

Primary Charge to the Texas Environmental Flows Science Advisory Committee (SAC) is found in SB3, Section 11.02361. The SAC is to be made up of persons who “provide an objective perspective and diverse technical expertise”, and who shall

1. advise and make recommendations to the Environmental Flows Advisory Group (EFAG) on issues relating to the science of environmental flow protection, and
2. develop recommendations to help provide overall direction, coordination, and consistency relating to:
 - environmental flow methodologies for bay and estuary studies and instream flow studies;
 - environmental flow programs at the TCEQ, TPWD, and the TWDB; and
 - the work of the basin and bay expert science teams (BBEST) from each river basin and bay system.

Responsibilities: In Section 11.02362 (m), each BBEST is charged to conduct their analyses and make their recommendations based “solely on the best science available” and “without regard to the need for the water for other uses.” In contrast, the basin and bay area stakeholders committees are to “reflect a fair and equitable balance of interest groups” and are to review and consider the BBEST recommendations, “in conjunction with other factors, including the present and future needs for water for other uses...” (11.02362(o)). Finally, the TCEQ, under 11.1471(a) is to adopt environmental flow standards that are “adequate to support a sound ecological environment, to the maximum extent reasonable considering other public interests and other relevant factors,” and shall consider “the human and other competing water needs in the river basin and bay system.”

Clear Separation: The above makes it very clear that the BBEST’s and the SAC are purely science driven and are to focus solely on the environmental needs based firmly on the science. Any balancing that is to be done between competing water needs is the purview of others. Furthermore, the EFAG and stakeholder committees cannot modify the recommendations of the BBEST. (11.02362(n))

Specific SB3 SAC Assignments:

- 11.02361(f) – Assist EFAG in evaluating resource agency written responses to SAC recommendations
- 11.02362(k) – Provide SAC member as liaison to each BBEST to facilitate coordination and consistency
- 11.02362(q) – Provide input to the EFAG regarding a review of the BBEST recommendations, and subsequent comments to the TCEQ
- 11.1471(b)(9) – Provide scientific information to the TCEQ in their rulemaking process
- 11.1491(a) – Review and comment on reports published by TPWD and TCEQ

Miscellaneous – Likely SAC Involvement

- 11.02362(p) – Assist BBEST with development of adaptive management Work Plans
- 11.0236(l) – Support EFAG in biennial report preparation to State Leadership

Line #	Time Frame	Activity	Group	SAC Actions
1	August 2008 - November 2008 (4 months)	BBEST members appointed	EFAG and Agencies	Review prior Science Advisory recommendations and Agency response
2			Agencies	Receive briefings from agencies
3			Other	Invite other researchers to provide pertinent science and methodologies
4			BBEST	Assemble and assess (initial overview) state of the science, with emphasis on environmental flow methodologies, and present to BBEST
5			EFAG	Report activities to EFAG for biennial report
6	December 2008 - November 2009 (12 months)	BBEST develops recommendations	BBEST	Refine application of best available science as determined jointly with BBEST Specifics: 1) provide expert advice, 2) provide "information", not just data, and 3) assist in Agency interface.
7			Others	Scope and execute special studies
8			BBEST	Track and coordinate BBEST environmental flow analysis and development of environmental flow regime
9	December 2009 - May 2010 (6 months)	Stakeholders and EFAG comment on recommendations	EFAG	Provide input into the review of BBEST recommendations
10			Stakeholders	Support, as requested, Stakeholder consideration of BBEST recommendations
11	June 2010 - May 2011 (12 months)	TCEQ Rulemaking	TCEQ	Provide latest science information to TCEQ
12			TCEQ	Support, as requested, Commission consideration of BBEST recommendations

Workplan 10/01/2008