

§357.8. Ecologically Unique River and Stream Segments.

- (a) Regional water planning groups may include in adopted regional water plans recommendations for all or parts of river and stream segments of unique ecological value located within the regional water planning area by preparing a recommendation package consisting of a physical description giving the location of the stream segment, maps, and photographs of the stream segment and a site characterization of the stream segment documented by supporting literature and data. The recommendation package shall address each of the criteria for designation of river and stream segments of ecological value found in subsection (b) of this section. The regional water planning group shall forward the recommendation package to the Texas Parks and Wildlife Department and allow the Texas Parks and Wildlife Department 30 days for its written evaluation of the recommendation. The adopted regional water plan shall include, if available, Texas Parks and Wildlife Department's written evaluation of each river and stream segment recommended as a river or stream segment of unique ecological value.
- (b) A regional water planning group may recommend a river or stream segment as being of unique ecological value based upon the following criteria:
- (1) biological function - stream segments which display significant overall habitat value including both quantity and quality considering the degree of biodiversity, age, and uniqueness observed and including terrestrial, wetland, aquatic, or estuarine habitats;
 - (2) hydrologic function - stream segments which are fringed by habitats that perform valuable hydrologic functions relating to water quality, flood attenuation, flow stabilization, or groundwater recharge and discharge;
 - (3) riparian conservation areas - stream segments which are fringed by significant areas in public ownership including state and federal refuges, wildlife management areas; preserves, parks, mitigation areas, or other areas held by governmental organizations for conservation purposes, or stream segments which are fringed by other areas managed for conservation purposes under a governmentally approved conservation plan;
 - (4) high water quality/exceptional aquatic life/high aesthetic value - stream segments and spring resources that are significant due to unique or critical habitats and exceptional aquatic life uses dependent on or associated with high water quality;
or
 - (5) threatened or endangered species/unique communities - sites along streams where water development projects would have significant detrimental effects on state or federally listed threatened and endangered species, and sites along streams significant due to the presence of unique, exemplary, or unusually extensive natural communities.
- (c) For every river and stream segment that has been designated as a unique river or stream segment by the legislature, during a session that ends not less than one year before the required date of submittal of an adopted regional water plan to the board, or recommended as a unique river or stream segment in the regional water plan, the regional

water planning group shall assess the impact of the regional water plan on these segments. The assessment shall be a quantitative analysis of the impact of the plan on the flows important to the river or stream segment, as determined by the regional water planning group, comparing current conditions to conditions with implementation of all recommended water management strategies. The assessment shall also describe the impact of the plan on the unique features cited in the region's recommendation of that segment.

Adopted effective March 11, 1998

Amended effective January 2, 2002

§357.9. Unique Sites for Reservoir Construction. A regional water planning group may recommend sites of unique value for construction of reservoirs by including descriptions of the sites, reasons for the unique designation and expected beneficiaries of the water supply to be developed at the site. The following criteria shall be used to determine if a site is unique for reservoir construction:

- (1) site-specific reservoir development is recommended as a specific water management strategy or in an alternative long-term scenario in an adopted regional water plan; or
- (2) the location, hydrologic, geologic, topographic, water availability, water quality, environmental, cultural, and current development characteristics, or other pertinent factors make the site uniquely suited for:
 - (A) reservoir development to provide water supply for the current planning period; or
 - (B) where it might reasonably be needed to meet needs beyond the 50-year planning period.

Adopted effective March 11, 1998

§357.10. Format of Information to be Presented in Regional Water Plans.

- (a) Initially prepared and adopted regional water plans or amendments to approved regional water plans shall include the following:
 - (1) technical report and data prepared in accordance with this chapter and the executive administrator's specifications;
 - (2) executive summary that documents the key regional water plan findings and recommendations; and
 - (3) summaries of all written and oral comments received pursuant to §357.11(b) of this title (relating to Adoption of Regional Water Plans by Regional Water Planning Groups), with a response by the regional water planning group explaining how the plan was revised or why changes were not warranted in response to written comments received under §357.11(b) of this title.
- (b) The regional water planning group will transfer copies of all data and reports generated by the planning process and used in developing the regional water plan to the executive administrator. To the maximum extent possible, data shall be transferred in digital form according to specifications provided by the executive administrator. One copy of all