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New state flows process explained; waiting on the state to name stakeholders

By Kelly Young

kyoung@jacksonvilleprogress.com

With a spike in population expected to hit East Texas in the coming decades due to retiring Baby Boomers, more people will be using more local water sources. It is now more important than ever that plans are developed to protect and preserve Texas' water supplies for the future.

It was with that goal in mind the last session of the Texas Legislature passed a law which established a comprehensive plan to monitor and protect the state's surface water flow.

Senate Bill 3 and House Bill 3 (the state's water plan), which took effect September 2007, set into motion a new system called the Environmental Flows Allocation Process designed to keep the state's rivers and bays healthy by determining how much water flow is needed to maintain a robust environment and ensuring the needed amount of flow is legally protected.

This process is particularly complicated because any water removed from the river basin will have a strong impact on the flow of the river downstream. Meaning that parties near the river's estuary need to be aware of what is happening to the water upstream from them.

"There are seven river basins across Texas, so the Environmental Flows Allocation Process will gather input on all of those basins and determine how the flows are going to be controlled on each of those rivers," said Dr. Michael Banks, co-chair of the Friends of the Neches River and founder of Save Texas Parks. "Our basin here in Cherokee County is the Sabine and Neches River Basin. The state is beginning the process at the eastern side of the state and moving to the other side, so East Texas will be the first to undergo the flows process."

In addition to a statewide Environmental Flows Advisory Group — consisting of eight appointees by the governor, the speaker of the house and the lieutenant governor — a stakeholders group will be established for each of the seven river systems.

"Each stakeholders group will be made up of 17 or more people who are all from that particular basin. Each will represent a different interest category which the state has decided they want input from; like commercial fishing, water recreation, chemical manufacturing and environmental interests," Banks said.

Once the local stakeholders group is chosen by the state advisory group, each river basin will create a science team for their area. The science team will then have one year to determine how much water flow is needed at different points along the river. The stakeholders will then analyze the science team's findings and make recommendations to the Texas Commission on Environmental Quality on how to ensure the necessary flow is protected. TCEQ will subsequently use the recommendations offered by the stakeholders group and the science team to adopt flow standards for each of Texas' water systems.

Banks believes it is important that people familiar with the resources and needs of Cherokee

County land a place on the stakeholders group for the Sabine and Neches Rivers.

"This is a way for us to be able to control our own destiny as far as East Texas' water is concerned. This is the first time the state has ever done this, and I think it will be really interesting to see how it plays out," Banks said. "It will allow us to get involved and ensure that we are protected."

In order to establish a squad of qualified and motivated people for the seven stakeholders groups, the state has been accepting lists of candidates from the public during the past few months.

"Basically anybody can submit a list to the advisory group, but obviously your name coming up on the list submitted by a senator or a powerful organization is going to have more pull than someone just submitting themselves for consideration," Banks said. "I know the National Wildlife Federation and the Sierra Club and the Region I Regional Water Planning Group have all submitted a list."

Banks said he has personally been named on several lists submitted to the advisory group, including the list turned in by the Friends of the Neches River, and he feels it would be an honor to serve this region of Texas in that capacity.

The Environmental Flows Advisory Group has already met at least twice to consider the appointees for the East Texas stakeholders group, but at this time have yet to announce their selections.