

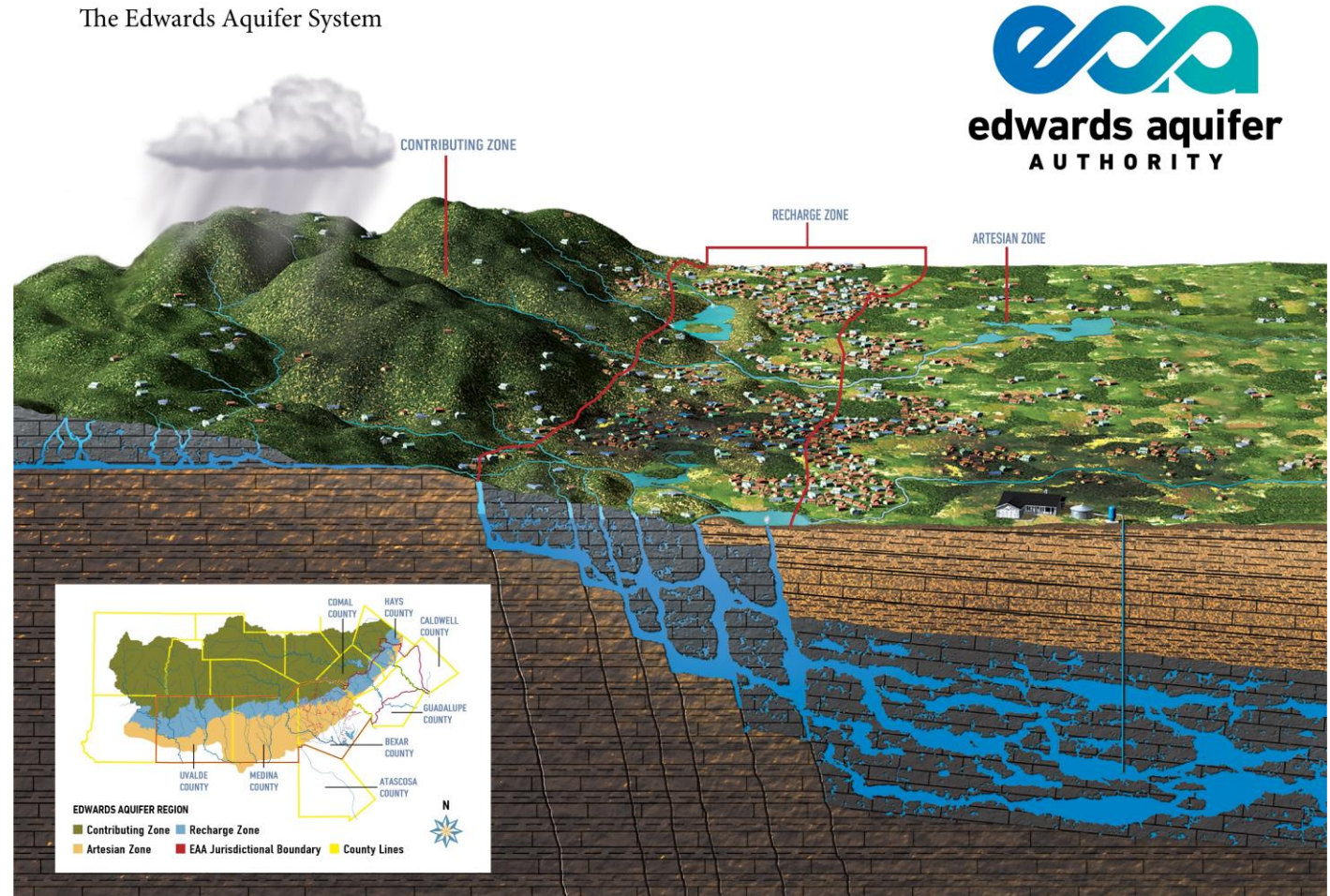
EAHCP Incidental Take Permit Renewal

July 20, 2026



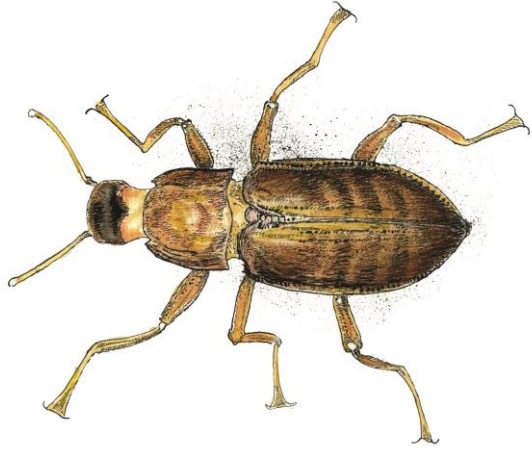
Edwards Aquifer Habitat Conservation Plan

- ▲ The Comal Springs are located in and around Landa Park
- ▲ Largest spring system in Texas
- ▲ Water from Comal Springs and Comal River comes from the Edwards Aquifer
- ▲ Edwards Aquifer and springs are home to several endangered species

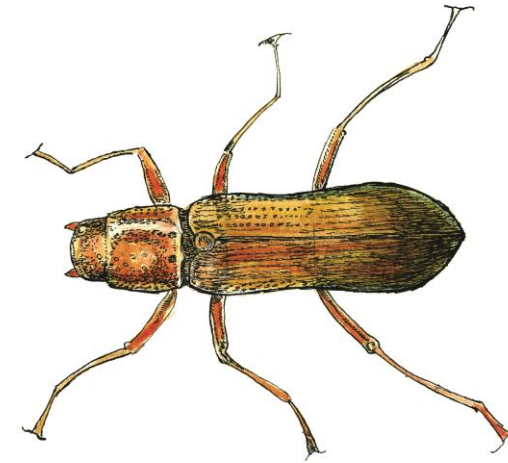


Endangered Species in Comal Springs

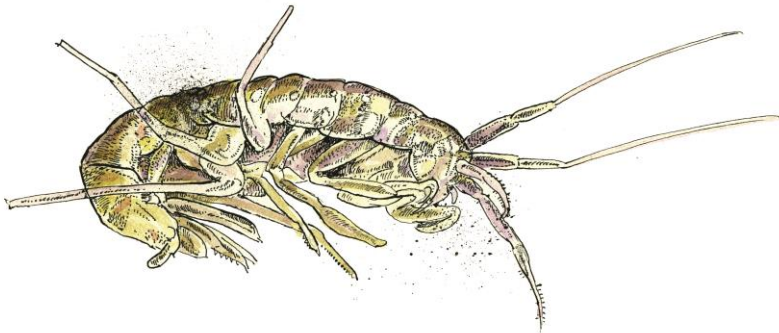
Covered endangered species in Comal Springs:



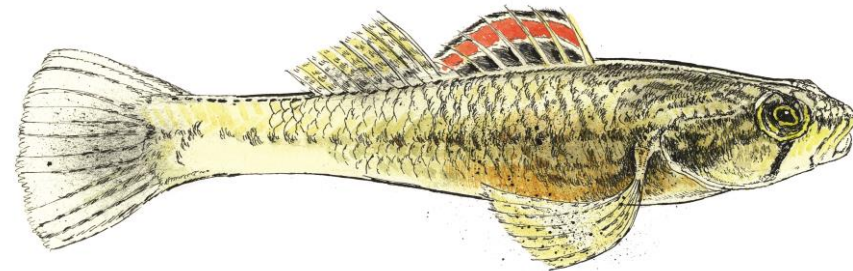
Comal Springs Riffle Beetle



Comal Springs Dryopid Beetle



Peck's Cave Amphipod



Fountain Darter

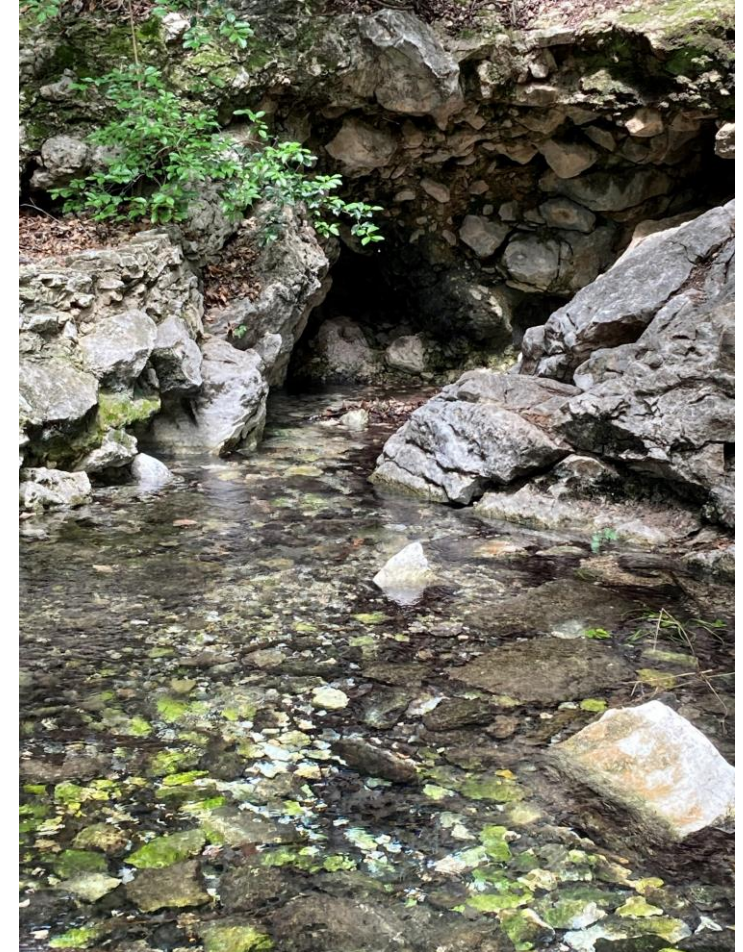
Edwards Aquifer Habitat Conservation Plan

- Protecting the Edwards Aquifer and the endangered species is required by the Texas Legislature
- The Edwards Aquifer Habitat Conservation Plan (**EAHCP**) is a regional plan to protect 7 listed endangered and 1 threatened species in the San Marcos & Comal River systems
- The EAHCP maintains New Braunfels' compliance with the federal Endangered Species Act (**ESA**).
- An Incidental Take Permit (**ITP**) is issued by US Fish and Wildlife Service (**USFWS**) under the ESA.
- Current ITP is a 15-year term, started in 2013 and expires March 2028
- New permit is needed to continue to have legal protection without violating the ESA



What is an Incidental Take Permit?

- ▲ ESA prohibits the intentional or unintentional impacts on listed threatened or endangered species which causes strain on economic development and activities
- ▲ Congress amended the ESA to allow USFWS to issue ITPs to lessen strain
- ▲ The CoNB needs an ITP for legal protection for activities that occur in and around endangered species habitat.
 - Facilitation of river recreation
 - Construction of river-related infrastructure



What is a Habitat Conservation Plan?

- ▲ The Habitat Conservation Plan is the document that shows how the requirements for an ITP are met.
 - Assesses impacts from the proposed activities on the covered species.
 - Demonstrates how impacts will be offset through conservation.
 - Provides measures to address changed circumstances during the permit term
- ▲ The City of New Braunfels has been a part of EAHCP since 2013
- ▲ The majority of the City's EAHCP costs are funded by the EAHCP



Edwards Aquifer Habitat Conservation Plan



Biofiltration System located at Landa Park Aquatic Center

Edwards Aquifer Habitat Conservation Plan



Biofiltration system located at Elizabeth Ave. and
Landa Park Dr.



Vegetation buffer along Spring Run #3, Landa Park

What Happens Without the EAHCP?

Without the EAHCP:

- ▲ City of New Braunfels must either avoid impacts to listed species by:
 - Limiting or prohibiting maintenance and construction of infrastructure in the river systems
 - Limiting or prohibiting aquatic recreation in the river systems
- ▲ At substantial risk for lawsuits for violation of the ESA

Or,

- ▲ City of New Braunfels would need to apply for its own ITP and create and fund its own HCP.
 - Millions of dollars and time intensive

EAHCP Permit Renewal Proposed Covered Activities

- ▲ Existing EAHCP Covered Activities:
 - ▲ Public Recreational Use of the Comal River
 - ▲ Permitted Use of the Edwards Aquifer/ Comal River water
 - ▲ Management of ecosystem and infrastructure to maintain constant flow in Comal River
 - ▲ Maintenance of Spring-fed Pool
 - ▲ Operation of boats in Comal River and Landa Lake for specified uses
 - ▲ Implementation of EAHCP minimization and mitigation activities (conservation measures/ restoration activities)
- ▲ New EAHCP Covered Activity:
 - ▲ Infrastructure Maintenance, Repair, and Construction that may require USFWS permitting

EAHCP Permit Renewal – Proposed Biological Goals

Biological Goals broadly define the overall desired future conditions of an HCP and provide guiding principles for the HCP's conservation strategy

- ▲ Conserve the quality and quantity of springflow and maintain suitable ecosystems for covered species
- ▲ Conserve habitats to support resilient populations of covered species
- ▲ Promote community engagement and awareness of the EAHCP



EAHCP Permit Renewal – Proposed Biological Objectives

Biological Objectives describe the specific, incremental steps that should be taken to achieve the Biological Goals.

- ▲ Maintain Minimum Comal Springs Discharge
- ▲ Maintain Water Quality Objectives for Comal Springs and River
- ▲ Maintain habitat specific to each listed species in Comal Springs and River



EAHCP Permit Renewal Springflow Protection Measures

Spring Flow Objectives:

- ▲ 30-year long term average >225 cfs
- ▲ 3-year rolling average >174 cfs;
- ▲ Monthly average >45 cfs 11+ months/year
- ▲ Daily average >30 cfs

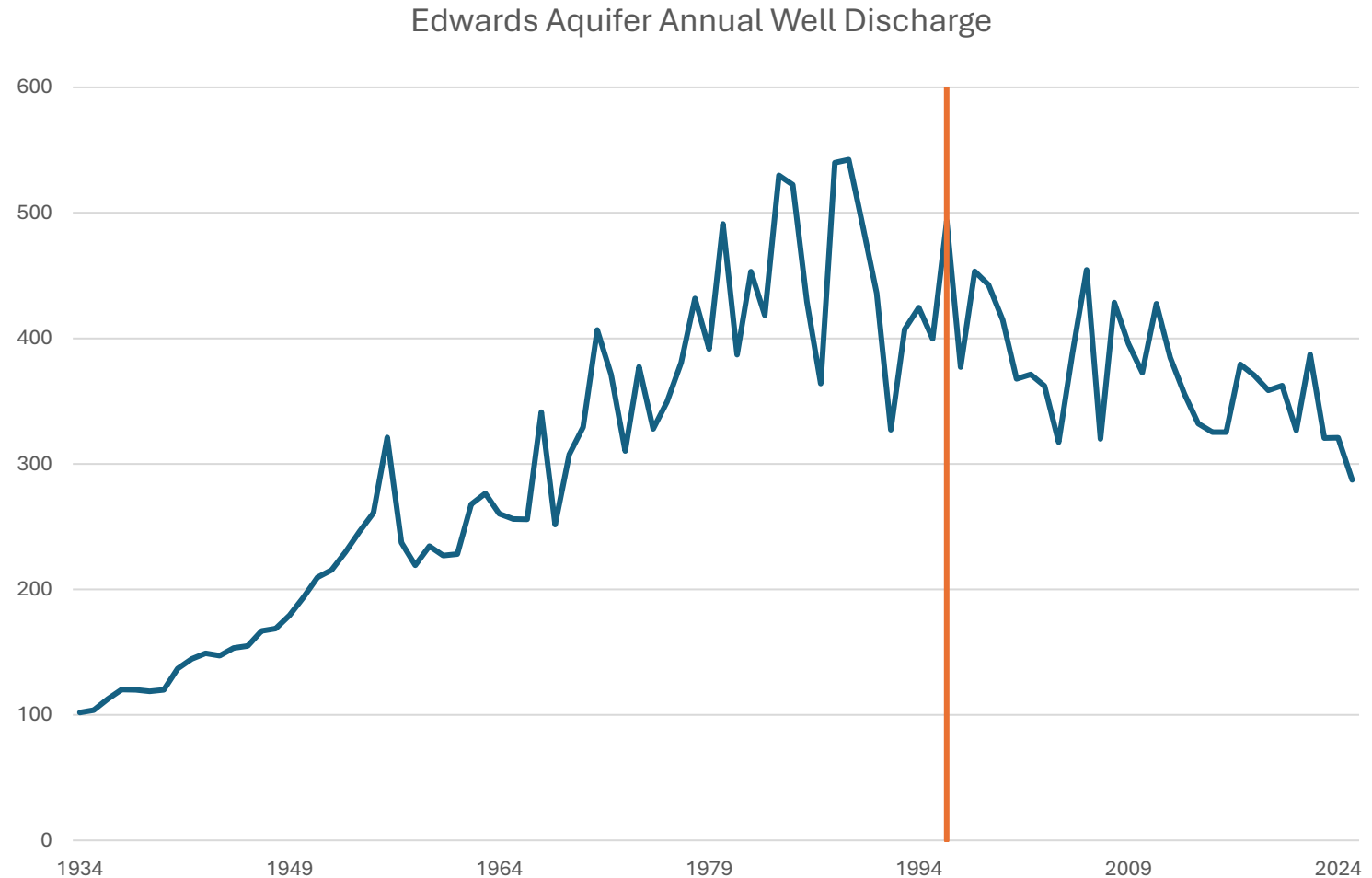
Metrics for achieving springflow measures:

- ▲ Standard permitting
- ▲ Forbearance programs
- ▲ Purchase of water rights
- ▲ Land conservation
- ▲ Aquifer Storage and Recovery program



EAHCP Permit Renewal Springflow Protection Measures

- Maximum annual Edwards Aquifer permitted withdrawal volume since 1996 is 572,000 acre-feet **(AF)**



EAHCP Permit Renewal Proposed Habitat Conservation Measures

These measures would be primarily the responsibility of the CoNB to implement.

- ▲ Aquatic Recreation Management
- ▲ Litter Management*
- ▲ Aquatic Vegetation Management*
- ▲ Floating Vegetation Management*
- ▲ Non-Native Animal Species Management*
- ▲ Riparian Zone Management*
- ▲ Sediment Accumulation Management*
- ▲ Flow-Split Management for Old and New Channel
- ▲ Surface Water Diversions and Golf Course Management

* Currently receive funding assistance from EAHCP



EAHCP Refugia Program

- ▲ Care and maintenance of Edwards Aquifer endangered species at the USFWS' San Marcos Aquatic Resources Center and Uvalde National Fish Hatchery.
- ▲ Includes research on captive endangered species
- ▲ Salvage collection and reintroduction of species as needed



Comparison of Current HCP to Renewed Permit HCP

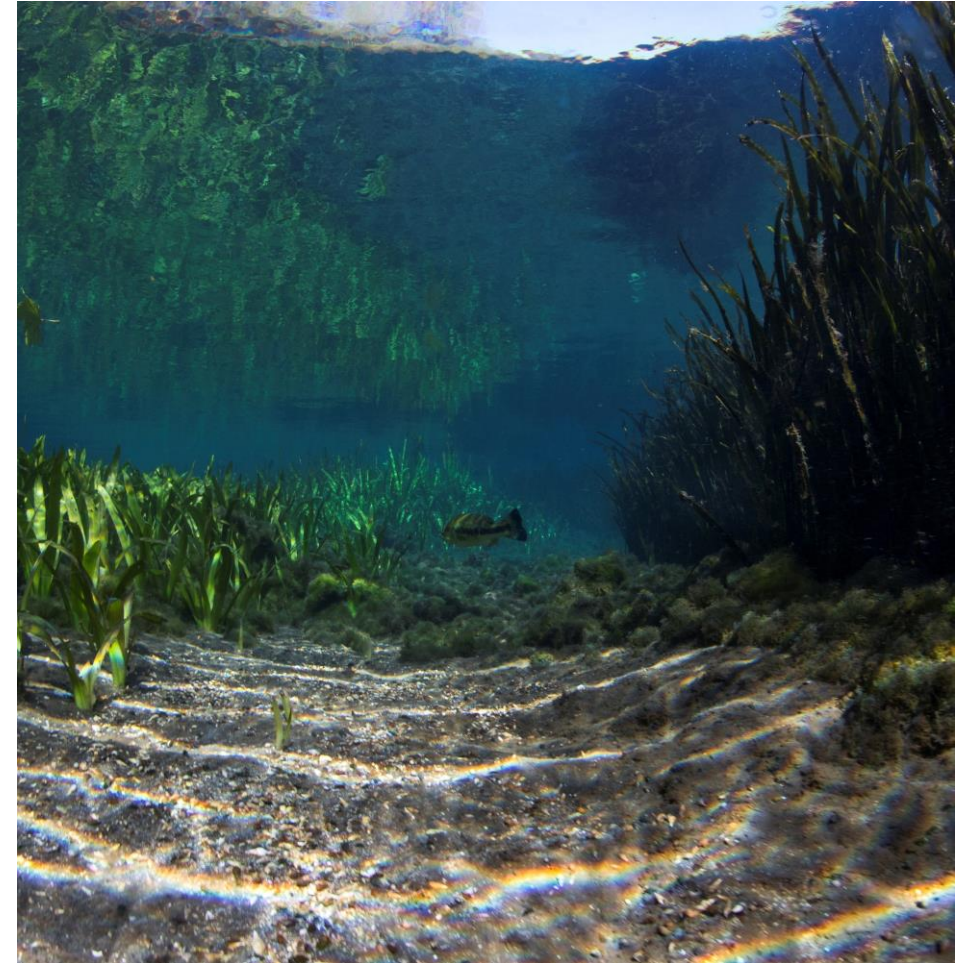
	Current EAHCP	Renewed EAHCP
Permit Term	15 years (2013-2028)	Up to 30-year permit term (2028-2058)
Permit / Plan Area	- Comal and San Marcos spring and river systems - Edwards Aquifer region	- Same core geographic area - May refine plan boundaries as needed
Covered Activities	<i>Four primary activity categories:</i> - Aquifer regulation and groundwater withdrawal - Aquatic recreation - Activities in and related to the river and spring ecosystems - Conservation activities	<i>Builds on existing activity categories, with expanded coverage:</i> - Groundwater withdrawal and aquifer management - Aquatic recreation (e.g., boating, river use) - Maintenance and operational activities - Surface water management and diversion - Additional activities identified through stakeholder / agency input
Covered Species	11 covered species	7 species (4 species removed from current covered species list due to status changes)
Conservation Measures	- Springflow protection measures - Habitat protection and restoration - Refugia program - Supporting measures (e.g., water quality, research)	- Builds on existing conservation measures - Updated and refined based on monitoring and new data - Evaluation of effectiveness
Monitoring & Adaptive Management	- Monitoring of species, habitat and springflow - Adaptive management to adjust strategy based on results	- Continued monitoring and adaptive management - Enhanced use of data to evaluate and refine measures
Cost and Funding	Defined funding commitments for current permit term	Updated funding commitments for extended permit term

EAHCP Renewal Next Steps

- ▲ Sept. 2026: 1st Draft of EAHCP submitted to US Fish and Wildlife Service (USFWS) for review/ comment
- ▲ Nov. – Dec. 2026: Address any USFWS and permittee comments
- ▲ Mar. 2026: Submit 2nd draft EAHCP to USFWS
- ▲ July 2027 – Feb. 2028: Prepare Environmental Impact Statement for National Environmental Policy Act (**NEPA**) review.
- ▲ Dec. 2027: Permittees review final draft EAHCP. Seek Council resolution approving EAHCP and submittal of ITP application and EAHCP to USFWS.
- ▲ Feb. 2028: USFWS releases public draft EAHCP.

Importance of EAHCP Renewal

- ▲ The City of New Braunfels needs an ITP to have legal protection
- ▲ Getting our own permit would cost millions of dollars and be an ongoing effort
- ▲ The Habitat Conservation Plan puts springflow protection into place that are designed to keep the springs and river flowing
- ▲ The City has protection for responsible river recreation on the Comal to continue with this ITP



Questions?

