

Texas Environmental Flows Science Advisory Committee

Wednesday, July 11, 2012

9:00 a.m. – 12:00 p.m.

Texas State Capital Extension

Room E2.012

Austin, Texas 78701

**MINUTES**

**Call to order**

Chairman Huston called the meeting to order.

**Approval of meeting minutes from April 18, 2012**

The minutes from the April 18, 2012 SAC meeting were approved by consensus.

**FY2012 Budget Update**

**Solis**

Ruben Solis, TWDB, provided an update on the SAC budget to date. He noted that any funds left over from fiscal year 2012 (ending August 31, 2012) would be carried forward for use in fiscal year 2013.

**Liaison Reports**

**Liaisons**

Cory Horan, TCEQ, gave a progress report on the Rio Grande BBEST and BBASC activities. He noted that the BBEST reports would be complete around July 13, 2012 and would be made available for review by the BBASC members prior to their meeting on July 18, 2012. The reports made available at this time would be draft, with environmental flow recommendations complete but the report needing formatting before final submission to the TCEQ and Environmental Flows Advisory Group (EFAG). Once formatting is complete the reports will be transmitted to the SAC members two weeks prior to their meeting on August 7, 2012.

There was no other liaison activity reported.

**Completion of Review and Comments – Trinity/San-Jac Workplan Brandes**

SAC Vice-Chair Bob Brandes developed a draft review memo of the Trinity/San Jacinto BBASC work plan for adaptive management which was distributed to the SAC members for review prior to the meeting. He reviewed and discussed the comments identified in the memo. Trinity/San Jacinto BBEST member Tony Smith noted that the BBEST and BBASC will evaluate whether the information provided in their work plan needs to be modified over time for potential future revisions. Member Paul Montagna suggested that the SAC keep their comments and a high level regarding the makeup of the plan and actual work elements. Member Ed Oborny agreed and suggested the SAC should comment on how to measure success of the work plan. Members discussed methods for measuring success. Chairman Huston noted that the Environmental Flows Advisory Group has suggested that the SAC do this in their review so the SB3 work plans. The SAC will take up this issue for discussion later in the agenda.

### **Discussion on Guadalupe/San Antonio Workplan**

**All**

Draft comments on the Guadalupe/San Antonio (GSA) BBASC work plan for adaptive management were distributed prior to this meeting. Many SAC members noted that the work plan was a very good document and suggested it could be a template for future work plans. GSA BBASC Chair Suzanne Scott explained that the work plan called for a 5-year review cycle, to begin on the date environmental flow standards are adopted by the TCEQ for the Guadalupe/San Antonio Basins and associated bay system. Ms. Scott noted that the GSA BBASC and BBEST will work together closely as new science is made available. This information can inform the TCEQ in their review of environmental flow standards. She reported that the work plan did not consider the role of regional water planning but suggested that the BBASC saw benefit of having work plan data and recommendations available to inform the regional water planning process. The members discussed various components identified in the work plan. Cindy Loeffler, TPWD, noted that TPWD will be meeting with the GSA BBEST to identify what portions of the work plan they might address. Chairman Huston will draft the SAC review memo by the end of the month.

### **Discussion on Colorado/Lavaca Workplan**

**All**

- In explaining the thought process by the BBASC in developing and identifying work plan activities Colorado/Lavaca BBASC vice-chair Myron Hess stated that the BBASC wanted to ensure the work plan activities were implemented, not just develop a list of items for consideration. The BBASC wanted to identify implementation mechanisms.

#### *SAC comments/discussion on the Draft Colorado/Lavaca Workplan*

- Determine relationships between groundwater withdrawals from the Carrizo-Wilcox and the Gulf Coast aquifers and flows to rivers
  - (Brandes) Work plan tasks identify a need to look at the relationship between groundwater withdrawals and streamflows, suggesting that there is some adverse impact that relates back to flow recommendations. Not sure how this will affect the recommendations?
  - (Hess) This relates as much to strategies vs. recommendations. If we are to keep rivers healthy we need to know how to understand and maintain this relationship. You can put standards in permits but the assumptions we're making is that groundwater that has been there historically will be there in the future. If this is not true we need to think about whether this will result in changes in a standard for future permitting or does it changes to strategies.
  - (Brandes) No permits will be issued in the Lower Colorado. Groundwater pumping will diminish flows but not sure how this will factor into the regulatory process.
  - (Hess) If not regulatory it is relevant for strategy purposes.
- Describe relationships between physical habitat and flow
  - (Brandes) From what I understand this was evaluated by the BBEST and results were inconclusive and not used in recommendations.
  - (Hess) The idea here is to do more site specific studies of this kind; looking to fill data gaps.

- (Oborny) Previous efforts were small snapshots of conditions at that time but this task, applied over time, will provide an understanding of how things change and could support further validation of the recommendations.
  - (Ward) There was discomfort from other basins that the PHABSIM method would indicate whether certain flows in the regime needed to be smaller or larger based on weighted useable area. This is still an open question.
  - (Oborny) Again, this was a snapshot type picture. But there have been studies in Lower Colorado and San Antonio where detailed data was used in developing recommendations that have made it into draft rules to some degree. Implementing this task over time could allow for adjustments up or down.
- Develop a method for obtaining site-specific commercial fishing harvest data and for maintaining appropriate confidentiality of those data and develop an approach for incorporating reliable commercial fisheries harvest data into the analysis of the relationship between freshwater inflows and species productivity.
    - (Ward) This is a substantial investment that seems to be cloaked in secrecy. Data from an unspecified location may be made available if we protect its confidentiality?
    - (Hess) Fishermen have much more detail in catch data than is currently available.
    - (Ward) They do indicate which bay their catches come from, but this is saying if you get a specific location this will be valuable data. But there are other problems about not quantifying effort which have undermined applicability of harvest data in the past.
    - (Hess) The question we asked is: are there more available data and do the commercial fishermen feel this is valuable. This type data can inform these decisions in a way that we haven't had access to in the past. Factors like CPUE need to be factored in to how the data is used. The BBASC understands that this may not work but also recognize that this could be important/worth looking into.
    - (Wiersema) I felt that there was potential here, if you can address the uncertainties.
    - (Montagna) There are remote sensing ways to deal with this, but there are limitations.
    - (Hess) The BBASC did not feel comfortable concluding that this would not go anywhere. If there really are data that exists and that are not being utilize, then it's worth exploring. There was a strong feeling among BBASC that that's not being looked at well enough.
  - Prioritization
    - (Huston) High priority tasks were identified but there was no prioritization below that; was that discussed?
    - (Hess) There was a prioritization work group and that was about as far as they were able to go.

- Identify improvements made in methods for determining environmental flow regimes for estuaries; Describe relationships between salinity and commercially important indicator species (e.g., white and brown shrimp, blue crab, and Gulf menhaden).
  - (Hess) These tasks were a corollary to the instream flow side.
  - (Brandes) Are these aimed at Lavaca Bay rather than Matagorda Bay, because of the numerous existing studies further studies are not likely to occur on the Colorado side.
  - (Hess) Yes, but if there is new science on the Matagorda side we would want to consider that.
  - (Oborny) New science would be useful/applicable to both bays. Just as other basins have noted (Guadalupe/San Antonio) the BBASC is interested in understanding new information, like commercial fish harvest data. It is important, where we do have recommendations out there (MBHE), let's reevaluate and test them.
  
- Evaluate relationships between freshwater inflow and the distribution, health, and abundance of seagrass in East Matagorda Bay and Matagorda Bay.
  - (Montagna) *Vallisnaria* doesn't exist in Matagorda which requires salinity less than 10; all other Texas seagrasses require essentially oceanic salinities and are more responsive to turbidity more than anything else, which is inversely related to inflow which is related to high salinity. This appears to be putting effort into finding out that seagrasses don't care about inflow, which we already know. I'm surprised to see seagrass mentioned in the same sentence as inflows.
  
- Next steps
  - A meeting is scheduled in October to consider potential work plan modifications (reprioritization, additional tasks) in light of TCEQ's rule adoption and any comments/feedback from the SAC.
  - TCEQ will summarize today's discussion and members will evaluate and expand their comments for consideration by the BBASC.

### **Discussion on Various Workplan Administration Recommendations**

**Huston** Chairman Huston noted that the SAC has been encouraged by the EFAG to discuss and make recommendations for consideration regarding implementation and facilitation of the SB3 work plans. These recommendations may be wide-ranging, including potential statutory modifications. Members discussed individual components and the variations in the work plans regarding what coordination and activity would look like. Member Paul Montagna suggested that coastal management program guidelines need to be considered in implementation. Cindy Loeffler (TPWD) suggested that additional sources of potential funding needed to be identified in a comprehensive manner. Member George Ward suggested that some initiatives would be better implemented on a statewide basis vs. on a BBASC basis. The members will continue to address this topic in future meetings. Member Paul Montagna will begin to review the SAC work plan guidance document for possible modification.

### **Other Discussion Items**

No other discussion items at this time.

**All**

**Public comments**

There were no public comments at this time.

**Future Meeting Dates and Agenda (August 7 – RG BBEST Report)**

The August 7, 2012 SAC meeting will focus on the review of the Rio Grande BBEST reports.

**Adjourn**