

GROUNDWATER ISSUES SUBCOMMITTEE  
OF THE  
TEXAS GROUNDWATER PROTECTION COMMITTEE  
RECORD OF MEETING  
Second Quarter Meeting, Fiscal Year 2017

Meeting Date: December 14, 2016  
Meeting No.: 8

Place: TCEQ Campus, Bldg B  
Room: 201A

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## MEETING ATTENDANCE

### Subcommittee Members

Kathy McCormack (Co-Chair)

Peter Pope (Co-Chair)

Alan Cherepon

Larry French

Deba Dutta

David Villarreal

T.J. Helton

David Van Dresar

John Tracy

Linda Ruiz McCall

Alberto Jimenez

Cindy Loeffler

Lynne Fahlquist

### Affiliation

Texas Commission on Environmental Quality (TCEQ)

Railroad Commission of Texas (RRC)

TCEQ

Texas Water Development Board (TWDB)

Texas Department of State Health Service (DSHS)

Texas Department of Agriculture (TDA)

Texas State Soil and Water Conservation Board  
(TSSWCB)

Texas Alliance of Groundwater Districts (TAGD)

Texas A&M AgriLife Research (AgriLife Research)

Bureau of Economic Geology of The University of Texas  
at Austin (UTBEG)

Texas Department of Licensing and Regulation (TDLR)

Texas Parks and Wildlife Department (TPWD)

United States Geological Survey (USGS)

### Agency Staff

Abiy Berehe

Leon Byrd

Bill Carter

Mike Chadwick

Cindy Hooper

Peggy Hunka

Chad Norris

Lauren Pulliam

Hayden Ross

L. Scott Underwood

Marcia Workman

### Affiliation

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TPWD

TCEQ

TCEQ

TCEQ

TCEQ

### Program

Water Availability Division

Water Availability Division

Water Quality Planning Division

Water Availability Division

Water Availability Division

Water Availability Division

Water Resources Branch

Water Quality Planning Division

Water Availability Division

Water Availability Division

Water Availability Division

## MEETING HANDOUTS

1. Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting Agenda, December 14, 2016
2. TGPC GWI Subcommittee Meeting Record, September 14, 2016
3. TGPC Agricultural Chemicals (AgChem) Task Force (TF) Status Report, December 14, 2016
4. Proposed FY17 Pesticide Monitoring Plan
5. TGPC Publications Status Report, December 2016
6. Summary of Per- and Polyfluoroalkyl Substances (PFASs) – Emerging Contaminant presentation
7. *Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Annual Report*, October 19, 2016
8. Final Draft *The Process for Independent Data Sources to Submit Information to the TGPC for Consideration in PGMA Studies* white paper, December 14, 2016
9. Final Draft *How Does Alluvial Pumping and Groundwater Withdrawals Affect Freshwater Mussels ?* white paper, December 14, 2016
10. Draft *Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Fiscal Year 2018 – 2019 Activity Plan*
11. 2017 Water-related Conferences in Texas, December 2016

The following item was also on display on the handout table:

1. TGPC Public Information Act Policy

## MEETING RECORD OF DECEMBER 14, 2016

### 1. CALL TO ORDER AND INTRODUCTIONS

Kathy McCormack (TCEQ), Co-Chair of the TGPC GWI Subcommittee, called the meeting to order at approximately 9:37 AM CST. GWI Subcommittee members were introduced.

### 2. STATUS REPORTS

#### Agricultural Chemicals Task Force

Alan Cherepon (TCEQ) reported on the AgChem TF:

- There had been two AgChem TF meetings (via email, phone, or in person) since the last GWI Subcommittee meeting;
- Fiscal Year (FY) 2017 Draft Pesticide Groundwater Monitoring Plan:
  - Cooperative Monitoring of the Gulf Coast Aquifer – Atrazine (about 150 samples from TWDB), and possibly 2,4-D and others; and,
  - On-Going Monitoring – The Texas Panhandle Public Water Supply (PWS) wells with previous high atrazine detects – Atrazine and 2,4-D by immunoassay and Method 525.2 by DSHS lab ( $\leq 20$  samples).
- He had sent Cooperative and Pollinator Protection monitoring results from 2016 to the U.S. Environmental Protection Agency (EPA) and Region 6 EPA;
- He had begun downloading the 2014 – 2016 USGS data, but this would require some assistance from USGS in order to complete the task;
- He had attended the semi-annual Region 6 EPA Pesticide meeting on October 12-13, 2016 in Dallas and provided a presentation on our Pollinator Protection monitoring in 2016;
- He had attended the annual Texas Plant Protection Association conference on December 6-7, 2016 in Bryan and conducted public outreach and education at the Agricultural Chemicals Task Force of the Groundwater Issues Subcommittee exhibit booth;
- TCEQ was considering revisions to the Pesticide Management Plan in 2017 since this was last revised in 2000;
- The revised Quality Assurance Project Plan, which was sent to Region 6 EPA in Dallas on August 25, 2016, was approved, signed on October 24, 2016, and was valid through October 24, 2017; and,
- Updates to the Pesticides of Interest Tracking System (POINTS) database were made on November 28, 2016; although glyphosate monitoring indicated that a high percentage of samples had detects, the concentrations were so low (unlike some atrazine detects in the past), it had not yet been added to the pesticides of concern list, and while glyphosate was re-evaluated, no changes to the POINTS database were made other than indicating that it was re-evaluated in 2016.

#### TGPC Publications

Abiy Berehe (TCEQ) reported on the following TGPC publications:

- *Joint Groundwater Monitoring and Contamination Report – 2015* (“*Joint Report*”, TCEQ publication SFR-056):

- No change in status.
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 85th Legislature (“Legislative Report”, TCEQ publication SFR-047):*
  - TCEQ staff updated the final draft report and it was presented and approved at the October 2016 TGPC meeting;
  - The final report was currently in the TCEQ publication process; and,
  - The final report would be distributed to the Legislature before the session begins on January 10, 2017.

### 3. SET FUTURE MEETING DATE

The next TGPC GWI Subcommittee meeting was scheduled for Wednesday, March 8, 2017, at 9:30 AM CST, in TCEQ’s Building F, Conference Room 2210.

### 4. DISCUSS CURRENT GROUNDWATER ISSUES

#### Water Supply Enhancement Program

T.J. Helton (TSSWCB) reported that they had recently requested public comment on a proposed revision of the *State Water Supply Enhancement Plan* (<http://www.tsswcb.texas.gov/en/media/20161202>). The public comment submission deadline was January 9, 2017.

John Tracy (AgriLife Research) noted that the *State Water Plan* (“SWP”) addresses the drought of record (vs. average conditions). Linda Ruiz McCall (UTBEG) and Cindy Loeffler (TPWD) reported that the Water Conservation Advisory Council (WCAC) had a Best Management Practice (BMP) on brush control/management (<http://www.savetexaswater.org/bmp/agricultural/index.asp>), but the last activity on it was in 2013. David Villarreal (TDA) indicated that prescribed burns may help some endangered species and possibly control some invasive species, as well. Linda Ruiz McCall (UTBEG) asked whether brush management would be a listed water management strategy for regional water planning in the 2022 SWP; T.J. Helton (TSSWCB) and Larry French (TWDB) said that they would check on this.

#### Hydraulic Fracturing

Peter Pope (RRC) reported that the U.S. EPA had recently published their final report, *Hydraulic Fracturing for Oil and Gas: Impacts from the Hydraulic Fracturing Water Cycle on Drinking Water Resources* (<https://www.epa.gov/hfstudy>). Cindy Loeffler (TPWD) noted that the study showed that there were impacts to drinking water. Lynne Fahlquist (USGS) indicated that they had also looked at this issue, and that they would be publishing their information on Texas soon, but for the most part, there were no impacts. Linda Ruiz McCall (UTBEG) added that some hydrocarbons may be naturally-occurring, but they are site-specific, and that oil and natural gas well integrity may be an issue.

John Tracy (AgriLife Research) reported that he had recently been involved in discussions about spills of produced water. Peter Pope (RRC) noted that oil field wastes are exempt, but there are state rules regarding spill cleanup. David Villarreal (TDA) said that there were no concerns from a toxicity perspective for anti-biofouling pesticidal agents.

Cindy Loeffler (TPWD) reported that, in response to Apache Energy Corporation's discovery of the Alpine High oil field in west Texas, they had formed a Trans Pecos Oil and Gas Workgroup in order to address concerns about San Solomon Springs and other springs in the area. John Tracy (AgriLife Research) noted that they had been contacted about maximizing revenue from water located under University lands that would be used in the fracking process, and Cindy Loeffler said that she had recently read about the restructuring of how oil and gas operations are charged for water use from University lands.

#### Freshwater Mussels

Discussion of this topic was moved to the Business portion of the meeting.

#### Emerging Contaminants

Kathy McCormack (TCEQ) provided a summary of a recent presentation on Per- and Polyfluoroalkyl Substances (PFASs). Since PFASs were a known health issue, DSHS was requested to consider investigating a new ITRC (Interstate Technology Regulatory Council) PFASs Team (<http://www.itrcweb.org/Team/Public?teamID=78>) and then report back on it at the next GWI Subcommittee meeting.

#### Saline Groundwater Trends and Impacts in Texas

There was no discussion of this topic at the meeting.

#### Agricultural Chemicals

There was no additional discussion of this topic at the meeting.

#### Priority Groundwater Management Areas (PGMAs)

Discussion of this topic was moved to the Business portion of the meeting.

#### Border Groundwater

John Tracy (AgriLife Research) reported that studies in the Transboundary Aquifer Assessment Program (a joint effort between the Water Resource Institutes and USGS Water Science Centers in Arizona, New Mexico, and Texas) had been underway for three months, and although trans-government science was a challenge, information on the studies should be published in early 2017.

Lynne Fahlquist (USGS) noted that they had a report in progress on the Hueco-Mesilla Bolson Aquifer located in far west Texas.

Others

Linda Ruiz McCall (UTBEG) and Larry French (TWDB) reported that a recent publication from the Brackish Resources Aquifer Characterization System (BRACS) program was available on the TWDB website (<http://www.twdb.texas.gov/innovativewater/bracs/index.asp>).

## 5. BUSINESS DISCUSSION AND POSSIBLE ACTION

### *TGPC GWI Subcommittee Annual Report*

Kathy McCormack (TCEQ) reviewed the *Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Annual Report* (“Annual Report”) that had been presented to the TGPC at their October 19, 2016 meeting. In the future, the draft *Annual Report* would be discussed with GWI Subcommittee members at their first quarter meeting of each fiscal year.

### *Final Draft The Process for Independent Data Sources to Submit Information to the TGPC for Consideration in PGMA Studies White Paper*

Mike Chadwick (TCEQ) presented the final draft of *The Process for Independent Data Sources to Submit Information to the TGPC for Consideration in PGMA Studies* white paper.

T.J. Helton (TSSWCB) left at 11:04 AM CST.

Cindy Loeffler (TPWD) proposed, Linda Ruiz McCall (UTBEG) seconded, and all remaining members except the TSSWCB representative approved the white paper with the changes discussed at the meeting. The white paper would be presented to the TGPC for approval at their January 18, 2017 meeting.

T.J. Helton (TSSWCB) returned at 11:05 AM CST and was present for the remainder of the meeting. David Villarreal (TDA) left at 11:05 AM CST, returned at 11:06 AM CST, and was present for the remainder of the meeting. Deba Dutta (DSHS) left at 11:06 AM CST, returned at 11:10 AM CST, and was present for the remainder of the meeting.

### *Final Draft How Does Alluvial Pumping and Groundwater Withdrawals Affect Freshwater Mussels ? White Paper*

Cindy Loeffler (TPWD) presented the final draft of the *How Does Alluvial Pumping and Groundwater Withdrawals Affect Freshwater Mussels ?* white paper. Cindy Loeffler noted that the U.S. Fish and Wildlife Service (FWS) had recently proposed listing the Texas Hornshell (*Popenaias popeii*) as an endangered species under the Endangered Species Act (ESA), and she also reported that the Texas Comptroller of Public Accounts (CPA) Interagency Task Force on Economic Growth and Endangered Species had recently published three studies on freshwater mussels.

Alberto Jimenez (TDLR) left at 11:41 AM CST, returned at 11:43 AM CST, and was present for the remainder of the meeting.

John Tracy (AgriLife Research) proposed, David Villarreal (TDA) seconded, David Van Dresar (TAGD) did not approve, and all remaining members approved the white paper with the changes discussed at the meeting. The white paper would be presented to the TGPC for approval at their January 18, 2017 meeting.

#### Draft *TGPC GWI Subcommittee Fiscal Year 2018 – 2019 Activity Plan*

Kathy McCormack (TCEQ) presented the draft *Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Fiscal Year 2018 – 2019 Activity Plan* (“*Plan*”). The *Plan* would be discussed further at the next meeting.

#### 6. ANNOUNCEMENTS

Kathy McCormack (TCEQ) referred GWI Subcommittee members to the “2017 Water-related Conferences in Texas” handout – the current version of this handout was also available on the TGPC’s Public Outreach and Education (POE) Subcommittee webpage at <http://tgpc.state.tx.us/tgpc-subcommittees/tgpc-public-outreach-and-education-subcommittee/> under the “Additional Resources” heading.

Linda Ruiz McCall (UTBEG) announced the availability of *Texas Through Time* (<http://www.beg.utexas.edu/node/1559>) in their bookstore.

#### 7. PUBLIC COMMENT

There was no public comment.

#### 8. ADJOURN

Kathy McCormack (TCEQ) adjourned the meeting at approximately 11:55 AM CST.