

Texas Environmental Flows Science Advisory Committee

Wednesday, March 17, 2010

9:30 a.m. – 1:00 p.m.

Texas Commission on Environmental Quality

Building F, Room 2210

Austin, Texas 78750

MINUTES

Call to order and Approval of meeting minutes from February 11, 2010

Chairman Bob Huston called the meeting to order. The minutes from the February 11, 2010 meeting were approved unanimously.

Update on activities of the Colorado and San Antonio SH groups

Cory Horan, TCEQ, gave a brief update of the Colorado/Lavaca and Guadalupe/San Antonio BBASCs. Each has selected their BBEST members and both will be holding joint meetings of the BBASC and BBEST in the next few weeks. He also noted that the nomination period for the Nueces BBEST was closing March 31, 2010.

Budget Update

Ruben Solis, TWDB, gave an update on the SAC's expenditures and remaining budget. He indicated that he expected expenses to increase as SAC liaison duties will begin for the newly appointed BBESTs. He also noted that TWDB is in the process of balancing the budget for the two initial BBESTs for expenses that occurred after their completion of their final recommendations report to supplement the over expenditures due to their continued work with the BBASCs. They have asked the EFAG for the ability to move dollars among budgets. Chairman Huston noted the need to establish a budget subcommittee to consult with TWDB on the future budget. Chairman Huston, Vice Chair Bob Brandes and Mary Kelly will assist with this task.

Liaison reports

Vice Chair Brandes gave an update on the activities of the Sabine/Neches BBASC. He noted that their primary concern is how they are going to get the data that they need from the BBESTs. He also indicated that they may approach TWDB for additional dollars to support continued work with the BBEST and that they might request a time extension from the EFAG. He noted that Sabine River Authority staff are beginning to look at impacts of potential environmental flow standards on existing projects and would be requesting assistance from the resource agencies. Chairman Huston noted that while it would not be appropriate for the SAC to recommend specific implementation approaches, it is appropriate for the SAC to assist Stakeholders in their use of BBEST results. The SAC formed work groups to assist the BBASCs with this task if requested to do so. Mary Kelly, Bob Huston, Paul Montagna and Jim Wiersema will assist the Trinity/San Jacinto BBASC and Bob Brandes, Fred Manhart, Ed Oborny, and Paul Jensen will assist the Sabine/Neches BBASC.

Future Liaison assignments

Chairman Huston identified the SAC liaison assignments to the BBESTS. They are as follows:

BBEST	Primary	Backup
Sabine/Neches	Fred Manhart	Mary Kelly
Trinity/San Jacinto	Bob Brandes	Mary Kelly
Colorado/Lavaca	Ed Oborny	Paul Jensen
Guadalupe/San Antonio	George Ward	Jim Wiersema
Nueces	Paul Montagna	Bob Huston

Approval of BBEST Review Memos

Chairman Huston discussed the changes that came from the most recent SAC conference call. The members agreed that these changes were acceptable. Members discussed additional wording changes and finalized the language of the documents. Audience members also discussed the reports and offered several comments. Both documents were approved with suggested changes as discussed. Chairman Huston will draft a transmittal letter to accompany the submission of the reports to the EFAG, with copies to Stakeholders Committees and respective BBESTs.

Discuss Work Plan Development guidance

Member Ed Oborny discussed the status of this guidance document. He discussed the intent of the document and what it might entail. The members discussed whether to include a discussion of specific data gaps identified by the SAC but agreed not to include this information. The members discussed what existing programs might be pertinent to the guidance document. Mary Kelly suggested that specific details of the Texas Instream Flow Program (TIFP) be included. Other programs suggested included TCEQ's Clean Rivers Program, USGS related programs, the TWDB research and planning fund, various TPWD programs, etc. It was noted that no dedicated funding is currently available to support execution of the work plan. The group agreed to identify candidate programs that could play a broader role in supporting the environmental flows process. Member George Ward indicated that this document would be beneficial at the BBASC level. It was suggested that future agendas include presentations from candidate programs. The SAC agreed to develop a questionnaire directed to candidate programs that would identify opportunities for each program to become involved in this process. Mary Kelly and Ed Oborny will develop this questionnaire.

HEFR Enhancement Status report

Dan Opdyke, TPWD, gave an update on the ongoing HEFR enhancements. He noted that they had taken action on six items identified in previous meetings and through the questionnaire that had been distributed. He noted that the TWDB was working on enhancements to allow the inclusion of intermittent flows, Q95, etc, into the HEFR module. He noted that the enhancements should be complete in mid-May and he will distribute a redline markup of the revised guidance document for review by the members.

Status Report on Texas Data Systems

Kathy Alexander, TCEQ, and Tim Whiteaker, CRWR, gave an update on the status of the Texas Digital Library and the Environmental Flows Information System. They indicated that the goal was to develop a straightforward method to re-create BBEST analyses. They summarized potential methods for building a system utilizing free software. Kathy discussed the potential to utilize the Texas Digital Library. Members asked questions regarding how this project could benefit the environmental flows development process.

Lesson Learned

The SAC began a discussion of the lessons learned throughout this process to date. Member Paul Montagna noted several issues: 1) what the BBESTs produce and what the BBASCs need may not be compatible, 2) the BBASCs don't stop at the science only, but are charged to consider water supply, full water right utilization and the 50 year water plan – it is reasonable that BBESTs can support this analysis, and 3) BBESTs need to assist in identifying data gaps to support work plan development. The group discussed these three ideas, primarily the idea of separation of duties between the “science based” and “other factors” approach. The group agreed that it is important for the BBESTs need to explain their science based recommended flow regimes to the BBASCs but that the BBASCs must understand the implications of the solely science based approach.

Another important issue identified was the need to archive data used by the BBESTs to inform and develop their recommendations. This information needs to be available and accessible after the BBEST recommendations are submitted. Mary Kelly noted that the “decision tree” matrix used by the Sabine/Neches BBEST was useful and could provide a good starting point for other BBESTs. The group agreed that this discussion should result in a communiqué to the EFAG prior to the next legislative session. Paul Montagna agreed to summarize the discussion of lessons learned with the help of Bob Brandes in order to help draft the communiqué.

Public comments

Steve Box, Environmental Stewardship, noted his concern over the decision by the BBESTs to qualify current conditions as meeting a sound ecological environment. He felt this was not an appropriate conclusion and suggested that a guidance document be developed to identify how a sound ecological environment is defined. Mary Kelly noted that previous SAC documents had done this, and this was in the province of the BBEST and not a SAC role. Glenda Callaway, Galveston Bay Foundation GBF), noted that the GBF will be supporting the process by spending money to look into data deficiencies identified by the BBESTs.

Next Meeting – Schedule (April 14) and Agenda

The next meeting is scheduled for April 14, 2010, to be held at the Texas Water Development Board. Future meetings are scheduled for May 12, June 9, and July 14, 2010.

Future agenda items include:

- Oborny- workplan guidance
- Opdyke - HEFR updates
- Candidates for contracts (agency staff submit comments prior to meeting)
- Budget (may happen faster via e-mail)
- Facilitation work groups (if BBASCs accept offer to help)

Adjourn