



October 20, 2017

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RE: Amendment to the City of San Marcos and Texas State University Sediment Removal Conservation Measures (EAHCP §5.3.6, §5.4.4) as well as the Impervious Cover & Water Quality Protection Measure (EAHCP §5.7.6) (#TE-63663A-1).

On behalf of the City of New Braunfels (CoNB), the City of San Marcos (CoSM), Edwards Aquifer Authority (EAA), the San Antonio Water System (SAWS), and Texas State University (collectively the Permittees of the Incidental Take Permit #TE-63663A-1), I am providing an amendment to the Edwards Aquifer Habitat Conservation Plan (EAHCP) to revise the Sediment Removal (§5.3.6, §5.4.4) and Impervious Cover & Water Quality Protection (EAHCP §5.7.6) Conservation Measures in the EAHCP. This letter is submitted pursuant to Section 9.2.1 of the EAHCP.

Because of this change, the focus of Sediment Removal in the San Marcos system will be primarily through preventative means. Hydro-suction, and as proposed in Exhibit 1, mechanical removal of sediment will remain as a method in the event such means are determined necessary to target specific stands of Texas wild-rice or other fountain darter habitat. Additionally, the original intent of the Impervious Cover & Water Quality Protection measure was to develop an incentive program for private landowners to develop low-impact development (LID) best management practices (BMPs). This method of implementing BMPs has proven ineffective thus both the City of San Marcos and the City of New Braunfels have invested in developing a Water Quality Protection Plan (WQPP). In each WQPP, possible non-point source pollutant issues have been identified throughout both watersheds and plans were developed to identify public property that could benefit from the development of stormwater BMPs. These BMPs are above and beyond the requirements of their MS4 permits and represent unfunded projects identified by each entity. The amendment provided, as a complement to the revised methodology expressed in the Sediment Removal measure, also provides explicit direction to develop plans and prioritize BMPs proposed in both WQPPs.

The EAHCP has analyzed the current programs for Sediment Removal and Impervious Cover & Water Quality Protection in the San Marcos and Comal Springs systems through the EAHCP Annual Report process as well as discussions with the Science Committee. In this analysis, lessons learned as well as proposed revisions were brought forward and ultimately reviewed by subject matter and regional experts, as well as the EAHCP Committee members. A work group of local experts were compiled to discuss potential solutions (minutes and agenda can be found in Exhibit 4) and a Scientific Evaluation Report (SER) was produced and adopted by the Science Committee to provide any necessary directive regarding the Adaptive Management Proposal (Exhibit 3) which was later supported by the Stakeholder Committee and adopted by the Implementing Committee on September 21, 2017. This process was in accordance with the Adaptive Management Process outlined in the Funding and Management Agreement (FMA) and results in

this request to clarify and amend the EAHCP outlined in the final Nonroutine Adaptive Management Proposal and Stakeholder Report (Exhibit 2).

With that said, to further ensure transparency in the implementation of the EAHCP, the Implementing Committee provided the public the opportunity to comment on this amendment during its September 21, 2017 meeting. All meeting agendas and minutes from this process have been provided in Exhibit 4.

The Permittees seek your formal acceptance of this amendment to allow alterations to the Sediment Removal (§5.3.6, §5.4.4) and Impervious Cover & Water Quality Protection (EAHCP §5.7.6) Conservation Measures in the EAHCP to reflect a redirection of effort to watershed protection and implementation of LID BMPs to reduce future sedimentation and other potential threats due to stormwater flows in both the San Marcos and Comal ecosystems. Your approval of this amendment will allow the Permittees to implement this critical aspect of the EAHCP. We look forward to your formal acceptance of the amendment and appreciate your consideration and response on this issue.

Respectfully,

Nathan Pence
Program Manager
Edwards Aquifer Habitat Conservation Plan