

To: Environmental Flows Advisory Committee (EFAG)  
From: Science Advisory Committee  
Re: Funding Recommendations  
Date: September 10, 2013

Pursuant to the Contingency Rider (copy attached) to the Appropriations Bill (83<sup>rd</sup> Legislature, Regular Session) that provided \$2.0 million during the next biennium for the purpose of continued study of environmental flows and instream flows for river basins, the Science Advisory Committee (SAC) has considered its charge with respect to the funding provided by the Rider. In doing so, the SAC requested input from the existing Basin and Bay Area Stakeholder Committees and the state resource agencies. The SAC's recommendations are as follows:

- Only those basins that have been scheduled by the EFAG to undertake the SB3 process for Environmental Flows standards development should be considered for funding at this time. This would include the seven (7) basins which flow into a bay system on the Texas Gulf Coast.
- Only those basins that have completed a Work Plan, as defined in SB3, or will do so in the immediate future, should be considered for funding. This would eliminate the Rio Grande basin from consideration as their BBASC has not submitted recommendations for environmental flow standards nor begun preparation of a Work Plan.
- Given the dedication in the Rider of a minimum of \$750,000 to the Guadalupe/San Antonio basin, the SAC would suggest that the remainder of the appropriation (\$1.25 million) be made available to other basins.
- Funding from this appropriation would not be allocated to the Sabine/Neches Basin given that the approved Work Plan for that basin, which is focused on monitoring to validate and refine their environmental flows analysis, appears to be adequately funded through existing sources. The SAC understands that the Sabine/Neches BBASC agrees with this assessment.

Therefore, the SAC recommendation to the EFAG is that the Guadalupe/San Antonio basin be allocated \$750,000, consistent with the Rider's provision that they receive at least that amount, and the remainder be allocated to the Trinity/ San Jacinto, the Brazos, the Colorado/Lavaca, and the Nueces basins.

The SAC further discussed the appropriate allocation of the funds to these four (4) basins, and we have no rationale that would support anything other than an even split of \$312,500 to each basin.

The Texas Water Development Board, to whom the appropriation was made, is prepared to administer the contracting of these funds over the biennium and assist in seeking and

evaluating proposals received to accomplish specific goals established by the BBASC's from each of the five (5) basins recommended for funding.

In addition to the recommendations offered above, the SAC makes the following observations stemming from our deliberations:

- In the process of developing the above recommendation, the SAC solicited input from all of the BBASC's regarding their interest in obtaining funding from this appropriation and how they might employ it. The general response was to select tasks from their respective Work Plans for consideration. The SAC supports the use of this funding to address priority Work Plan elements to advance the adaptive management objectives of SB3, subject to the further observations below.
- Recipients should regard these funds as a one-time opportunity, not the first installment of a continuing appropriation. It is important that these funds be applied to studies that can be brought to a reasonable conclusion within the time and budget allowed. They should not be used for an initial effort on a projected long-term study unless other continuing sources of funds are identified and secured.
- The SAC notes that while \$2M is an appreciable amount, once apportioned among several basins and divided over several study tasks, the amount for each task becomes quite modest. Therefore, the best use of at least a portion of these funds may be a coordinated study undertaken by two or more BBASC's directed at results of potential statewide applicability. The SAC strongly encourages initiatives toward this end.
- In the SAC's view, a type of study with immediate use would be one directed toward verifying the flow standards (perhaps in draft) and/or the BBASC-recommended flow regimes. The present hydrometeorological conditions of historic drought, in particular, should be exploited to advantage in field and analytical studies.

Attachment

**Sec. 18.03. Contingency for HB 4: Environmental Flows.** Contingent on enactment of HB 4 or similar legislation, relating to the implementation of the statewide water plan, by the Eighty-third Legislature, Regular Session, 2013, the Water Development Board is hereby appropriated \$2,000,000 in fiscal year 2014 out of the General Revenue Fund to Strategy A.I.I, Environmental Information, for the purposes of continued study of environmental flows and instream flows for river basins. Out of this amount, at least \$750,000 shall be used for projects in the Guadalupe, San Antonio, Mission, and Aransas Rivers and Mission, Copano, Aransas, and San Antonio Bays Basin and Bay Area. The selection of the remaining basins shall be determined by the Science Advisory Committee and approved by the Environmental Flows Advisory Group. Any unexpended balances in funds appropriated for this purpose as of August 31, 2014 are hereby appropriated for the same purpose in the fiscal year beginning September 1, 2014.