

**Lower Colorado Regional Water Planning Group
Unique Stream Segments Subcommittee Meeting
National Wildlife Federation, Conference Room
April 11, 2019**

1. Jennifer Walker called meeting to order at 10:08 a.m.
2. Attendees (11)
Committee Members:
Jennifer Walker – Region K, Environmental Rep, Unique Stream Segments Subcommittee Chair
David Bradsby – Region K, TPWD Rep
Teresa Lutes – Region K, Municipalities Rep
Ann McElroy – Region K, Environmental Rep
Alicia Reinmund-Martinez – Region K, GMA 10 Rep
Rebecca Batchelder – Region K, River Authority Rep (Alternate)
Christianne Castleberry – Region K, Water Utilities Rep (Alternate)

Additional Attendees:
Charlie Flatten – Region K, Environmental Rep (Alternate)
Helen Gerlach – Region K, Municipalities Rep (Alternate)
Jaime Burke – AECOM
Alicia Smiley – AECOM
3. Public Comments
 - a. None.
4. Unique Stream Segment Background
 - a. RWPGs may recommend a river or stream segment to be classified as an Ecologically Unique River and Stream Segment, per TAC 357.43. This was part of the original Regional Water Planning process.
 - i. A designated Ecologically Unique River and Stream Segment solely means that a state agency or political subdivision of the State may not finance the actual construction of a reservoir in that specific river or stream segment.
 - ii. Subcommittee discusses concerns on whether off-channel reservoirs would be included in this designation.
 - b. Process:
 - i. In 2000, the Texas Parks and Wildlife Department identified ecologically significant segments for many areas, including Region K, using the same criteria required in the RWP.
 - ii. RWPGs may recommend these ecologically significant segments or other identified segments to be classified as unique in the RWP. When recommending

these segments, the RWPG may develop special provisions to ensure no unintended consequences occur from designation.

1. David Bradsby noted the significance of House Bill 1016 (2012), which clarified effects of designation of a stream as ecologically unique. RWPGs could designate segments for one or a combination of significance.
 - iii. TPWD provides a written evaluation of the recommendation.
 - iv. Recommendation is sent to Texas State Legislature for approval.
5. Unique Stream Segment Recommendations in Region K
- a. There are currently 24 ecologically unique stream segments designated by the Texas legislature in Regions E, H, and L. Region D proposed three additional stream segments for designation, but did not recommend that any stream segments be unconditionally designated as ecologically unique in the region. **There are currently no ecologically unique stream segments in Region K.**
 - i. Per Appendix 8A of 2016 Region K RWP, ten streams were previously recommended for further study during the 2001 planning cycle. This recommendation has been carried over each cycle.
 - ii. Region K's ecologically significant streams were previously not recommended as unique because Region K doesn't have any proposed potential reservoir projects that would interfere with these segments.
6. Discussion
- a. Region K's Existing Recommendation: Further Study
 - i. Subcommittee asks: What does a 'study' mean to the RWPG?
 1. Teresa Lutes notes that Austin has completed studies on the ecologically significant stream segments located in Austin, along with monitoring and conservation actions to protect ecological aspects. Could Austin act as a model to the segments outside of the Austin area? Are there any stream segments outside of protected areas?
 2. Jennifer Walker says that while Region K is not currently in a time where further study is necessary (because no projects are in development on these segments), if a proposed reservoir project poses an issue, it may be too late to take action; therefore, the RWPG should provide additional study and take action.
 - b. Food for thought
 - i. Region D Actions
 1. Region D's proposal for designation included a special provision to receive financing for existing projects in development. Have there been issues with other regions securing funding?
 2. Region D hasn't actively sought legislative approval. What is the foreseen benefit of designating these streams as unique?

- ii. Alternative idea: Recommend a limited number of stream segments for designation.
- c. Concerns of Designation
 - i. Designating a stream segment requires a lot of stakeholder input and outreach; there is neither time nor budget to complete in 2021 RWP cycle.
 - ii. The age of original recommendation provided by TPWD is significant. Old and missing data and information will need to be updated. To do so requires a source of funding.
 - iii. Teresa Lutes brings up a concern about unintended consequences of designation. The obvious consequence – that is, lack of state funding – is very narrow. Charlie Flatten responds that Region J consultant WSP is looking for unintended consequences, and reports back that there are little to no unintended consequences.
 - iv. Teresa Lutes comments on the potential wide-reaching impacts of such a designation.
 - 1. For example, there is an enhanced recharge to Edwards Aquifer at Little Bear Creek project underway in which the City of Austin, BSEACD, LCRA are all involved. Such a designation could preclude the possibility of doing another project like this in the future.
 - 2. Additionally, there may be strategies recommended in the 2016 RWP would be affected by stream segment designation (Goldthwaite?) Rebecca Batchelder noted that before we add a strategy in one of these segments, should they be designated, the RWPG could perform an extended scope of study.

7. Action Items

- a. Before including in the Region K Water Plan any on-channel reservoir/dam water management strategies located on stream segments identified for further study for potential designation as ecologically unique in Chapter 8, Region K will conduct a higher level of additional screening, as defined by the LCRWPG, to determine potential ecological impacts. (Recommendation is not intended to include diversion structures, recharge enhancement weirs, or flood control.)
- b. The 2021 RWP will include a list of studies completed since 2000 relevant to segments listed in Table 8A-1 in the 2016 RWP.
- c. Recommend requesting sufficient funding from TWDB for 2026 RWP to re-evaluate stream segments based on criteria for designation as ecologically unique, using studies listed in Action Item B.
- d. Request data from Region J RWPG regarding their analysis of unintended consequences on unique stream segment designation.
- e. Jennifer Walker motioned to recommend Action Items A-D to LCRWPG for discussion. Alicia Reinmund-Martinez seconded. Committee passed. Jennifer Walker motioned to

recommend Action Items A-D to LCRWPG for discussion. Alicia Reinmund-Martinez seconded. Committee passed.

8. New / Other Business

- a. None.

9. Next Meeting

- a. The next Unique Stream Segments Subcommittee meeting will be determined after the RWPG meeting scheduled for April 24, 2019.

10. Public Comments

- a. None.

11. Jennifer Walker adjourned at 12:09 p.m.