

TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING
 Second Quarterly Meeting, Fiscal Year 2007

Meeting Date: February 15, 2007
 Meeting No.: 71

Place: TCEQ Campus, Bldg B
 Room: 201A

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MEETING ATTENDANCE

Committee Members

Mary Ambrose

Robert Mace

Leslie Savage

Ambrose Charles

Richard Egg

C. Allan Jones

Bridget Scanlon

David Gunn

Affiliation

Texas Commission on Environmental Quality (TCEQ)

Texas Water Development Board (TWDB)

Railroad Commission of Texas (RCT)

Texas Department of Agriculture (TDA)

Texas State Soil and Water Conservation Board (TSSWCB)

Texas Agricultural Experiment Station (TAES)

Bureau of Economic Geology (BEG)

Texas Department of Licensing and Regulation (TDLR)

Agency Staff

Patricia Bobeck

Abiy Berehe

Cary Betz

Leon Byrd

Al Cherepon

Peggy Hunka

Kathy McCormack

Kelly Mills

Steve Musick

Joe Peters

David Villarreal

Angela Masloff

Affiliation

DSHS

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TDA

TWDB

Program

Water Supply Division

Interested Parties

Judy Parker

Naila Ahmed

Jim O'Connor

Tyson Broad

Lynne Fahlquist

Affiliation

Clearwater Underground Water Conservation District (UWCD)

Lower Colorado River Authority (LCRA)

San Antonio Water System (SAWS)

Sierra Club, Lone Star Chapter

United States Geological Survey (USGS)

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on February 15, 2007 – all items were continued from the January 17, 2007 agenda
2. Record for Texas Groundwater Protection Committee meeting on October 18, 2006
3. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meetings, November 9, 2006 and February 12, 2007
4. Updated Notice of North Central Texas Draft PGMA Report Availability and Comments Request
5. Draft Table of Contents for the *Joint Groundwater Monitoring and Contamination Report – 2006* (“*Joint Report*”) and letter to TGPC members regarding the preparation of materials for the *Joint Report – 2006* (dated January 17, 2007) (TGPC members, only)
6. Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Groundwater Educational Outreach Plan (dated November 13, 2006)
7. *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 80th Legislature* (TCEQ publication SFR-047/06, dated January 2007)
8. Drought 2007 – Public Water Supply Systems Affected as of February 1, 2007
9. Texas Public Water Systems Limiting Water Use to Avoid Shortages (updated February 1, 2007)
10. TCEQ Rulemaking of Interest to the TGPC
11. Cronkite to Narrate “Texas: The State of Springs” Documentary Feb. 15
12. Time for Your Water Well Checkup, National Groundwater Awareness Week 2007
13. 2007 Water-related Conferences in Texas

MEETING RECORD OF FEBRUARY 15, 2007

1. CALL TO ORDER AND INTRODUCTIONS

Mary Ambrose (TCEQ), Designated Chair of the Texas Groundwater Protection Committee (TGPC), called the meeting to order at approximately 1:03 PM CST.

2. SUBCOMMITTEE REPORTS

Agricultural Chemicals

Steve Musick (TCEQ) reported that the Agricultural Chemicals Subcommittee met that morning, February 15, 2007 and heard various Task Force reports, including planned TWDB groundwater quality monitoring activities and the status of TCE educational outreach activities.

The Agricultural Chemicals Subcommittee discussed and approved the FY 2007 Pesticide Monitoring Plan which is similar to the Plan performed in FY 2006:

- Continued immunoassay screening for atrazine in the Panhandle;
- Continued cooperative immunoassay screening for atrazine, only, of samples collected by the TWDB from various aquifers (Edwards-Trinity Plateau, Trinity, Edwards Balcones Fault Zone, Pecos Alluvium, and selected sites in the Edwards-Trinity High Plains);
- Continued monitoring of Public Water Supply wells that have had previous atrazine detections (e.g., in San Antonio, the Panhandle area, and the La Grange area); and,
- Special monitoring for urban pesticides through immunoassay screening for pyrethroids, chlorpyrifos, diazinon, malathion, and organophosphates.

The Agricultural Chemicals Subcommittee discussed new EPA programmatic issues and the possibility of:

- Reactivating some of its Task Forces in order to address new EPA guidance in the form of Program Activity Measures (PAMs), Pesticides of Interests (POIs), and Pesticides of Concern (POCs), as well as surface water information related to pesticide occurrences; and,
- Expanding the focus of the Agricultural Chemicals Subcommittee to include some surface water information about pesticide occurrences.

The Agricultural Chemicals Subcommittee also heard a presentation on the Interagency Pesticide Database (IPD) and its comparison of different pesticides detected in groundwater compiled by various state and federal agencies (pesticides were identified based on their solubility, leachability, and application amount). The number of analytes in the database has increased from 91,000 to 171,000, and the number of wells has increased from 4,700 to 7,800. A draft report will be published on the TCEQ website soon.

Data Management

Cary Betz (TCEQ) reported that the Data Management Subcommittee has met twice since the last TGPC meeting, on October 25, 2006 and December 15, 2006. The statewide groundwater monitoring strategy was the primary topic of discussion, and the Subcommittee met with the contractor for this work, at both of these meetings.

A review of the *Groundwater Data Dictionary* (http://www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/gi/gi-272.html) has been tabled and will be addressed at a later date, possibly after work on the statewide groundwater monitoring strategy is more substantially complete.

The next Data Management Subcommittee meeting will be on February 23, 2007. The meeting will be a brown bag format featuring a USGS presentation on datasets used in the Source Water Assessment and Protection (SWAP) program and discussion of the national groundwater monitoring initiatives.

Public Education and Outreach

Kathy McCormack (TCEQ) reported that the Public Education and Outreach (POE) Subcommittee last met on November 9, 2006 and February 12, 2007. Between the two meetings, seven agencies and organizations were represented.

The updates in the final draft of the *Groundwater Educational Outreach Plan* were reviewed. All POE Subcommittee members voted to approve the final draft of the *Plan*, as amended (based on discussion of Issue A during the meeting), and recommended that it be submitted to the Committee for consideration at their next meeting.

An implementation plan was discussed for the issues identified in the *Groundwater Educational Outreach Plan*. The initial task of developing the implementation plan for each issue area was assigned to several POE Subcommittee members. The level of effort needed to implement each issue was assigned a value of low, medium, or high in the *Plan*. The developers of the plan for each issue will consider identifying items that can be achieved with less effort. These items may be able to facilitate achievement of some early success with implementation of the *Plan* for even the items identified as requiring a high level of effort.

Projects related to the Texas Cooperative Extension (TCE) Fiscal Year 2007 contract amendment were discussed, including water well screening events and fact sheets related to On-Site Sewage Facilities (OSSF), water well capping, and hydrocarbon contamination. A Spanish version of the Radionuclides Drinking Water Fact Sheet was published in December 2006. Between the November and February meetings, a tri-fold brochure related to pesticides and groundwater was drafted and distributed from the TGPC booth at three local events. Initial comments were received from the Subcommittee regarding revisions for finalizing and publishing this brochure.

As part of their contract, TCE screened over 40 well samples in one county in November and has plans for five more well screening events this spring. Since the end of October 2006, TGPC exhibits at seven local conferences and seminars attracted over 350 estimated visitors.

The next POE Subcommittee meeting has not yet been scheduled.

Groundwater Research

C. Allan Jones (TAES) reported that the Groundwater Research Subcommittee met that morning, February 15, 2007 and discussed sources of research funding, such as:

- Recent Congressional authorizations for a trans-boundary aquifer program and salt cedar research in far west Texas, New Mexico, and Arizona;
- Several current and potential Congressional earmarks; and,
- A United States Department of Agriculture (USDA) Request For Proposal (RFP).

The Groundwater Research Subcommittee also discussed the possibility of combining proposal development efforts in response to funding opportunities and the impact of biofuels on groundwater. The Subcommittee also decided to delay final completion of a white paper on desalination until after the Texas Legislative session.

Nonpoint Source Task Force

Richard Egg (TSSWCB) reported that the Nonpoint Source Task Force did not meet in the last quarter, but the following information may be of interest to the Committee:

- TSSWCB's deadline for RFPs is February 16, 2007;
- The 2006 Annual NPS Report is in the final draft stage and should be published within two months; and,
- A first draft of the 2007 303(d) List has been completed and meetings to gather additional feedback are in progress.

Mary Ambrose (TCEQ) asked whether the Task Force should be re-charged with determining how groundwater fits into the 319 process. Richard Egg (TSSWCB) agreed with this idea. Mary Ambrose suggested that the TGPC might want to discuss this at the next Committee meeting.

3. PRESENTATIONS

A Story of Growth and Gas: Groundwater Use and its Effects on Water Levels in North-Central Texas – Texas Water Development Board

Robert Mace (TWDB) gave a presentation on a recent TWDB report concerning groundwater use related to gas exploration in the Barnett Shale, increased urbanization around Fort Worth, and the possible effects of additional pumping from the Trinity aquifer. The report concluded that a large amount of water was currently being used in North Texas, resulting in large historic groundwater level declines. More water will be

needed in the future; however, future groundwater use may remain the same (~140,000 acre-feet per year) or increase (~190,000 acre-feet per year), depending on the pace of gas exploration in the area. Future groundwater levels will decline if pumping from the aquifer increases.

North-Central and Central Texas Update PGMA Studies for the Trinity Aquifer – Texas Commission on Environmental Quality

Kelly Mills (TCEQ) gave a presentation on a recently completed TCEQ Priority Groundwater Management Area (PGMA) update study and Draft Updated Evaluation for the North-Central – Trinity and Woodbine Aquifers – Priority Groundwater Management Study Area (Dallas-Ft. Worth). The TCEQ released the draft report on December 14, 2006 and welcomes written comments through April 30, 2007. The draft recommendations for the include the designation of 13 out of 20 counties as a PGMA with regional Groundwater Conservation District (GCD) management. See http://www.tceq.state.tx.us/permitting/water_supply/groundwater/pgma.html for details. An update study of the Central Texas PGMA Study Area (Waco) will be available at the same website by the end of 2007.

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Texas Groundwater Protection Strategy – Discuss Strategy Implementation Issues

Mary Ambrose (TCEQ) reported that the *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 80th Legislature* (http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/047_06.pdf) underwent a format change from prior years to focus on how well the Committee is implementing the Texas Groundwater Protection Strategy (http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/as/188.pdf). In addition, Mary Ambrose stated that the Agricultural Chemicals Subcommittee had clear goals at the time that the *Strategy* was written, but their program has evolved, and the Agricultural Chemicals Subcommittee's Charge may need to be revised as part of an on-going process to reflect how they will meet both the goals of the *Strategy* and their new initiatives.

Joint Groundwater Monitoring and Contamination Report - 2006 – Format and Content Approval

Abiy Berehe (TCEQ) addressed the Committee and requested approval of the draft Table of Contents. The request for updated information had been mailed out to member agencies during the second week of January 2007. The draft Table of Contents is similar to the one used in last year's *Report*.

The *Joint Groundwater Monitoring and Contamination Report* is a legislatively mandated report published every calendar year in order to document groundwater contamination cases in the state. The *Report* is published by the TGPC based on the activities of the member agencies and serves as a secondary notice of groundwater

contamination cases to local officials (including county judges, county health officials, and GCDs). Copies of the *Report* are also sent to regional water planning groups.

Abiy Berehe (TCEQ) indicated that the section entitled “Investigation of Perchlorate Occurrence in High Plains Region of Texas” had been deleted because it had been included in the last three *Reports* and that researchers at the Texas Tech University Water Resources Center considered the source of perchlorate to be natural. The deadline for publishing the *2006 Report* is April 1, 2007.

Leslie Savage (RCT) asked about the difference between “Closed Cases” (new Appendix 10 title) and “Cases Closed by Select Status Code” (old Appendix 10 title). Abiy Berehe (TCEQ) responded that the new title is a better description of the cases that are actually included in the historic table.

Robert Mace (TWDB) proposed, Leslie Savage (RCT) seconded, and all remaining Committee members agreed to use the draft Table of Contents.

Public Outreach and Education Subcommittee’s Groundwater Educational Outreach Plan – Discussion and Approval

Steve Musick (TCEQ) presented the *Groundwater Educational Outreach Plan* to the Committee for consideration and approval, and reported that it was developed by the POE Subcommittee over the last year with a significant amount of participation and input from Subcommittee members. The *Plan* was adopted by the POE Subcommittee at their November 9, 2006 meeting, and it had been provided to the TGPC via email prior to this meeting.

The *Plan* outlines 11 Issues to be addressed in both short- and long-term time frames. The Issues are grouped according to the anticipated amount of effort required to complete them, members who contributed to each Issue are listed, and each Issue will address specific areas of concern from the *Strategy*, such as:

- Pesticides;
- Water Wells;
 - New rural landowners;
 - Water quality and quantity;
- Groundwater Conservation Districts;
- TGPC website;
- Tex*A*SYST;
- OSSF;
- Oil & Gas Wells;
 - Plugging abandoned wells;
 - Converting them into water wells; and,
 - Water wells supporting them.

Each Issue includes:

- An introduction and background summary;
- The potential audience;
- A list of potential partners for developing, delivering, and distributing the outreach;
- Materials and methods that could be used by the partners;
- The anticipated timeframe for implementing the outreach; and,
- A list of potential parameters by which the effectiveness of the outreach could be measured.

Steve Musick (TCEQ) indicated that the *Plan* will provide specific guidance to the POE Subcommittee over the next two years, and it will lay the foundation for longer-term projects. Steve Musick also noted that the Subcommittee had begun to develop an implementation strategy.

Richard Egg (TSSWCB) proposed, Ambrose Charles (TDA) seconded, and all remaining Committee members agreed to approve the *Groundwater Educational Outreach Plan*.

Set Future Meeting Dates

The next TGPC meeting is tentatively scheduled for April 18, 2007 at 1:00 PM CDT.

5. INFORMATION EXCHANGE FOR GROUNDWATER-RELATED ACTIVITIES – STATUS UPDATE

TGPC Report to the 80th Legislature, 2007 – Status of Report and Delivery to Legislature

Mary Ambrose (TCEQ) reported that the *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 80th Legislature* (http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/047_06.pdf) was completed and delivered to the Governor, Lieutenant Governor, the Speaker of the House, and House and Senate Natural Resource Committees ahead of schedule (mid-December 2006).

C. Allan Jones (TAES) asked if any Legislative bills had been introduced based on the recommendations in the *Report*. Mary Ambrose (TCEQ) and Leslie Savage (RCT) responded that they had not yet seen any.

Water Quality Inventory (305(b)) Report

Cary Betz (TCEQ) reported that TCEQ is still working on posting the groundwater portion of the *2004 Water Quality Inventory (305(b)) Report* on the TCEQ website (<http://www.tceq.state.tx.us/compliance/monitoring/water/quality/data/04twqi/twqi04.html>) and that TCEQ is still working on the *2006 Water Quality Inventory (305(b)) Report*.

Groundwater Contamination Notice Coordination (HB 3030, 78th Legislature)

Steve Musick (TCEQ) reported that there have been a minimal number of notifications of groundwater contamination cases since the last TGPC meeting. Most of these cases had come from the TCEQ Remediation Division where they are monitoring waste management sites and there was some sort of release of contaminants to groundwater. A summary of the year-to-date cases will be reported at the next Committee meeting. Additional meetings are still planned with other state agencies regarding coordination efforts.

Regional Water Planning – Texas Water Development Board

Robert Mace (TWDB) reported that TWDB delivered the *2007 State Water Plan* (http://www.twdb.state.tx.us/publications/reports/State_Water_Plan/2007/2007%20final%20draft%20SWP/Final_Draft_2007SWP1.htm) to the Governor, Lieutenant Governor, and the Speaker of the House, among others, in early January 2007.

Robert Mace (TWDB) also reported TWDB staff have started the next round of Regional Water Planning with the vision of updating the current *Plan* with changed conditions, only. In the following week, TWDB will be considering projects that the Regional Water Planning Groups want to accomplish in support of implementing the regional plans and the *2007 State Water Plan*.

Groundwater Availability Modeling – Texas Water Development Board

Robert Mace (TWDB) reported that contracts are in place to develop data and models for the minor aquifers with a goal of finishing all of the models for the minor aquifers by 2011.

C. Allan Jones (TAES) congratulated TWDB for the good work done on the *2007 State Water Plan*.

Drought Status – All Agencies

Mary Ambrose (TCEQ) handed out a map of Texas entitled, “Drought 2006 – Public Water Supply Systems Affected as of February 1, 2007” and a list entitled, “Texas Public Water Systems Limiting Water Use to Avoid Shortages (updated February 1, 2007)”. There are now 110 Public Water Supply Systems that are under voluntary water use restrictions and 166 under mandatory water use restrictions (compared to 104 and 176, respectively, as of October 1, 2006). Many of the systems under water use restrictions use groundwater as their source.

Richard Egg (TSSWCB) reported that the Drought Preparedness Council (<http://www.txwin.net/dpc/>) met during the previous week. December 2006 was the eighth and January 2007 was the sixth wettest months on record and that has really

helped ease the drought. In addition, the state climatologist predicts that March and April will be wetter than normal.

National Groundwater Initiatives – All Agencies

Mary Ambrose (TCEQ) reported that the United States Department of the Interior has an Advisory Committee on Water Information (<http://acwi.gov/>) with a Subcommittee on groundwater (<http://acwi.gov/sogw/index.html>), and that she is a member of this Subcommittee. On January 18, 2007, the Advisory Committee approved the goal of developing and encouraging a nation-wide, long-term groundwater quality and quantity monitoring framework which would provide information necessary for the planning, management, and development of groundwater supplies in order to meet current and future uses and ecosystem requirements. A draft report is due in October 2007. The USGS has taken a leading role in this effort and established a Steering Committee with four workgroups (http://acwi.gov/sogw/sogw_wkgcontacts.html):

- Monitoring Inventory (who is doing what monitoring);
- Data Standards and Data Management (mining existing data);
- Field Practices (sampling); and,
- National Monitoring Design (quantity modeling).

Steve Musick (TCEQ) reported that NGWA is interested in establishing a water well construction standard.

David Gunn (TDLR) left at approximately 2:43 PM and was absent for the remainder of the meeting.

6. ANNOUNCEMENTS

Rules Update

Mary Ambrose (TCEQ) distributed a summary of current TCEQ rulemaking that was of interest to the Committee:

- Pending Proposals (6)
 - Texas Surface Water Quality Standards
 - EPA Public Drinking Water Stage 2 Project
 - Repeal of 30 TAC Ch 317 and Proposal of 30 TAC Ch 217, Design Criteria for Sewerage Systems
 - Compliance History
 - Texas Risk Reduction Rule Amendment
 - Penalty Payments

Additional information on a specific rule can be found at <http://www5.tceq.state.tx.us/rules/>.

New Publications

Mary Ambrose (TCEQ) reported that TCEQ has recently published:

- *Rainwater Harvesting: Guidance for Public Water Systems* (RG-445, http://www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/rg/rg-445.html)
- *Harvesting, Storing, and Treating Rainwater for Domestic Indoor Use* (GI-366, http://www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/gi/gi-366.html)
- *Priority Groundwater Management Areas and Groundwater Conservation Districts, Report to the 80th Legislature* (SFR-053/05, http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/053_05.pdf)

Richard Egg (TSSWCB) reported that TSSWCB and TWDB recently published *An Assessment of Water Conservation in Texas, Prepared for the 80th Texas Legislature* (http://www.tsswcb.state.tx.us/files/contentimages/TWDBTSSWCB_80th.pdf and http://www.twdb.state.tx.us/publications/reports/TWDBTSSWCB_80th.pdf). This is an overview of water conservation efforts and programs in Texas, and it includes a list of recommendations to the Legislature from the Water Conservation Task Force to enhance the implementation of conservation.

Mary Ambrose (TCEQ) also announced that “Texas: The State of Springs”, narrated by Walter Cronkite, was airing that night (February 15, 2007) on local PBS stations.

Upcoming Conferences

- 15th Annual Texas On-Site Wastewater Treatment Research Council (TOWTRC) Conference, Mar 5 – 7, Waco, <http://www.towtrc.state.tx.us/conferences.html>
- TWCA 2007 Spring Meeting, Mar 6 – 9, Austin, <http://www.twca.org/meetings.html>
- Texas Rural Water Association (TRWA) 2007 Annual Convention, Mar 21 – 23, Austin, <http://www.trwa.org/conferences/index.htm>
- Environmental Defense, Texas Springs - Protection, Restoration and Stewardship, Mar 30, Austin, http://www.texaswatermatters.org/conference_springs_march30-2007.htm
- Texas Water 2007, Apr 10 – 14, Fort Worth, <http://www.texas-water.com/>
- TCEQ 2007 Environmental Trade Fair and Conference, May 1 – 3, Austin, <http://www.tceq.state.tx.us/assistance/events/etfc/etf.html>

Kathy McCormack (TCEQ) announced that, like last year, information regarding National Groundwater Awareness Week (March 11 – 17, 2007) would be posted on the TGPC website, and she requested that TGPC member agencies provide a link to this information on their agency’s home page.

Robert Mace (TWDB) announced that there would be a Barnett Shale Symposium sponsored by the Fort Worth Business Press on March 30, 2007 (<http://www.fwbusinesspress.com/display.php?id=5952>).

PUBLIC COMMENT

There was no public comment.

7. ADJOURN

Mary Ambrose (TCEQ) adjourned the meeting at approximately 3:00 PM CST.