



**Implementing Committee
Meeting Minutes
May 17, 2018**

Members of this committee include: Tom Taggart (San Marcos), Roland Ruiz (EAA), Greg Malatek (New Braunfels), Darren Thompson (SAWS), Robert Mace (Texas State University), and Jonathan Stinson (GBRA).

1. Call to order – 9:04am

Darren Thompson called order for the Committee. Melani Howard substituted for Robert Mace. A quorum was present.

2. Public Comment.

No comments.

3. Approval of minutes from the March 22nd Implementing Committee meeting (Attachment 1).

Tom Taggart made a motion to approve the meeting minutes. Roland Ruiz seconded the motion. There were no objections.

4. Receive report from the Program Manager on general topics related to the Habitat Conservation Plan.

- **Springflow and Index Level Update**

Dr. Chad Furl presented the springflow data on the Comal and San Marcos spring systems, an update on the Index Well levels and precipitation estimates of the region.

Nathan Pence noted the trend of low precipitation and demand for significant rainfall to deviate from future drought estimates.

- **J17 Forecast**

Dr. Furl presented the J17 forecast as of April 10th. There is a 25% chance of hitting Stage 1 before May 29th.

Mr. Thompson added the possible outlook of hitting Stage 1 next weekend and Stage 2 in late June. Conditions below Stage 2 are not expected; however, circumstances could change depending on the weather.

- **Stormwater sampling**

Dr. Furl presented the two stormwater sampling events that have occurred as part of the EAA's Water Quality Monitoring program.

Tom Taggart asked, in relation to stormwater sampling, is there any attempt to profile the rainfall that occurs during a storm. Dr. Furl answered that there are specifics in the contract that describe antecedent conditions to conduct stormwater sampling. Mr. Taggart asked if there

is any analysis to determine what types of runoff may occur based off rain intensity. Dr. Furl answered that although that type of analysis is not currently conducted, it is something that will be considered in the future.

Mr. Pence added that during the Science Committee meeting, individuals from Texas A&M AgriLife, Baylor University and Texas State University presented stormwater sampling data that included hydrological analysis along Sessoms Creek. Mr. Pence noted the possibility of incorporating that type of analysis into EAA's Water Quality Monitoring Program.

Dr. Furl presented water quality data collected at the Comal Springs during the latest stormwater event and the current Biological and Water Quality Monitoring contract process.

Mr. Thompson asked if the new two-year contracts will extend to 2028 or if they will require a new RFP. Dr. Furl clarified that the current process is asking for two-year contracts, once those contracts expire, new RFPs will be created to extend to 2028.

Johnathan Stinson asked if the current contractors are eligible to apply for the new long term contracts. Dr. Furl and Mr. Pence answered that the current contractors will have the opportunity to apply.

- **ASR Operations by SAWS**

Mr. Thompson provided an update on ASR operations. 16,667 ac-ft of water was noticed to SAWS by the EAA. 9,933 ac-ft of water for that notice has been stored. As of today, a total of 92,000 ac-ft of water has been stored on behalf of the EAHCP. Over the last week SAWS has stopped storing to conduct a test to ensure that pumps and pipes are working properly.

Mr. Taggart asked if this test was in preparation for a pipeline. Mr. Thompson answered that SAWS has begun placing the Western Integrated Pipeline and it is about half way near completion.

- **ASR Price Point Update**

Roland Ruiz provided an update on the ASR Price Point. The EAA Board has approved the updated price points to \$100. The updated ASR program is now on the market for customers. Marc Friberg added that a majority of customers have had questions about the recent change to the program and interest in re-enrollment.

Mr. Taggart asked how many acre-feet of water was removed from the ASR program with the termination of 1-year leases. Mr. Friberg answered about 20,000 acre-feet of water was been removed. Nathan Pence added that the removal of those 1-year leases are meant to be replaced with forbearance agreements that have been approved through adaptive management.

- **Budget Report (Attachment 2 and 3)**

Mr. Pence presented the March and April EAHCP budget reports.

- **NAS update**

Mr. Pence provided a brief update on Report 3 from the National Academy of Sciences. Report 3 is expected by late September 2018 and will be critical in the preparation of Phase 2 of the HCP. Mr. Pence shared that there is some concern that the report could be submitted later than expected however, conversations with NAS are working to fix that issue.

Mr. Thompson asked why the possible delay in receiving the report. Mr. Pence answered that there may be issues with staffing coordination that could delay the finalization of the report.

- **Zebra Mussel Monitoring Stations**

Mr. Pence provided an update on Zebra Mussel Monitoring along the San Marcos and Comal spring systems. EAA is now part of the TPWD statewide monitoring network. Based on the water quality of both systems, it is highly unlikely that Zebra Mussels will be present.

- **San Marcos Discovery Center**

Mr. Pence introduced the San Marcos Discovery Center's initiative to keep non-native fish out of the river by providing a place for individuals to release unwanted aquarium fish. Melani Howard highlighted the attention that the Discovery Center's pet fish pond as received. A video clip from a local news station was presented to the committee. Mr. Pence acknowledge the collaborative efforts to make project like this successful.

Mr. Taggart recommended sending the news clip to NAS.

- **IC Appointments (Attachment 4)**

Mr. Pence presented the updated Implementing Committee appointments. Robert Mace will be representing Texas State University, replacing Andrew Samson. Contact information can be made available upon request.

Mr. Thompson asked how Dr. Robert Mace's move to the Implementing Committee will impact the Science Committee. Mr. Pence answered that Dr. Mace has resigned from the Science Committee to serve on the Implementing Committee, leaving a Science Committee vacancy. The Implementing and Stakeholder Committees will appoint a member and agree by consensus to fill that vacancy.

Mr. Pence also spoke to the committee concerning changes to the EAHCP staff. Alicia Reinmund-Martinez will be leaving her position as HCP Director. Mr. Pence and the committee acknowledged Mrs. Reinmund-Martinez and thanked her for her years of service to the HCP program.

5. **Presentation of the 2017 Recharge Estimate and 10-year Rolling Recharge Average.**

Mr. Pence presented the 2017 recharge estimates provided to the EAA from the USGS. Mr. Pence reminded the committee on the importance of the recharge estimates and the impact on the ASR forbearance program. For example, anytime the recharge average drops below 500,000 acre-feet on the 10-year rolling recharge average, that would trigger a portion of the ASR program. In 2017, as calculated by the USGS, the recharge estimate reached about 486,637 acre-feet. Based on that estimate, 2019 will be a non-forbearance year. For 2018, a calculation determined that the recharge average must be no less than 194,563 acre-feet in order to make 2020 a non-forbearance year.

Dr. Furl presented a graph representing historical data of the USGS recharge estimates and the 10-year rolling recharge average.

Mr. Thompson noted that the only time recharge has dropped below 500,000 acre-feet was during the drought of record.

6. **Presentation of the Edwards Aquifer Authority 2019 Work Plans (Attachment 5).**

Mr. Pence introduced the EAHCP work plans to the committee. Many of the details within the work plans have become routine and repetitive. At the request of the committee, work plan presentations will highlight major projects and significant changes. Full work plans have been included as attachments in the meeting packets.

Shaun Payne presented the 2019 Edwards Aquifer Authority Work Plan to the committee. The EAA's work plan primarily consists of springflow protection measures, research projects, monitoring programs and program management.

Mr. Pence added that the overall budget is subject to change. EAA will submit a revised work plan in June and an updated funding application in October. Mr. Pence reminded the committee that the budget is approved during funding application review.

Mr. Thompson asked about the budget estimate for the applied research project. Mr. Payne clarified that the budget for the applied research will require funding taken from future years. The funding application will include a more refined budget table.

Mr. Thompson suggested making the work plan budget tables more consistent across the various work plans.

7. Presentation of the City of San Marcos/Texas State University 2019 Work Plans (Attachment 6).

Melani Howard presented the City of San Marcos/Texas State University 2019 Work Plan to the committee. The Texas Wild-Rice enhancement, control of non-native plant species, native riparian habitat restoration and impervious cover/water quality protection conservation measures will experience the most change in comparison to previous work plans.

Mr. Pence noted that the LTBG reaches in San Marcos follow the same compliance by the USFWS as in the Comal spring system.

Ms. Howard presented before and after pictures of habitat restoration along the San Marcos River. Mr. Pence noted the recruitment of the young bald cypress trees and recognized the work that the City of San Marcos has done to protect the banks of the river.

Ms. Howard concluded the presentation with details on water quality projects and the 2019 work plan budget.

Mr. Pence added that transfers and movement of money within the work plan budget are tracked and maintained by EAHCP staff.

Patrick Shriver asked if there will be any disturbance of endangered species in the Sessoms Creek Project area. Mr. Pence added that there are no endangered species within the Sessoms Creek habitat until the very bottom portion. Work will not be done in the portions that touch endangered species habitat.

8. Presentation of the City of New Braunfels 2019 Work Plans (Attachment 7).

Mark Enders presented the City of New Braunfels 2019 Work Plans to the committee. Aquatic vegetation restoration along the Old Channel, Landa Lake and Comal River will undergo several changes. Additionally, non-native species control, monitoring of gill parasite, native habitat restoration and impervious cover conservation measures will also include changes in comparison to previous work plans.

Mr. Enders concluded his presentation with the plans to install a stormwater treatment vault included in the impervious cover/water quality protection measure and the estimated budget for 2019.

Mr. Pence noted how the impervious cover project, specifically the stormwater treatment vault, will directly impact the endangered species.

Mr. Thompson asked what type of treatment will be used in the underground stormwater treatment vault. Mr. Enders answered that the vault will primarily be treating sediment and the material that accumulates in the sediment.

Mr. Pence presented to the committee a budget table that included the estimates for the EAHCP work plans and a timeline of the 2019 work plan and funding application approval process.

9. Presentation of the timeline and process to facilitate Strategic Adaptive Management (Attachment 8).

Mr. Pence introduced the strategic adaptive management process planning to the committee. The Strategic Adaptive Management Process Planning (SAMP) is the transition of Phase 1 of the HCP to Phase 2. Mr. Pence clarified the differences between Phase 2 and the transition to Phase 2, addressed the major questions that will arise during the transition phase, the use of the MODFLOW model and the possibility of additional conservation measures to be included in Phase 2.

Mr. Pence presented a table of the minimum springflow rates established for the protection of the endangered species in both the Comal and San Marcos Spring Systems.

Mr. Taggart noted that the variation between the high and low springflow estimates are very indicative of the health of the spring systems. Mr. Pence agreed with Mr. Taggart and expanded on the springflow numbers in the table.

Ms. Howard asked what differences in the new model produced those numbers. Mr. Pence answered that there has been a lot of research analyzing the Knippa Gap, Cibolo Divide and porosity that have provided the data to refine the model. Dr. Furl added that seven criteria were added to the new model including additional wells and the change in the aquifer elevation.

Mr. Pence noted that some of the model estimates may be difficult to achieve and may require a rerun of the model itself.

Mr. Thompson added that the model estimates may be overly conservative. Mr. Pence added that the modeling assumes that the aquifer is used to full permitting capacity.

Mr. Pence presented the use of the MODFLOW Model in SAMP. The updated model will exclude original assumptions and include to date implementation of springflow protection measures. If needed, additional conservation measures may be added to achieve springflow protection.

Mr. Taggart suggested a process of presenting and highlighting modeling assumptions before implementing a model. Mr. Pence answered that the EAA will document very clearly what models runs were made and the assumptions that were included. Mr. Taggart added that it is important to have transparency about any assumptions made so to avoid topics of concerns. Mr. Pence added that anything raised as an issue today will be reviewed during the June IC meeting.

Mr. Ruiz asked if USFWS has had any concerns of the movement from Phase 1 to Phase 2 and the Strategic Adaptive Management process required. Mr. Pence answered that USFWS is not concerned and they are highly supportive of the EAHCP.

Mr. Taggart added that there are always underlying assumptions in modeling. The Phase 1/Phase 2 transition reflects those uncertainties.

Mr. Pence concluded the presentation with updates on the EcoModel, habitat restoration, NAS Report 3, contract development for the SAMP and the overall SAMP timeline.

10. Presentation and consideration to approve the Voluntary Irrigation Suspension Program Option (VISPO) memo of clarification and authorization for the Program Manager to submit the memorandum to U.S Fish and Wildlife Services (Attachment 9).

Mr. Friberg presented the VISPO memo of clarification to the committee. The EAA is asking USFWS to clarify that it can deviate from the original enrollment price structure outlined in the HCP for the VISPO program. This clarification applies only to price structure and does not pertain to the goals of the program. The primary concerns are associated with price points, the program term options and the escalators proposed in the original VISPO program. The EAA is seeking clarification that it has flexibility to adjust pricing in response to market conditions. Moving forward, the EAA will no longer offer 10-year enrollment options and instead work through two, five-year renewal options to the end of the current Incidental Take Permit.

Mr. Pence added that this clarification will allow for re-enrollment and the continued success of the VISPO program.

Mr. Ruiz made a motion to approve the VISPO memo of clarification and the authorization for the Program Manager to submit the memo to USFWS. Mr. Taggart seconded. There were no objections.

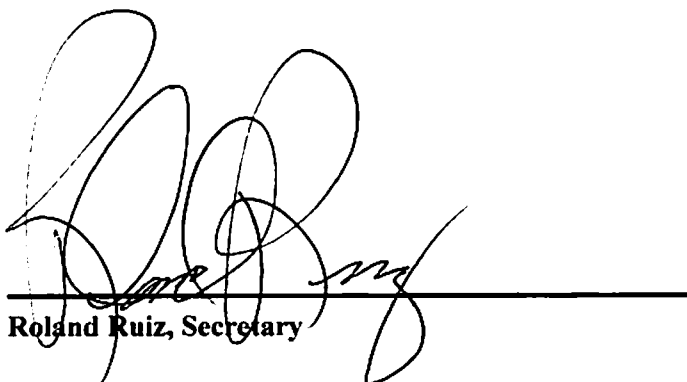
11. Consider future meetings, dates, locations, and agendas.

Mr. Thompson noted that the next Implementing Committee meeting is scheduled for June 21st at the City of New Braunfels City Hall.

12. Questions from the public.

No comments.

13. Adjourn -- 11:57 am



Roland Ruiz, Secretary