is contracting for engineering services and signing grant agreements with sponsors for construction on these dams. Since 2014, total federal dam rehabilitation funding provided by NRCS to TSSWCB is \$84 million on 125 dams. State matching funds for rehab construction obligated to date is \$35 million.

Federal Dam Rehabilitation Activities

- Federal Rehab Planning on 9 dams is underway.
- High hazard Dam Assessments completed on 60 dams.
- Designs underway on 4 dams.
- Construction underway on 6 dams.

For more information on these programs, please visit the TSSWCB's website at:
<https://www.tsswcb.texas.gov/programs/flood-control-program>

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 Nonpoint Source (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 2017 Texas NPS Management Program was approved by the U.S. Environmental Protection Agency (EPA) March 2018.

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 May 13, 2021, TSSWCB distributed the 2020 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 FY2019 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 <https://www.tsswcb.texas.gov/about/agency-reports>.

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.

TEXAS NONPOINT SOURCE MANAGEMENT PROGRAM CONTINUED

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 <https://www.tsswcb.texas.gov/programs/texas-nonpoint-source-management-program>

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: development and implementation of nine-element WPPs and the NPS portion of TMDL Implementation Plans (I-Plan), surface water quality monitoring, demonstration of innovative BMPs, technical assistance and financial incentives for the development and implementation of WQMPs, public outreach/education, and monitoring activities to determine the effectiveness of specific pollution prevention methods.

More information on the TSSWCB NPS Grant Program is available at <https://www.tsswcb.texas.gov/programs/texas-nonpoint-source-management-program>

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 two years, the State's allocation has been approximately \$7 million per year.

TSSWCB is currently administering approximately \$11 million in unliquidated federal funds from FY2016 – FY2021 CWA §319(h) allocations. There are currently 37 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

Clean Water Act §319(H) Grant Funding Continued

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 by January 15, 2021; April 15, 2021; July 15, 2021 and October 15, 2021. 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 13, 2021, NPS staff issued the FY2022 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. NPS staff identified priority areas and activities for this funding cycle based on the Texas NPS Management Program and the 2020 Integrated Report. The deadline for proposal submission was September 24, 2021. A total of 19 proposals were received.

State Grant Funding

The Texas Legislature has appropriated 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. 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 FY2020, FY2021, and FY2022 that allocated a total of \$2.8 million in state funds to the NPS Grant Program.

There are currently 11 ongoing state 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 (RUAAs); 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 by December 15, 2020; March 15, 2021; June 15, 2021; and September 15, 2021. 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 2020 Texas Integrated Report for CWA §§305(b) and 303(d) was approved by EPA on May 12, 2020.

The State must then establish a 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.

Total Maximum Daily Load Program Continued

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 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.

In order to abate agricultural and silvicultural NPS pollution, TMDLs and I-Plans will implement components of other TSSWCB Programs, such as the WQMP Program. Additionally, the TSSWCB NPS Grant Program serves as a funding source 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:

<https://www.tsswcb.texas.gov/programs/texas-nonpoint-source-management-program/total-maximum-daily-load-program>

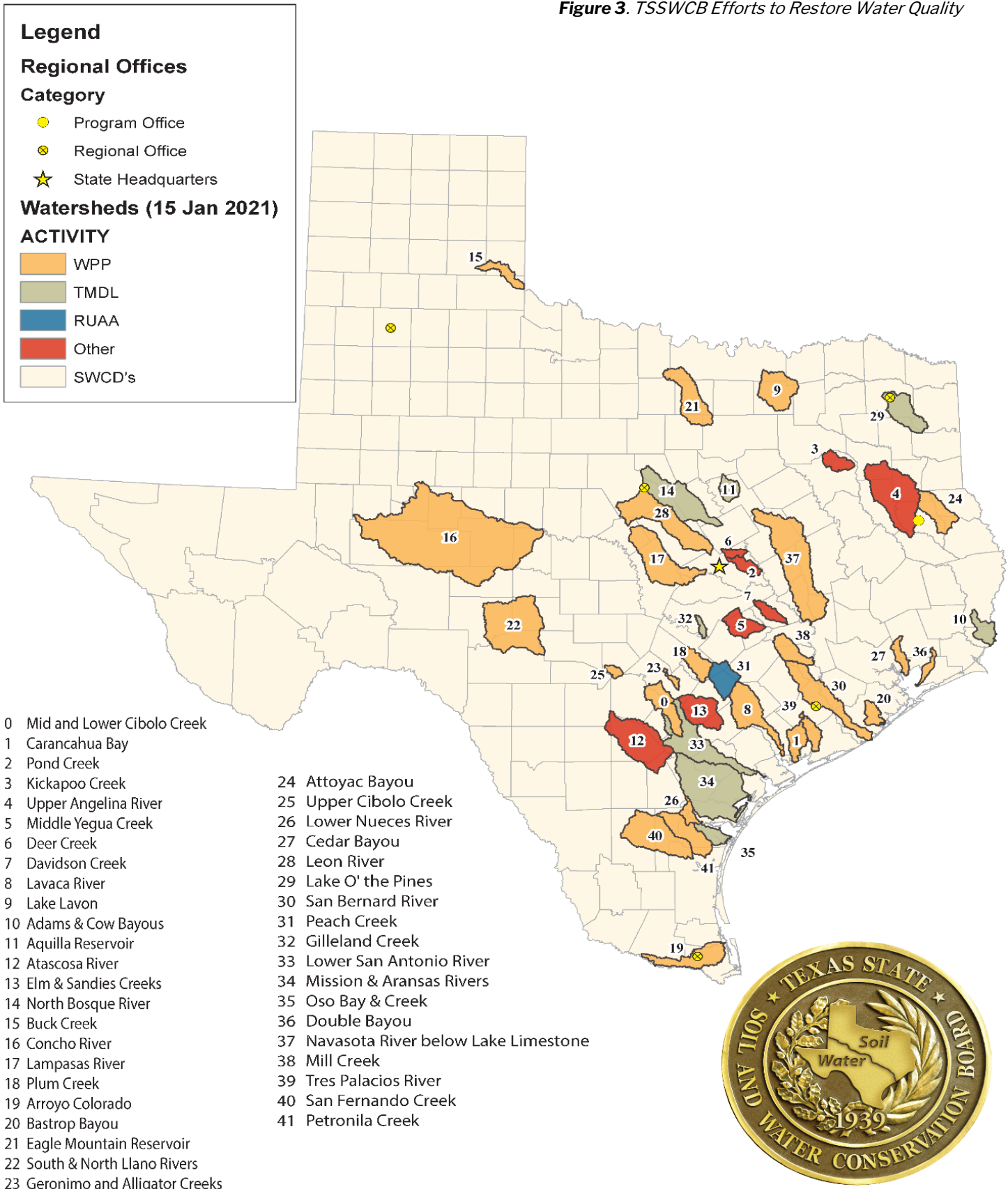
Watershed Approach to Water Quality Planning and Implementation

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
- 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 in Figure 3 on page 18. This list of "priority" watersheds is frequently updated by the TSSWCB.

Figure 3. TSSWCB Efforts to Restore Water Quality



Watershed Protection Plan Program

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 ongoing 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 A&M 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/roundtable>) semi-annually to continue dialogue between watershed coordinators in order to facilitate interactive solutions to common issues being faced statewide.

WPPs currently sponsored by TSSWCB have significant agricultural or silvicultural NPS pollution components and are all funded through 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.

In order to abate agricultural and silvicultural NPS pollution, WPPs will implement components of other TSSWCB Programs, such as the WQMP Program.

More information on the TSSWCB WPP Program is available at <https://www.tsswcb.texas.gov/programs/texas-nonpoint-source-management-program/watershed-protection-plan-program>

WATER QUALITY MANAGEMENT PLAN PROGRAM

The WQMP Certification Program established by the enactment of S.B. 503 in 1993, offers a voluntary mechanism that provides assurances to the participant that their agricultural and/or land management conservation activities are designed and implemented in a manner that is consistent with achieving state water quality standards. It also provides assurance to the State of Texas that the participant is in compliance with all rules and regulations related to water quality.

Additionally, this affords certain benefits to each participant, such as confidentiality, financial assistance toward implementing the WQMP, as well as ensure that any water quality complaints are resolved through the TSSWCB and the local SWCD.

From January 1, 2021 through November 30, 2021 there have been 174 new WQMPs certified on 94,270 acres. There have also been 142 applications approved for financial incentives to assist producers with the implementation of agricultural NPS pollution abatement practices. More information about the WQMP Program is available at: <https://www.tsswcb.texas.gov/programs/water-quality-management-plan>

POULTRY WATER QUALITY MANAGEMENT PLAN PROGRAM

In 1994, the TSSWCB began assisting poultry operations with the establishment of the Northeast Texas Regional Office in Mt. Pleasant.

In 1997, the Texas Legislature passed S.B. 1910, which required all poultry farms to have a TCEQ-approved method of dead bird disposal. 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 2001, the 77th Legislature passed S.B. 1339, which requires all commercial 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.

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

In 2009 the 81st Texas Legislature passed S.B. 1693 which prohibits the 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 also requires owners of new farms to complete an odor control prevention course from the Texas A&M Poultry Science Department.

The TSSWCB Nacogdoches Poultry Program Office was established in 2003, while the Gonzales and Leon County offices were established in 2007, each located in heavily poultry populated areas of the state and each also serves the poultry producers in surrounding counties. Those three offices serve 33 counties, which account for about 70% of the currently over 1,200 existing dry-litter poultry farms in Texas.

POULTRY WATER QUALITY MANAGEMENT PLAN PROGRAM CONTINUED

Program staffing now consists of (1) Program Supervisor, (4) Natural Resources Specialists, and (1) Administrative Assistant to assist poultry producers primarily in those 33 counties but are available for other counties as needed. In addition, the TSSWCB regional office staffs also assist poultry producers in their areas across the state.

Currently, the TSSWCB is aware of 1,220 total dry-litter poultry farms, of which 592 (48%) are defined as Concentrated Animal Feeding Operations (CAFOs). 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 animal feeding operation (AFO)/CAFO status and locating other poultry farms not yet identified.

In FY2022, staff in the Poultry WQMP Program continue to develop, update, and review WQMPs for poultry producers and provide assistance with all issues related to the Poultry WQMP Program. Poultry program staff work with about 843 (69%) of the 1,220 total farms. Regional office staffs assist the other 377 farms. Approximately 506 (41%) of the estimated 1,220 dry-litter poultry farms in Texas are located in a 13-county area surrounding Nacogdoches, which are worked by poultry program staff. About 207 (41%) of the 506 farms in the 13-county area are large enough to be defined as CAFO, which require inspections conducted by the TSSWCB staff, which could result in needed revisions to their WQMP. In addition, the other existing 299 WQMPs are reviewed regularly for needed updates and revisions. The TSSWCB office also assists other SWCDs in the state with poultry WQMP development, revision, and complaint investigations as needed.

Since 2009, there have been 290 odor control plans submitted to TCEQ for approval, and none are currently being reviewed by TCEQ.

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 \$1.7 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. A Coastal NPS Pollution Control Program workgroup was created 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.

COASTAL COORDINATION ADVISORY COMMITTEE CONTINUED

Section 6217 calls for implementation of management measures, §6217(g), that will control significant NPS 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. The TCEQ, GLO, and TSSWCB continue to work with NOAA and EPA to gain full approval of the Texas Coastal NPS Pollution Control Program.

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 WQMP Program, the CWA §319(h) NPS Grant Program, the TMDL Program, and the WPP Program.

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.

Fifteen SWCDs are located in the Coastal Management Zone and work with landowners to develop and implement WQMPs on agricultural land. Implementation of the silvicultural management measures in the Coastal Zone is through a CWA §319(h) NPS grant to the Texas A&M Forest Service.

CMP information can be found at <http://www.glo.texas.gov/coast/grant-projects/cmp/index.html>

More information on the Texas Coastal NPS Pollution Control Program is available at <https://www.tsswcb.texas.gov/index.php/programs/texas-nonpoint-source-management-program/coastal-nonpoint-source-pollution-control-program>.

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

TEXAS GROUNDWATER PROTECTION COMMITTEE FUNCTION CONTINUED

- Balances the protection of the environment and the long-term economic health of the state
- 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 report, Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 87th Legislature, was approved by the TGPC and published in January 2021, by TCEQ.

Mechanisms the TSSWCB implements in order to prevent and abate agricultural and silvicultural NPS pollution impacting groundwater include the agency's WQMP Program, CWA §319(h) NPS Grant Program, State NPS Grant Program, TMDL Program, and WPP Program. These programs are described in detail in other sections of this Report. High priority aquifers where the 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.texas.gov>.

SWCD INFORMATION TECHNOLOGY ASSISTANCE

The TSSWCB continued providing IT assistance to Texas SWCDs through a variety of means. The agency administers a grant to reimburse cellular Internet service expenses, offering flexible connectivity for SWCD employees working remotely or in an office environment. TSSWCB also provides SWCDs with email accounts, cloud-based office productivity applications and cloud storage.

The agency offers technical advice and support to SWCD employees and administers DNS hosting for the swcd.texas.gov domain used by Texas SWCDs.

Following adoption of HB 3834, which requires cybersecurity training for local governments, the TSSWCB serves as the liaison between SWCDs and the Texas Department of Information Resources (DIR) to help ensure SWCDs have the opportunity to meet the requirements of the bill for their directors and employees.

PC Hardware Replacement

Work continued on the replacement of the oldest 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.

Most of the machines replaced were at, or, in some cases, significantly beyond the PC life cycle recommendations from DIR. All purchases were made in accordance with DIR guidelines through a DIR-approved vendor.

PUBLIC INFORMATION AND EDUCATION

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. The TSSWCB staff coordinates seminars, conferences, workshops, displays at trade shows, and training for district directors, 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 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 the Association of Texas SWCD's Information/Education Committee and its programs.

District Leadership Development Workshop

Due to the COVID-19 Pandemic the 2021 District Leadership Development Workshop was cancelled. The 2022 event is scheduled for February 8-9th. The purpose of the workshop is 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-NRCS permits a limited number of new NRCS district conservationists to attend the training.

Key topics addressed in the training were:

- History, powers, and duties of the TSSWCB
- Interaction with different authorities of the local SWCD, TSSWCB, and the NRCS
- Qualifications, terms, and duties of SWCD director
- General powers and duties of SWCDs
- Proper method of conducting a local SWCD meeting
- Overview of current TSSWCB program responsibilities
- Ethics training for SWCD directors
- Equal employment opportunity training for SWCD directors
- Fiscal operations and responsibilities of SWCDs
- Relationships between other state and national conservation organizations
- Required training in Texas Open Government Laws through the Office of the Texas Attorney General

2021 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 2021 Awards Program marks the 43rd year of this joint program. Local districts select their outstanding individuals as winners and submit them at the end of January 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

2021 Texas Conservation Awards Program Continued

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, SWCDs, and both rural and urban citizens of Texas are benefited.

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 12 state FFA areas and the first and second place winners at the area level compete for the state title. The theme of the 2021 contest was “Healthy Forests, Healthy Communities.” The Annual Texas FFA State Convention was held July 6-9, 2021 in conjunction with the Speaking Development Events.

This project is a partnership between the Texas FFA, the Agriculture Teacher's Association of Texas, the TSSWCB, 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.

2021 Texas FFA Soil Stewardship Public Speaking Contest Winners:

- 1st Place, receiving a \$3,000 scholarship: Breanna Jimenez, East Central FFA
- 2nd Place, receiving a \$2,000 scholarship: Hailey Tucker, Katy FFA
- 3rd Place, receiving a \$1,000 scholarship: Avery Maas, Magnolia FFA

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 highest scoring FFA chapter in each of the five state regions, as well as awards to the first, second, and third place high scoring teams at the state event. The benefit of the program enables 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 Ag Science 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 TSSWCB geographical 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.

Wildlife Alliance for Youth Continued

The WAY State Contest rotates each year to one of the five TSSWCB geographical areas of the state. Approximately 2,000 youth participate in the regional contests and statewide contest competition.

The TSSWCB, Association of Texas Soil and Water Conservation Districts, USDA-NRCS, Texas Parks and Wildlife Department, Texas A&M University, Cooperative Extension service, and the Texas Education Agency, along with SWCDs, all partner in the success of the youth organization.

Nonpoint Source 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 NPSs. The plastic landscape structure has industrial, undeveloped, agricultural, 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 run-off.

The model is a layout of a watershed that includes all the factors that may contribute to polluting our water. The model showcases 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 water body, Kool-Aid and cocoa powder are used to color “runoff”. Grape Kool-Aid is used to represent pollution from factories, as well as oil from parking lots and roads. Orange Kool-Aid represents pollution from lawn chemicals, golf courses, and cropland and pastureland chemicals. Cocoa powder is used to represent pollution from construction sites, forested land, dairies, and feedlots. The Kool-Aid and cocoa powder 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 filled with water is used 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.

TEXAS INVASIVE SPECIES COORDINATING COMMITTEE

The Texas Invasive Species Coordinating Committee (TISCC) was established by the 81st Texas Legislature in 2009 (S.B. 691) and is administratively attached to the TSSWCB. The member agencies of the TISCC are the Texas Department of Agriculture, the Texas Parks and Wildlife Department, the TSSWCB, the Texas A&M AgriLife Extension Service, the Texas A&M Forest Service, and the Texas Water Development Board.

The TISCC provides a forum for developing interagency strategies and policies for invasive species control. Its member agencies cooperate through an orderly exchange of information, jointly held meetings, and the appointment of sub-committees and working groups in order to facilitate development of effective and timely state responses to invasive species, and to make recommendations to the leadership of state departments and agencies regarding research, technology transfer, and management actions related to invasive species control.

TEXAS INVASIVE SPECIES COORDINATING COMMITTEE CONTINUED

Many of TSSWCB's programs support the State's invasive species management goals and contribute to achieving the goals and objectives of the TISCC. For example, while the agency's new Rio Grande Carrizo Cane Eradication Program (RGCCEP) is directed towards improving border security, carrizo cane is also an invasive species; therefore, this program also supports the State's invasive species management goals.

The TISCC is currently under review by the Sunset Advisory Commission to determine if its functions will continue beyond 2022.

More information regarding the TISCC is available at <http://www.tiscc.texas.gov/>.

RIO GRANDE CARRIZO CANE ERADICATION PROGRAM

Improving Border Security and Restoring Ecosystem Function of the Rio Grande Through Invasive Species Control

Large dense stands of non-native carrizo cane (*Arundo donax*) occupy the banks and floodplains of the Rio Grande, thwarting law enforcement efforts along the international border, impeding and concealing the detection of criminal activity, restricting law enforcement officers' access to riverbanks, and impairing the ecological function and biodiversity of the Rio Grande. As a result of this weed's high evapotranspiration capacity, infestations threaten water supplies for agricultural and municipal drinking water uses in south Texas.

In order to help achieve the Governor's border security priorities, the Texas Legislature, in 2015, directed the TSSWCB to develop and implement a RGCCEP. Comprehensively addressing the impacts of carrizo cane on border security is paramount to the program, while also accruing benefits to the ecosystem health of the Rio Grande and water user groups in south Texas. Due to the diversity of biological, legal, and cultural issues associated with control of carrizo cane along the 1,255-mile Rio Grande international border, the RGCCEP takes an ecosystem-based approach that integrates the use of biological, chemical, and mechanical controls to manage carrizo cane along the Rio Grande. This approach promotes restoration of treated areas with beneficial native plants and necessitates a long-term maintenance and monitoring program to ensure control is successful. More information on the RGCCEP is available at <https://www.tsswcb.texas.gov/programs/rio-grande-carrizo-cane-eradication-program>.

In FY21, 7,875.8 acres were treated at a cost of \$1,063,233 throughout Brewster, Maverick, Terrell, and Webb counties.

Currently, 162.0 acres of Carrizo cane in Starr, Hidalgo, and Cameron counties were treated at a cost of \$299,700 and certified. Also, 3,808.0 acres of Carrizo cane at a cost of \$514,080 is currently being treated in Maverick and Webb counties. Utilizing funds from the Governor's office \$1.5 million grant, a purchase order was initiated in the amount of \$925,000, to treat 500.0 acres in Zapata County. Staff have corresponded frequently with DPS and Border Patrol to coordinate security for the contractors in place. This treatment is ongoing and is expected to be completed by December 15th, weather and optimal spraying conditions permitting.

The TSSWCB is working in conjunction with the Soil and Water Conservation Districts to utilize the remaining Governor's grant funds to treat an additional estimated 2,609.0 acres in Cameron, Maverick and Zapata counties. The precise acreage will be verified after the actual treatment and reported.

RIO GRANDE CARRIZO CANE ERADICATION PROGRAM CONTINUED

In addition to implementing these pending agreements for treatment, the TSSWCB staff is working closely with law enforcement entities in identifying high priority areas and utilizing a RGCCEP geospatial database to document areas treated, identifying areas that need treatment, tracking contacts made with property owners and follow-up activities by county for reporting and planning purposes.

Also, staff performed status reviews of Carrizo cane previously treated in Maverick, Starr, and Webb counties.

ON-THE-GROUND CONSERVATION PROGRAM

The On-The-Ground Conservation Program was created by Senate Bill 1118 during the 87th Texas Legislative Session and was signed into law by the Governor to be effective September 1, 2021. The new law enhances the TSSWCB's jurisdiction to include a wide range of natural resource priorities, authorizes the agency to provide voluntary technical and financial assistance toward the implementation of conservation practices to address those priorities, and directs the agency to form partnerships and seek out funding opportunities from other federal, state, or local governmental agencies and private entities. The primary focus of this new program is implementation, especially in partnership with other efforts that offer educational, research, or other activities. This new program does not currently receive a direct appropriation from the Texas Legislature, however, the TSSWCB is actively pursuing all potential sources of funding to address its eligible natural resource priorities.

Eligible Natural Resource Priorities

- improve soil health characteristics
- conserve and manage water resources
- prevent and manage flooding
- control invasive and nuisance species
- improve resilience to weather extremes, climate variability, and natural disasters
- protect and enhance native habitats, including the protection of endangered species
- mitigate and reduce soil erosion
- restore land damaged by development
- sequester carbon to provide environmental benefits

Program Development and Stakeholder Involvement

The TSSWCB is currently in the process of developing this new program and is committed to keeping it flexible so that it will be as useful as possible in assisting Texas landowners in installing conservation practices that enhance agriculture and protecting the environment. The agency is committed to using an extensive and inclusive stakeholder process during the development process and the program's ongoing administration. An initial stakeholder meeting was conducted on October 6, 2021.

CONSERVATION INITIATIVES

In an effort to preserve working lands necessary to prevent the destruction of food and cover for wildlife and endangered or threatened species, the TSSWCB is active in other conservation initiatives.

Feral Swine Control Pilot Program

The USDA announced in June 2019 that \$75 million in funding was available for the eradication and control of feral swine through the Feral Swine Eradication and Control Pilot Program (FSCP) in a joint effort between USDA-NRCS and Animal and Plant Health Inspection Service (APHIS). The 2018 Farm Bill included this new pilot program to help address the threat that feral swine pose to agriculture, ecosystems and human and animal health. The TSSWCB has applied for and received grant funding to administer a FSCP in sixteen counties. Total federal funding received by the TSSWCB is \$4,389,648, and non-federal funds in the amount of \$1,471,727 are being used to provide 25% matching component.

The TSSWCB is partnering with USDA-NRCS, APHIS, sixteen local SWCDs, Texas A&M Natural Resources Institute (NRI), and the Texas Wildlife Damage Management Association (TWDMA) and Texas Farm Bureau to implement the FSCP in the Hartley, Oldham, Potter, Eastland, Comanche, Erath, Hardeman, Wilbarger, Wichita, Clay, Milam, Williamson, Bee, Nueces, San Patricio and Dallam Counties in Texas. Through this program, the SWCDs establish a smart trap loan program for farmers, ranchers, and landowners, education and outreach activities are provided by NRI, and TWDMA is hiring technicians to help coordinate the SWCD trap loan program.

The first round of FSCP projects include Hartley, Oldham, Potter, Eastland, Comanche, Erath, Hardeman, Wilbarger, Wichita, Clay, and the program is fully underway in these Counties. At the end of FY21, seventy landowners have participated in the trap loan program and have trapped 1,736 feral hogs on approximately 271,736 acres. In total, 211 landowners have requested to participate in the trap loan program.

The second round of FSCP projects include Milam, Williamson, Bee, Nueces, San Patricio and Dallam Counties. These counties are currently in the contracting and purchasing phase.

National Association of Conservation Districts Grant Program

The TSSWCB and National Association of Conservation Districts (NACD) are working together in an effort with SWCDs to further enhance conservation district technical assistance across the state. High priority locations were identified through our conservation partnerships for the use of these funds. Projects have been initiated in Lubbock County SWCD #108, Gillispie SWCD #220, Mason SWCD #223, Starr County SWCD #332, Red River SWCD #423, and Hill County-Blackland SWCD #540. Through the use of this grant funding, the technicians and program support specialist have been able to assist NRCS in developing, implementing, and certifying 466 conservation plans on 111,251.20 acres. The second round is currently being utilized in the six SWCD's.

In January 2021, the TSSWCB applied for \$337,000 (\$269,600 federal funds, \$67,400 matching state funds) to continue implementation of the Technical Assistance grant for the fourth consecutive year. The TSSWCB was notified in March that they would be receiving a third grant to continue the increased TA across the state.

National Association of Conservation Districts Grant Program Continued

The TSSWCB Executive Director, Rex Isom, said, “The agencies, staff, and technical assistance personnel involved in the development and implementation of this program have increased the ability of Texas producers to implement conservation practices on private property at an accelerated rate. The conservation work completed on private lands through this coordinated conservation effort provides natural resource improvements for all Texans, present and future.”

Delivering these conservation opportunities to landowners across the state helps all Texans by providing reduced erosion, increased water quality, and soil health. Each area of the state has different needs and without the assistance from NRCS and NACD these resource concerns may have not been addressed. Increasing staff to assist in the conservation planning and implementation allows Texas’ landowners to have the available technical assistance to make their own decision on how they want to manage private property to obtain their goals. The completion and continuation of the TA grant is not only a regional success, but a success for every person effected by the increased opportunities made available to them.

Attachments

Budget Overview
 87th Regular Session, Fiscal Year 2022 Operating Budget
 Automated Budget and Evaluation System of Texas (ABEST)

592 Soil and Water Conservation Board

	GENERAL REVENUE FUNDS				FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS	
	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022
Goal: 1. Soil and Water Conservation Assistance										
1.1.1. Program Management & Assistance	5,862,554	5,692,623			803,573	1,645,938			6,666,127	7,338,561
1.2.1. Flood Control Dam Maintenance	6,113,471	5,082,284			3,489,061	6,376,893			9,602,532	11,459,177
1.2.2. Flood Control Dam Construction	2,297,460	3,635,799				3,909,775	126,429,653		128,727,113	7,545,574
Total, Goal	14,273,485	14,410,706			4,292,634	11,932,606	126,429,653		144,995,772	26,343,312
Goal: 2. Administer a Program for Abatement of Agricul Nonpoint Source Pollution										
2.1.1. Statewide Management Plan	935,690	966,000			4,599,800	4,199,600			5,535,490	5,165,600
2.1.2. Pollution Abatement Plan	3,986,873	4,126,338							3,986,873	4,126,338
Total, Goal	4,922,563	5,092,338			4,599,800	4,199,600			9,522,363	9,291,938
Goal: 3. Protect and Enhance Water Supplies										
3.1.2. Carrizo Cane Eradication	1,321,135	1,422,729						1,465,000	1,321,135	2,887,729
Total, Goal	1,321,135	1,422,729						1,465,000	1,321,135	2,887,729
Goal: 4. Indirect Administration										
4.1.1. Indirect Administration	771,827	823,829					5,485	5,500	777,312	829,329
Total, Goal	771,827	823,829					5,485	5,500	777,312	829,329
Total, Agency	21,289,010	21,749,602			8,892,434	16,132,206	126,435,138	1,470,500	156,616,582	39,352,308
Total FTEs									66.8	73.6