

**Sabine and Neches Rivers and Sabine Lake Bay
BBASC and BBEST Work Plan Development Meeting**

Wednesday, October 27, 2010 at 10:00 a.m.

Nacogdoches Recreation Center
1112 North Street, Nacogdoches, Texas

Minutes

Members Present: (BBASC) - Jerry Clark (Chair), Robert Stroder (Vice-Chair), David Alford, Christopher Bean, Keith Bonds, Greg Carter, Ken Dickson, Bruce Drury, Kelley Holcomb, Will Kirkpatrick (after 1st vote), Kathleen Jackson, David Roemer, Monty Shank, Dick Sherron; (BBEST) – Jack Tatum (Chair), Scott Hall (Vice-Chair), Rex Hunt, David Parkhill, Sam Vaughn

Call to order

BBASC Chairman Jerry Clark called the meeting to order at 10:05 am. Attendees introduced themselves. Kathleen Jackson announced that she was carrying Joe Arnold's proxy. Chairman Clark was carrying proxies for Katherine Davis, Walter Glenn, Jerry Nichols, and Jody Puckett.

Approval of May 4, 2010, meeting minutes

Minutes from the May 4, 2010 BBASC meeting were approved without changes.

Consider and Take Action on Replacement of Resigned Sabine-Neches BBASC Member Chester Moore

A handout was distributed to BBASC members containing a list of old (7) and new (2) recreational user replacement nominees. Robert Stroder spoke about the qualifications of new nominee, Will Kirkpatrick, and Bruce Drury talked about the other new nominee, Tom Bell. No new nominees were received from the floor. Ballots were distributed to members to record their vote. The final vote was (including proxies): Will Kirkpatrick – 14 votes, Tom Bell – 4 votes. Will Kirkpatrick was present at the meeting and joined BBASC members at the table.

TCEQ Presentation and Discussion: Proposed Rulemaking, Chapter 298, Environmental Flow Standards for Surface Water

Kathy Alexander with TCEQ gave a presentation on the proposed environmental flow standards for the Sabine-Neches Basins. She explained that the TCEQ drew upon the BBESTs flow recommendations for developing the rule proposal because Senate Bill 3 mandates the adoption of standards by June 1, 2011. For larger water right permits (greater than 10,000 acre-feet appropriation), the appropriate standards would be incorporated into the permit. Pulse flow would not be required for the smaller permits. A water availability model (WAM) incorporating the proposed standards was used by TCEQ to balance human and other competing needs for water, using strategies from the regional water plan that include a new appropriation of water. This information,

including the WAM, will be made available soon on the TCEQ website. Scenarios involving a new diversion of 290,000 acre-feet from Toledo Bend Reservoir and a 540,000 acre-feet diversion from the Neches River were each evaluated with the model, and the proposed standards had little impact on water availability. An example was then given of how the standards might be incorporated into a larger permit, how hydrologic conditions would be determined, and how diversions would take place under different flow scenarios (handouts). She then went over important dates coming up in the rule proposal and adoption process. A question and answer session followed the presentation. A point was made that the wet condition pulse requirements deviated from the original BBEST recommendation. Kathy reiterated that all comments will be considered by the TCEQ in the upcoming rule comment period.

Discuss Sabine-Neches BBASC Response to the Proposed Rules and Consider Further Action

The dates for the open comment period on the proposed rules were repeated. A question of whether a significantly revised rule would have to go back out for public comment will be researched by TCEQ. Chairman recommended taking advantage of the opportunity to comment as a group, possibly even coming up with a revised recommendation. The other option would be to submit comments individually. It was suggested that the BBASC task the BBEST with the evaluation of the proposed standards with the overlay of the regional water plan strategies. Additional funding may be coming available for the BBEST to assist the BBASC. A motion was made that the BBASC instruct the BBEST to assist the BBASC in balancing the needs of man and the environment in coming up with a revised recommendation to the TCEQ. A comment was made that consensus on a revised recommendation done in such a compressed time frame would not be likely. A vote resulted in 17 in favor of the motion, and 2 against it.

Sabine-Neches BBASC Discussion of Draft Work Plan and Sabine-Neches BBASC Discussion of Draft Revised Work Plan Schedule (combined)

Jack Tatum gave an overview of the current draft Work Plan (handout) and schedule (handout). November 19th is the target for a final draft of the Work Plan, with the next BBASC meeting on November 30th. Notable sections and proposals in the draft document were pointed out. Jack mentioned that some comments on the Work Plan have been received, but he asked that more be submitted. SRA has begun to collect data below subsistence flows on Big Cow Creek as an example of filling known data gaps in the basin. David Roemer indicated that he'll be submitting his comments by e-mail, touching on topics such as sediment transport/channel status data needs, reinvestigation of hydrologic condition guidelines, estuary salinity evaluation using the Sabine-Neches channel improvement project model, and a flow-biology relationship study proposal. A motion was made and seconded to proceed with the Work Plan schedule as drafted.

Public Comments

None.

Agency Comments

None.

Adjourn

The meeting was adjourned at 12:00 pm.