



MEMO

TO: Robert Gulley and Nathan Pence
FROM: Jim Nuse and William Nance
DATE: May 23, 2013
RE: EAHCP Project Procedures during Flows < 120 cfs

Section M of the Incidental Take Permit for the Edwards Aquifer Habitat Conservation Plan (EAHCP) states that the City of San Marcos (COSM) and Texas State University (TxSt) will suspend activities that may result in disturbance of the substrate, water quality, plants, animals and invertebrates of the San Marcos Springs, Spring Lake and River when flows decline to 120 cfs or lower.

Flows in the San Marcos River, according to the USGS statistics for May 23, are 103 cfs. Therefore, COSM and TxSt have reconsidered the impacts of our EAHCP projects on listed species and Texas wild-rice. In January 2013, the Implementing Committee requested that a group of resident experts and contractors be convened specifically to address the question of which activities permitted under the 2013 HCP work plans, might need to be suspended under drought conditions and at what flow rates any actions would be stopped. The unanimous consensus of the experts for the San Marcos system was that, given the nature, work location, small areas, and approved techniques of the EAHCP projects as outlined in the 2013 work plans, they should be able to continue over spring flow rates as low as ~60cfs without significant impact. COSM and TxSt have determined that the EAHCP project work shown below will continue, however, these activities will be monitored to determine the point at which they are significantly impacting listed species.

5.3.6/5.4.4 Sediment Removal

A type II sediment fence will be in place to isolate the work area. These areas are lateral to the main flowing sections and are not located in areas with Texas wild rice, salamanders, or other listed species, except fountain darters. The technique explicitly removes fountain darters from these small surface areas to suitable habitat adjacent to the work being conducted. The sediment fencing is designed to contain the fines that are suspended in the water column as a result of the removal of plants and suctioning. We will monitor the turbidity (fine sediments) downstream of the work area during all activities. Work will be suspended and remedial methods undertaken in the event of excessive sediment moving downstream. Suctioned sediment is isolated from reentry to the stream in a large tank on the bank.

5.3.8/5.4.12 Non-native plant removal

The activity by experimental design (outside of the concurrent sediment removal) is designed to be non-intrusive in that only 1 meter sections adjacent to Texas wild-rice will have non-native plant removal. We do not anticipate that undue amounts of sediment will be dislodged from these actions given the small areas involved. These activities do not result in disturbance of Texas wild-rice. The protocol also ensures that fountain darters and other organisms are removed from the vegetation being targeted for removal.

5.3.1/5.4.1 Texas wild-rice enhancement/restoration

This measure is fundamentally embedded within the two work elements discussed above (5.3.6/5.4.4 and 5.3.8/5.4.12).

5.3.3/5.4.3 Litter and Floating Vegetation Mat Removal

This activity is performed by experienced divers that have been through the Scientific Diving Course at the Meadows Center. From direct observations, their actions do not result substantive sediment suspension and movement downstream or habitat disturbance.

5.3.9/5.4.13 Non-native Species Control

This activity primarily utilizes gigging, is non-native species specific, and does not result in suspension of sediment, disturbance to aquatic vegetation or other animals within the river.

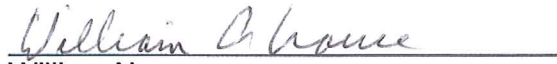
As a result of decreasing river depth, more areas of the river are accessible than during average flows. Therefore, non-native plant removal will be suspended in areas in which their removal would open up recreational access.

TWR enhancement will only be accomplished in areas that receive sufficient flow and depth during low flows to sustain growth of newly installed plants.

No change to sediment removal, litter and floating mat removal and non-native species control as these measures are important for the protection of listed species, particularly during low flows. However, extra precautions will be taken to avoid disturbance of habitat.



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