



**MEMORANDUM**

October xx, 2014

Tanya Sommer  
 United States Fish and Wildlife Service  
 Austin Ecological Services Field Office  
 10711 Burnet Road, Suite 200  
 Austin, Texas 78758

**RE: Informational Memo related to the Edwards Aquifer Habitat Conservation Plan (EAHCP) for Incidental Take Permit #TE-63663A-0 (ITP)**

Ms. Sommer,

This memorandum, submitted on behalf of the Edwards Aquifer Authority (EAA), the City of New Braunfels (CoNB), the City of San Marcos (CoSM), the San Antonio Water System (SAWS), and Texas State University (TXState) (collectively the Permittees),<sup>1</sup> is being provided for informational purposes regarding a minor methodology modification to sediment removal that differs from what is described in the EAHCP.

In Section 5.3.6 (*Sediment Removal below Sewell Park*) and 5.4.4 (*Sediment Removal in Spring Lake and from Spring Lake dam to City Park*), the EAHCP identifies that silt will be vacuumed using a hose that has a screen to prevent suctioning biota greater than 0.25 inch in diameter. Initial efforts in 2013 and 2014, during suction dredging with a .25 inch mesh screen, utilized numerous techniques to minimize Take of Fountain Darters and other biota, including:

1. Personnel first fanned the small area to be treated, then removed a small area of non-native aquatic vegetation in preparation for suctioning. This action minimized large open areas where Fountain Darters might be more susceptible to predation;
2. Personnel then removed all vegetation in the area to be treated (as per Section 5.3.8 of the EAHCP, *Control of Non-Native Plant Species*) and then scanned the area to ensure darters and other biota were not present. When removing any vegetation, all Fountain Darters observed were collected and immediately returned to the river upstream;
3. Divers were trained to successfully identify the life stages of listed species and to stop suctioning if their presence in the immediate area was detected;
4. Personnel strategically held the nozzle in the soil without free movement in the water to prevent incidental suction of species; and

---

<sup>1</sup> The Implementing Committee (representing the five Permittees and the Guadalupe-Blanco River Authority as a non-voting member) unanimously approved the original version of this memorandum at their meeting on September 19, 2013 and reviewed an updated version at their October 16, 2014 meeting.

5. Personnel were present along the bank to monitor the effluent for presence of listed species and other biota.

During initial efforts in 2013 and 2014, this protocol resulted in the Take (detection and relocation) of only 10 individual Fountain Darters. No Fountain Darters were detected in the effluent or in the immediate area during suctioning.

As these initial measures to minimize Take have been so successful, the Permittees determined that the .25” screen on the end of the suction dredge was not preventing any additional Take beyond the initial measures. However, the .25” screen did impede progress and resulted in frequent clogging and equipment malfunctions. Therefore, future suction dredging in the San Marcos River will be conducted without a screen on the end of the suction dredge.

This topic was discussed by the Implementing Committee at three different meetings<sup>2</sup>, which allowed for three opportunities for public comment.

Since we have determined the .25” mesh screen is not critical in minimizing Take of Fountain Darters, nor will it cause any additional Take of Fountain Darters if removed, we would appreciate your consideration and response on this issue.

Thank you,

Nathan Pence  
Program Manager  
Edwards Aquifer Habitat Conservation Plan  
npence@edwardsaquifer.org  
210-477-8527

---

<sup>2</sup> August 15, 2013; September 19, 2013; October 16, 2014