

**TEXAS GROUNDWATER PROTECTION COMMITTEE  
RECORD OF MEETING**

Fourth Quarterly Meeting, Fiscal Year 2007

Meeting Date: August 8, 2007  
Meeting No.: 73

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 AUGUST 8, 2007.....</b>  | <b>4</b> |
| 1. CALL TO ORDER AND INTRODUCTIONS .....  | 4        |
| 2. SUBCOMMITTEE REPORTS.....  | 4        |
| Agricultural Chemicals .....  | 4        |
| Data Management .....   | 4        |
| Public Education and Outreach.....  | 4        |
| Groundwater Research.....   | 5        |
| Nonpoint Source Task Force .....  | 5        |
| 3. PRESENTATIONS.....   | 6        |
| Agency Legislative Roundtable Discussion – Committee Members Will Discuss<br>Groundwater Legislation Passed by the 80th Legislature and the Effect on Their<br>Respective Agencies .....            | 6        |
| 4. BUSINESS DISCUSSION AND POSSIBLE ACTION.....   | 11       |
| Texas Groundwater Protection Strategy – Discuss Strategy Implementation Issues<br>Including: Improving Groundwater Data Collection and Assessment and<br>Revisions to the Subcommittee Charge ..... | 11       |
| Plans for updating the Texas Groundwater Protection Strategy.....   | 12       |
| Set Future Meeting Dates.....   | 13       |
| 5. INFORMATION EXCHANGE FOR GROUNDWATER-RELATED<br>ACTIVITIES – STATUS UPDATE .....   | 13       |
| Joint Groundwater Monitoring and Contamination Report - 2006.....   | 13       |
| Water Quality Inventory (305(b)) Report.....  | 13       |
| Groundwater Contamination Notice Coordination (HB 3030, 78th Legislature).  | 13       |
| Regional Water Planning – Texas Water Development Board .....   | 14       |
| Groundwater Availability Modeling – Texas Water Development Board .....   | 14       |
| National Groundwater Initiatives – All Agencies.....  | 14       |
| 6. ANNOUNCEMENTS.....   | 14       |
| Rules Update.....   | 14       |
| New Publications .....  | 15       |
| Upcoming Conferences.....   | 16       |
| 7. PUBLIC COMMENT .....   | 16       |
| 8. ADJOURN .....  | 17       |

**MEETING ATTENDANCE**

Committee Members

Mary Ambrose

Robert Mace  
 Leslie Savage  
 Ambrose Charles  
 Richard Egg

Barry Miller  
 C. Allan Jones  
 J.P. Nicot

David Gunn

Affiliation

Texas Commission on Environmental Quality (TCEQ)  
 Texas Water Development Board (TWDB)  
 Railroad Commission of Texas (RRC)  
 Texas Department of Agriculture (TDA)  
 Texas State Soil and Water Conservation Board (TSSWCB)  
 Texas Alliance of Groundwater Districts (TAGD)  
 Texas Agricultural Experiment Station (TAES)  
 University of Texas Bureau of Economic Geology (UTBEG)  
 Texas Department of Licensing and Regulation (TDLR)

Agency Staff

Bill Renfro  
 Abiy Berehe  
 Cary Betz  
 Alan Cherepon  
 Paul Geeslin  
 April Hoh  
 Peggy Hunka  
 Isaac Jackson  
  
 Paul Lewis  
 Kathy McCormack  
 Lenny Olson  
 Joe Peters  
 Mark Vickery  
 John Williams  
 Richard Eyster  
 David Villarreal  
 Lee Parham  
 Bruce Lesikar  
 Janie Hopkins  
 Rebecca Smyth

Affiliation

Program

RRC  
 TCEQ Water Supply Division  
 TCEQ Water Supply Division  
 TCEQ Water Supply Division  
 TCEQ Water Quality Division  
 TCEQ Water Quality Division  
 TCEQ Water Supply Division  
 TCEQ Intergovernmental Relations (IGR) Division  
  
 TCEQ Remediation Division  
 TCEQ Water Supply Division  
 TCEQ IGR Division  
 TCEQ Water Supply Division  
 TCEQ Deputy Executive Director  
 TCEQ Environmental Law Division  
 TDA  
 TDA  
 TDLR  
 Texas Cooperative Extension (TCE)  
 TWDB  
 UTBEG

Interested Parties

Naila Ahmed  
Holly Brady  
George Caldwell  
Ann Ardis  
David Van Dresar

Allison Montgomery  
David Jeffery

Affiliation

Lower Colorado River Authority (LCRA)  
Texas Department of Transportation (TxDOT)  
Texas Farm Bureau (TFB)  
United States Geological Survey (USGS)  
Fayette County Groundwater Conservation District (GCD)  
Alcoa, Inc.  
Bandera County River Authority & Groundwater District (BCRAGD)

**MEETING HANDOUTS**

1. Agenda for Texas Groundwater Protection Committee meeting on August 8, 2007
2. Record for Texas Groundwater Protection Committee meeting on April 18, 2007
3. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting on July 11, 2007
4. Update of Texas Groundwater Protection Strategy
5. TCEQ Rule Projects
6. Drought declared over for first time in decade (AP news clip, 27Jul2007, Committee members, only)
7. Funding Available through Galveston Bay Education and Outreach Grant Program
8. 2007 Request for Grant Applications for Houston-Galveston Area Partnership
9. 2007 STORET/WQX Users Conference
10. Sixth National Monitoring Conference, Monitoring: Key to Understanding Our Waters
11. 2007-2008 Water-related Conferences in Texas
12. Legislative Wrap-up Report, 80th Texas Legislature, TCEQ June 2007 (Committee members, only)
13. Joint Groundwater Monitoring and Contamination Report – 2006 (Committee members, only)

## **MEETING RECORD OF AUGUST 8, 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 1:00 PM CST.

### **2. SUBCOMMITTEE REPORTS**

#### **Agricultural Chemicals**

Steve Musick (TCEQ) reported that the Agricultural Chemicals Subcommittee met that morning for their fourth quarter meeting. Reports were given from the Site Selection Task Force and the Education Task Force.

TWDB gave their preliminary monitoring schedule for the next fiscal year to the Site Selection Task Force, and the Task Force will determine its level of cooperative sampling for pesticides.

Under Business Items, a new charge developed for the Pesticide Management Plan Task Force included identification of Pesticides of Interest (POI) and Pesticides of Concern (POC) based on a new US Environmental Protection Agency (EPA) initiative and compilation of existing data on pesticides in groundwater and surface water.

TCEQ gave a presentation outlining its surface water quality management programs including standards, monitoring, and Total Maximum Daily Loads (TMDLs).

There were also updates on various EPA re-registrations, including the Barton Springs Pesticide Settlement Order.

#### **Data Management**

Cary Betz (TCEQ) reported that the Data Management Subcommittee had met monthly since the last TGPC meeting. The meetings have been facilitated by Geotechnical Research Institute (GTRI) whose contract expires at the end of August 2007. GTRI has submitted a final draft document of the Groundwater Monitoring Plan to the Data Management Subcommittee for review and approval. A more complete report on these activities was postponed until the Business Discussion section of the meeting.

#### **Public Education and Outreach**

Bruce Lesikar (TCE) reported that the POE Subcommittee last met on July 11, 2007 and six agencies and organizations were represented.

TWDB gave a presentation on the Major Rivers water (and groundwater) education curriculum, and TCE demonstrated a desktop groundwater model as a potential

educational resource. The implementation strategy for the *Groundwater Educational Outreach Plan* was discussed, and POE Subcommittee members will review the changes that were suggested during the meeting in order to finalize the implementation strategy at the next meeting.

Status reports were given for two final draft TCE Fact Sheets (well capping and On-Site Sewage Facility (OSSF) maintenance) and two draft TCE Fact Sheets (Methyl Tertiary Butyl Ether (MTBE) and benzene). Two example TCEQ popular press articles on Priority Groundwater Management Area (PGMA) studies were also distributed (one has already been published, and the other is scheduled to be published in Fall 2007).

Status reports were given for TCE water well screening events, TCE abandoned water well closures, and TGPC booth events.

The next POE Subcommittee meeting is scheduled for September 26, 2007.

### Groundwater Research

C. Allan Jones (TAES) reported that the Groundwater Research Subcommittee met that morning for their fourth quarter meeting. The Groundwater Research Subcommittee discussed:

- Sources of funding;
- Opportunities for groundwater research (e.g., arsenic, uranium mining, desalination, etc.); and,
- Progress on three white papers in various stages of preparation.

The Groundwater Research Subcommittee also learned that David Villarreal (TDA) will be serving on an EPA Region 6 water quality committee dealing with pesticides and will share information learned at those meetings.

### Nonpoint Source Task Force

Richard Egg (TSSWCB) suggested that the Nonpoint Source (NPS) Task Force be disbanded since there haven't been any activities requiring their attention, and that a NPS item could be added to the Information Exchange section of the meeting to discuss these issues. Mary Ambrose (TCEQ) indicated that these suggestions will be included in the Business Discussion section of the next meeting.

Richard Egg (TSSWCB) also reported that the TCEQ and TSSWCB met at the end of June 2007 and approved Draft 4 of the Bacteria TMDL Task Force Report (<http://twri.tamu.edu/bacteriatmdl/>).

Leslie Savage (RRC) asked about the status of NPS project funding. Richard Egg (TSSWCB) indicated that the TSSWCB had distributed all of their contracts and that they were in the process of preparing for the next phase. Mary Ambrose (TCEQ) asked about the status of TCEQ's NPS program, and Steve Musick (TCEQ) responded that, in Fiscal

Year 2008, TCEQ will be focusing on NPS issues in the Houston area due to the large number of impaired watersheds, and that the TGPC members had a handout regarding grant applications for the Houston-Galveston Area Partnership in their package (<http://www.tceq.state.tx.us/compliance/monitoring/nps/mgmt-plan/#request>). Steve Musick felt that there may be additional funding opportunities for other NPS projects and that TCEQ staff could be contacted to discuss them further.

### 3. PRESENTATIONS

Agency Legislative Roundtable Discussion – Committee Members Will Discuss Groundwater Legislation Passed by the 80th Legislature and the Effect on Their Respective Agencies

Lenny Olson (TCEQ) provided a summary of TCEQ Legislation from the 80th Legislative Session:

- 6,190 bills filed – 700 more than last session
  - 1,418 bills passed – 93 more than last session
  - 54 bills vetoed – 35 more than last session
- TCEQ completed analysis and tracked 1,223 bills – twice as many as last session
  - Of those tracked, 345 passed, of which 196 require some action by TCEQ to implement
    - The goal is to have all of these bills completely implemented by September 2008
    - 37 bills require rule making

Lenny Olson (TCEQ) indicated that the TCEQ Legislative Wrap-up Report and a Legislative Implementation table can be found in the IGR website ([http://www.tceq.state.tx.us/comm\\_exec/igr/80\\_legsum.html](http://www.tceq.state.tx.us/comm_exec/igr/80_legsum.html)), and then he reported on specific legislation pertaining to groundwater:

- Seven new Groundwater Conservation Districts (GCDs) were created
  - The Upper Trinity GCD does not have to hold confirmation elections
- There were eight bills that provided changes to enabling legislation to existing GCDs
  - These were listed in the June 2007 issue of *The Aquifer Monitor* (<http://www.twdb.state.tx.us/GWRD/pdfdocs/news0607.pdf>) produced by Robert Mace (TWDB) – see this issue for a good summary of HB 3, HB 4, and SB 3
- TCEQ had eight legislative initiatives of which seven passed; details for two of these legislative initiatives are listed below:
  - HB 2654 by Robert Puente allows TCEQ to create a general permit for the injection of non-hazardous desalination brine or drinking water treatment residual
    - This was also a TGPC recommendation and Lenny Olson thanked the TGPC for their support during the session
    - Amends Texas Water Code (TWC) Chapter 27 to create general permit requirements and amends Health and Safety Code (HSC) Chapter 361 requirements for a separate permit for Class I injection well

- This could expedite the processing of authorizations for wells used for the disposal of desalination concentrate and residue from drinking water treatment
- Also amends TWC Chapter 27 to allow the RRC to authorize the injection of non-hazardous desalination brine to drinking water residual for Class II wells used for enhanced recovery of oil and gas exploration without a permit from the TCEQ
  - Previously, a permit was required from both TCEQ and RRC; the intent was to find another disposal mechanism and be able to use this in lieu of fresh water
  - A stakeholder meeting is planned for October 2007
  - Rule proposal for February 20, 2008
  - Adoption August 6, 2008
- HB 3098 by Robert Puente provides TCEQ with the authority to collect fees for Edwards Aquifer contribution zone plans, to increase the fee cap for all Edwards Aquifer plans, and to provide flexibility in use of the fees to support activities of the Edwards Aquifer Protection Program
  - This will provide funding for four new full-time employees (FTEs)
  - For plans in the recharge zone, it raises the cap from \$5,000 to \$6,500 for developments less than 40 acres, and up to \$13,000 for those over 40 acres; the biggest impact will be for those plans in the contributing zone, since it raises the cap from \$250 to \$6,500
  - Rule proposal November 7, 2007
  - Adoption April 24, 2008

Lenny Olson (TCEQ) summarized additional bills of interest to the TGPC:

- HB 3838 by Gonzales-Tourelles requires new registration requirements for wells used in the exploration and development of prospective in-situ uranium mining projects prior to coverage by an injection well permit issued by the TCEQ
  - Amends TWC Chapter 27 to address jurisdiction over in-situ uranium mining
  - Gives TCEQ exclusive jurisdiction over regulation of wells used for development of area permits for in-situ uranium mining, including wells used for obtaining pre-mining water quality data
  - Stakeholder meetings are expected
  - Rule proposal April 2, 2008
  - Adoption September 3, 2008
- SB 662 by Jeff Wentworth requires transmittal of groundwater information by developers
  - Requires TCEQ by rule to require a person who submits a plat under Local Government Code 212 or 232 to transmit to the TWDB, and to any GCD where the development is located, information that will be useful for groundwater resource evaluation, management, or planning
  - Does not include an enforcement provision, but TCEQ will work with TWDB on a case-by-case basis
  - Rule proposal February 6, 2008
  - Adoption July 9, 2008

- SB 1037 by Robert Duncan regarding evaporation pits
  - Requires TCEQ to develop standards by rule to regulate evaporation pits operated for the commercial production of brine water, minerals, salts, or other naturally occurring substances which are not regulated by the RRC
  - Brine production consists of pumping brine well water into evaporation pits to and allow it to dry to produce products such as antifreeze and ice melting compounds for roads and sidewalks; currently, unregulated brine operations may detrimentally impact water quality if there is a breach in the pits, due to high chloride concentrations
  - Will require a liner, stormwater run off protection, and berm construction; will include siting restrictions and financial assurances
  - Tries to address an operation in Borden County and the potential impact it could have with Lake JB Thomas
  - Rule proposal March 19, 2008
  - Adoption September 3, 2008
- SB 1604 by Robert Duncan transferring regulatory responsibilities for radioactive wastes from DSHS to TCEQ
  - Transfers regulatory authority to TCEQ for commercial radioactive waste processing, uranium mining, and by-product disposal
  - Also addresses TCEQ underground injection control program for regulation of in-situ mining and requires TCEQ to establish and administer a new state fee for the disposal of radioactive wastes and other low-level radioactive waste
  - Rules to be done in two parts:
    - Fast track on rule making to transfer current program from DSHS for by-product disposal to incorporate them into TCEQ current radioactive substance rules since there are applications in-house
      - Rule proposal August 22, 2007
      - Adoption December 19, 2007
    - Include changes to uranium mining, fee collection, rate setting, and other new provisions in SB 1604 and HB 3838
      - Rule proposal April 2, 2008
      - Adoption September 3, 2008
- HB 1314 by Kevin Bailey on the regulation of water and sewer systems in certain counties
  - Authorizes a county of 3.3 million or more to adopt an order to prohibit installation of on-site wastewater systems or water wells in an economically distressed area or property designated as a state or federal Superfund site if the property can be served by a water or sewer utility
  - Applicable to areas that have been developed before September 1, 1987
  - Tries to address areas like the Jones Road Superfund site issue, prohibiting property owners from drilling wells if water service is available
  - Harris County may have passed an order that restricts drilling a well if it is going to go through a contaminated aquifer in order to avoid cross contamination
- HB 2018 by Betty Brown removes the population limitation (20,000) of Municipal Setting Designations by municipalities and addresses the use of contaminated groundwater and the future use of affected properties



- HB 1956 by Kelly Hancock related to financial assurance and shut down authority
  - Requires all owner/operators of underground storage tanks (USTs) to show proof of financial assurance prior to getting their compliance certificate
  - Requires providers of financial assurance or insurance to notify TCEQ when such is cancelled or terminated
  - Gives TCEQ shutdown authority
  - 90 days after coverage is terminated, the owner/operators must drain the tanks
  - Proposal March 5, 2008
  - Adoption August 20, 2008
- HB 3554 by Carl Isett regarding petroleum storage tanks (PSTs)
  - Extends the PST reimbursement fund for another four years
  - TCEQ must define in rules the risk-based corrective action that will be used as the clean up standard for PST sites
  - Proposal November 7, 2007
  - Adoption April 16, 2008
- HB 2541 by David Leibowitz related to solid waste and recycling facilities
  - As a result of Helotes fire, this bill will require TCEQ to develop rules for more stringent standards for recycling operations (e.g., liners) in Bexar County
  - Proposal March 19, 2008
  - Adoption September 3, 2008
- Brush Control Rider # 35 requires TCEQ to evaluate the effectiveness of brush control
  - Report due to the Legislature by September 2008
  - No funding provided; will use \$150,000 from the Drinking Water State Revolving Fund (DWSRF) for the study
  - Coordinating with TSSWCB; will use a contractor for the study and to prepare the report

Richard Egg (TSSWCB) reported that they had received funding for three FTEs to work on TMDL projects, and that SB 3 established the Water Conservation Advisory Council, a continuation of the Water Conservation Task Force.

As a review of the TGPC's most recent recommendations to the Legislature ([http://www.tceq.state.tx.us/assets/public/comm\\_exec/pubs/sfr/047\\_06.pdf](http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/047_06.pdf)), Mary Ambrose (TCEQ) reported that TCEQ had not received funding for characterizing desalination concentrate, and then asked about funding received by the other agencies.

Richard Egg (TSSWCB) responded that they had received continued funding for brush control.

Barry Miller (TAGD) reported that:

- TWC Chapter 36 was amended to say that in a citizen's lawsuit, the GCD must be the first party to make someone abide by GCD rules;
- GCDs were given the authority to request water usage reporting from exempt wells;
- Several new GCDs were created pending voter confirmation; and,
- TWDB received funding to support GCDs.

J.P. Nicot (UTBEG) reported that since UTBEG is not a state agency, it was not directly affected by any recent legislation, but by working with state agencies like TCEQ it will engage in various research activities (e.g., uranium mining issues, etc.).

Robert Mace (TWDB) reported that:

- The Legislature issued a policy statement regarding Joint Planning in Groundwater Management Areas that encourages GCDs to involve people that are in areas without GCDs;
- The Edwards Aquifer Recovery Implementation program will be important;
- The Legislature granted TWDB two groundwater-related special items that coincide with the TGPC's recommendations – two FTEs for improving the state's groundwater database, and two FTEs to run groundwater availability models in support of GCDs and their calculation of Desired Future Conditions; and,
- This is was a historic session for TWDB:
  - Many of TWDB's initiatives were funded;
  - This was the first time that the Legislature has seriously funded the implementation of the State Water Plan (a Constitutional amendment in November will be proposed to allow TWDB to obtain bond funding);
  - In Fiscal Year 2008, TWDB plans to increase its FTEs from 40 to 47 or 48, and in Fiscal Year 2009, to increase to 62 – 70 FTEs.

Mary Ambrose (TCEQ) pointed out that an administrative function required of all state agencies is to develop a written ethics policy and distribute it to all employees of that state agency by January 1, 2008. The TGPC will begin this task after the Ethics Commission ([http://www.ethics.state.tx.us/whatsnew/conduct\\_2007.html](http://www.ethics.state.tx.us/whatsnew/conduct_2007.html)) publishes a model ethics policy by November 1, 2007.

Leslie Savage (RRC) reported that most of the legislation affecting the RRC had already been mentioned:

- Injection of desalination brine and drinking water treatment residuals;
- Uranium mining exploration wells;
- SB 1604 and its Memorandum of Understanding (MOU) between RRC, DSHS, and TCEQ relating to radiation issues;
- SB 1037 clarified jurisdiction regarding evaporation pits;
- TWC Chapter 36.117; and,
- An administrative law in the Texas government code that requires state agencies to do more on economic impact statements for rule making starting January 1, 2008.

Ambrose Charles (TDA) reported that there were no water-related bills passed that impacted TDA. However, the Texas Structural Pest Control Board will be dissolved and transferred to TDA as the Structural Pest Control Service (<http://www.tda.state.tx.us/spcs/>) as of September 1, 2007.

David Gunn (TDLR) reported that there were no water-related bills passed that impacted TDLR.

C. Allan Jones (TAES) reported that one special item increased programs and capacity within TCE.

#### 4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Texas Groundwater Protection Strategy – Discuss Strategy Implementation Issues Including: Improving Groundwater Data Collection and Assessment and Revisions to the Subcommittee Charge

Cary Betz (TCEQ) gave a brief update on the Data Management Subcommittee efforts to address one of the *Texas Groundwater Protection Strategy's* recommendations for action – Improving Groundwater Data

([http://www.tceq.state.tx.us/assets/public/comm\\_exec/pubs/as/188.pdf](http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/as/188.pdf), Chapter X):

- As reported previously, the unmet needs of all the agencies that are part of the TGPC must be addressed. TCEQ entered into a Grant Agreement with GTRI to facilitate the development of a statewide groundwater monitoring strategy. GTRI reviewed other monitoring plans and programs throughout the nation and was tasked with developing:
  - Data monitoring and data quality objectives;
  - A matrix describing sampling constituents and criteria for different monitoring regimes; and,
  - Basic, reference, and targeted networks.
- GTRI also examined TGPC's data management programs:
  - Interagency Pesticide Database ([http://www.tceq.state.tx.us/permitting/water\\_supply/groundwater/pesticides.html](http://www.tceq.state.tx.us/permitting/water_supply/groundwater/pesticides.html));
  - USGS's water quality data, including National Water-Quality Assessment (NAWQA, <http://water.usgs.gov/nawqa/>) data;
  - TCEQ's Water Utility Database (<http://www3.tceq.state.tx.us/iwud/>); and,
  - TWDB's Groundwater Database ([http://wiid.twdb.state.tx.us/ims/wwm\\_drl/viewer.htm](http://wiid.twdb.state.tx.us/ims/wwm_drl/viewer.htm)).
- Issues with the utility of these databases (e.g., ease of use, data quality, etc.) have been detailed in GTRI's draft and final reports. An outline of a Data Quality Management Plan, including a discussion of data quality objectives, data elements, and metadata has been produced.
- GTRI delivered the draft final report on July 31, 2007. This report has been sent to members of the Data Management Subcommittee for review and it is also available to TGPC members upon request. GTRI's final report will be used in conjunction with a prior USGS document by the Data Management Subcommittee to develop a Groundwater Monitoring Plan for the state as per Chapter X of the *Strategy*.
- Groundwater is moving closer to center stage at the national level. The US EPA, USGS, and National Ground Water Association (NGWA) are working together, through the US Department of the Interior Water Information Coordination Program (WICP) Advisory Committee on Water Information (ACWI) Subcommittee on Ground Water (SOGW, <http://acwi.gov/sogw/index.html>), to develop a national monitoring program in order to answer such questions as “Does the US have enough

groundwater, both today and in the future ?” and “How much groundwater is contaminated ?” The SOGW recognizes that monitoring both quantity and quality are necessary to answer these questions.

- The concept under design calls for a “network of networks”. This would involve a monitoring scheme similar to that proposed in the *Strategy*. It seems that most states do not have any programs comparable to the TGPC program, much less the newer, improved monitoring design that is currently being proposed in the draft Data Quality Management Plan. Texas is uniquely qualified to serve as a pilot program for monitoring due to the diversity of its groundwater resources and the monitoring strategy being designed.
- The project is about to begin the final stage of developing the groundwater monitoring strategy.

Based on the desire of the current Data Management Subcommittee’s leadership to transition to different activities, Cary Betz (TCEQ) requested that the TGPC appoint new Co-Chairs of the Data Management Subcommittee. Mary Ambrose (TCEQ) proposed that Cary Betz be one of the Data Management Subcommittee’s Co-Chairs and all TGPC members that were present approved of this proposal. Barry Miller (TAGD) indicated that he would like to see someone from TWDB Co-Chair this Subcommittee. Robert Mace (TWDB) indicated that TWDB would provide an additional Data Management Subcommittee’s Co-Chair recommendation to the TGPC Chair.

Cary Betz (TCEQ) suggested that the Data Management Subcommittee’s Groundwater Monitoring Plan be included in the upcoming *Strategy* revision. Mary Ambrose (TCEQ) proposed that the TGPC approve the Data Management Subcommittee’s proposed course of action, and that the Data Management Subcommittee should complete development of a Groundwater Monitoring Plan in time to be included in the upcoming *Strategy* revision and the next TGPC Legislative Report. All TGPC members that were present approved of this proposal.

Mary Ambrose (TCEQ) requested that the Data Management Subcommittee develop a schedule to deliver a final draft of its Groundwater Monitoring Plan and that they present this schedule at the next TGPC quarterly meeting.

#### Plans for updating the Texas Groundwater Protection Strategy

Mary Ambrose (TCEQ) discussed TGPC’s statute-driven responsibility for updating a comprehensive groundwater protection strategy. Based on the agreed-upon timetable for these updates (including draft review and approval by each of the 10 member agencies, 30 days for public comment, and draft review and approval of TGPC’s response to the public comment), work on the *Strategy* update should begin in Fiscal Year 2008, with publication of an updated document prior to the Legislature convening in January 2009. The revised *Strategy* should also form the basis of the recommendations and report of activities contained in the TGPC’s Report to the 81st Legislature. Mary Ambrose felt that the TGPC should meet in a work session in the first quarter of Fiscal Year 2008, separate from the quarterly meeting, in order to begin working on the *Strategy* update.

Mary Ambrose recommended that the following items be included in the *Strategy* update:

- Documentation of how the current regulatory, outreach, and research programs of the various local and state governmental agencies and research institutions work to protect groundwater resources;
- Identification of protection gaps in program implementation or coordination;
- Identification and ranking of significant threats to groundwater quality, and a prioritization of actions needed to address those threats;
- Documentation of the issues facing the Agricultural Chemicals and Groundwater Research Subcommittees which weren't captured in the previous *Strategy*; and,
- Documentation of agency reorganizations and their new areas of responsibility, and how these changes affect the way these agencies interact concerning groundwater issues.

#### Set Future Meeting Dates

The next TGPC meeting is scheduled for October 3, 2007 at 1:00 PM CDT.

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

##### Joint Groundwater Monitoring and Contamination Report - 2006

Abiy Berehe (TCEQ) reported that the 2006 *Joint Groundwater Monitoring and Contamination Report* (“*Joint Report*”) has been published (TCEQ publication SFR-056/06, [http://www.tceq.state.tx.us/comm\\_exec/forms\\_pubs/pubs/sfr/056\\_06\\_index.html](http://www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/sfr/056_06_index.html)), and it will be mailed out to county judges, public health officials, groundwater conservation districts, regional water planning groups, and some state agencies. A hard copy of the *Joint Report* was provided to each TGPC member, and several TGPC members requested additional hard copies. A link to the *Joint Report* has also been posted on the TGPC home page.

##### Water Quality Inventory (305(b)) Report

Cary Betz (TCEQ) reported that the surface water portion of the 2006 *Water Quality Inventory (305(b)) Report* (“*305(b) Report*”) has been sent to US EPA; the groundwater portion of this report should be through agency review by August 15, 2007. TCEQ is still working on posting the groundwater portion of the 2004 *305(b) Report* on the TCEQ website

(<http://www.tceq.state.tx.us/compliance/monitoring/water/quality/data/04twqi/twqi04.html>), but once this is completed there will be a link to it from the TGPC website.

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

Peggy Hunka (TCEQ) reported that 13 cases were reviewed and 424 letters were mailed to well owners since the last TGPC meeting. TCEQ staff are still working to coordinate a

meeting between the DSHS Bottled Water Section and their Radionuclide Section in order to discuss procedures for reporting groundwater contamination.

#### Regional Water Planning – Texas Water Development Board

Robert Mace (TWDB) reported that the regions are in the early phases of the next round of water planning which should be a review of changed conditions.

#### Groundwater Availability Modeling – Texas Water Development Board

Robert Mace (TWDB) reported that progress continues on the models and their geologic structures. Requests for qualifications were issued over the last few months and TWDB staff will evaluate them as they are submitted. TWDB's goal is to have all 30 major and minor aquifers modeled by the end of 2010.

#### National Groundwater Initiatives – All Agencies

Mary Ambrose (TCEQ) reported that NGWA is planning on developing water well construction standards.

Mary Ambrose (TCEQ) also reported that uranium mining issues are re-emerging nationwide.

Robert Mace (TWDB) suggested that Groundwater Management Areas (GMAs) be added as a topic under Information Exchange for future TGPC meetings.

C. Allan Jones (TAES) asked if there was any information regarding TWDB's 50th Anniversary event, and Robert Mace (TWDB) responded that he was planning on addressing this in the Announcements section of the meeting.

## 6. ANNOUNCEMENTS

### Rules Update

Robert Mace (TWDB) reported that TWDB is in the process of revisiting rules related to regional water planning, groundwater district management plans, and Joint Planning and GMAs. One important area concerns clarification on how to approach petitions challenging the reasonableness of desired future conditions; draft rules should be posted on the Texas Register in September 2007.

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

- Pending Proposals (21)
  - HB 3554: Risk-based Corrective Action
  - HB 3 / SB 3: Environmental Flow Standards

- SB 3 / HB 4, HB 1391 / HB 1717: Standards for Rainwater Harvesting, Public Safety Standards
- SB 662: Groundwater Availability for Platting
- HB 2541: MSW Recycling Facilities & Response/Remediation for Solid Waste
- HB 1457, HB 1719: Disposal & Storage of Carcasses
- HB 3554, HB 1956: Regulation, Remediation, and Financial Assurance of AST's and UST's
- HB 3220: Dry Cleaner Regulation and Remediation
- SB 1037: Evaporation Pits
- HB 3098: Edwards Aquifer Fees
- HB 2654: UIC Class I Non-hazardous Rules for Water Treatment Residuals
- HB 3838: In Situ Uranium Mining / SB 1604: Phase II
- SB 1604: Uranium Mining and Radioactive Waste (Phase 1)
- HB 4, SB 3: Water Conservation Plan Review
- Hazardous Household Waste Rules Revisions
- Texas Surface Water Quality Standards
- MSW Revisions to Chapter 305 & 330
- Repeal of Certain Subchapters of 30 TAC 321
- 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
- Penalty Payments – Installment Plans
- Proposals (0)
- Pending Adoptions (0)
- Adoptions (0)

Additional information on a specific rule can be found at [http://www.tceq.state.tx.us/nav/rules/propose\\_adopt.html](http://www.tceq.state.tx.us/nav/rules/propose_adopt.html).

#### New Publications

Robert Mace (TWDB) reported the publication of Groundwater Resource Evaluation and Availability Model of the Gulf Coast Aquifer in the Lower Rio Grande Valley of Texas (Report 368, <http://www.twdb.state.tx.us/publications/reports/GroundWaterReports/GWReports/Individual%20Report%20htm%20files/report368.asp>).

Mary Ambrose (TCEQ) reiterated that 2006 *Joint Groundwater Monitoring and Contamination Report* has been published.

Steve Musick (TCEQ) announced two recent Priority Groundwater Management Area (PGMA) publications ([http://www.tceq.state.tx.us/permitting/water\\_supply/groundwater/pgma.html](http://www.tceq.state.tx.us/permitting/water_supply/groundwater/pgma.html)):

- Updated Evaluation for the North-Central Texas – Trinity and Woodbine Aquifers – Priority Groundwater Management Study Area; and,

- Updated Evaluation for the Central Texas – Trinity Aquifer – Priority Groundwater Management Area.

#### Upcoming Conferences

Robert Mace (TWDB) reported that TWDB will be hosting a Water Summit on December 2 – 4, 2007 (<http://www.twdb.state.tx.us/about/watersummit/index.htm>) in celebration of its 50th Anniversary. National and international experts on water will speak on a range of subjects related to surface water and groundwater.

Robert Mace (TWDB) also reported that TWDB Groundwater Resources Division will be hosting a Groundwater 101 Workshop for GCDs on August 27 – 28, 2007.

Mary Ambrose (TCEQ) highlighted two of handouts on specific upcoming conferences:

- EPA 2007 STORET/WQX Users Conference, November 27 – 29, 2007, Austin, <http://www.epa.gov/storet/2007conf.html>
- Sixth National Monitoring Conference, Monitoring: Key to Understanding Our Waters, May 18 – 22, 2008, Atlantic City, <http://www.wef.org/ConferencesTraining/Conferences/Co-sponsoredEvents/NatlMonitoringConf.htm>

Details on additional upcoming conferences were listed in one of the handouts.

Ambrose Charles (TDA) announced that TDA will be celebrating its 100th Anniversary (<http://www.100yearstda.com/>) with a kick-off Reception and Gala on September 14, 2007 in Forth Worth.

J.P. Nicot announced that UTBEG will be making two presentations regarding arsenic contamination of groundwater, and that details will be forthcoming.

Mary Ambrose (TCEQ) announced that in the future, although TGPC members will still receive a hard copy notice, the remainder of the TGPC's mailing list will receive electronic notification of upcoming meetings.

#### 7. PUBLIC COMMENT

Mark Vickery (TCEQ) thanked Mary Ambrose (TCEQ) for her service as Chair of the TGPC for 16 years (1991 – 2007) and presented her with roses and a plaque. This was Mary Ambrose's last meeting as Chair since she was to retire from TCEQ at the end of August 2007. Accomplishments of the TGPC under Mary Ambrose's leadership included:

- The addition of three member agencies (TAES, UTBEG, and TDLR) to the original seven;
- Publication of 16 Joint Groundwater Monitoring and Contamination Reports, eight Legislative Reports, two State Management Plan for Agricultural Chemicals in Groundwater, and a Groundwater Data Dictionary;



- Development and publication of the most recent version of the state's Groundwater Protection Strategy;
- Contributions to several NPS Assessment Reports and Management Plans;
- Core Program Assessment for the US EPA Comprehensive State Ground Water Protection Program;
- Development of a Groundwater Classification System which was incorporated into TCEQ rules; and,
- Promotion of groundwater educational outreach, including a major program on plugging abandoned water wells.

Mary Ambrose (TCEQ) thanked the TGPC and TCEQ staff for their support. TGPC members also expressed their appreciation and best wishes.

## 8. ADJOURN

Mary Ambrose (TCEQ) adjourned the meeting at approximately 2:47 PM CST.