

# **Texas Environmental Flows Science Advisory Committee**

Wednesday, June 8, 2011 at 9:00 am  
Texas Commission on Environmental Quality  
Austin, Texas

## **Minutes**

### **Call to order**

SAC Chairman Bob Huston called the meeting to order.

### **Approval of meeting minutes from May 11, 2011**

Corrections were made to the May 11, 2011 minutes in order to clarify statements made by Todd Chenoweth, TCEQ. The corrections were accepted and the members approved the minutes as amended.

### **Liaison Reports (San Ant., Colorado, Nueces, Rio Grande, Brazos) Liaisons** Guadalupe-San Antonio

George Ward reported that a panel review of the SAC's evaluation of the BBEST report was conducted at the last BBASC meeting. The BBEST acknowledged that the SB 2 information was not used in their report since it was not yet in final form. George stated that the BBEST continues to support the BBASC in their deliberations, and the question arose at the BBASC meeting of how any modifications to the BBEST recommendations would be documented. Norman Johns of the BBEST clarified that the BBEST is being tasked with evaluating the environmental impacts of any alternatives to their recommendations. Ed Oborny noted that there are four areas where evaluations are being done: 1) bays and estuaries non-attainment alternatives, 2) use of Q95 for subsistence flows instead of HEFR subsistence flows, 3) using the draft SB 2 information for the lower San Antonio River and lower Cibolo Creek, and 4) using SB 2-type data for the Guadalupe River that was available but wasn't originally used due to time constraints. Norman Johns said that these evaluations are a more fully fleshing-out of their recommendations, using information that they weren't fully able to consider during the BBEST process. Norman said that estuarine evaluations will be documented in a memo which can be attached to the BBASC report. It's not yet clear how the instream evaluations will be documented. Questions arose concerning whether the BBEST made a geomorphology recommendation and if any reanalysis would be done. A look back at the recording of the February BBEST meeting may be done. There was discussion about the potential for the BBEST analysis being done for the BBASC to be misinterpreted as changing the original BBEST recommendations. Bob Huston encouraged participants that this type of work be kept clearly in the realm of assisting the BBASC.

### Colorado-Lavaca

Ed Oborny and Paul Jensen stated that the BBEST is moving forward in their assistance of the BBASC. Bob Brandes said that the BBEST will be evaluating some water supply projects for the BBASC in the Lavaca and Colorado basins to determine the impact of the BBEST flow recommendations. Jennifer Ellis (NWF) later added that the BBASC may be asking the SAC for a presentation on strategies for meeting environmental flow standards.

### Nueces

Paul Montagna and Bob Huston stated that they weren't able to attend the last BBEST meeting. John Botros (TPWD) said that field work was done collecting cross-sections at sites on the Nueces and Frio Rivers. The data has been forwarded to Joe Trungale for his analysis. He said that the BBEST meeting on May 20<sup>th</sup> was focused on choosing focal species, looking at available habitat suitability data, and analyzing species data not originally in those data sets. The BBEST is still planning on finishing their work at the end of August. The next meeting of the BBEST will be on June 24<sup>th</sup>.

### Rio Grande

Bob Brandes reported that the lower Rio Grande BBEST is assembling hydrology information on the lower Rio Grande and the Arroyo Colorado. The upstream boundary of their scope is Anzalduas Dam. They've received information from TWDB about the TxBLEND model. Bob asked if freshwater inflow recommendations have been made in the past on the lower Laguna Madre. Ruben Solis (TWDB) said that TPWD did a study sometime in the early 2000s. For the upper Rio Grande BBEST, Bob stated that they have decided to use HEFR with Dan Opdyke's (TPWD) assistance. Cory Horan (TCEQ) added that the lower group wants to understand and address Mexican water rights. Bob Brandes said that the Rio Grande WAM has Mexico's water demands incorporated into it and would be a good source for that type of information. George Ward mentioned HARC's binational study performed around the year 2000. Bob Huston directed Cory to have the lower Rio Grande BBEST work with TCEQ in getting the WAM information.

### Brazos

Paul Jensen reported on the BBEST activities from the last meeting. Their geographic scope includes the San Bernard River, Austin/Bastrop Bayous, and Oyster Creek. The BBEST discussed reductions in upper basin flows and cessation of hydropower generation on Possum Kingdom Reservoir. The ecology subcommittee is looking at the potential of integrating flow levels that begin to fill oxbows into their recommendations. The next meeting is June 13<sup>th</sup>. Dan Opdyke noted that the BBEST will not pursue the gathering of cross-sections to help derive instream flow recommendations. Instead, the group will be using biological information from the literature and their own experience to guide the HEFR process.

### Trinity-San Jacinto

Bob Huston reported that the BBEST is revisiting their initial work plan draft. The revised draft will be circulated to the BBASC within a month or so. The BBASC plans to take action on the document at their meeting on August 3<sup>rd</sup>. The BBASC chair asked the BBEST to particularly look at how the adopted rules might affect their work plan.

### **Budget Update/Remaining 2011 Budget Discussion**

### **Solis/Huston**

Ruben Solis distribute budget update materials. He said that to date the SAC has \$64,300 remaining in their budget, which represents 43% of the total with three months remaining. Bob Huston previously estimated expenses for the remaining three months of the fiscal year including meetings, BBEST liaison activity, and BBEST support of BBASCs. He estimated that there is \$20,000-25,000 left over. Ruben shared some news that with the funding source (Water Assistance) that TWDB is currently drawing from, there is added flexibility in that work associated with any contracts committed this fiscal year can be performed in the following fiscal year. However, all contracts using Water Assistance funds, regardless of the

amount, have to be approved by TWDB's board. Ruben was asked to pass this information on to the Brazos and Rio Grande BBESTs.

### **Work plan Review – Sabine/Neches**

Bob Huston summarized the status of the SAC's review of the Sabine-Neches work plan. He said that the EFAG is starting to talk about when to meet next. One of the things they have to do is taking action on the work plans. They'll need the SAC's review of the Sabine-Neches and Trinity-San Jacinto work plans, so this will be a priority for the SAC to complete. Members said that the draft Sabine-Neches review is close to being finished. Paul Montagna gave some suggested edits for the draft, including adding a column indicating the potential funding source of a work plan item. George Ward suggested a paragraph on how to fund these items. Bob Huston requested that SAC members submit any other comments on the draft work plan review to Jim Wiersema by June 22<sup>nd</sup>, with the idea of finalizing the review document by the next SAC meeting in July. He said that he wants to have a conversation with the Sabine-Neches BBASC regarding what the next steps might be after the SAC completes their review.

### **Water Rights Advisory Group – Eflows Implementation**

**Brandes**

Bob Brandes reminded members that the TCEQ commissioners directed staff to develop guidelines for how the adopted environmental flow rules would be implemented in water rights permitting. He said that work is underway and involves the Water Rights Advisory Work Group in providing comments and reviewing guidelines that are developed. He asked whether the SAC should be involved in this process. Kellye Rila (TCEQ) said that they'll be accepting comments on implementation up until July 8<sup>th</sup> and comments will also be accepted at the upcoming Water Rights Advisory Workgroup meeting at a date to be determined. She anticipates that a draft guidelines document will eventually be developed and circulated for comment. Kellye said that she would add all of the SAC members to the WRAWG mailing list. The SAC discussed whether to be involved, formally or informally, individually or as a group. Bob Huston said that he would e-mail the group and schedule a conference call to further discuss this. Bob Brandes will circulate his prepared comments to the group.

### **Follow up Discussion on Sediment presentations**

**All**

Bob Huston initiated discussion on what the SAC's agenda should be with respect to processing and responding to what the group heard at the last meeting. Paul Jensen said that sediment needs to be a consideration of every water resource project (flood control in particular) but he didn't think that we're to the point where a specific flow number or threshold can be stipulated that would address channel maintenance. He added that we're seeing acceptable, sound environments develop downstream of such projects. Bob Brandes said that it's really impoundments that are altering downstream flow regimes. These should be looked at on a case-by-case basis, and the impacts may be better handled through mitigation rather than flow restrictions. Paul Montagna remarked that the SAC hasn't sufficiently addressed the geomorphology topic. He felt that the SAC's guidance on this topic should be revised, but he wasn't sure they have the expertise to do it. He also added that a post-project environment, though it may be considered sound, is a smaller scale than before. Bob Huston asked the group whether the presentations at the last SAC meeting communicated that geomorphological impacts of a project could be mitigated by a flow regime. Mark Wentzel (TWDB) stated that a sophisticated flow regime could provide such mitigation. Bob Brandes said that the higher flows that move the most sediment can't be

regulated. Mark Wentzel also said that approaches such as reservoir operations can manage flows to minimize geomorphological change. Ed Oborny stated that modified reservoir releases alone don't always solve the problem, mentioning an example project where sediment has to be artificially added to the downstream system. Bob Huston stated that he would like to tease out those channel maintenance aspects that relate to the flow regimes that SB 3 is charged to create, and thereby identify what aspects require mitigation in some other form. George Ward, Jim Wiersema, and Paul Jensen volunteered to frame the objective for revisiting the SAC guidance and bring it back to the next meeting. Paul Montagna suggested that 3-4 experts be asked to look at the current guidance document and determine what's missing. There was discussion about the possibility of contracting such a task.

### **Other Discussion Items**

**All**

None.

### **Public comments**

Dan Opdyke asked if the Sulphur, Red, and Canadian Rivers will be taken up in the SB 3 process. Bob Huston replied that the EFAG will have to decide this.

### **Next Meeting – Schedule (July 13 – TWDB – SFA building) and Agenda**

The next meeting will be on July 13 at TWDB. A start time will be decided and announced later. Agenda items for the next meeting will include approval of the Sabine-Neches work plan review, update on rule implementation, and a panel discussion on market approaches.

### **Adjourn**