

**Brazos River and Associated Bay and Estuary System
Basin and Bay Stakeholder Committee (BBASC) Meeting**

Tuesday, July 9, 2013 at 10:00 a.m.
Brazos River Authority Central Office
4600 Cobbs Drive, Waco, TX

Minutes

Members Present: Dale Spurgin, Chair; Tom Michel, Vice Chair; Ned Meister; Brian Hays; Gena Leathers; Tom Conry; Horace Grace; Eddie Saucedo; Ken Kramer; Cindy Bartos; Tyson Broad (for Patrick Riley); Ed Lowe; Tommy O'Brien; Gary Spicer; Phil Ford; Ken Kramer; Mary Ruth Rhodenbaugh; Nicole Torralva

Call to order

Chair Dale Spurgin called the meeting to order and the members in attendance introduced themselves.

Public comment

There was no public comment at this time.

Approval of January 31, 2013 Meeting Minutes

The minutes from the January 31, 2013 BBASC meeting were approved by consensus.

Financial Update

Tom Michel provided a brief update on the Brazos BBASC's finances. Since the group's last meeting in January there has been no financial activity, thus the balance of the group's budget remained unchanged at \$18,036.98.

TCEQ Update

Kathy Alexander, TCEQ, briefly discussed the status of rules development for the Brazos Basin. She indicated the proposed rules for the Brazos will be filed by August 16, 2013, presented to the TCEQ Commissioners at Agenda on September 4th, and published on September 20th. Written comments from the public will be accepted from September 20th to October 21st and oral comments can be given at the Public Hearing scheduled for 10:00 a.m. on Oct 15, 2013 at TCEQ Headquarters in Austin, TX.

Action on Public Interest and Free Range Livestock Vacancies

Chair Spurgin and TCEQ representative Leslie Patterson informed the BBASC members of the candidates nominated for both the Free Range Livestock (Jeff Goodwin) and Public Interest (Aubrey A. Spear, Kevin Wagner, and Dr. Thomas Gerik) vacancies. Members that nominated candidates provided a brief description of each candidate's background and qualifications. Jeff Goodwin was unanimously approved to fill the Free Range Livestock vacancy. By majority vote, Kevin Wagner was appointed as a BBASC member to represent Public Interest Groups.

Discussion Regarding Adaptive Work Plan Development

Chair Spurgin gave a brief background on the BBASC's approaches of work plan development, timeline of action, and formation of the work plan subcommittee. Tommy O'Brien described the current status of the work plan. Concerns were expressed by

several members about approving the work plan as is, followed by discussion of those concerns and several motions to amend the work plan as follows:

- *Ten Year Timeframe for Periodic Review (work plan p.2)*
 - As presented at the meeting, the work plan stated for a review to occur at least once every 10 years. After discussion, Ken Kramer motioned to modify the work plan timeframe for review to “at least once every 7 years”, which was seconded by Horace Grace. Eight members were for the amendment, while eight were opposed. Chair Spurgin broke the tie by voting nay and the motion failed. The 10 year timeframe originally incorporated into the work plan remained unchanged.
- *Prioritization of Work Plan Elements*
 - BBASC members unanimously approved a motion by Gary Spicer, seconded by Ken Kramer, reprioritizing Aquatic Life Monitoring (ALMs) to a tier 2 priority as listed in the BBEST recommendation report as well as removing the alpha references (a, b, c, d) for subcategorizing priorities throughout the work plan. Further, a motion was made by Tyson Broad and seconded by Phil Ford to move golden algae up in priority from a tier 3 to a tier 2. This motion was also unanimously approved.
- *Removal of Site Specific Restrictions (work plan p. 10)*
 - Tiffany Morgan, BRA & BBEST member, suggested that under section 3.1.8 the site restrictive language “...downstream of US 281 at River crest Campground, Brazos River, etc...” be changed to state “on the Middle Brazos at Brazos River stream segments 1206 and 1204.” Tom Michel motioned to accept this new language and Tom Conry seconded. Motion was unanimously approved.
- *Table 2: Summarized Proposed Scopes of Work (work plan p. 24)*
 - Ken Kramer motioned that the language of “Anticipated Costs” located in last column of Table 2 be amended to add the word “Initial” before the words “Anticipated Costs” with an asterisk following the word “...Costs,” and (below the table) include a line “*These costs may be revised as the scopes of work are finalized.” Motion was seconded by Phil Ford and unanimously accepted.
- *Removal of Section 3.0 Paragraph 2 (work plan p. 4)*
 - Phil Ford motioned to remove paragraph 2 beginning with “The Brazos BBEST report...” on page 4, above Table 1 entitled Recommend Studies for Adaptive management. Action was seconded by Ken Kramer and unanimously approved by BBASC members.
- *Request for BBEST Review and Comment*
 - Phil Ford motioned for the BBASC to task the BBEST with reviewing and providing comments on the revised BBASC’s work plan before the end of August of this year. Action was seconded by Ken Kramer and unanimously approved by BBASC members.

Additional Work Plan Changes (No Formal Motions to Accept)

The BBASC members discussed additional changes to the adaptive work plan, with agreement on some changes, though no formal motion was made during the meeting to accept the proposed amendments. The proposed amendments are listed below:

- *Change Title of Section 5.0 (work plan p.18)*
 - Tom Michel along with Cindy Bartos suggested that under Section 5.0 of the work plan to strike the word “included” from the title “BBEST suggested work plan items not included in the Work Plan,” and add the word “prioritized” in its place. Upon further discussion another suggestion was made to strike the words “not included” in the title and replace those with the word “supplemental.” No formal motion was made.
- *Costs Associated References in Work Plan*
 - Members discussed striking all references to cost constraints throughout the work plan so as to not limit, discourage, or deter entities from pursuing funding for certain projects. Tyson Broad specifically referenced the second to last line in paragraph 2 under Chapter 5, Section 8.1.4.6 of the work plan (p. 21) for removal of the “cost restraints” reference. In response, other members along with Chair Spurgin stated that the BBASC had already acted on striking all “cost references” earlier in the meeting, though no formal motion by a member was made earlier in the meeting.
- *Inclusion of BBEST Recommendation Report Table 8.2: Potential Funding Sources*
 - Following the meeting, Chair Spurgin emailed the BBASC members to clarify if the majority supported addition of Table 8.2: Potential Funding Sources (pp. 181-183 from the Brazos River Basin and Bay Expert Science Team Environmental Flow Regime Recommendations Report into the work plan. It was confirmed via email that a majority (eleven of eighteen) attending members agreed that Table 8.2 should be included in the work plan.

Discussion Regarding Potential Work Plan Funding

BBASC members discussed potential funding sources for implementation of the Brazos BBASC work plan and their role in supporting other entities such as universities, non-profits, contractors, etc. in applying for potential funds. Ken Kramer introduced two funding opportunities for work plan implementation: RESTORE Act (monetary funds from the BP oil spill) and legislatively awarded funds from HB4/SB4 totaling 2 million (minus the 750,000 earmarked for GSA) specifically for implementation of SB3 basin work plans (set to become available September 1st, 2013 - September 1st, 2014). Ken Kramer clarified that the RESTORE Act funds would only be applicable to Gulf Coast based projects. BBASC members, inclusive of Horace Grace, Tommy O’Brien and Gary Spicer, expressed that the BBASC’s role as far as funding for work plan implementation should be limited to supporting outside entities seeking funds for projects outlined in the work plan. It was generally agreed that the BBASC would need to support entities seeking funding for implementation of work plan projects.

Other Items as Necessary

Members tentatively agreed to meet in fall 2013 (Sept-Oct) to finalize the BBBASC's Work Plan for Adaptive Management after the Brazos BBEST completes their review of the work plan in August.

Public comment

There was no public comment at this time.

Adjourn