

History of the Texas Groundwater Protection Committee

October 26, 2009

House Bill 1458 sponsored by Representative Lena Guerrero in the House and Senator Santiesteban in the Senate, was passed by the 70th Legislature in 1989, set out the state's groundwater protection policy, and created the Texas Groundwater Protection Committee (TGPC) in Chapter 26 of the Texas Water Code. At its inception, the Committee was composed of the chief executives of the Texas Water Commission (TWC), the Texas Water Development Board (TWDB), the Railroad Commission of Texas (RRC), the Texas Department of Health (TDH), and the Texas State Soil and Water Conservation Board (TSSWCB), as well as the Deputy Commissioner of the Department of Agriculture (TDA), and a representative selected by the Texas Groundwater Conservation Districts Association (TGCDA).

The duties of the Committee were set forth as coordinating groundwater protection activities of the agencies represented on the Committee, developing and updating a comprehensive groundwater protection strategy for the state, studying and recommending to the legislature groundwater protection programs for areas in which groundwater is not protected by current regulation, filing a report on the Committee's activities and recommendations with the Governor and the legislature, and finally, publishing a joint groundwater monitoring and contamination report.

Though not codified, there was a predecessor committee of five agencies. The Ground Water Protection Committee was formed in 1985, and consisted of the TWC, TWDB, RRC, TDH, and TDA. The Committee's goals were to delineate the current status of state agency administered groundwater protection programs, establish better coordination of these activities, and develop a comprehensive strategy for addressing groundwater protection in the state.

Subcommittees of this group developed the first *Texas Groundwater Protection Strategy* (1988), language for the state's adopted groundwater policy, the state's groundwater classification system, and ultimately implemented HB 1458, creating the current TGPC.

The first two years of the TGPC saw adoption of rules to fulfill statutory mandates, development of the first *Texas State Management Plan for Agricultural Chemicals in Ground Water*, and an update of the *Texas Groundwater Protection Strategy*. The first *Joint Groundwater Monitoring and Contamination Report* was published, listing 2,244 cases of groundwater contamination.

Subcommittees and work groups are created at the call of the Chairman. Upon approval of the TGPC, the subcommittees address specific groundwater-related issues or areas of program development and keep the TGPC apprised of ongoing issues and projects. The subcommittees report and provide recommendations to the TGPC at its regularly scheduled meetings. At its meetings, the TGPC considers the findings and recommendations of the subcommittees, and after holding discussion, takes action as it

finds appropriate for each issue. The public is encouraged to fully participate in the subcommittee process.

Senate Bill 469 of the 73rd Texas Legislature, 1993, amended Section 26.403 of the Texas Water Code to extend Committee membership to the Texas Agricultural Experiment Station (TAES) and the University of Texas Bureau of Economic Geology (UTBEG). In addition, SB 469 further amended Section 26.403 to formally recognize the name change from the Texas Groundwater Conservation Districts Association to the Texas Alliance of Groundwater Districts (TAGD).

The Committee began publishing educational brochures in 1994 outlining the Committee's creation and mandate, membership, and major responsibilities. The brochure also discusses the state's groundwater protection strategy and implementation, subcommittee responsibilities, Committee meetings, and the development of a Comprehensive State Ground-Water Protection Program. The brochure was initially distributed to the general public and other interested parties during 1995 by the Committee's member agencies.

1996 was a very productive year for the Committee, seeing the development of the *Texas State Management Plan for Prevention of Pesticide Contamination of Ground Water* (TGPC, 1996), the *Texas Ground-Water Data Dictionary* (TGPC, 1996), and the *Texas Groundwater Program Directory* (TGPC, 1996).

In 1998, the TGPC established an Internet website (www.tgpc.state.tx.us). The TGPC's homepage provides "hot links" to the member agencies' homepages and recent TGPC publications. Links are also provided to general information about the TGPC and the subcommittees, records of TGPC meetings, the TGPC's Groundwater Classification System, and TGPC rules. Links to meeting announcements and locations are provided on the homepage, as are opportunities for the public to provide comments or seek inclusion on the TGPC's mailing list.

The TGPC's recommendation to amend TGPC membership to add the Water Well Drillers and Pump Installers Program was carried as legislation and passed. House Bill 1848 amended the TGPC's enabling law to provide that a representative of the Water Well Drillers and Pump Installers Program of the Texas Department of Licensing and Regulation (TDLR) selected by the Department's Executive Director serve as a member of the TGPC. The Texas Water Well Drillers Board was one of the original members of the Texas Groundwater Protection Committee when it was established in 1989. However, subsequent agency reorganizations placed the Water Well Drillers and Pump Installers Program in the TDLR, which was not a TGPC member.

1999 saw the peak in cases tracked by the TGPC through its *Joint Groundwater Monitoring and Contamination Report*, with 8,065 cases. The number of cases tracked began to decline after this to the current number, 4,729 for calendar year 2008. The decline in cases represents a "maturing" of groundwater-focused regulatory programs –

most of the existing cases of groundwater contamination were discovered in the early stages of groundwater programs, and have been addressed by the appropriate agencies.

Starting the new century, the Committee began to focus on a new *Texas Groundwater Protection Strategy* for the state, and published the current *Strategy* document in 2003. The Committee determined at the time that the *Strategy* should be revisited and revised as necessary on a six year schedule. The Committee is presently working on an update.

The remainder of the decade was uneventful in terms of additions to the Committee membership or alterations the Committee's mission. The Committee concentrated on implementing provisions of the *Texas Groundwater Protection Strategy*, including the development of an enhanced statewide groundwater monitoring program.

Over its twenty year history, the Committee has:

- Produced and delivered 10 reports to the legislature with recommendations;
- Produced and delivered 20 *Joint Groundwater Monitoring and Contamination Reports*, tracking 16,798 cases of groundwater contamination;
- Produced numerous brochures and factsheets on groundwater-related subjects;
- Participated in the preparation of three Pesticide Management Plans; and,
- Produced two groundwater protection strategies for the state.