

Texas Environmental Flows Science Advisory Committee

Wednesday, October 6, 2010

8:30 a.m. – 12:30 p.m.

Capitol Extension

Room E2.026

Austin, Texas 78701

MINUTES

Call to order

Chairman Huston called the meeting to order.

Approval of meeting minutes from September 8, 2010

The minutes from the September meeting were approved by consensus.

Liaison Reports (San Antonio, Colorado, Nueces)

The SAC liaisons to the BBESTs gave brief updates on the activities of each group.

Guadalupe/San Antonio BBEST: SAC member Dr. George Ward attended the September 14, 2010 meeting of this BBEST. He noted that individual members continued to work on specific task assignments. He also discussed the activities of the various subcommittees, noting that the Instream subcommittee had not met recently.

Colorado/Lavaca BBEST: SAC member Ed Oborny noted that the instream subcommittee has finalized their list of focal species and were waiting on cross section data from member Dr. Thom Hardy. He discussed the field events where TWDB staff was collecting site specific cross section data from some of the sites chosen for analysis by the members. This data will be available by the end of October.

Nueces BBEST: SAC member Dr. Paul Montagna noted that the BBEST had not met since the last SAC meeting, but discussed the activities of the various subcommittees which continue to meet and develop work products. He explained that the BBEST is dealing with previously established freshwater inflow regimes and how they might use or adapt these legacy recommendations.

Budget Update and FY2011 SAC Budget

Ruben Solis, TWDB, gave an update on the SAC budget. He noted that there was roughly \$75,000 remaining from the 2010 SAC budget. Members discussed the potential uses of these dollars by existing BBEST groups.

Mr. Solis also explained that the SAC budget subcommittee had met to develop a budget proposal for 2011. The members agreed to submit the proposed budget to the TWDB and EFAG for approval, but noted that the budget should be revisited throughout the year for possible reallocation of funds.

Overview – Lower San Antonio River SB2 Progress Report

Member Ed Oborny gave an update on the lower San Antonio river SB2 instream flow workshop held at the San Antonio River Authority in September. This workshop was presented to three groups: the SB2 stakeholders, the SB3 BBESTs, and SB3 BBASCs. He

discussed the progress of the instream flow study, noting that reconnaissance and field work has been completed and that they are now moving into data integration and recommendation development. He explained that while the SB3 BBEST for the Guadalupe and San Antonio basins is active and deliberating, the SB2 report would not be complete by the time the SB3 group will need to submit their recommendations. It is, however, the intent of the SB2 participants to provide preliminary results for use by the SB3 BBEST.

Discussion of Cypress Flows Project – Review Request

Chairman Huston began this discussion with a recap of the September meeting where the group agreed to form a subcommittee, consisting of himself, and members Fred Manhart and Mary Kelly (who subsequently asked not to participate in these discussions), to review the matter and meet with TCEQ in order to discuss the issue of the Cypress Flows Project and how to address the request for a formal SAC review of the project technical report. He noted that TWC 11.2362(e), which addresses river basins in the state that are not previously scheduled in the statute, acknowledges efforts to develop information on environmental flow needs and ways in which those needs can be met by a voluntary consensus-building process. However, these voluntary efforts do not appear to alter the requirement for the Environmental Flows Advisory Group (EFAG) to establish a schedule for the development of environmental flow regime recommendations and the adoption of environmental flow standards. Also, there is not a specific statutory provision that authorizes the SAC to perform a review of the Cypress Flows Project report, and such a review could be misinterpreted to be bypassing the prescribed process for development of recommendations by the BBEST and BBASC for this basin, when appointed. Given this, the SAC subcommittee recommendation is that if the SAC were to perform such a review there would need to be a specific directive from the EFAG to do so.

Rick Lowerre, Caddo Lake Institute (CLI), commented that it would be helpful to Cypress project for the SAC to continue to provide technical guidance, which CLI may utilize, and encouraged the SAC to consider the Cypress Flows process as they move forward. He also commented that, in his opinion, a SAC review was not outside of the SAC charge and that they do have the authority to perform such a review.

The SAC members considered the issue, discussing various options for moving forward. Chairman Huston recommended that the SAC decline the request to review the Caddo Flows report but make it clear that the SAC is prepared to review the document if given a directive by the EFAG. The members agreed to this recommendation by consensus, with Mary Kelly abstaining. Chairman Huston agreed to communicate this decision to the EFAG, making it clear that the SAC is not requesting any specific action by the EFAG on this matter.

During their discussion, the SAC recognized that they should revisit their methodology for review of BBEST recommendation reports prior to the completion of the next two BBEST recommendation reports due on March 1, 2011.

Update - WAM/Flow Regime Translation subcommittee

Vice-Chair Bob Brandes noted that this document is in draft form and is now with the subcommittee members for review. Members discussed the process and timeline for review of this document. The revised version will be distributed to members on October 8, 2010 and comments from members will be submitted by October 15, 2010. The subcommittee will incorporate comments and provide a revised draft to members prior to the November SAC meeting.

Discuss Open Issues - Hydrologic Methods Guidance – 3rd Edition

The SAC members discussed the open items that remain from the review of the hydrologic methods guidance document. Dan Opdyke, TPWD, has incorporated comments into the document and has noted technical issues that remain unresolved. Chairman Huston will draft a preface to the document and the group will consider the document for approval and release at the November SAC meeting.

Discussion - Market Approaches to meet EFlows objectives

This agenda item was postponed to the December SAC meeting.

Other Discussion Items

There were no other discussion items at this time.

Public comments

There was no public comment at this time.

Next Meeting – Schedule (Nov 10 - TPWD) and Agenda

The next SAC meeting is scheduled for November 10, 2010 and will be held at the Texas Parks and Wildlife Department in the Commissioner's Hearing Room. Members Mary Kelly and Jim Wiersema are unable to attend.

Discussion items include:

- Google Earth Application – Joe Trungale
- BBEST review protocol discussion
- “Beyond guidance” discussion

Adjourn