

**TEXAS GROUNDWATER PROTECTION COMMITTEE  
GROUNDWATER ISSUES SUBCOMMITTEE  
RECORD OF MEETING**

Third Quarter Meeting, Fiscal Year 2015

Meeting Date: April 22, 2015  
Meeting No.: 1

Place: TCEQ Campus, Bldg. F  
Room: 2210

TABLE OF CONTENTS

<b>MEETING ATTENDANCE .....</b>	<b>2</b>
<b>MEETING HANDOUTS.....</b>	<b>3</b>
<b>MEETING RECORD OF APRIL 22, 2015 .....</b>	<b>4</b>
1. CALL TO ORDER AND INTRODUCTIONS.....	4
2. REVIEW OF GROUNDWATER ISSUES SUBCOMMITTEE CHARGE.....	4
3. DISCUSS SUBCOMMITTEE ORGANIZATION .....	4
4. RECOMMEND CO-CHAIR FOR TGPC CONSIDERATION .....	5
5. SET FUTURE MEETING DATE .....	5
6. DISCUSSION OF GROUNDWATER CLASSIFICATION SYSTEM.....	5
7. DISCUSSION OF CURRENT GROUNDWATER QUALITY ISSUES .....	6
8. ANNOUNCEMENTS.....	6
9. PUBLIC COMMENT.....	6
10. ADJOURN.....	6

## MEETING ATTENDANCE

### Subcommittee Members

Cary Betz (TGPC Chair)  
Adam Foster  
Emily Hall  
T.J. Helton

Janie Hopkins  
Chris Moore  
David Villarreal  
Kevin Wagner  
Kristine Uhlman

### Affiliation

Texas Commission on Environmental Quality (TCEQ)  
Texas Department of Licensing and Regulation (TDLR)  
Department of State Health Services (DSHS)  
Texas State Soil and Water Conservation Board  
(TSSWCB)  
Texas Water Development Board (TWDB)  
Railroad Commission of Texas (RRC)  
Texas Department of Agriculture (TDA)  
Texas A&M AgriLife Research (AgriLife Research)  
University of Texas Bureau of Economic Geology  
(UTBEG)

### Agency Staff

Al Cherepon  
Kelly Mills  
Scott Underwood  
Marcia Workman

### Affiliation      Program

TCEQ	Water Availability Division

## MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee Groundwater Issues Subcommittee Meeting on April 22, 2015
2. Texas Groundwater Protection Committee, Groundwater Issues Subcommittee, Subcommittee Charge, January 21, 2015, [http://tgpc.state.tx.us/wp-content/themes/responsive/subcommittees/gwissues/GWI\\_SubComm\\_Charge22Apr2015.pdf](http://tgpc.state.tx.us/wp-content/themes/responsive/subcommittees/gwissues/GWI_SubComm_Charge22Apr2015.pdf)
3. Legislative Budget Board, *Improve Available Information on Brackish Groundwater for Water Planning*, Executive Summary of Legislative Budget Board Reports, January 2015, ID 1886, p. 59, [http://www.lbb.state.tx.us/Documents/Publications/GEER/1880\\_Exec\\_Summ\\_2015.pdf](http://www.lbb.state.tx.us/Documents/Publications/GEER/1880_Exec_Summ_2015.pdf)
4. Legislative Budget Board, *Improve Available Information on Brackish Groundwater For Water Planning*, Texas State Government Effectiveness and Efficiency Report-Selected Issues and Recommendations, January 2015, ID 1110, pp. 329-335, [http://www.lbb.state.tx.us/Documents/Publications/GEER/Government\\_Effectiveness\\_and\\_Efficiency\\_Report\\_2015.pdf](http://www.lbb.state.tx.us/Documents/Publications/GEER/Government_Effectiveness_and_Efficiency_Report_2015.pdf)
5. HB 1635, Texas Legislature Online-84 (R) History for HB 1635, Council Document 84R 2786 SLB-D, [Texas Legislature Online - 84\(R\) History for HB 1635](#), Retrieved April 22, 2015
6. SB 1421 (HB 1635 companion), Texas Legislature Online-84 (R) History for SB 1421, Council Document 84R 2786 SLB-D, [Texas Legislature Online - 84\(R\) History for SB 1421](#), Retrieved April 22, 2015

## **MEETING RECORD OF APRIL 22, 2015**

### **CALL TO ORDER AND INTRODUCTIONS**

Cary Betz (TCEQ), designated Chair of the Texas Groundwater Protection Committee (TGPC), called the first Groundwater Issues Subcommittee (GIS) meeting to order at 10:08 AM. GIS members introduced themselves.

David Van Dresar, representative for the Texas Alliance of Groundwater Districts (TAGD), was not present.

### **REVIEW OF GROUNDWATER ISSUES SUBCOMMITTEE CHARGE**

Cary Betz (TCEQ) reported that the TGPC approved the GIS Charge on January 21, 2015 (Handout 2). Mr. Betz and members discussed the GIS Charge regarding the TGPC sponsorship, TCEQ and other member co-chairs, interagency communications, purpose, and support for the Texas Groundwater Strategy and Public Outreach and Education (POE) Subcommittee.

### **DISCUSS SUBCOMMITTEE ORGANIZATION**

Cary Betz (TCEQ) discussed GIS organization and the encouragement of public participation. The TGPC will deactivate the Agricultural Chemicals, Data Management, and Research Subcommittees. The GIS will supersede those subcommittees and roll their critical tasks into respective Task Forces. The GIS will be responsible for sampling locations, nonpoint sources, best management practices, research, and data management. For special issues, individual Task Forces can be formed by consensus. The GIS will handle existing items through agenda and special needs by Task Forces. Task Forces are not subject to open meeting requirements and can meet by any means convenient to its members. However, public interest in a Task Force may warrant an open meeting at the TCEQ.

Al Cherepon (TCEQ) reported EPA concerns about the GIS organization, meeting frequency, and interagency communication.

Kevin Wagner (AgriLife Research) suggested incorporating Task Force issues into the GIS quarterly meeting agenda. GIS members agreed this would be logistically efficient.

Al Cherepon (TCEQ) reported the EPA has recently shown more interest in surface water sampling for pesticide analysis. Cary Betz (TCEQ) reported surface water sampling is not in the scope of the GIS Charge.

David Villarreal (TDA) reported that several years ago, his agency prepared a surface water-sampling plan for the EPA but the EPA dropped the project. The work plan files are still accessible.

## RECOMMEND CO-CHAIR FOR TGPC CONSIDERATION

Cary Betz (TCEQ) announced that the GIS must select a co-chair to share responsibilities between the TCEQ and another member agency. Mr. Betz explained that the TCEQ is the lead agency in supporting TGPC activities and designates one TCEQ Co-chair for each active subcommittee. Subcommittee members select the other co-chair and recommend them for TGPC consideration. Any member agency can be a candidate for the GIS Co-chair.

Cary Betz (TCEQ) discussed prospective co-chair agencies' interests: the RRC is increasingly active in groundwater affairs; groundwater agricultural issues make the TDA a likely candidate; the TWDB would be a logical because of their planning and evaluation rules and, the TSSWCB has non-point source and agricultural issues.

GIS members discussed options for co-chair term length, alternating co-chairs, biennial review of co-chair, and GIS Charge amendments. Cary Betz (TCEQ) reported that the TGPC would make the final determination on these issues.

Chris Moore (RRC) announced that his agency is willing to be co-chair. By consensus, GIS members selected Mr. Moore for the GIS Co-chair.

Cary Betz (TCEQ) announced that Kelly Mills (TCEQ) will be the agency's GIS Co-chair and Al Cherepon (TCEQ) will be integral and backup Mr. Mills. Scott Underwood (TCEQ) will provide administrative support.

## SET FUTURE MEETING DATE

Cary Betz (TCEQ) announced the next meeting would be either July 15 or July 22, 2015. The final date will be determined later today at the TGPC meeting.

## DISCUSSION OF GROUNDWATER CLASSIFICATION SYSTEM

Cary Betz distributed Meeting Handouts 3, 4, 5, and 6. Handouts 3 and 4 are the Legislative Budget Board's (LBB) January 2015 recommendation summary and report to the legislature. Handouts 5 and 6 are HB 1635 and its companion SB 1421.

Cary Betz (TCEQ) reported that the LBB recommended that the TGPC develop and adopt by rule, a standardized groundwater classification system. HB 1635 expanded on LBB's recommendation by listing specific requirements. Mr. Betz summarized that the recommendation, report, and bill are a start but developing a groundwater classification system would be a challenge for the GIS and TWDB.

Janie Hopkins (TWDB) questioned a LBB conclusion that there would not be a "significant fiscal impact". Cary Betz (TCEQ) responded that TCEQ's attorney said the HB 1635 does not require individual agencies to change their existing classification systems to conform to a TGPC classification system.

Kelly Mills (TCEQ) reported that seven groundwater bills have passed through legislative committees but HB 1635 has not.

Cary Betz (TCEQ) announced that the groundwater classification system would be an agenda item for the GIS.

#### DISCUSSION OF CURRENT GROUNDWATER QUALITY ISSUES

Cary Betz (TCEQ) reported that Southern Methodist University recently completed a model of seismic events near Azle, Texas. The study concluded the seismic events are not result of a single influence but rather a combination of influences including the injection of oil and gas waste and the withdrawal of oil and gas during production activities. David Villarreal (TDA) announced he would send the link to the SMU study to the GIS members.

Cary Betz (TCEQ) reminded the GIS that groundwater quality issue recommendations must go through the TGPC agenda for approval.

David Villarreal (TDA) reported that the Comptroller is looking at spring outflow effects on a threatened species of mussels. Cary Betz (TCEQ) referenced a report that concluded mussel habitat loss is from storm scouring and competing species rather than inadequate spring outflow.

#### ANNOUNCEMENTS

There were no announcements.

#### PUBLIC COMMENT

There were no public comments.

#### ADJOURN

Cary Betz (TCEQ) adjourned the meeting at 11:35 AM.