



Edwards Aquifer Authority

900 E. Quincy
San Antonio, TX 78215
EdwardsAquifer.org

NOTICE OF OPEN MEETING

EAHCP Implementing Committee

Thursday, December 14, 2023

10:00 AM

Edwards Aquifer Authority and Microsoft Teams

A meeting of the Implementing Committee of the Edwards Aquifer Habitat Conservation Plan will be held on the date, time, and location stated above.

AGENDA

1. **Call to Order**
2. **Public Comment**
3. **EAHCP Program Manager Announcements**
 - 3.1
 - Hydrologic Update
 - EAHCP Program Management
 - Spring Communities Update
 - City of New Braunfels
 - City of San Marcos
4. **Approval of Minutes**
 - 4.1
 - **October 5, 2023**
5. **Reports**
 - 5.1 **Receive report from Dr. Adrienne Wootten, South Central Climate Adaptation Science Center research scientist, and Dr. Suzanne Van Cooten, South Central Climate Adaptation Science Center regional administrator, on downscaling CMIP5/6 climate projections for the Edwards Aquifer Authority.**
 - 5.2 **Receive report from Lucas Bare, ICF Project Manager, and Scott Storment, EAHCP Program Manager, on the Incidental Take Permit Renewal Process and timeline.**
6. **Individual Consideration**

- 6.1 Consider staff recommendation to accept the revised EAHCP Existing Conditions Memorandum for use in the Incidental Take Permit Amendment Application process with the U.S. Fish and Wildlife.
- 6.2 Consider staff recommendation to approve the establishment of the Conservation Measures Subcommittee and charge.
- 6.3 Consider staff recommendation to approve the EAHCP Incidental Take Permit cover disturbance from fountain darter habitat restoration activities implemented by Texas State University and funded by Texas Parks and Wildlife Department.
- 6.4 Consider staff recommendation to approve the EAHCP Incidental Take Permit cover disturbance from fountain darter habitat restoration activities implemented by Texas State University and funded by the University's Environmental Service Committee.
- 6.5 Consider staff recommendation to approve the City of San Marcos/Texas State University 2024 Work Plan amendments.
- 6.6 Election of 2024 Implementing Committee officers.
7. **Future Meetings**
- 7.1 2024 EAHCP Committee Meeting Calendar
8. **Questions from the Public**
9. **Adjourn**

Olivia Ybarra
Habitat Conservation Plan Coordinator

This meeting of the Implementing Committee of the Edwards Aquifer Habitat Conservation Plan complies with Section 7.7.4 of the Funding and Management Agreement (FMA), an interlocal agreement made pursuant to Texas Government Code Chapter 791 by and among the Edwards Aquifer Authority (EAA), the City of New Braunfels (New Braunfels), the City of San Marcos (San Marcos), the City of San Antonio acting by and through its San Antonio Water System (SAWS), Texas State University, and the Guadalupe-Blanco River Authority (GBRA).



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Text File

File Number: REP 13-1887

Agenda Date: 12/14/2023

Version: 1

Status: Agenda Ready

In Control: EAHCP Implementing Committee

File Type: Staff Report

Agenda Number: 5.1

Receive report from Dr. Adrienne Wootten, South Central Climate Adaptation Science Center research scientist, and Dr. Suzanne Van Cooten, South Central Climate Adaptation Science Center regional administrator, on downscaling CMIP5/6 climate projections for the Edwards Aquifer Authority.

RECOMMENDED MOTION:

None. This item is for informational purposes only.

SUMMARY:

The purpose of this item is for the Implementing Committee to receive a report from Dr. Adrienne Wootten, South Central Climate Adaptation Science Center research scientist, and Dr. Suzanne Van Cooten, South Central Climate Adaptation Science Center regional administrator, on the downscaling of selected models from the Coupled Model Intercomparison Project phase 5/6 (CMIP5/6) for the Edwards Aquifer Authority.

The downscaling of CMIP5/6 climate scenarios is being conducted to evaluate potential regional changes in future climate. This analysis will be used as part of the EAHCP Permit Renewal Process to evaluate the effects of future climate on springflow.



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Text File

File Number: REP 13-1888

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Status: Agenda Ready

In Control: EAHCP Implementing Committee

File Type: Staff Report

Agenda Number: 5.2

Receive report from Lucas Bare, ICF Project Manager, and Scott Storment, EAHCP Program Manager, on the Incidental Take Permit Renewal Process and timeline.

RECOMMENDED MOTION:

None. This item is for informational purposes only.

SUMMARY:

The purpose of this item is for the Implementing Committee to receive a report from Lucas Bare, ICF Project Manager, and Scott Storment, EAHCP Program Manager, on the ITP renewal process and timeline. This presentation will also include a discussion on the Biological Goals and Objectives Memorandum, the temperature and precipitation report, and the MODFLOW report.



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Text File

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Status: Agenda Ready

In Control: EAHCP Implementing Committee

File Type: Action Item

Agenda Number: 6.1

Consider staff recommendation to accept the revised EAHCP Existing Conditions Memorandum for use in the Incidental Take Permit Amendment Application process with the U.S. Fish and Wildlife.

RECOMMENDED MOTION:

Move the Implementing Committee accept the revised EAHCP Existing Conditions Memorandum for use in the Incidental Take Permit Amendment Application Process with the U.S. Fish and Wildlife Service.

SUMMARY:

The purpose of the Existing Conditions memo outlines the process used to identify proposed changes and potential updates to the Existing Conditions chapter of the Edwards Aquifer Habitat Conservation Plan (EAHCP) for the anticipated amendment to the EAHCP and the Incidental Take Permit (ITP). Revisions to this memo were made based on discussions at the October 5, 2023 Implementing Committee Meeting.

This is the third of several memos and reports for the Analyze and Sign-off Phase of the permit renewal process, which will examine the major components of the EAHCP (e.g., Covered Activities, Covered Species, Conservation Measures) and identify potential changes to the EAHCP and ITP to be considered by the Implementing Committee. Changes identified and "signed-off" by the Implementing Committee will be carried forward to be included in the process to create the amended EAHCP submitted to the U.S. Fish and Wildlife Service (USFWS) with the ITP amendment application. For more information about the EAHCP permit renewal process, including a detailed work plan, refer to eahcprenewal.org.

The Existing Conditions memo is attached to this agenda item.

FISCAL IMPACT:

None.



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Text File

File Number: AI 13-3242

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Version: 1

Status: Agenda Ready

In Control: EAHCP Implementing Committee

File Type: Action Item

Agenda Number: 6.2

Consider staff recommendation to approve the establishment of the Conservation Measures Subcommittee and charge.

RECOMMENDED MOTION:

Move the Implementing Committee approve the establishment of the Conservation Measures Subcommittee and charge.

SUMMARY:

The purpose of this agenda item is for the Implementing Committee to consider the establishment of the Conservation Measures Subcommittee and the charge that will dictate the Subcommittee's rules and outline meeting discussions. The charge is attached to this agenda item.

The EAHCP is currently in the process of renewing the Incidental Take Permit with the U.S. Fish and Wildlife Service. As part of that process, the existing components of the Habitat Conservation Plan (HCP) conservation strategy will be reassessed, new elements recommended, and modifications discussed. As a required component of habitat conservation plans, biological goals are a guide for quantified biological objectives and management actions taken to achieve the conservation strategy.

The purpose of this Subcommittee is to review, discuss and develop recommendations for the Conservation Measures that should be considered for inclusion in the next EAHCP.

FISCAL IMPACT:

None.



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File Type: Action Item

Agenda Number: 6.3

Consider staff recommendation to approve the EAHCP Incidental Take Permit cover disturbance from fountain darter habitat restoration activities implemented by Texas State University and funded by Texas Parks and Wildlife Department.

RECOMMENDED MOTION:

Move the Implementing Committee approve the EAHCP Incidental Take Permit cover fountain darter take from the aquatic vegetation restoration disturbance implemented by Texas State University and funded through the Texas Parks and Wildlife Department.

SUMMARY:

The purpose of this agenda item is for the Implementing Committee to approve the EAHCP Incidental Take Permit to cover fountain darter take resulting from aquatic vegetation restoration disturbance implemented by Meadows Center for Water and the Environment (MCWE) at Texas State University and funded by Texas Parks and Wildlife Department's (TPWD) Habitat and Angler Access Program (HAAP).

Funding from HAAP will cover removal of non-native aquatic vegetation and planting of native aquatic vegetation, including Texas wild-rice, in the lower reaches of the Upper San Marcos River (i.e. downstream of IH-35 from approximately Capes Dam to the confluence with the Blanco River). The additional funding has no fiscal impact on EAHCP budgets. The HAAP-funded restoration activities are beneficial for the EAHCP in enhancing fountain darter habitat and Texas wild-rice restoration efforts in the lower reaches of the Upper San Marcos River.

Disturbance from aquatic vegetation restoration is estimated to be minimal and well below the threshold of 10% of occupied habitat in Condition M of the Incidental Take Permit # TE6366A-1. Texas State University, as a Permittee, seeks to cover disturbance from HAAP funded restoration activities under the EAHCP ITP.

The authorization of incidental take for Texas State University meets the obligations of Condition M of the Incidental Take Permit # TE6366A-1.

FISCAL IMPACT:

None.



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Text File

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Status: Agenda Ready

In Control: EAHCP Implementing Committee

File Type: Action Item

Agenda Number: 6.4

Consider staff recommendation to approve the EAHCP Incidental Take Permit cover disturbance from fountain darter habitat restoration activities implemented by Texas State University and funded by the University's Environmental Service Committee.

RECOMMENDED MOTION:

Move the Implementing Committee approve the EAHCP Incidental Take Permit cover fountain darter take from the aquatic vegetation restoration disturbance implemented by Texas State University and funded through the University's Environmental Service Committee.

SUMMARY:

The purpose of this agenda item is for the Implementing Committee to approve the EAHCP Incidental Take Permit to cover fountain darter take resulting from aquatic vegetation restoration disturbance implemented by Meadows Center for Water and the Environment (MCWE) at Texas State University and funded by the University's Environmental Service Committee (ESC).

The Texas State University's ESC allocated funding for MCWE at Texas State University to facilitate volunteer events and hire students to help manage floating vegetation mats as well as the removal of non-native aquatic plants in Spring Lake through Sewell Park. The additional funding has no fiscal impact on EAHCP budgets. The ESC funded restoration activities are beneficial for the EAHCP in enhancing fountain darter habitat restoration efforts in Spring Lake and the Upper San Marcos River.

Disturbance from aquatic vegetation restoration is estimated to be minimal and well below the threshold of 10% of occupied habitat in Condition M of the Incidental Take Permit # TE6366A-1. Texas State University, as a Permittee, seeks to cover disturbance from ESC funded restoration activities under the EAHCP ITP.

The authorization of incidental take for Texas State University meets the obligations of Condition M of the Incidental Take Permit # TE6366A-1.

FISCAL IMPACT:

None.



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In Control: EAHCP Implementing Committee

File Type: Action Item

Agenda Number: 6.5

Consider staff recommendation to approve the City of San Marcos/Texas State University 2024 Work Plan amendments.

RECOMMENDED MOTION:

Move the Implementing Committee approve the City of San Marcos/Texas State University 2024 Work Plan amendments.

SUMMARY:

The purpose of this agenda item is for the Implementing Committee to approve the City of San Marcos/Texas State University 2024 Work Plan amendments.

In fall 2023, Texas State University was awarded funding for two aquatic vegetation restoration projects for 2024-2025; one from Texas Parks and Wildlife Department through the Habitat and Angler Access Program (HAAP) in the Lower San Marcos River (i.e. Below IH-35 from approximately Capes Dam to the confluence with the Blanco River), and the second from Texas State University's Environmental Services Committee (ESC) to cover floating vegetation maintenance and removal of non-native plants in Spring Lake. Both grants do not have a fiscal impact on the EAHCP, yet both are beneficial to the EAHCP in expanding aquatic vegetation restoration efforts for fountain darter habitat. Therefore, the EAHCP will cover fountain darter incidental take for removal of non-natives and planting of native aquatic vegetation during implementation of both HAAP and ESC projects. Amendments to the 2024 Work Plan include new descriptions of the work that will occur in Spring Lake through Sewell Park and in the San Marcos River below IH-35. Texas Wild-Rice Enhancement (5.3.1/5.4.1) amendments include planting of Texas wild-rice below IH-35 as part of the HAAP grant. Control of Non-Native Plant Species (5.3.8/5.4.3/5.4.12) amendments include removal of rooted non-natives in Spring Lake for the ESC project and removal of non-natives and planting of native aquatic plants below IH-35 for the HAAP grant. The Management of Floating Vegetation Mats (5.3.3/5.4.3) amendment includes removal of non-rooted, non-native aquatic vegetation in Spring Lake through Sewell Park.

In November 2023, the City of San Marcos was awarded funding for construction of Sessom Creek Phase 2 through a Clean Water Act 319(h) grant, administered by the Texas Commission on Environmental Quality (TCEQ). Construction of Sessom Creek

Phase 2 will begin in 2024 and will be completed in 2025. The \$120,000 319(h) grant from TCEQ will be applied to the overall construction costs of Sessom Creek Phase 2. The Work Plan amendment for Impervious Cover/Water Quality Protection (5.7.6) is a budget note explaining the future financial commitment of \$120,000 from TCEQ towards the estimated Sessom Creek Phase 2 budget.

The recommended amendments to the City of San Marcos/Texas State University 2024 Work Plan, which are attached to this agenda item, meet the obligations of Article Four of the Funding and Management Agreement.

FISCAL IMPACT:

None.



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File Type: Action Item

Agenda Number: 6.6

Election of 2024 Implementing Committee officers.

RECOMMENDED MOTION:

The Implementing Committee may elect new officers for 2024 in accordance with the Implementing Committee Officer Succession Plan.

SUMMARY:

The purpose of this agenda item is for the Implementing Committee to appoint new Officers for 2024. In accordance with the Implementing Committee Officer Succession Plan (attached), the Officers for 2024 would be Tom Taggart (City of San Marcos) - Chair, Roland Ruiz (Edwards Aquifer Authority) - Vice-Chair, and Phillip Quast (City of New Braunfels) - Secretary. The Operational Procedures of the Implementing Committee of the Edwards Aquifer Habitat Conservation Plan Program (also attached) detail the duties of the Implementing Committee Officers.

This election of Implementing Committee Officers meets the obligations of Article Seven of the Funding and Management Agreement.

FISCAL IMPACT:

None.