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Proposed Rules Fall Short of Protecting Region's Rivers and Bays

Austin, Texas – The Texas Commission on Environmental Quality (TCEQ) Commissioners voted today to propose a set of environmental flow standards that falls short of adequately protecting Central Texas rivers and bays. This vote begins the final step in a multi-year stakeholder process to create standards that help determine how much water will remain flowing in the Colorado, Lavaca, Llano, Pedernales, Guadalupe, San Antonio, Blanco, Medina, and San Marcos rivers and into Matagorda and Lavaca bays and the San Antonio Bay system to sustain fish, shrimp, whooping cranes and other wildlife. The proposed rules will now undergo a formal public comment process before coming back to the TCEQ Commissioners for final consideration in August.

“The future health of Central Texas’s rivers and bays is in the hands of the three TCEQ Commissioners. Although the proposed rules fall short, we are heartened that, in proposing the rules, the Commissioners did acknowledge the need to consider including stronger protections when final rules are adopted. We urge them to take the critical step of strengthening the rules to safeguard fish and wildlife populations – and the jobs that depend on them – for future generations of Texans,” said Myron Hess, Manager of Texas Water Programs for the National Wildlife Federation.

Over the last two and half years, two stakeholder committees worked, along with their science advisors, to develop recommendations for flow standards adequate to protect aquatic species and habitat while providing reasonable opportunities to develop future water supplies. The stakeholder committees included representatives from river authorities, municipalities, industries, conservation groups, commercial and recreational fishermen, agricultural interests and other groups. After months of deliberations and compromise, the Colorado/Lavaca area committee unanimously approved comprehensive flow recommendations. The Guadalupe/San Antonio area committee also developed comprehensive recommendations, endorsed by a 21 to 3 vote.

“Striking a reasonable balance between providing the water needed to support healthy fish and wildlife populations and allowing for development of new water supply projects is no small feat. The stakeholders were faced with the difficult reality that much of the water flowing in our rivers has already been permitted for use with little or no consideration of impacts on fish and wildlife. Despite these challenges, both stakeholder groups succeeded in providing TCEQ with a reasonable set of flow recommendations. However, the TCEQ proposed rules fail to incorporate key aspects of those recommendations, leaving the region’s rivers and bays unnecessarily at risk,” said Tyson Broad, Research Associate with the Lone Star Chapter of the Sierra Club, who served on the Guadalupe/San Antonio area stakeholder committee.

“Fortunately, there is still time for the Commissioners to improve the proposed rules during the public comment process. People who enjoy eating Gulf oysters and shrimp, going fishing on the coast, canoeing or kayaking on Texas rivers, watching birds and other wildlife or just think it is important to preserve our natural heritage for future generations, all have a major stake in ensuring that strong rules are adopted,” added Jennifer Ellis, Senior Project Coordinator with the National Wildlife Federation, who also served on that same stakeholder committee.

TCEQ’s proposed rules are expected to be published in the Texas Register on April 13th, with the opportunity for written comments to be submitted to Kathleen.Ramirez@tceq.texas.gov until May 14. The environmental flow rules resulting from this process will govern future water rights permitting and guide voluntary strategies to help restore flows in Central and South Central Texas. This is the second set of areas to undergo a statewide process established by the Texas Legislature in 2007. # # #