

Trinity and San Jacinto River Basins and Galveston Bay  
Basin and Bay Area Stakeholder Committee

Wednesday, April 7, 2010 at 1:00 pm  
Lone Star Convention Center  
9055 FM 1484, Conroe, Texas

**Meeting Minutes**

**Call to Order**

Chairman Vance called the Basin and Bay Area Stakeholder Committee (BBASC) meeting to order and attending members introduced themselves.

**Approval of Meeting Minutes**

Minutes from the March 18, 2010 meeting were approved with no changes.

**Public Comment**

None.

**Update on TWDB Water Availability Model (WAM) Runs**

Nolan Raphelt with the Texas Water Development Board (TWDB) reported that work is being done with TCEQ and Freese and Nichols to ensure that the WAM Run 9 (future conditions) model is set up properly so that more information on the flow recommendations can be generated. Preliminary results indicate that existing WAM 9 runs equal or exceed WAM 8 (current) conditions, but that will be verified. Nolan then discussed a handout showing attainment frequencies of subsistence and base flow recommendations (Regime group BBEST recommendation) at four gages each under four different hydrology scenarios: recommendation-development period of record (varied), recent time period (1980-2008), WAM 3 (full permit use, no return flows), and WAM 8 (current permit use, return flows). There was discussion of potential reasons for the differences in attainment frequencies between the categories (e.g., differences in water use, different periods of record, etc.). There was also discussion of how water supply strategies and water system operations could be impacted if recommended flows could not be fully met. Nolan concluded that analyses of pulse flows are being redone, and that all progress will be reported on at next week's meeting.

**Update on NWF Analysis of Freshwater Inflow Recommendations**

Norman Johns with the National Wildlife Federation (NWF) gave a presentation entitled "Towards a Low-Inflow Criteria for Galveston Bay" which focused on developing inflow minimums (i.e., drought criteria) using oysters as the indicator organism. This work was being done in light of the SAC-identified lack of range in the BBEST Regime group's inflow recommendations. Inflow volumes were calculated based on the subsistence and dry base flow recommendations from the BBEST for the Trinity, San Jacinto, and coastal basins. Due to time and budget constraints, a regression equation was developed, using available historical salinity and inflow data during dry years, for use as a bay salinity predictor for given inflows. From his analyses, Norman reported that subsistence and/or

dry base inflows are in the range of historic low inflow events, but that the key factor is the duration of the inflow events. Subsistence-based inflows would not work as low-inflow criteria for longer durations (i.e., more than a few months) based on the predicted effect on oysters (i.e., *Dermo* infection). A slightly better option, though still below the historic minimum inflow volume, would be to use a subsistence/dry base combination where subsistence inflows are applied only from May to September. Another possibility, though it hasn't been looked at yet, is to use subsistence/dry base combo for the regulated San Jacinto and Trinity basins and factor in seasonal pulses from the coastal basins to try and fill in the months outside the worst (driest) times of the year. Norman added that he is extending this work into upper Trinity Bay using *Vallisneria* (wild celery), as this organism is used heavily in Florida as an indicator with recently published information on salinity tolerances. Ken Kramer requested that TWDB model what Norman previously presented at the March 18<sup>th</sup> meeting (consolidated mid-range inflow recommendations); Norman and Nolan concluded that this additional work could be done.

### **Introduction of Facilitator/Initiation of Facilitation Activities**

Activity under this topic is summarized below.

### **Agenda Topics for Next Committee Meeting**

TWDB and NWF will give updates on their respective analyses. Espey Consultants will give a presentation focused on comparative modeling of both BBEST instream flow recommendations in the Trinity River. Facilitation activities will resume following the technical presentations. The next BBASC meetings were confirmed for April 15, May 5, and May 19<sup>th</sup> at 10:00 am at the general offices of the San Jacinto River Authority in Conroe. The length of the April 15<sup>th</sup> meeting will be 10:00 am to 4:00 pm.

### **Adjourn**

## Facilitated Agenda April 7, 2010

The following reflect notes from the facilitation portion of the April 7, 2010 meeting. Items on which consensus were reached are noted and highlighted, as are action items. Other text reflects notes taken during the meeting, and do not necessarily reflect agreement.

**Key issues.** Facilitators presented the following summary of what they learned in the phone interviews of stakeholders:

- Everyone is working toward the same goal
- Everyone is committed to the process and to reaching a decision
- Good level of trust
- Desire for serious and open discussion
- Concerns about where to start
- Uncertainties related to available information
- Ability to accomplish the task in the given time
- What will a report look like?
- How will standards be applied?
- What flexibility is there to change decisions based on adaptive management?

### **Develop common goal.**

The stakeholder group reached consensus that the following expressed their common goal for the BBASC, starting with a draft developed by the facilitators based on the interviews:

“Develop a consensus recommendation on environmental flow standards and strategies to meet those standards that allows sufficient water for people, protection for the environment, and a substantial level of certainty to everyone.

- Recognized as fair and just by all parties
- Meaningful and work operationally”

**Agreement to move forward.** The stakeholders considered the following question: With the information you currently have or expect to develop, can you move forward to provide TCEQ with recommend (1) environmental flow standards and (2) strategies to meet the environmental flow standards?

Notes from Discussion:

- Consensus: We can move forward
- There are some things we still need:
  - Impacts on water supply (regional water plans)
  - How to remedy shortfalls from the environment or water use
  - Are the impacts big or small?
- Are we the right people to deal with regional water plan impacts? At least need strawman numbers.
- What are the differences in the BBEST recommendations?

## Definition of Consensus

The BBASC agreed on the definition of consensus (their goal for making decisions), and reviewed the principles underlying consensus processes:

Consensus: A process where a group makes a decision, without voting, that all members can support or, at least, live with.

Principles Underlying Consensus:

- Everyone actively participates
- Group shares information and works from common information
- Group creates an atmosphere where everyone can share views, disagree
- Disagreement is respected as illuminating problems, improving decisions
- Group treats disagreement as a way to discover unmet needs and to find a way to meet the needs
- If there is concern with a proposal, participants will be specific about their concern and why it matters to them, and be open to consider options to address it.

## Process to follow.

Steps. Facilitators presented a draft process to the BBASC from which to begin discussions on how the group would move forward to reach their goal. The BBASC agreed generally to the following process, but will revisit this at the next meeting:

1. Choose a starting point for developing environmental flow standards
2. What is the attainment frequency of the starting point, using existing rights
3. Analyze the impacts of environmental flow standards on existing and future water needs
4. Consider other factors
5. Final BBASC standards
6. Recommend strategies
7. Develop work plan (after recommendations on standards and strategies submitted to TCEQ)

Report. The group discussed first what the report should look like, brainstorming some ideas for topics and format. Lisa Lattu agreed to take these ideas and develop a report outline that would be considered at the next BBASC meeting.

Topic and format ideas for report:

- Short, concise, understandable recommendations
- Maybe suggested strategies, options
  - Strategies would be one or more than one way to meet the standards
  - Range of numbers; try to move to one number
- Combination of numbers and narrative to interpret how you got there
- Matrix -- one axis for seasonal quarters of the year; one axis for conditions
  - number or range of numbers for each of the slots on the matrix
  - number reflecting what needs to be in the river for the environment
- Season, percent of time, location
- River approach, bay approach
- Number could begin with current healthy condition

- Drafting order-- bay first?
- Assumption and justifications for recommendations
- Connecting the number for the river with number for the bay
- Comments from TCEQ (when asked for their thoughts):
  - something to base the rulemaking on
  - numbers
  - narrative
  - what you think needs to be in a rule

Starting point: The following represents the BBASC's discussion about an appropriate starting point (step 1 in above proposed process). **The BBASC generally agreed** to use the historical flows as representing a sound ecological environment, but had questions and ideas reflected in the following points:

- What is absolutely necessary for a sound ecological environment
  - Historical flows
    - Which history? What represents historical flows? How has it occurred? When was the peak? When did volumes occur? In the same year?
  - Assess with full exercise of water rights and future needs
  - Use BBEST recommendations: consolidated, regime
  - Compare matrix for the report against the longest historical period
  - Presentation could be cumbersome. Can we agree that BBEST recommendation represents the historical record?
  - Flows now may be different than flows going way back.
  - If BBEST could not agree, can we?
  - How can an historical number fit into a matrix?
  - Time constraint may suggest that we start with BBEST
  - Historical flows have led us to a sound ecological environment
  - Use historical flows as a starting point, then determine what recommendations from BBEST or Norman Johns help us best determine what can maintain a sound ecological environment.

**Miscellaneous:**

Agenda topics for next time

- Interim actions

Upcoming meeting dates confirmed: April 15, May 5 and May 19, all at 10 a.m. at San Jacinto River Authority headquarters

Tasks:

- Draft outline of report topics: Lisa Lattu by next meeting
- Develop example matrix that could be used in report: Jim Kachtick by next meeting (Glenda to distribute for Jim)

Outstanding items/ questions:

How do you move from cfs to volume? This question was followed by a brief discussion related to ways to connect cfs numbers (for instream flows) to volume numbers (for freshwater inflow).