



# **Coastal Bend Bays & Estuaries Program, Inc.**

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**Presentation to Nueces BBASC – January 20, 2010**

## **Accomplishments of the Nueces Estuary Advisory Council and a History of the Agreed Orders**

**Ray Allen, CBBEP Executive Director**

**May 1990 Order** – The first of the “Orders”, required inflows for May and June, 1990 and authorized the establishment of a “Technical Advisory Committee” to assist in formulating a permanent operational procedure.

**August 1990 Order** – Established an “interim operating procedure” consisting of required monthly inflows. Some drought relief provisions were included.

**March 1992 Agreed Order** – the first of the “Agreed Orders”, established the Nueces Estuary Advisory Council, provided inflows credits for excess monthly inflows and low salinity credits. Required the City of Corpus Christi to maintain a monitoring program consisting of at least two salinity monitoring stations in Nueces Bay

**April 1995 Agreed Order** – Changed the inflow requirements from mandatory “releases from storage” to a strategy of monthly “passage of inflows”, what we now call the “pass-through plan”. This order also made the reduction of inflows during drought conditions contingent upon the City of Corpus Christi, and their customers, implementing the city’s “Drought Contingency Plan”. Among other things, NEAC was directed to consider the feasibility of discharges at locations where the increased biological productivity justifies an inflow credit computed by multiplying the amount of discharge by a number greater than one.

**April 2001 Agreed Order** – While retaining the pass-through plan, this Order set specific reservoir levels for the required implementation of certain drought contingency measures including; at 50% combined reservoir level the City of Corpus Christi shall issue public notice advising the region of voluntary conservation measures to be taken and required drought management measures to be taken should the reservoir system storage fall to under 40% and/or 30% of total system storage capacity. City was also required to re-open the Nueces River Overflow Channel and make the Overflow Channel a permanent feature of the Rincon Bayou diversion. The City was also required to construct and operate a conveyance facility (pumps and pipes) to deliver up to 3,000 ac-ft/month into the Upper Rincon Bayou. In addition to the salinity monitors, City was also required to implement an on-going monitoring and assessment program designed to facilitate an “adaptive management” program for freshwater inflows into the Nueces Estuary.

(Copies of the referenced orders attached)