



September XX, 2016

Mr. Adam Zerrenner
United States Fish and Wildlife Services
Austin Ecological Services Field Office
107011 Burnet Road, Suite 200
Austin, Texas 78758

RE: Amendment to Table 5-3 of the Edwards Aquifer Habitat Conservation Plan (EAHCP) Flow-Split Management for the Old and New Channel of the Comal River for the Incidental Take Permit (#TE-63663A-1).

On behalf of the City of New Braunfels, the City of San Marcos, Edwards Aquifer Authority, the San Antonio Water System, 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) Flow-Split Management for the Comal River's Old and New Channel (Table 5-3). This letter is submitted pursuant to Section 9.2.1 of the EAHCP.

The Old Channel has been a particularly important, and successful, area for aquatic vegetation restoration. However, when the HCP requires flows measuring from 70 to 80 cubic feet per second (cfs) be diverted into the Old Channel, scour of previously restored areas has been observed. Additionally, during 2014, when total system flows dropped to as low as 60cfs and the HCP required 40cfs be diverted to the Old Channel, Comal Springs riffle beetle habitat around Spring Island became exposed and compromised. Therefore, based on observations, lessons learned from restoration conducted in the Old Channel of the Comal River, coupled with regular biological monitoring data, we request an amendment be considered to Table 5-3 of the EAHCP Flow-Split Management for the Old and New Channel of the Comal River (Exhibit 1).

Since December 2015, the EAHCP has pursued an analysis of the current programs for submerged aquatic vegetation restoration in the San Marcos and Comal Springs ecosystems. 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 Scientific Evaluation Report (SER) was produced and adopted by the Science Committee to provide any necessary directive in regards to the Adaptive Management Proposal (Exhibit 2) which was later supported by the Stakeholder Committee and adopted by the Implementing Committee on September 15th. This process was in accordance with the Adaptive Management Process outlined in the Funding and Management Agreement (FMA) and results in this request to amend the EAHCP.

With that said, to further ensure transparency in the implementation of the EAHCP, the Committees provided the public the opportunity to comment on the Adaptive Management Proposal and this amendment during its September 9th and 15th, 2016 meetings. Agendas and minutes have been provided in Exhibit 3.

The Permittees seek your formal acceptance of this amendment to Table 5-3 of the EAHCP. The Permittees look forward to your formal acceptance of this amendment and appreciate your consideration and response on this issue.

Respectfully,

Nathan Pence
Program Manager
Edwards Aquifer Habitat Conservation Plan

cc: EAHCP Implementing Committee

Exhibit 1:**Proposed amendment to the Flow-Split Management for Old and New Channels (Table 5-3)**

**TABLE 5-3
FLOW-SPLIT MANAGEMENT FOR OLD AND NEW CHANNELS**

Total Comal Springflow (cfs)	Old Channel (cfs)		New Channel (cfs)	
	Fall, Winter	Spring, Summer	Fall, Winter	Spring, Summer
350+	80 65	60	270+ 280+	290+
300	80 65	60	220 235	240
250	80 60	60 55	170 190	190 195
200	70 60	60 55	130 140	140 145
150		60 55		90 95
100		60 50		40 50
80		50 45		30 35
70		50 40		20 30
60		40 35-40		40 25
50		40 35-40		40 15
40		30		10
30		20		10