

TEXAS GROUNDWATER PROTECTION COMMITTEE
LEGISLATIVE REPORT SUBCOMMITTEE
RECORD OF MEETING

Second Quarter Meeting, Fiscal Year 2016

Meeting Date: March 23, 2016

Place: TCEQ Campus, Bldg. F

Meeting No. 2

Room: 3202A

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MEETING ATTENDANCE

Subcommittee Members

Abiy Berehe (Chair)
Emily Hall
Janie Hopkins
Adam Foster
Linda Ruiz McCall

Affiliation

Texas Commission on Environmental Quality (TCEQ)
Texas Department of State Health Services (TDSHS)
Texas Water Development Board (TWDB)
Texas Department of Licensing and Regulation (TDLR)
University of Texas Bureau of Economic Geology (UTBEG)

Chris Moore
John Tracy
David Van Dresar
David Villarreal

Railroad Commission of Texas (RRC)
Texas A&M AgriLife Research (AgriLife Research)
Texas Alliance of Groundwater Districts (TAGD)
Texas Department of Agriculture (TDA)

Absent

TJ Helton

Texas State Soil and Water Conservation Board (TSSWCB)

Interested Parties

Deba Dutta
Beth Hood
Cindy Loeffler
Sarah Schlessinger

Affiliation

TDSHS
TAGD
Texas Parks & Wildlife Department (TPWD)
TAGD

Agency Staff

Cary Betz (TGPC Chair)
Leon Byrd
Al Cherepon
Peggy Hunka
Kathy McCormack
Scott Underwood

Affiliation Program

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| TCEQ | Water Availability Division |

MEETING HANDOUTS

1. Record of Meeting February 24, 2016
2. Legislative Report Subcommittee Agenda March 23, 2016
3. Draft Report to the 85th Legislature

1. CALL TO ORDER AND INTRODUCTIONS

Abiy Berehe (TCEQ), Chair of the Legislative Report Subcommittee, called the meeting to order at 1:05 p.m. Subcommittee members introduced themselves. Mr. Berehe announced that TJ Helton (TSSWCB) is unable to attend this meeting. Members from the UTBEG, RRC, and TWDB will be late. Linda Ruiz McCall (UTBEG) arrived at 1:15 p.m. Chris Moore (RRC) arrived at 1:25 p.m. Janie Hopkins (TWDB) arrived at 1:35 p.m.

2. REVIEW PROCESS AND TIMELINE FOR COMPLETION OF DRAFT TEXAS GROUNDWATER PROTECTION COMMITTEE REPORT TO THE 85TH LEGISLATURE.

Abiy Berehe (TCEQ) announced that:

- During this meeting, the subcommittee will update the draft Legislative Report.
- The subcommittee will present the draft to the TGPC main committee in July 2016.
- During the TGPC meeting in July 2016, this subcommittee will seek draft report approval. After that, TCEQ staff will send it to member agency management for concurrent review. The final draft report is due in October 2016.

3. DISCUSSION AND EDITING OF THE DRAFT *Activities and Recommendations of the Texas Groundwater Protection Committee: A Report to the 85th Legislature* (Legislative Report).

Abiy Berehe (TCEQ) referred members to their handout draft Legislative Report (pages 1-11). Mr. Berehe gave an overview of updates since the last meeting. Mr. Berehe reminded the subcommittee that its main task is to update the Executive Summary through the Recommendations sections of Legislative Report. The rest of the report will be updated by TCEQ staff. Mr. Berehe initiated the editing-by-consensus process.

Executive Summary

Page 1

First paragraph, first sentence, change dates.

David Villarreal (TDA) suggested replacing first bullet with:

- *Adding Texas Parks and Wildlife as an agency member;*

Fourth paragraph, TCEQ staff will update the numbers.

Fifth paragraph, after first sentence insert: *No changes to the strategy have been adopted by the TGPC during the biennium.* Strike the last sentence in the paragraph.

Sixth paragraph, TCEQ staff will update the numbers.

Page 2

First paragraph, TCEQ staff will update the numbers.

Kathy McCormack (TCEQ) suggested replacing the first sentence in the second paragraph with:

The former Agricultural Chemicals Subcommittee, now part of the newly formed Groundwater Issues Subcommittee (GWIS) continued its support of statewide protection of groundwater from pesticide contamination.

Introduction

Page 3

First paragraph, TCEQ staff will update the numbers.

Page 4

Third bullet, separate TSSWCB and TAGD descriptions into two bullets.

Fifth bullet, upper case *The* in front of *University of Texas*

Page 5

No changes

Recommendations to the 84th Texas Legislature

Page 6

Change title from 84th to *85th*.

Page 7

Strike the second paragraph.

Third paragraph, first sentence, remove *Additionally* and replace it with a capitalized *The*.

Strike the fifth and sixth paragraphs and replace them with:

The most recent version of the Texas Groundwater Protection Strategy was developed in 2003. The TGPC is developing a new Groundwater Protection Strategy as this biennial report is being prepared. The new Strategy will develop a procedural document which identifies and evaluate groundwater issues, along with the process by which information is exchanged and recommendations are made in order to protect the groundwater resources in the state.

After a brief discussion, the consensus was to keep the above recommendation.

Page 8

No changes.

Page 9

First paragraph, change *shall* to *may*.

Support of Agency Programs

Page 10

Add periods at the end of the first and second bullet.

Third bullet, remove phrases: *to facilitate efforts such as* and *the Water Supply Enhancement Program to increase groundwater yield*, and replace them with *for*.

After the third bullet, insert:

- *Provide funding for a regional High Plains Evapotranspiration (ET) Network as part of a State-wide ET network which would also incorporate other climatic data collection (i.e., a mesonet). Spatial and temporal determination of actual crop and plant water requirements and subsequent irrigation recommendations will conserve water usage in this and other important agricultural areas of the state as well as in cities and urban areas.*

Remove last comma and phrase: *,and the Texas High Plains Evapotranspiration Network.*

Abiy Berehe (TCEQ) asked John Tracy (AgriLife Research) if the recommendation was still valid. Dr. Tracy responded that the recommendation is valid.

Page 11

Insert as the first bullet:

- *Provide funding for more research on the conditions (e.g., soils, geology, aquifers, climate, and species) required for brush control for water supply enhancement to facilitate increased groundwater quality or quantity.*

After a discussion about the phrase *brush control*, the consensus was to have TJ Helton (TSSWCB) review this recommendation before making any changes.

Strike the third bullet and replace it with:

- *Provide funding for identifying and quantifying biological and chemical contamination in groundwater other than nutrients and pesticides. Emerging contaminants (e.g., pharmaceuticals, personal care products, viruses, and other harmful microorganisms) will continue to increase in concern.*

Kathy McCormack (TCEQ) suggested that Emily Hall (TDSHS) provide some wording or more aspects on the above bullet. Ms. Hall agreed to do it. After a discussion on the lack of data on emerging contaminants, the subcommittee decided to let the TDSHS review the bullet before making any more changes.

Strike the fourth bullet and replace it with:

- *Provide funding for more research on the relationship between groundwater quality, quantity, and location regarding current endangered species and those that are proposed to be added to the federal protected list. Endangered species and water are intricately linked and will pervade water use issues for decades to come.*

Strike the fifth bullet and replace it with:

- *Address trans-boundary issues, especially with Mexico, delineate shared aquifers and water supplies before critical limitations on groundwater resources occur.*

John Tracy (AgriLife Research) suggested keeping last bullet for more discussion later.

Abiy Berehe (TCEQ) asked the subcommittee if there were any more changes to consider.

Cindy Loeffler (TPWD) referred members back to Page 7, third paragraph, last sentence. Ms. Loeffler suggested striking *propagation and protection of terrestrial and aquatic life* and replace it with *management and conservation of state fish and wildlife resources*.

4. SET FUTURE MEETING DATE

Abiy Berehe (TCEQ) announced that in light of today's progress, there is no need to schedule another meeting and the members agreed. However, if the TGPC does not approve the draft in July 2016, the subcommittee may have to meet again.

5. ANNOUNCEMENTS

There were no announcements.

6. PUBLIC COMMENT

There were no public comments.

7. ADJOURN

With the subcommittee's consensus, Abiy Berehe (TCEQ) adjourned the meeting at 2:05 p.m.