

TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING
 Second Quarterly Meeting, Fiscal Year 2018

Meeting Date: January 10, 2018
 Meeting No.: 121

Place: TCEQ Campus, Bldg F
 Room: 2210

TABLE OF CONTENTS

MEETING HANDOUTS	3
MEETING RECORD OF JANUARY 10, 2018	4
1. CALL TO ORDER AND INTRODUCTIONS	4
2. SUBCOMMITTEE REPORTS	4
Groundwater Issues	4
Public Outreach and Education	6
3. PRESENTATION	6
4. BUSINESS DISCUSSION AND POSSIBLE ACTION	7
<i>Joint Groundwater Monitoring and Contamination Report – 2017</i>	7
<i>Activities and Recommendations of the Texas Groundwater Protection Committee</i> – <i>Report to the 86th Legislature</i>	7
Quadrennial Rules Review and Amendments to 31 Texas Administrative Code (TAC) Chapter 601, Groundwater Contamination Report	7
Current Groundwater Issues	8
Set Future Meeting Date	8
5. INFORMATION EXCHANGE FOR GROUNDWATER-RELATED ACTIVITIES – STATUS UPDATE	8
Groundwater Contamination Notice Coordination (Texas Water Code §26.408) .	8
Groundwater Management Areas	8
Regional Water Planning	8
Groundwater Availability Modeling	9
Nonpoint Source Pollution	9
National Groundwater Initiatives	10
Drought Status	10
6. ANNOUNCEMENTS	10
Rules Update	10
New Publications	11
Upcoming Conferences	11
7. PUBLIC COMMENT	11
8. ADJOURN	11

MEETING ATTENDANCE

Committee Members

Cary Betz

Larry French

Peter Pope

Deba Dutta

David Villarreal

T.J. Helton

John Tracy

Linda Ruiz McCall

Adam Foster

Affiliation

Texas Commission on Environmental Quality (TCEQ)

Texas Water Development Board (TWDB)

Railroad Commission of Texas (RRC)

Texas Department of State Health Services (DSHS)

Texas Department of Agriculture (TDA)

Texas State Soil and Water Conservation Board (TSSWCB)

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)

Agency Staff

Abiy Berehe

Leon Byrd

Bill Carter

Cindy Hooper

Kathy McCormack

Chris Moore

Eric Newman

Michael Parr

L. Scott Underwood

Affiliation

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

RRC

TCEQ

TCEQ

Program

Water Availability Division

Water Availability Division

Water Quality Planning Division

Water Availability Division

Water Availability Division

Remediation Division

Environmental Law Division

Water Availability Division

Interested Parties

N/A

Affiliation

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on January 10, 2018
2. Record for Texas Groundwater Protection Committee meeting on October 18, 2017
3. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, December 13, 2017
4. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, December 2017
5. Draft *Joint Groundwater Monitoring and Contamination Report – 2017* Table of Contents (TGPC members only)
6. Proposed Rule Reviews, Texas Groundwater Protection Committee, Title 31, Part 18 (TGPC members only)
7. Drought 2018 – U.S. Drought Monitor, Texas, January 2, 2018; Public Water Supply Systems Affected, January 3, 2018; TCEQ List of Texas PWSs Limiting Water Use to Avoid Shortages, January 3, 2018; U.S. Seasonal Drought Outlook, December 2017 – March 2018, December 21, 2017
8. TCEQ Rules Update, 1/10/2018
9. National Groundwater Awareness Week 2018 posters
10. 2018 Water-related Conferences in Texas, January 2018

The following items were also on display on the handout table:

1. TGPC Public Information Act Policy

MEETING RECORD OF JANUARY 10, 2018

1. CALL TO ORDER AND INTRODUCTIONS

Cary Betz (TCEQ), Designated Chairman of the Texas Groundwater Protection Committee (TGPC), called the meeting to order at approximately 1:04 PM CST. TGPC members then introduced themselves. The representative from the Texas Alliance of Groundwater Districts (TAGD) was not present at the meeting.

2. SUBCOMMITTEE REPORTS

Groundwater Issues

Kathy McCormack (TCEQ) reported that the TGPC GWI Subcommittee last met on December 13, 2017 and 12 state and federal agencies and organizations were represented.

The current Agricultural Chemicals Task Force Status Report (available on the GWI Subcommittee webpage, <http://tgpc.texas.gov/tgpc-subcommittees/tgpc-groundwater-issues-subcommittee/>, under the “Additional Resources” heading) was reviewed with the following highlights:

- Fiscal Year (FY) 2017 monitoring results:
 - End-of-year and associated monitoring reports and data had been sent to the Region 6 U.S. Environmental Protection Agency (EPA) on September 6, 2017.
- Proposed FY 2018 monitoring plan:
 - Continue with cooperative pesticide monitoring with TWDB, primarily for atrazine and possibly 2,4-D; in 2018, TWDB would be sampling in the Trinity Aquifer, Edwards-Trinity Aquifer, and several minor aquifers, and a total of 150 samples were anticipated; and,
 - One urban metropolitan area with sufficient water wells to sample for some not-previously-monitored urban pesticides, provided the laboratory could accommodate the analyses; if not, a cluster of Resource Conservation and Recovery Act (RCRA) and Superfund pesticide-related sites would be identified and samples would be collected from private wells in the region, focusing on pesticides associated with those sites.
- Alan Cherepon (TCEQ) had downloaded the January 10, 2017 to September 20, 2017 (United States Geological Survey, USGS) data and it was being entered into a format compatible for entry into the Interagency Pesticide Database (IPD); 1,441 wells (85 new), 65 new samples, and 14,258 analytes were anticipated to be added.
- Alan Cherepon (TCEQ) had attended the Region 6 EPA States/Tribes Pesticide meeting in Addison on October 11-12, 2017, and he had participated in the annual Texas Plant Protection Association conference in Bryan on December 5-6, 2017 with the TGPC exhibit booth.
- The revised Quality Assurance Project Plan (QAPP) was approved by Region 6 EPA on October 11, 2017.
- In December 2017, Alan Cherepon (TCEQ) had updated the Texas Pesticides of INterest Tracking System (POINTS) online database for the 2017 calendar year.

- David Villarreal (TDA) added that they had requested funding for the collection of damaged agricultural chemical containers due to Hurricane Harvey.
- Lynne Fahlquist (USGS) noted that they would be sampling groundwater in the Edwards-Trinity Aquifer in FY 2018.

The current TGPC Publications Status Report (also available on the GWI Subcommittee webpage) was reviewed with the following highlights:

- Groundwater Assessment for the *2018 Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d)* (“*Texas Integrated Report*”):
 - The 2018 report preparation was underway and anticipated to be completed by April 1, 2018.
- *Joint Groundwater Monitoring and Contamination Report – 2016* (“*Joint Report*”, TCEQ publication SFR-056):
 - In January 2018, TCEQ staff would start working with TGPC members and TCEQ program areas on the *2017 Joint Report*; approval for the format and content of the *2017 Joint Report* would be requested at the TGPC meeting on January 10, 2018.

The current *Texas Groundwater Protection Strategy* (“*Strategy*”) Update Task Force Status Report (also available on the GWI Subcommittee webpage) was reviewed with the following highlight:

- Since the last GWI Subcommittee meeting, a revised draft *Strategy* update had been emailed to Task Force members and comments had been received.

The following current groundwater issues were briefly discussed:

- Hydraulic Fracturing;
- Emerging Contaminants;
- Border Groundwater;
- Aquifer Storage and Recovery;
- Abandoned Water Wells;
- Failing Septic Systems; and
- Others (arsenic estimates for the domestic water well population in the United States).

Before the meeting, Anish Jantrania (Texas A&M AgriLife Extension Service, AgriLife Extension) had provided a draft *How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?* white paper. The GWI Subcommittee member feedback would be compiled and provided to Anish Jantrania after the meeting.

After extensive discussion of the draft *Strategy* update, GWI Subcommittee members agreed that the *Strategy* Update Task Force (with the addition of representatives from TWDB, TDA, and UTBEG) should meet again, incorporate all of the feedback received at the meeting, and bring an updated version to the next meeting.

The next GWI Subcommittee meeting was scheduled for March 21, 2018.

Public Outreach and Education

Cary Betz (TCEQ) reported that the TGPC POE Subcommittee last met on December 13, 2017 and eight state agencies and organizations were represented.

The current Outreach Events Status Report (available on the POE Subcommittee webpage, <http://tgpc.state.tx.us/tgpc-subcommittees/tgpc-public-outreach-and-education-subcommittee/>, under the “Additional Resources” heading) was reviewed:

- AgriLife Extension Water Well Screening Events
 - There had been one water well screening event since the previous POE Subcommittee meeting in conjunction with Virginia Tech University after Hurricane Harvey.
- TGPC Exhibit Booth
 - Two since the previous POE Subcommittee meeting.

Diane Boellstorff (AgriLife Extension) reviewed the Texas Well Owner Network (TWON) schedule of completed, confirmed, obligated, and suggested water well one-day training events and workshops. There have been over 7,928 samples or attendees at TWON events since April 2011.

The Google Analytics activity report on the TGPC website for September 11, 2017 through December 11, 2017 was reviewed.

One of the four topics in the current *Texas Groundwater Protection Committee Groundwater Educational Outreach Plan* (“Plan”, http://tgpc.state.tx.us/POE/TGPC_POE_GW_EduOutreachPlan10Sep2013.pdf) was briefly discussed:

- Albert Jimenez (TDLR) discussed reports of abandoned water wells stating that they get about one notification per month.

Diane Boellstorff (AgriLife Extension) led a discussion on possible Frequently Asked Questions (FAQs) that the POE Subcommittee could work on in the future.

The next POE Subcommittee meeting was scheduled for March 21, 2018.

3. PRESENTATION

Kathy McCormack (TCEQ) demonstrated the new TCEQ Groundwater Contamination Viewer (“Viewer”, <http://arcg.is/2nsI9VD>), an interactive, online map of the groundwater contamination cases in Texas that are documented in the annual *Joint Groundwater Monitoring and Contamination Report* (TCEQ publication SFR-056, “*Joint Report*”). The Viewer contains the active cases found in the 2015 and 2016 *Joint Reports*; historic cases can be found in the published report and will be added to the application in the future. The Viewer gives users the ability to query the database and obtain spatial relationship information about the cases; a *User Guide* was available which provides an overview of the Viewer’s layout and tools. A link to the Viewer’s introductory webpage

would be available on the TCEQ Geographic Data Viewers webpage (<https://www.tceq.texas.gov/gis/tceq-geographic-data-viewers>) soon.

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Joint Groundwater Monitoring and Contamination Report – 2017

Cindy Hooper (TCEQ) requested TGPC approval of the format and draft Table of Contents for the *Joint Groundwater Monitoring and Contamination Report – 2017* (“*Joint Report*”). Peter Pope (RRC) proposed, David Villarreal (TDA) seconded, and all remaining TGPC members approved the draft Table of Contents and format for the *2017 Joint Report*.

Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 86th Legislature

Cary Betz (TCEQ) announced that it was time for the TGPC Legislative Report Subcommittee to be reactivated in order to prepare the *Activities and Recommendations of the Texas Groundwater Protection Committee - Report to the 86th Legislature* (“*Legislative Report*”). David Villarreal (TDA) proposed, Deba Dutta (DSHS) seconded, and all remaining TGPC members approved reactivation of the Legislative Report Subcommittee.

Abiy Berehe (TCEQ) would Chair the Legislative Report Subcommittee and its first meeting was scheduled for February 21, 2018. Cary Betz (TCEQ) requested that all TGPC members identify their representative to the Legislative Report Subcommittee.

Quadrennial Rules Review and Amendments to 31 Texas Administrative Code (TAC) Chapter 601, Groundwater Contamination Report

Michael Parr (TCEQ) reviewed a handout with TGPC members (Proposed Rule Reviews, Texas Groundwater Protection Committee, Title 31, Part 18) and reported that a Quadrennial Rules Review is mandated by Texas Government Code Chapter 2001.039 which requires each state agency to review its rules every four years and to make an assessment as to whether the reasons for the rules still exist. The TGPC is a legislatively-created Committee, so it is required to follow the same rule-making procedures as other state agencies.

The TGPC’s Rules define the conditions which constitute groundwater contamination for the purpose of inclusion of cases in the public files of each agency that is responsible for the protection of groundwater. The TGPC’s Rules describe the contents of its *Joint Report* required by Texas Water Code Chapter 26.408, and they specify the form and content of notices of groundwater contamination that must be mailed to each private water well owner, and, as applicable, each Groundwater Conservation District (GCD), that may be affected by documented cases of groundwater contamination.

In the last four years, there had been no statutory changes to the TGPC's authority or jurisdiction, and therefore it was recommended that the TGPC approve the proposal for readoption and readopt its Rules.

Larry French (TWDB) proposed, Linda Ruiz McCall (UTBEG) seconded, and all remaining TGPC members approved:

- Publication of a notice of the TGPC's intention to readopt their Rules in the *Texas Register* on January 26, 2018; and,
- TCEQ staff to make any non-substantive revisions necessary to comply with *Texas Register* requirements.

Public comment would be due by 5:00 PM CST on February 25, 2018, and the TGPC would vote on the readoption of their Rules at the next TGPC meeting.

Current Groundwater Issues

David Villarreal (TDA) noted that the issue of imperiled freshwater mussels would affect a large area of Texas, and that they were working with AgriLife Extension to stockpile water well test kits in preparation for the next hurricane season.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for April 18, 2018 at 1:00 PM CDT.

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

Groundwater Contamination Notice Coordination (Texas Water Code §26.408)

Cary Betz (TCEQ) reported that the Impact Evaluation Team (IET) had met twice since the last TGPC meeting, they had reviewed two groundwater contamination cases, and mailed six letters to private water well owners. Twenty letters had also been mailed to private water well owners for groundwater contamination cases reviewed in the previous quarter.

Groundwater Management Areas

There was no discussion of this topic at the meeting.

Regional Water Planning

Larry French (TWDB) reported that:

- On January 12, 2018, requested revisions to water demand projections were due to TWDB with anticipated Board consideration for adoption in April 2018;
- The database application used by Regional Water Planning Groups (RWPGs) for development of the 2021 Regional Water Plans and the 2022 State Water Plan would

be available in April 2018 and it should contain all of the current Modeled Available Groundwater (MAG) values;

- Technical memorandums were due from the RWPGs in September 2018 regarding water projections, supplies, demands, and needs; and,
- Their Board had published proposed rule revisions and accompanying guidance revisions concerning the streamlining of the planning process that was included in Senate Bill (SB) 1511 from the last legislative session; these rules were related to 31 TAC Chapter 357 (Regional Water Planning administrative rules) and they were open for public comment through January 31, 2018.

Groundwater Availability Modeling

Larry French (TWDB) reported that:

- Groundwater staff had completed and delivered the MAGs for 11 of the 15 Groundwater Management Areas (GMAs); however, as a result of a petition, GMA 14 would be revisiting all of its Desired Future Conditions (DFCs) this year;
- Staff modeling projects:
 - The Blossom Aquifer Groundwater Availability Model (GAM) was almost complete;
 - The Northern Segment of the Edwards (Balcones Fault Zone) Aquifer GAM was in progress; and,
 - The Gulf Coast Aquifer System GAM (for the central and southern portions of GMAs 15 and 16) was in progress.
- GAM research contracts:
 - The GMA 13 mapping project contract with UTBEG was in progress and draft deliverables had been reviewed;
 - A fault study and update to GMA 12 should be complete by the end of the summer;
 - An updated GAM for the northern Carrizo-Wilcox, Queen City, Sparta Aquifers was in progress and the conceptual model was due this summer;
 - A conceptual model for the Trinity Aquifer was due this summer; and,
 - A study to look at aquifers that are vulnerable to subsidence was almost complete and final deliverables were due this spring.

Nonpoint Source Pollution

Bill Carter (TCEQ) announced that the *Nonpoint Source Management in Texas* joint TCEQ/TSSWCB annual report would be approved soon.

T.J. Helton (TSSWCB) reported that the Governor had submitted the *Texas Nonpoint Source Management Program* joint TCEQ/TSSWCB five-year plan to the U.S. EPA in mid-December 2017.

National Groundwater Initiatives

Cary Betz (TCEQ) reported that the National Ground-Water Monitoring Network Program (NGWMNP) Program Board would be meeting at the USGS offices in Austin during the week of January 21, 2018.

John Tracy (AgriLife Research) reported that there would be an American Water Resources Association (AWRA) 2018 Summer Conference in Fort Worth in July 2018 with a focus on the science, management, and governance of transboundary groundwater. Transboundary groundwater was being defined as “groundwater managed across political and management jurisdictions”, so it included GCDs up through nations.

Drought Status

Cary Betz (TCEQ) referred TGPC members to the most recent U.S. Drought Monitor and TCEQ drought-affected Public Water Systems (PWSs) maps, as well as the TCEQ List of PWSs Limiting Water Use to Avoid Shortages (aka, the “180-day list”). As of January 2, 2018, 67 % of the state was classified as D0 through D3, up from 13 % at the last TGPC meeting, with the U.S. Seasonal Drought Outlook forecasting drought conditions persisting or likely developing in the central and western portions of the state through March 31, 2018. As of January 3, 2018, of the 4,662 active community water systems in Texas, 1,060 were affected by drought (either voluntary or mandatory), and 727 of those used groundwater (either partially or exclusively). As of January 3, 2018, six PWSs in the state could be out of water in 180 days or less (one system less than at the last TGPC meeting).

6. ANNOUNCEMENTS

Rules Update

Cary Betz (TCEQ) reported on current TCEQ rulemaking that was of interest to the TGPC:

- 2018-009-217-OW – Quad Review of Chapter 217 - Design Criteria for Domestic Wastewater Systems;
- 2018-008-317-OW – Quad Review of Chapter 317 - Design Criteria Prior to 2008;
- 2018-004-344-CE – Landscape Irrigation Backflow Assemblies;
- 2018-001-305-WS – Modification of Municipal Solid Waste (MSW) Landfill Permits for Vertical Expansion to Dispose of Waste from Hurricane Harvey;
- 2017-026-342-OW – House Bill (HB) 2582: Exemption for Certain Quarries from the Aggregate Production Operation Registration Requirements of Texas Water Code, Chapter 28A;
- 2017-025-305-OW – HB 3618: Repeal of Basin Cycle Permitting;
- 2017-008-007-LS – Texas Department of Transportation (TxDOT) and TCEQ Memorandum of Understanding (MOU): Environmental Reviews;
- 2016-042-309-OW – Amendment of Chapters 222 and 309 Relating to Beneficial Reuse Credits; and,

- 2018-001-305-WS – Modification of MSW Landfill Permits for Vertical Expansion to Dispose of Waste from Hurricane Harvey.

Additional information on a specific TCEQ rule can be found at <http://www.tceq.texas.gov/rules/whatsnew.html>.

New Publications

Cary Betz (TCEQ) announced one TCEQ publication:

- *Managing Small Domestic Wastewater Systems*, RG-530/com (revised November 2017), <https://www.tceq.texas.gov/publications/rg/rg-530/index.html>.

Upcoming Conferences

Cary Betz (TCEQ) announced that the TGPC had again prepared National Groundwater Awareness Week posters for its members. This year's event was scheduled for March 11 – 17, 2018. TGPC members were asked to make whatever requests were needed in order to display the poster during that work week at their agency.

Cary Betz (TCEQ) also referred TGPC members to the conferences listed in the “2018 Water-related Conferences in Texas” handout – the current version of this handout is always available on the TGPC’s POE Subcommittee webpage at <http://tgpc.state.tx.us/tgpc-subcommittees/tgpc-public-outreach-and-education-subcommittee/> under the “Additional Resources” heading.

Larry French (TWDB) announced that TWDB, TCEQ, and Texas Parks and Wildlife Department (TPWD) would be holding a public meeting in Del Rio on January 24, 2018 regarding the legislatively-requested groundwater studies in Val Verde County. They would be preparing a technical report that summarizes the area’s groundwater resources, with particular attention to the Devil’s River watershed and the feasibility of using hydrologic triggers as a possible groundwater management approach, and they were seeking public input of data. There was no GCD in that area, and concern had been expressed about the potential for groundwater development affecting flows in the Devil’s River (which has some sensitive ecological issues).

Larry French (TWDB) also announced that their Board had recently approved a new minor aquifer in north central Texas – the Cross Timbers Aquifer. A map was already available on their website, and a GAM would need to be developed.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 2:45 PM CST.