

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

Thursday, April 11th, 2024 at 10:00 a.m.

Brazos River Authority Central Office located at 4600 Cobbs Drive, Waco, Texas
and Virtual Meeting (Microsoft Teams)

Minutes

Members Present: Dale Spurgin, Chair; Dr. Ken Kramer; Horace Grace; Bruce Bodson; Tiffany Malzahn; Ronald Kelling; Eddie Saucedo; Jay Bragg; Nick Dornak; Patti Carrothers.

Call to Order

Chair Dale Spurgin called the meeting to order and member attendance was taken.

Public comment

There were no public comments made at this time.

Approval of Meeting Minutes

BBASC members approved the meeting minutes from October 19, 2023 and January 11, 2024. No changes were made to the minutes.

Announcement of vacancies

Chair Spurgin informed members of the 3 vacancies on the BBASC for the following stakeholder groups: free range livestock (1 vacancy), agricultural irrigation (1), and Regional Water Planning Groups (1).

Chair Spurgin discussed two members that were no longer active. He suggested that the group open vacancies for these spots, which represent environmental interests and recreational water users. Mr. Aubrey Spear is a municipal member of the group but has taken a new role outside of the stakeholder category. Chair Spurgin asked if there is a requirement for the total number of members in the BBASC groups. Dr. Kramer responded that certain interest groups must be represented, but that the BBASC groups have discretion to determine how many members are in each stakeholder category. The group discussed whether changing the number of spots in some categories could help with reaching quorum. Dr. Kramer asked whether voting on members could be done in a virtual meeting, specifically to elect members. Chair Spurgin responded that the group operates under the Open Meetings Act, which specifies that the Chair meets in a physical meeting location. Dr. Kathy Alexander, Texas Commission on Environmental Studies (TCEQ), noted that the group is required to have at least 17 members, but the meeting frequency is not specified. Mr. Ron Kelling asked how vacancies are created for non-attendance. Chair Spurgin responded that the meeting rules include a process for creating a vacancy for members that are absent from 1/4 of the meetings in their term. Mr. Gary Spicer and Mr. Glenn Lord retired, and those spots will be vacant soon for required categories: Electric Generation and Chemical Manufacturing. A member is in the group until they resign or are removed, and members are not required to live within the basin. Once a vacancy is opened, nominations are solicited and open to the public. A

quorum is required to elect new members. There is a list of groups required for stakeholder representation for a balance of interests. The group will consider altering the number of members in certain categories to assist with filling vacancies. Chair Spurgin mentioned the importance of having a member from the upper basin.

The group voted to open three vacancies for recreational water users, environmental interests, and municipalities.

Announcement of nominations

Mr. Brett Raley was nominated to represent Regional Water Planning Groups.

Action on nominations

Mr. Brett Raley was elected as a member to represent Regional Water Planning Groups.

Chairman and Vice-Chairman Elections

Chair Spurgin opened nominations for the Chair and Vice-Chair positions. The group re-elected Judge Spurgin as Chair. The Vice-Chair position was vacated by Mr. Tom Michel. Dr. Kramer was nominated to serve as Vice-Chair and was elected to the position.

Review of Work Plan and BBASC and BBEST Recommendations Reports

The group reviewed the original Work Plan recommendations and considered priorities. On page 5, Table 1 of the Work Plan, there is a list of recommended studies. The group discussed whether any changes were needed or if there are any new recommendations. Twenty streamflow gages serve as benchmarks for studies. Dr. Mark Wentzel, Texas Water Development Board (TWDB), discussed the ongoing work with gaging in the basin. The cost of gages increases every year by 1.5% on average. The cost of a gage is typically \$45,000 to \$55,000 annually. The value of gaging data is recognized and will likely continue to be funded. The group discussed the second recommendation for water quality monitoring in reaches with recommended flow regimes. The Brazos River Authority (BRA) is doing water quality monitoring in parts of the basin. The fourth item is support for reservoir surveys. TWDB has an active lake survey program, primarily funded by lake owners. The fifth priority is evaluating benefits of overbank flows. Ms. Tiffany Malzahn volunteered to evaluate how much of the priority has been covered in past studies. Mr. Marty Kelly, Texas Parks and Wildlife Department (TPWD), noted that TPWD has been sampling for Golden Algae and Ms. Malzahn stated that BRA has done sampling also. Additionally, BRA conducts sampling for fish, aquatic insects, and mussels, primarily at sites below Possum Kingdom. Ms. Malzahn said she would like to review the TWDB-funded studies in the basin to evaluate what has been covered and whether follow-up studies would be helpful. Dr. Kramer mentioned that the TCEQ-produced report to the Environmental Flows Advisory Group included TPWD studies conducted by basin. Senate Bill 2 studies may also be relevant. Chair Spurgin asked if there are any studies that are not included in the Work Plan to consider. Dr. Kramer mentioned the lack of consensus on environmental flow standards for the top three gages in the Brazos, related to fish species, and whether additional study would be helpful. Ms. Malzahn mentioned that TPWD is doing Salt Cedar treatment in some parts of the basin, but not sure if they are evaluating the effect of the eradication on flows. Ms.

Malzahn also mentioned fish studies done by Dr. Bonner and Dr. Winemiller using different methodologies, which focused on response to flows. She suggested identifying if either study could be repeated for reproducibility of results. The study groups identified an issue with the short time frame for funding and noted a longer study period could be beneficial.

Discussion on BBEST Vacancies and Nominations Process

The group discussed BBEST vacancies and nominating replacement members. Ms. Malzahn reported on the BBEST member statuses. Some members retired or are no longer participating. Some members would like to participate to a degree, even if funding is unavailable. Ms. Malzahn said that some BRA employees may be suitable to replace members. Expertise could be relevant when deciding on replacing members, depending on the BBASC's focus going forward. Currently, the BBEST has a solid knowledge base for aquatic species. Dr. Kramer asked whether any BBEST members were TPWD employees. Chair Spurgin asked if state agency employees were allowed to serve on the BBEST. Dr. Alexander noted that agency staff could participate as non-voting members. There is no specific size, composition, or duration for science teams. Ms. Malzahn said it may be helpful to identify the type of assistance the BBASC wants from the BBEST. Dr. Kramer stated it would assist the BBASC to replace the BBEST members with a balance of expertise. Dr. Kramer said the BBEST could help evaluate implementation of environmental flow standards, review past studies, identify any studies that could benefit from replication or repetition, and recommend any new studies. Chair Spurgin recommended the group replace two members: Mr. Dan Gise and Mr. Jack Davis. BBASC groups can nominate, review applications, and appoint members on the BBEST. The group voted to solicit nominations for two vacancies on the BBEST.

Discussion on Next Steps in Process

The group discussed developing a plan to reduce the total number of members to help meet quorum. They will continue to review original strategies and recommendations from the Work Plan. The group considered whether more studies are needed to make recommendations regarding the standards. Chair Spurgin asked whether the group should evaluate the standards every ten years or more often. Mr. Jay Bragg replied that ten years was reasonable, but they should adjust if something comes up sooner. All members have a five-year term. Dr. Kramer suggested the terms be staggered to ensure continuity in the group. Chair Spurgin suggested the group could meet less often, after they decide on recommendations. The group will continue to meet quarterly through 2024. Dr. Alexander noted that the report from the advisory group is due January 2025, which may include a work plan and scheduling guidelines. Dr. Kramer reminded members to appoint an alternate, which will help the quorum issue.

Updates from State Agencies (TCEQ, TPWD, TWDB)

Dr. Wentzel gave an update for TWDB. The projects for the current biennium funding are being reviewed and TWDB will announce the selected studies on their webpage once identified. Funding is earmarked for two agency strategies, and some of the projects will be related to environmental flows. Mr. Kelly gave an update for TPWD. He mentioned the report to the EFAG included TPWD activities by basin. TPWD is also collaborating

with BRA on instream flows studies in the middle portion of the basin. They are also identifying areas for potential Water Trust donations. TPWD is conducting sampling on the Little River to inform efforts to conserve freshwater mussels. They are monitoring dissolved oxygen and temperatures to evaluate flow regimes to support mussels.

Other Items

The group discussed solicitation for BBASC nominees and discussed whether to eliminate stakeholder spots. The group decided to wait until nominations are received for the next meeting to take action on changing the membership categories.

Next Meeting Date and Future Agenda Items

The next meeting will be July 11, 2024. Future agenda items could include a presentation on the Freshwater Inflows publication by Dr. Paul Montagna. Dr. Kramer also suggested that Mr. Kelly give a presentation on the Texas Water Trust. Ms. Malzahn said BRA can give a presentation on work being done in the basin and data available. Chair Spurgin also suggested that study groups could present on past studies.

Public comment

There were no public comments made at this time.

Adjourn