
Springflow Habitat Protection Work Group
Meeting 5 Minutes
June 18, 2020
9:00am-11:00am

1. Confirm attendance

Kristina Tolman indicated that all Work Group members were present.

2. Meeting logistics

Jamie Childers provided an overview of virtual meeting logistics, meeting points of contact, and work group logistics.

3. Public comment

There were no public comments.

4. Approve meeting minutes

A motion was made by Cindy Loeffler, seconded by Charles Kreitler, to approve the meeting minutes from May 20, 2020 (Meeting 2). In the absence of objection, the minutes were approved by consensus.

A motion was made by Tom Arsuffi seconded by Charles Kreitler, to approve the meeting minutes from May 28, 2020 (Meeting 3). In the absence of objection, the minutes were approved by consensus.

**5. Regulatory framework for the San Marcos River State Scientific Area
*presentation and discussion***

Cindy Loeffler from Texas Parks and Wildlife Department (TPWD) presented an overview of the regulatory process for creating and designating the San Marcos River as a State Scientific Area. March 2012, the Texas Parks and Wildlife Commission adopted §57.910 of the TPWD rules which designated the San Marcos River, from Spring Lake dam to the San Marcos wastewater treatment plant, as a State Scientific Area (SSA). This effort was to help balance the impacts from aquatic recreation by protecting vulnerable habitat during low flow conditions. The rule prohibits the uprooting and disturbance of Texas wild-rice within the SSA, authorizes the installation of exclusion barriers at flows at or below 120 cfs, and prohibits unauthorized entry within exclusion areas. Violations are punishable as a Class C Misdemeanor.

Patrick Shriver asked how many times the exclusion zones have been implemented and if any citations have been issued? They were implemented in 2014 and 2015 and no citations have been issued.

Charles Kreitler commented that the SSA exclusion zones seem to only target the TWR, how does it protect the other endangered species? Cindy replied that by protecting the TWR, the exclusion zones also protect other species including the fountain darter and San Marcos salamander due to the overlap in habitat.

6. Implementation of the San Marcos River State Scientific Area *presentation and discussion*

Melani Howard with the City of San Marcos, presented an overview of the challenges and successes of implementing the SMR SSA exclusion zones during low flow conditions. There were three criteria used to identify SSA exclusion zones including: TWR stands less than one-meter depth from Hardy's 2011 modeled 120 cfs bathymetry data, persistent stands of TWR from the TPWD annual TWR survey (since 1989), and proximity to aquatic recreation zones.

Melani then showed examples for how and where TWR stands were selected for SSA exclusion zones in 2014 and 2015. Exclusion zones were anchored with T-posts and floating buoys and noodles, educational signs were provided by TPWD. The Conservation Crew installed, maintained the zones through routine removal of accumulated floating vegetation, and educated recreationists. Cindy Loeffler complimented Melani and the Conservation Crew's successful implementation of the SSA exclusion zones.

Jacquelyn Duke asked what percent of the current TWR coverage would be protected by the current and proposed exclusion zones and if the proposed zones would significantly impact aquatic recreation? Melani and Kristina Tolman will provide the calculations. Melani noted that the impacts to recreation would include preventing dogs and people from accessing vulnerable areas, but overall insignificant.

Myron Hess inquired about the conditions for TWR at 120 cfs and 80 cfs and how the net disturbance is calculated. Melani replied that a range of conditions at and below 120 cfs were considered and that the annual net disturbance calculations for the Incidental Take Permit are based on the footprint of the perimeter of the exclusion zones.

7. Authorized pumping and withdrawals *presentation and discussion*

Charles Ahrens from Edwards Aquifer Authority presented the 2019 and historic Edwards Aquifer authorized pumping versus withdrawals. In 2019, there were approximately 1,246 permit holders authorized to withdraw a combined 571,599 acre-feet of Edwards Aquifer water. Permitted water use fits into three categories: industrial (7%), agricultural irrigation (31%), and municipal (62%). The 2019 actual pumped amounts were 339,020 acre-feet with municipal withdrawing the most at 71 percent. Chuck then presented an overview of the historical pumping and how critical period management (CPM) influences pumping based on the San Antonio (J-17) and Uvalde (J-27) wells.

Cindy asked if, aside from the CPM and Voluntary Irrigation Suspension Program Option (VISPO) restrictions, there are any other reasons that the unpumped water was not pumped? Chuck replied that from a regulatory perspective, no. When SAWS's Vista Ridge comes online, we may see positive impacts for the unpumped category as they reduce their pumping of Edwards Aquifer water.

Tom Taggart asked about the exempt and federal pumping and if they were accounted for within the numbers? Chuck replied that they are not included, the numbers only account for the permitted and metered pumping and excludes any limited production wells or exempt pumping. Chad Furl commented that the MODFLOW groundwater modeled amounts were around 593,000 acre-feet which included an additional 21,000 acre-feet to account for limited production wells, federal and exempt pumping.

8. Other Edwards Aquifer Habitat Conservation Plan adaptive management study commitments *discussion*

Myron Hess presented a list of adaptive management study commitments included in the Edwards Aquifer Habitat Conservation Plan and specific studies, either completed or ongoing, identified by EAHCP staff as being responsive to the adaptive management process (AMP) commitments. He indicated that the next step on this task is for the Work Group to prioritize AMP study commitments that have not been addressed.

Cindy Loeffler requested an additional column to summarize studies and indicate how they did, or did not, address the AMP commitment listed in the first column.

Patrick Shriver inquired about the connection between what the Work Group has heard and the AMP commitments table. Myron responded that most of the Work Group meetings have been information based, but the next steps will be how the Work Group compiles the information into questions for technical evaluations. He indicated that table is not an indication of what is a priority, instead it is an effort to summarize what the EAHCP listed as study commitments and current status of studies.

Jamie Childers indicated the need for the Work Group to help define and prioritize the questions that have not been answered and asked that the Work Group identify items that are important for the progress of our EAHCP programs. Myron added that input from the Work Group is needed to prioritize studies that have an important role in AMP.

9. Public comment

There were no public comments during the second comment period.

10. Future meetings

Wednesday, July 8th at 9:00 am is the next scheduled meeting.