MEMORANDUM

TO: **NATALIA HENRICKSEN**
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FROM: SABINE AND NECHES RIVERS AND SABINE LAKE BAY BASIN AND BAY AREA STAKEHOLDER COMMITTEE (SABINE-NECHES BBASC)

SUBJECT: COMMENTS – TCEQ RULE PROJECT # 2007-049-298-OW

DATE: 11/30/2010 (DRAFT PRINTED 11/29/2010 6:41 PM)

CC: ENVIRONMENTAL FLOWS ADVISORY GROUP (EFAG), SABINE-NECHES BBEST

BACKGROUND

- The Sabine-Neches BBASC in its May 2010 Recommendations Report recommended that neither environmental flow standards nor environmental flow set-asides should be established until more information is available regarding the amount of water needed to support a sound ecological environment.

- The TCEQ in issuing its draft proposed §298 rules utilized the flow regime recommendations from the Sabine-Neches BBEST that were developed without regard to the needs for water for other purposes, including man's needs.

- In light of the proposed rules publication, which doesn't adequately consider the present and future needs for water for other purposes, including man's needs, the Sabine-Neches BBASC decided to submit a flow regime that considers the need for water for other uses related to water supply planning. A strong consideration for this proposed regime is its impact on water supply strategies for the State of Texas.

- The BBASC is also charged with development of the Work Plan related to specific monitoring, studies, and activities needed to perform analyses to determine flows which are needed to support a sound ecological environment as defined by the Sabine-Neches BBASC to reflect balancing the needs of Texas citizens with that of the environment.

PROPOSED BBASC RECOMMENDATIONS

I. RECOMMEND THE SABINE-NECHES BBASC FLOW REGIME TO THE EFAG AND TCEQ REGARDING THE PROPOSED §298 – ENVIRONMENTAL FLOW STANDARDS FOR SURFACE WATER IN THE SABINE RIVER BASIN AND THE NECHES RIVER BASIN AS IDENTIFIED ON THE ATTACHED TABLES.

II. RECOMMEND TO THE EFAG AND TCEQ FOR ENVIRONMENTAL FLOW STANDARDS TO INCLUDE THE FOLLOWING:

- The impact on the annual minimum firm yield of a water supply project should not exceed 10 % of the amount of appropriated water that is subject to the environmental flow standards.

- No requirement to pass through flow pulses should be imposed on a water supply reservoir operator until a liability shield is in place.

III. RECOMMEND THE BON WEIR GAGE NOT BE USED AS A MEASURMENT POINT DUE TO THE DISCREPANCIES IN FLOW MEASUREMENTS AND THE RULIFF GAGE BE USED TO EXCLUSIVELY REPRESENT ENVIRONMENTAL FLOW STANDARDS FOR THE LOWER SABINE RIVER.

IV. RECOMMEND THE SABINE-NECHES BBASC WORK PLAN TO THE EFAG AND TCEQ WHICH INCLUDES RECOMMENDATIONS THAT THE SB 3 PERIODIC REVIEW SCHEDULE BE ALIGNED SUCH THAT THE REVIEW IS AVAILABLE FOR THE REGIONAL WATER PLANNING GROUPS TO CONSIDER IN EACH ROUND OF SB 1 REGIONAL PLANNING (5-YEAR CYCLE).

Season	Flow Status	Table 1 Sabine River and Tributaries BBASC Recommended E-flow (cfs) by location, season, and flow status **BSBS** Big Sandy Creek near Big Sandy, TX	**SRGW** Sabine River near Gladewater, TX	**SRBE** Sabine River near Beckville, TX	**SRBW*** Sabine River near Bon Wier, TX	**n/a**** Big Cow Creek near Newton, TX	**SRRL** Sabine River near Ruliff, TX
Winter	Subsistence	20 cfs	45 cfs	66 cfs	479 cfs	28 cfs	949 cfs
Jan-Feb-Mar	Base	66 cfs	277 cfs	438 cfs	1,460 cfs	56 cfs	1,520 cfs
	Pulse	None Required	None Required	None Required	None Required	None Required	None Required
Spring	Subsistence	9 cfs	22 cfs	28 cfs	279 cfs	20 cfs	436 cfs
Apr-May-Jun	Base	30 cfs	119 cfs	232 cfs	857 cfs	38 cfs	1,208 cfs
	Pulse 1 per season	Trigger: 313 cfs Duration: 13 days Volume: 5,062 ac-ft	Trigger: 1,580 cfs Duration: 16 days Volume: 51,150 ac-ft	Trigger: 2,160 cfs Duration: 15 days Volume: 72,092 ac-ft	Trigger: 6,700 cfs Duration: 12 days Volume: 151,163 ac-ft	Trigger: 350 cfs Duration: 7 days Volume: 2,545 ac-ft	Trigger: 3,250 cfs Duration: 8 days Volume: 42,883 ac-ft
Summer	Subsistence	8 cfs	14 cfs	22 cfs	241 cfs	20 cfs	396 cfs
Jul-Aug-Sep	Base	14 cfs	34 cfs	51 cfs	478 cfs	28 cfs	670 cfs
	Pulse	None Required	None Required	None Required	None Required	None Required	None Required
Fall	Subsistence	8 cfs	17 cfs	22 cfs	241 cfs	20 cfs	396 cfs
Oct-Nov-Dec	Base	20 cfs	49 cfs	75 cfs	478 cfs	36 cfs	735 cfs
	Pulse 1 per season	Trigger: 130 cfs Duration: 9 days Volume: 2,189 ac-ft	Trigger: 380 cfs Duration: 11 days Volume: 1,098 ac-ft	Trigger: 628 cfs Duration: 9 days Volume: 7,245 ac-ft	Trigger: 2,590 cfs Duration: 7 days Volume: 40,957 ac-ft	Trigger: 322 cfs Duration: 7 days Volume: 2,232 ac-ft	Trigger: 2,020 cfs Duration: 5 days Volume: 17,662 ac-ft

*Due to uncertainties related to HEFR flow regime values at Bon Wier, it is recommended for consideration by the BBASC that the Bon Wier gage not be used as a measuring point at this time.

**No control point is established within the WAM for this gage.

All designated flow rates shown in this table represent average daily values in units of cubic feet per second.

Season	Flow Status	Table 2 Neches River and Tributaries BBASC Recommended E-flow (cfs) by location, season, and flow status **NENE** Neches River near Neches, TX	**NERO** Neches River near Rockland	**ANAL** Angelina River near Alto, TX	**NEEV** Neches River near Evadale, TX	**VIKO** Village Creek near Kountze, TX
Winter	Subsistence	51 cfs	67 cfs	55 cfs	228 cfs	83 cfs
Jan-Feb-Mar	Base	178 cfs	548 cfs	252 cfs	1,750 cfs	240 cfs
	Pulse	None Required	None Required	None Required	None Required	None Required
Spring	Subsistence	21 cfs	29 cfs	18 cfs	266 cfs	49 cfs
Apr-May-Jun	Base	87 cfs	382 cfs	82 cfs	1,640 cfs	106 cfs
	Pulse 1 per season	Trigger: 820 cfs Duration: 12 days Volume: 20,405 ac-ft	Trigger: 1,720 cfs Duration: 12 days Volume: 39,935 ac-ft	Trigger: 1,100 cfs Duration: 14 days Volume: 24,117 ac-ft	Trigger: 3,830 cfs Duration: 12 days Volume: 68,784 ac-ft	Trigger: 1,380 cfs Duration: 13 days Volume: 23,093 ac-ft
Summer	Subsistence	12 cfs	21 cfs	11 cfs	288 cfs	41 cfs
Jul-Aug-Sep	Base	42 cfs	61 cfs	36 cfs	527 cfs	70 cfs
	Pulse	None Required	None Required	None Required	None Required	None Required
Fall	Subsistence	13 cfs	21 cfs	16 cfs	228 cfs	41 cfs
Oct-Nov-Dec	Base	73 cfs	82 cfs	47 cfs	465 cfs	89 cfs
	Pulse 1 per season	Trigger: 345 cfs Duration: 8 days Volume: 5,391 ac-ft	Trigger: 515 cfs Duration: 8 days Volume: 8,172 ac-ft*	Trigger: 588 cfs Duration: 12 days Volume: 12,038 ac-ft	Trigger: 1,570 cfs Duration: 7 days Volume: 17,815 ac-ft	Trigger: 712 cfs Duration: 9 days Volume: 11,426 ac-ft

* 8,172 ac-ft is calculated based on trigger flow rate and duration as TCEQ/BBEST published number of 649 ac-ft is obvious error.

All designated flow rates shown in this table represent average daily values in units of cubic feet per second.