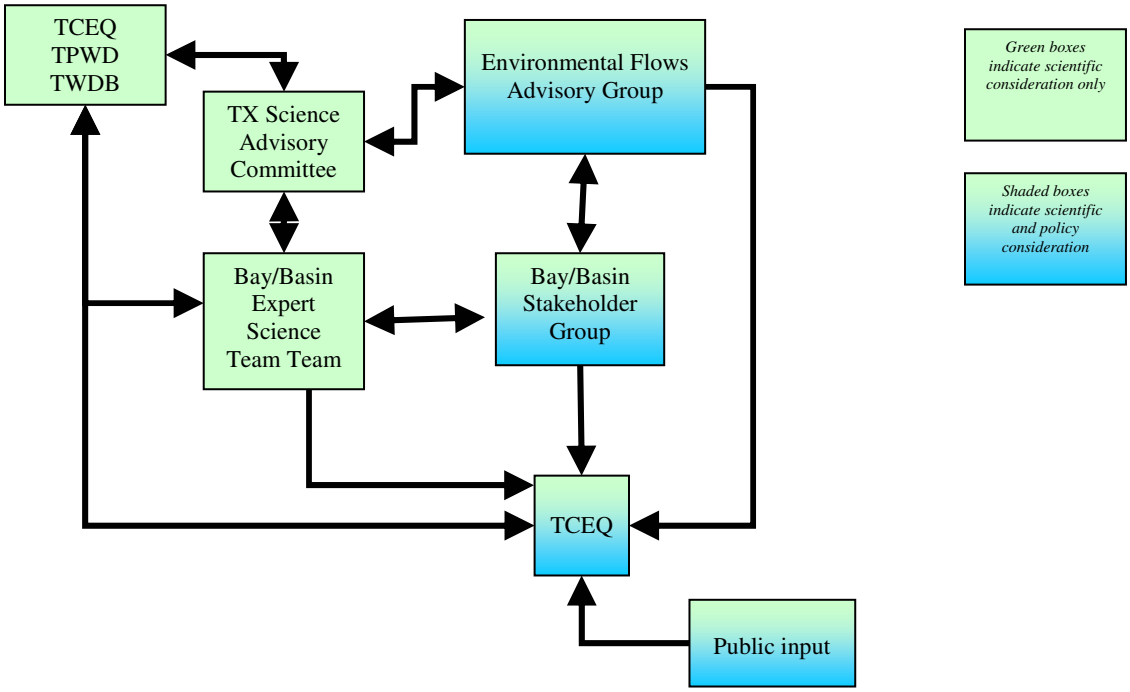
AN OVERVIEW OF THE ENVIRONMENTAL FLOWS ALLOCATION PROCESS



The Environmental Flows Allocation Process involves a science track (shown above in green) and a combined science and policy track (shown above with green and blue shading).

THE PLAYERS

The **Environmental Flows Advisory Group** creates both the Texas Environmental Flows Science Advisory Group and the individual Bay/Basin Stakeholder Groups. This Group also defines the scope of the bay/basin areas. In addition to interacting with those groups, the Advisory Group may make comments to TCEQ about the various flows recommendations.

The **Texas Environmental Flows Science Advisory Committee** provides science-based recommendations to agency staff regarding ongoing studies and, through a liaison member, works with bay/basin expert science teams to ensure consistent application of scientific principles.

The **Bay/Basin Stakeholder Group** members are to be named by the Environmental Flows Advisory Group. The Bay/Basin Stakeholder Group then establishes the Bay/Basin Expert Science Team. The Stakeholder Group provides flows recommendations, based on considerations of science and policy, directly to TCEQ and also to the Environmental Flows Advisory Group.

The **Bay/Basin Expert Science Team**, working with technical support from state agencies and academic institutions, develops flow recommendations based solely on best available science. Recommendations are presented to the Bay/Basin Stakeholder Group, the Environmental Flows Advisory Group and TCEQ.

Scientific staffs of the **TCEQ, TPWD and TWDB** provide technical support and input to Bay/Basin Expert Science Team. Agency staffs also continue work on ongoing long-term studies of instream flow and freshwater inflow needs.

TCEQ Commissioners receive recommendations from Stakeholder Group and Bay/Basin Expert Science Team as well as input from Flows Advisory Group, agency staff, and interested members of the public. Based on those recommendations and input, and taking both science and policy into account, TCEQ adopts rules establishing environmental flow standards, including a set-aside of unappropriated flows.

(*See back for process description*)

THE PROCESS

Interaction of Bay/Basin Stakeholder Groups & Bay/Basin Science Teams

1. The Bay/Basin Stakeholder Group establishes Bay/Basin Science Team. Science Team is made up of scientists and technical experts with knowledge of region-specific issues and of scientists and technical experts with experience in developing environmental flow recommendations.

2. Stakeholder Group makes arrangements with state agencies and academic institutions to provide technical support for Stakeholder Group and for Science Team. Technical support would consist of efforts like performing literature reviews, undertaking water availability calculations using state water availability models, and helping to compile available information for use by the Stakeholder Group and Science Team. However, technical support would NOT include responsibility for developing the actual recommendations, which will be undertaken collectively by the Science Team.

3. Neither technical support contractor nor Science Team will be expected to undertake new substantive studies. Best available science will be used based on existing studies. Recommendations from the Science Team should note critical uncertainties and should identify information gaps that need to be addressed through future studies to help inform adaptive management process.

4. With input, as appropriate, from the Texas Environmental Flows Science Advisory Committee, the Bay/Basin Science Team develops its recommendations for a flow regime that, based solely on best available science, would be adequate to protect a sound ecological environment and to maintain the productivity, extent, and persistence of key aquatic habitats in and along the affected water bodies. Because the Science Team would be meeting and working locally, Stakeholder Group will be able to observe process to help inform subsequent stakeholder decisions.

5. Stakeholder Group assesses flow regime recommendations from science team and determines how those recommendations should be altered, if at all, in response to important policy considerations. Stakeholder recommendations will include proposals for extent to which recommended flows should be provided through set aside of unappropriated flow.

6. TCEQ receives science-only recommendations from Science Team, and science and policy combined recommendations from Stakeholder Group. Having separate science-based recommendations ensures that policy tradeoffs are transparent and helps to ensure a better informed TCEQ rulemaking process. TCEQ rulemaking to set environmental flow standards for the area will be based on considerations of both science and policy. Rulemaking process also will include consideration of any input from the Environmental Flows Advisory Group, as well as from state agencies and the public.