

TCEQ rules exacerbate drought's impact on Galveston Bay

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The drought's devastating impact on the Galveston Bay oyster industry has made national headlines. Chances are you've heard the news. Extremely salty conditions in the bay due to reduced river flows are causing oyster predators and disease to thrive, harming one of the state's leading industries. However, this is only part of the story.

Oystermen, seafood eaters, restaurant owners and anyone else who loves the bay and relies on it for their livelihood should be warned. Thanks to a recent decision by the [Texas Commission on Environmental Quality \(TCEQ\)](#), the high salinity levels that are currently devastating oysters and other wildlife could become the norm rather than the exception.

In April, the TCEQ commissioners adopted regulations that would allow water flowing into the bay to be reduced to a drought-level trickle on a regular basis. These regulations were the result of a three-year-long effort intended to ensure sufficient water for fish and wildlife - and related industries - during times of drought while also meeting human water supply needs. (These regulations only impact new water rights, not existing water rights.) However, instead of putting adequate protections in place for our bay, the commissioners missed a critical opportunity and the process resulted in protections lower than those already in place.

Here is what we can expect in the future under these new regulations: more drought-like conditions, more often. Under the new rules, upstream water users will be allowed to pump the Trinity and San Jacinto rivers nearly dry, reducing summer flows into the bay to levels as low or even lower than we are experiencing now, during this drought, more than half the time.

We all know that droughts are a natural part of the weather cycle in Texas. Alternating periods of wet and dry weather cause salinities in the bay to rise and fall, benefiting some species and harming others. However, the TCEQ rules may impose an unnatural permanent increase in salinity levels that could cause this natural system to fail.

What will that look like? Oysters are an indicator species - the bay's proverbial canary in the coal mine. If this species declines, fish, shrimp and waterfowl will soon follow suit. This, in turn, would cause significant harm to commercial and recreational fishing, ecotourism and other industries that rely on the bay's ability to sustain fish and wildlife. This is not the future that we want for Galveston Bay.

So, where do we go from here?

First, TCEQ must revisit these rules and make them stronger. Also, water rights holders should be encouraged to participate in voluntarily efforts to ensure sufficient water flows into Galveston Bay. Through strategies such as voluntary donation or sale of existing water rights to environmental purposes and dedication of wastewater return flows, we can make the best use of our existing water supply and protect the long-term health of the bay and our economy. We commend the city of Houston for its recent dedication of approximately half of its wastewater return flows to this purpose as a critical first step in this effort.

Secondly, TCEQ must not make the same poor decision as they did for the Trinity and San Jacinto rivers and Galveston Bay area by enacting insufficient flow rules in other Texas river and bay systems. In the coming months, the commissioners will consider regulations to protect fish and wildlife in Central Texas rivers and Matagorda, Lavaca, Mission, Copano, Aransas and San Antonio bays. We urge them to take this opportunity to protect these natural treasures by adopting strong environmental flow standards.

Please join us in delivering this message to the TCEQ - Chairman [Bryan Shaw](#) and [Commissioners Carlos Rubinstein](#) and [Buddy Garcia](#).

This article was submitted by [Norman Johns](#), the water resources scientist in the [National Wildlife Federation's South Central Regional Office](#); [Ken Kramer](#), the director of the [Lone Star Chapter](#) of the [Sierra Club](#); [Scott Jones](#), an environmental policy specialist with the [Galveston Bay Foundation](#); and [Tracy Woody](#), an oysterman with [Jeri's Seafood](#).

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