

# **Colorado and Lavaca Rivers and Matagorda and Lavaca Bays Basin and Bay Area Stakeholder Committee (BBASC) Meeting**

Thursday, February 23, 2012 at 10:00 a.m.  
LCRA Dalchau Service Center, Rm. A503  
3505 Montopolis Drive, Austin, TX 78744

## **Minutes**

**BBASC Members Present:** Chair Patrick Brzozowski, Vice-Chair Myron Hess, Jim Dailey, Neil Hudgins (alternate for Ronald Gertson), Carroll Hall, David Hill, Deedy Huffman, Joe King, Frank Lewis, Teresa Lutes, Jack Maloney (alternate for Dick Ottis), Bob Pickens, Caroline Runge, Steve Box (alternate for Andrew Sansom), Suzanne Zarling

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### **1) Call to order and introductions**

BBASC chairman Patrick Brzozowski called the meeting to order

### **2) Discussion and agreement on agenda**

Patrick reviewed the agenda items with the group. No changes were made to the agenda.

### **3) Approval of minutes from August 18, 2011 meeting**

The minutes were approved with a minor change on page two.

### **4) Public comments (limit 3 min.)**

Patrick read a written statement from BBASC member Buddy Treybig, who was not able to attend the meeting. The statement will be posted on the group's web page at:

[http://www.tceq.texas.gov/permitting/water\\_rights/eflows/colorado-lavaca-bbasc](http://www.tceq.texas.gov/permitting/water_rights/eflows/colorado-lavaca-bbasc).

### **5) TCEQ update on rulemaking process**

#### **K. Alexander**

Kathy Alexander of the TCEQ discussed the anticipated timeline of the rulemaking process for the Colorado-Lavaca Basins. The rule proposal Agenda date is scheduled for March 28, which is when the TCEQ Commissioners would give permission to move forward with the proposal. Public comment can be given at this point. April 13 is when the rule proposal would be published in the Texas Register and would be the beginning of the public comment period on the proposal. The comment period would extend to May 14. A public hearing would occur on May 8. After the public comment period, TCEQ would respond to all comments they received and finalize the rule proposal package. On August 8 at Agenda, the Commissioners will hear additional public comment and adopt a final rule. The package would be available for viewing several weeks prior to the adoption Agenda. A link can be sent out to the stakeholders showing them when and where to view the package. Joe King asked if the BBASC and BBEST report was useful in the rulemaking. Kathy said that the TCEQ has to consider both reports and any other relevant information. She said that the BBASC report was useful,

and they certainly give weight to a consensus-based recommendation from the stakeholder group. Teresa Lutes requested that the stakeholder group be notified of any changes in the rulemaking timeline.

## **6) Summary of work plan development activities and discussion of draft work plan, additional changes, potential approval**

The group started by looking at the Work Plan Tasks handout (posted to web page) that was developed by the work plan subcommittee. Patrick noted that Senator Hegar at a previous EFAG meeting wanted to know the cost and funding source of work plan items, so Patrick wanted to have that information included in the cover letter to the report. The subcommittee had grouped the tasks by agency and preliminarily assigned priority to specific tasks.

The BBASC spent considerable time going over the tasks on the list, getting clarification on tasks from BBEST chairman Dave Buzan and resource agency staff where needed, refining task descriptions and rearranging agency assignments, and discussing the priority assignments of the subcommittee. The following decisions were made regarding the Work Plan Tasks list:

- a) The work plan report should include a list of the priority tasks, with their detailed descriptions, as well as a list of **all** identified tasks, both priority and non-priority.
- b) A task was added to TPWD's list stating that commercial fisheries harvest data should be developed to improve understanding of the relationships between salinity and commercially-important indicator species. This new task was given priority status.
- c) The following language was added to the end of TWDB task #1: "... and two representative watersheds."
- d) For TWDB task #2, language will be crafted to clarify that "Identifying water development activities planned for the future,..." does not mean that part of the task is to identify or come up with those activities, but that future activities that have already been identified through the regional water planning process should be used.
- e) Add East Matagorda Bay to TWDB task #7.
- f) Add the Lavaca basin to TCEQ task #2 and incorporate the development of a daily WAM to be used as a tool in the e-flows process.

- g) TCEQ's task #3 was reassigned to TWDB.
- h) Task #1 under "Other Authorities, Agencies, etc." was eliminated.
- i) Task # 2 under "Other Authorities..." was reassigned to TWDB and refined to state "Quantify the effects of sediment transport on delta formation in Lavaca and Matagorda Bays." This task was also changed to non-priority status.

In all, BBASC members agreed on 15 priority tasks: 6 for TPWD, 6 for TWDB, 1 for TCEQ, and 2 for the BBEST. Patrick suggested that a work plan report subcommittee be formed to handle the edits and revisions to the draft work plan. Suzanne Zarling, Myron Hess, Teresa Lutes, Caroline Runge, and Patrick volunteered. Myron agreed to chair the subcommittee. A meeting would be set up to talk to the different agencies to get their input on costs, etc. The following timeline was proposed for finalization of the work plan:

- along with edits from today's meeting, members can submit comments on the draft work plan by March 9
- a revised draft of the work plan would be sent out by March 23
- schedule meetings with the agencies around end of March/beginning of April
- an additional work plan revision would be generated
- the latest revision would be discussed at the April 30 BBASC meeting
- submit final work plan to EFAG/SAC by May 14

#### **7) Discussion of need for future meetings**

Myron distributed a proposed mark-up copy of the work plan containing a proposal for future activity beyond the development of the work plan for the BBASC to consider. He proposed forming a work group that would oversee the overall work plan process, one that would handle strategies, and perhaps others. The group agreed that the next BBASC meeting will be held on April 30, to be held possibly in Bastrop or La Grange.

#### **8) Public comments (limit 3 min.)**

None.

#### **9) Adjourn**