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# Springflow Habitat Protection Work Group

## Meeting 12 Meeting Minutes

January 14, 2021

9:00-11:00am

**1. Confirm attendance**

Eight of eleven Work Group members were present; Tom Arsuffi called in after attendance was confirmed and Doris Cooksey, Adam Yablonski and Ryan Kelso did not attend. Former Work Group member Cindy Loeffler is no longer with the Texas Parks and Wildlife Department. Myron Hess, the Work Group Chair, let the other members know that he would be reaching out to the Texas Parks and Wildlife Department to request identification of a proposed Work Group representative for consideration by the Implementing Committee at its March meeting.

**2. Meeting logistics**

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

**3. Public comment**

There was no public comment.

**4. *Discussion and decision on comments and revisions to Draft Work Group Part 1 Report and Proposed Part 2 Charge***

Work Group members participated in an extensive discussion of the comments received on the *December draft Work Group Part 1 Report and Proposed Part 2 Charge* (December draft) and member's understanding of the intent of the topic areas carried forward by the Work Group.

Myron Hess opened the discussion with a proposed approach for the meeting. Patrick Shriver then provided an overview of his perspective and the comments he provided on the December draft. He noted concerns that the document is still overly broad and that there are several items he disagrees with and for which, at minimum, dissent needs to be acknowledged in the document. He also noted, while acknowledging the efforts to run effective meetings, the challenges of having to meet solely in virtual meetings, which hinders communication and deliberation. He indicated that he would not be ready to state a final position on the proposed document in this meeting. He also noted that the discussion during the briefing to the Implementing Committee in December highlighted

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that the December draft is difficult to follow because the questions are so broad, and they mean different things to different people. He summarized the issues in the December draft as falling in three buckets of science; (1) gradation of the 80 to 30 to 45 cubic feet per second (cfs) with scopes that use existing tools with up to date data because developing new tools may not be practical, (2) recreational research and data collection, and (3) species populations specific to certain areas with a recognition that the tools are complex but also simple and focused on specific habitat areas. Patrick noted that he had concerns with some questions in that third bucket.

Myron Hess noted his perspective that prioritization and further refinement of scopes of work would occur during Part 2 of the Work Group and acknowledged that the topic areas are not at the point of supporting RFPs (requests for proposals). Patrick Shriver further clarified his concerns that the December draft would appear to the Implementing Committee as representing consensus even though he does not support portions of it and other members also may not. Myron Hess noted that if the group is not able to reach consensus, which is the preferred outcome, the EAHCP procedure has been to provide the opportunity for inclusion of a minority report. Patrick indicated he would rather clarifications and minority opinions are made in what is presented to the Implementing Committee. Patrick also highlighted the need for missing Work Group members to have the opportunity to go back and hear what was presented today and to weigh in.

The Group agreed to begin working through the December draft and the specific comments on that draft. The draft with comments was shared online with the meeting participants to help guide the discussion. The Work Group members talked through comments and proposed edits for the portion of the document preceding the Issue 1 topic area. Jamie Childers made edits and notes on the shared version of the December draft to reflect the discussion. All members eventually agreed that the edits that were discussed and found acceptable during the meeting represented a good way to proceed.

Regarding a suggestion to have summaries of presentations to the Work Group included in the document, Myron Hess and Jamie Childers reminded members that the minutes from previous meetings, which include summaries of presentations, are proposed to be included as Appendix B to the December draft. Those appendices have been shared previously with Work Group members. Patrick Shriver asked that the December draft acknowledge the successful implementation of studies to date. Work Group members worked through editorial changes to acknowledge the benefits of the research done to date addressing the overarching issues being considered by this Work Group. Other tracked changed changes were approved and edited in these sections.

The Work Group took a break before proceeding to discussion of questions under Issue 1.

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Charlie Kreidler opened the discussion of Issue 1 noting that he views the overall intent of Issue 1 as the overall physiochemical conditions, the quality of the springs and not limited to narrow water quality parameters. Patrick asked if that should be added to one of the *Questions* under this issue. Work Group members discussed where that could be placed to acknowledge the components Charlie described, but concluded it may not be necessary.

Members talked through their understanding of the intent of each question and discussed options for clarifying language.

**Question 1-1:** Chad Norris clarified that the need to validate the Hardy model arises from data collected during the 2014 drought. A key concern in the modeling was fountain darter reproduction during low flows, particularly in the Old Channel (of the Comal) because of potential elevated temperature during low flow periods. Comparison of model predictions to the 2014 data could provide insights.

Tom Arsuffi highlighted the use of ‘adequate’ and indicated his interest in knowing how the Hardy WQ model compares to other water quality models in terms of criteria (model equations and input assumptions) beyond the springs. He indicated he would like to see a comprehensive comparison of models. Myron Hess suggested that Question 1-5 may provide the opportunity to address the model comparisons suggested by Tom Arsuffi.

Members then discussed the overarching issue of the 80 cfs “pulse” flow component in the EAHCP, including whether the “pulse” was intended to be natural or engineered. They then discussed the 80 cfs was included because of concerns about prolonged low-flow and the need for an induced 80 cfs flow. Chad Norris indicated that there was never consideration that the pulse flows would be natural, instead it was to be an engineered solution. It came from concerns over (1) reproduction of the fountain darter, (2) mobility of the Comal Springs riffle beetle, and (3) recreation and downstream concerns in terms of flows being held at 30 cfs for extended periods. Patrick recalled the various alternatives considered in the development of the EAHCP and that they ultimately settled on the interventions of the springflow packages rather than highly engineered solutions.

Myron Hess, the Chair, then refocused the Work Group to the questions in Issue 1. He revisited that the Work Group is focused on the significance of periods of flow below 80 cfs and not on ways to produce 80 cfs.

Discussion of the need to briefly clarify the intent of each question followed. There was mixed interest in attempting to add these statements of intent. Myron, Charlie, and Tom Arsuffi noted concerns that the group does not get too far into the details of the questions at this time. Patrick again focused on the

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value of understanding the intent of the questions and indicated there may be some policy implications within the Charge. Myron acknowledged that specificity would be ideal, but also would require significant effort for the Work Group to agree upon language for all the questions. He also reminded members that the topics will be prioritized in Part 2, which may mean that not all questions will be addressed through proposed studies so that not all of them would have to be fleshed out.

Work Group members went on to identify refinements to the language of Question 1-1 which were reflected in the edits Jamie made online. The Work Group discussed each of the remaining Issue 1 questions. No specific changes to the language were identified beyond the edits previously proposed in the online version.

5. ***If unresolved issues remain regarding Draft Work Group Part 1 Report and Proposed Part 2 Charge, discussion and decision on next steps for approving final version for presentation to Implementing Committee***  
Although the Work Group did not specifically address this agenda item, the Work Group identified the need to schedule two additional meetings to continue working on the Proposed Part 2 Charge.
  6. **Public comment**  
There was no public comment.
  7. **Future meetings**  
A poll will be sent to Work Group members to set two future meeting dates.
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