

CONCEPTUAL PROPOSAL FOR MATAGORDA BAY INFLOWS

- Use Table 2.7.4 on page 2-234 of BBEST report as the starting point for defining the standard.
- For an application to which the standard applies, the application may not reduce the frequency of compliance for the listed monthly, seasonal, or annual volumes when compared to baseline conditions.
- Baseline conditions are based on WAM Run 3 but with adjustments to account for any strategies implemented to benefit environmental flows.

Possible Rule Language:

A water right application to which this Subchapter applies that seeks to increase the amount of water authorized to be stored, taken or diverted shall not contribute to an impairment of any criterion listed in Table 2.7.4. For purposes of this subsection, an application would contribute to an impairment if the authorization, subject to any applicable special conditions and considered in combination with any prior authorizations subject to this Subchapter, when modeled over the period of record with all rights at full authorized use is predicted to decrease the frequency of compliance for any listed monthly, seasonal, or annual volume in Table 2.7.4 below the frequency of compliance predicted under baseline conditions. For purposes of this Subsection, baseline conditions refers to modeling that includes only permits as they existed at the time of adoption of this Subsection at full authorized use but with adjustments to reflect any strategies that have been implemented to benefit environmental flows.