

CHAPTER 2

Schlitterbahn Waterpark Resort

Schlitterbahn owns and operates two large sections of property bordering both the Old and New Channels of the Comal River. The West property stretches from Elizabeth Avenue to Hinman Island Drive and the East property stretches from San Antonio Street to Lincoln Street. The property is operated as both a Waterpark and resort. As described below, Schlitterbahn seeks incidental take protection for:

- 1) recreational activities associated with its current operations including the permitted diversion of water from the Comal River (TCEQ permits 3828 and 3818A).
- 2) management, operation and maintenance of its facilities bordering the Comal ecosystem, and
- 3) for the minimization and mitigation measures that it will implement or have the responsibility for having implemented.

These Covered Activities are described in more detail below and in Chapter 5. Schlitterbahn is not asking for funding through the EARIP to perform the listed minimization and mitigation measures.

Management of Private Recreational Use of the New and Old Channels of the Comal River Ecosystems

Schlitterbahn currently manages the private recreational access to the New and Old Channels of the Comal River from its property. These recreational uses include but are not limited to, swimming, wading, tubing, boating, canoeing, kayaking, and fishing.

Waterpark Diversions and Operation

Schlitterbahn operates a series of tube chutes and pools adjacent to the Old Channel of the Comal River that run on diverted Comal River water. Surface water diversions will be operated in accordance with TCEQ rules as established by permit 3818A, and are non-consumptive (pass through). Additionally, maintenance operations for these pools and chutes including routine cleaning will be conducted using best practices recommended for the Spring fed pool in the 2003 Comal Management Plan (This document is available through the EARIP website).

Schlitterbahn also has a 3 ac-ft/yr irrigation water right from the New Channel of the Comal River. Surface water diversions will be operated in accordance with TCEQ rules as established by permit 3828.

Boat Operations on Comal River

Schlitterbahn operates boats on the Old Channel related to maintenance/operation activities and litter collection.

Infrastructure Maintenance and Repair

Schlitterbahn performs routine, minor maintenance and repairs of infrastructure and facilities associated or located on Schlitterbahn property adjacent to the Comal River. Routine maintenance and repairs would include activities such as repairs to rides, buildings and walkways, mowing and landscaping, and the cleaning of walkways, pools, rides, and other guest access areas. These maintenance and repair tasks would not involve activities requiring a USACE 404 permit or authorization.

Litter Collection and dead aquatic vegetation removal

Schlitterbahn cleans litter, debris and floating, dead aquatic vegetation, both flood related and routine, from the Old Channel.

Minimization and Mitigation Measures

Schlitterbahn will implement the following minimization and mitigation measures specifically designed to contribute to recovery of the fountain darter under the HCP. These measures are further detailed in Chapter 5.

- Management of Private Recreational Use of the Old Channel
- Administration of Educational Programs on the Comal Ecosystems and Listed Species
- Native Riparian Habitat Protection and Restoration
- Removal of non-native vegetation
- Litter and dead aquatic vegetation removal from Old Channel
- Private property access to the EARIP for Bio-Monitoring and HCP management.
- Storm Water Filtration

CHAPTER 5

Schlitterbahn

Management of Private Recreational Use of the New and Old Channel from Schlitterbahn Property

Schlitterbahn will manage the impacts of recreation on the fountain darter in the Old and New Channels from their property by:

- Trespassing enforcement. Restricting public access to the river from Schlitterbahn property. Schlitterbahn will police its grounds and maintain perimeter fencing around its property bordering the Old and New Channels.
- Restricting access to 'prime habitat' in sections of the Old Channel. Specifically the areas being considered as part of the ERPA.
- Education of park guests on the Comal ecosystem and listed species using signage at key points along the river banks. This will be a joint initiative with the City of New Braunfels.

Native Riparian Habitat Restoration and Control of Non-Native Plant Species

To mitigate the impacts of low flow and support ecological integrity, Schlitterbahn will protect and restore native riparian zones along its property. Riparian zones will be created, restored and protected along the Schlitterbahn property bordering both the New and Old Channels where natural embankments exist and within the limits of existing infrastructure and property use.

The method of riparian zone establishment will include the removal of non-native plants such as elephant ears (*Colocasia*) and replanting of native vegetation such as Cypress trees (*Taxodium distichum*) representative of a healthy, functioning riparian zone. The riparian zone will be monitored (at least annually) for continued success and removal of reestablished non-natives. Riparian zones will be protected throughout the HCP process.

Litter Removal

Schlitterbahn will remove inorganic litter and dead/decaying vegetation from the section of the Old Channel bordering its property during the recreational season and less often during the offseason. Schlitterbahn will also support New Channel litter removal initiatives implemented by the City of New Braunfels.

Private Property Access for HCP implementation

Schlitterbahn will grant access to its property for the purpose of bio-monitoring and HCP management activities located adjacent to its property along the Old and New Channels. Examples of HCP management activities would include removal of harmful non-native plant and animal species and habitat restoration associated with the proposed Old Channel ERPA. This measure does not include an experimental channel or recirculation on Schlitterbahn property. Advance notice for access will be required to ensure Schlitterbahn operations are not affected.

Storm Water Filtration

Schlitterbahn will develop and implement a phased plan to install filter bags in existing storm water collection boxes that discharge into the Comal River. These filters are designed to protect high risk storm drains from trash, silt, sediments, hydrocarbons and other pollutants associated with street/parking lot runoff. The storm drains for filter installation will be prioritized by location and implementation will be phased according to the priority schedule and feasibility.