

**TEXAS GROUNDWATER PROTECTION COMMITTEE  
 RECORD OF MEETING  
 Second Quarterly Meeting, Fiscal Year 2024**

Meeting Date: January 10, 2024  
 Meeting No.: 144

Place: TCEQ Campus, Bldg F  
 Room: 5108

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## MEETING ATTENDANCE

### Committee Members

Kelly Mills	Texas Commission on Environmental Quality (TCEQ)
Natalie Ballew	Texas Water Development Board (TWDB)
James Harcourt	Railroad Commission of Texas (RRC)
Eric Lawrence	Texas Department of State Health Services (DSHS)
David Villarreal	Texas Department of Agriculture (TDA)
David Van Dresar	Texas Alliance of Groundwater Districts (TAGD)
David Gunn	Texas Department of Licensing and Regulation (TDLR)

### Affiliation

### Agency Staff

<u>Agency Staff</u>	<u>Affiliation</u>	<u>Program</u>
Abiy Berehe	TCEQ	Water Availability Division
Alan Cherepon	TCEQ	Water Availability Division
Stephanie Escobar	TCEQ	Water Availability Division
Cindy Hooper	TCEQ	Water Availability Division
Peggy Hunka	TCEQ	Water Availability Division
Leah Martinsson	TAGD	
Kathy McCormack	TCEQ	Water Availability Division
Kim Nygren	TCEQ	Water Availability Division
Alyssa Pantuso	TCEQ	Program Support and Environmental Assistance Division
Michael Parr	TCEQ	Environmental Law Division
Carly Rotzler	Texas Parks and Wildlife Department (TPWD)	
Latrichia Spikes	TCEQ	Program Support and Environmental Assistance Division
Julia Stanford	TAGD	
Justin Thompson	Bureau of Economic Geology of The University of Texas at Austin (UTBEG)	
Scott Underwood	TCEQ	Water Availability Division

### Interested Parties

<u>Interested Parties</u>	<u>Affiliation</u>
Bryce Canady	Murfee Engineering Company
Sarah Kirkle	Texas Water Conservation Association (TWCA)
Ken Kramer	
Joel Murry	Eastman Chemical Company
Martha Pskowski	Inside Climate News
Alysa Suydam	Synergetic Partners

## MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on January 10, 2024
2. Record for Texas Groundwater Protection Committee meeting on October 18, 2023
3. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, December 13, 2023
4. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, December 13, 2023
5. TGPC Website Google Analytics Report, October 1 – December 31, 2023
6. Proposed Table of Contents for *Joint Groundwater Monitoring and Contamination Report – 2023* (SFR-056)
7. *Pesticides in Urban Groundwater* Frequently Asked Question (FAQ)
8. *How Do You Prevent Pesticide Contamination of Private Water Wells?* FAQ
9. TCEQ Rules Update, 1/10/2024
10. TCEQ Aggregate Production Operations (APO) Best Management Practices (BMPs) Project Summary
11. 2024 Water-related Conferences in Texas, January 2024

## MEETING RECORD OF JANUARY 10, 2024

### 1. PRE-MEETING REMINDERS

Before the meeting started, Kelly Mills (TCEQ) provided the attendees with some tips that would facilitate a productive videoconference option for the meeting.

### 2. CALL TO ORDER AND INTRODUCTIONS

The member of the TGPC presiding over this meeting was physically present at the location listed on the first page and this meeting location was accessible to the public. Other designated TGPC members and the public were also able attend this meeting via videoconference or teleconference at no cost.

Kelly Mills (TCEQ), Designated Chairman of the Texas Groundwater Protection Committee (TGPC), called the meeting to order at approximately 1:33 PM CST and called the roll of TGPC members. The designated representative or alternate from the Texas State Soil and Water Conservation Board (TSSWCB), Texas A&M AgriLife Research (AgriLife Research), and UTBEG were not present at the meeting.

### 3. SUBCOMMITTEE REPORTS

#### Groundwater Issues

Kathy McCormack (TCEQ) reported that Subcommittee last met via videoconference on December 13, 2023, and 10 state and federal agencies and organizations were represented.

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

- End-Of-Year and monitoring reports were sent to the U.S. Environmental Protection Agency (EPA) Region 6 in Dallas in September 2023;
- The proposed Fiscal Year (FY) 2024 Monitoring Plan included only Cooperative Monitoring with TWDB, with immunoassay screening for atrazine and possibly 2,4-D or another pesticide;
- United States Geological Survey (USGS) data was being entered into the TCEQ Interagency Pesticide Database (IPD): five water wells previously not sampled, with a total of 87 samples and 7,584 analyte analyses from September 2021 through August 2023;
  - Current totals for the three tables that comprise the IPD: Wells 7,022, Samples 15,823, and Analytes 396,711;
- A table-top display and staff providing information on the TGPC, including pesticide information and data, was set up at the 35th Annual Texas Plant Protection Conference in Bryan on December 5 – 6, 2023;

- The revised FY 2024 TCEQ Quality Management Plan (QMP) had been submitted to U.S. EPA for review and was awaiting approval;
- The Pesticides of INterest Tracking System (POINTS) pesticide assessment database was updated for Texas for FY 2023 on December 8, 2023; and,
- The Region 6 U.S. EPA/States/Tribes pesticide meeting was held in Dallas on October 6 – 7, 2023, and Alan Cherepon (TCEQ) attended virtually (water quality issues were not addressed during the meeting).

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

- *Joint Groundwater Monitoring and Contamination Report – 2023 (“Joint Report”, SFR-056)*
  - Work would begin on the *2023 Joint Report* in January 2024.
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 89th Legislature (“Legislative Report”, SFR-47)*
  - The TGPC Legislative Report Subcommittee would be reactivated during the January 2024 TGPC meeting in order to prepare the report by December 31, 2024.
- Groundwater Assessment (AS-465/24) for the *2024 Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d) (“Texas Integrated Report”)*
  - The Groundwater Assessment was being prepared and it would be completed by March 1, 2024, and then it would be provided to TCEQ’s Water Quality Planning Division for inclusion in the *2024 Texas Integrated Report*.
- *Priority Groundwater Management Areas and Groundwater Conservation Districts, Report to the 89th Texas Legislature (“PGMA/GCD Legislative Report”, SFR-53)*
  - Work on the next edition of the *PGMA/GCD Legislative Report* would be initiated in the summer of 2024.

The following current groundwater issues were discussed:

- Oil and Gas Produced Water;
- Emerging Chemical and Biological Contaminants;
- Aquifer Storage and Recovery (ASR);
- Environmental Justice and Groundwater Access and Quality;
- Groundwater Quality Monitoring;
- Brackish Groundwater;
- Evapotranspiration Networks; and,
- Others (i.e., a company in south Texas had renewed its 10-year permit for uranium mining using In-Situ Recovery (ISR) technology).

Margaret Willis (Southwest Center for Pediatric Environmental Health) and Eric Lawrence (DSHS) presented the initial draft of their *Children’s Health and Groundwater Quality at Child Care Operations Using Private Water Wells* white paper. After some good discussion, Subcommittee members were encouraged to provide additional feedback after the meeting, and an updated draft of the white paper would be presented at the next meeting.

The next TGPC GWI Subcommittee meeting was scheduled for March 20, 2024.

## Public Outreach and Education

Peggy Hunka (TCEQ) reported that the Subcommittee last met on December 13, 2023, and seven state agencies and organizations were represented.

Joel Pigg (Texas A&M AgriLife Extension Service, “AgriLife Extension”) reviewed the Texas Well Owner Network (TWON) training schedule. During the previous quarter, TWON staff held five one-day events and seven one-hour events, and they collected 430 samples. There had been over 3,023 samples or attendees at TWON events since May 2021.

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

- Texas A&M AgriLife Extension Service (AgriLife Extension) Water Well Screening Events
  - Joel Pigg (AgriLife Extension) reported there were seven events in August 2023 with four more events planned for December 2023 and January 2024.
- TGPC Exhibit Booth
  - The 35th Annual Texas Plant Protection Conference was held in Bryan on December 5 – 6, 2023, and an estimated 22 people visited the TGPC booth during this conference.

Joel Pigg (AgriLife Extension) reviewed the list of upcoming conferences and there were no TGPC exhibit booths planned at that time.

Joel Pigg (AgriLife Extension) reviewed the drought monitor report which showed that most of Texas was coming out of a drought except for the central Texas / Lampasas area.

Three options for the TGPC 2024 National Groundwater Awareness Week poster were presented to the Subcommittee and one was chosen for printing. The data on the poster would also be updated. The pdf file of the updated poster would be distributed to all TGPC members in January.

Peggy Hunka (TCEQ) led a discussion on the changes to the agenda and requested input on ways to increase educational outreach opportunities that could be listed in the *Groundwater Educational Outreach Plan*.

The following FAQs and Fact Sheets were discussed:

- The draft updates to the FAQs titled *How Do You Prevent Pesticide Contamination of Private Water Wells?* and *Pesticides in Urban Groundwater* were approved and would be presented to the TGPC at their next meeting in January 2024.
- A draft update to the FAQ titled *How Do You Form a Groundwater Conservation District?* was discussed and tabled for further review.

- A draft update to the FAQ title *What is a Priority Groundwater Management Area (PGMA)?* was discussed and tabled for further review.

The next TGPC POE Subcommittee meeting was scheduled for March 20, 2024.

Peggy Hunka (TCEQ) also reviewed the TGPC website Google Analytics report for October 1 – December 31, 2023.

David Gunn (TDLR) joined the meeting at approximately 1:50 PM CST and was present for the remainder of the meeting.

#### 4. PRESENTATION

Julia Stanford (TAGD) shared information on their organization and the history, design, and data included in their online, interactive Groundwater Conservation District Index ([www.texasgroundwater.org/gcd-index](http://www.texasgroundwater.org/gcd-index)). Navigating the Viewer and its associated table were demonstrated, and several example use cases were reviewed.

Presentations at TGPC meetings are always available on the Meeting Records of the TGPC webpage (<https://tgpc.texas.gov/meetings/meeting-records-of-the-texas-groundwater-protection-committee/>).

#### 5. BUSINESS DISCUSSION AND POSSIBLE ACTION

*Joint Groundwater Monitoring and Contamination Report – 2023 – Format and Content Approval*

Cindy Hooper (TCEQ) presented the draft Table of Contents for the *Joint Groundwater Monitoring and Contamination Report – 2023*. James Harcourt (RRC) proposed, David Van Dresar (TAGD) seconded, and all remaining TGPC members approved the draft format and content of the *Joint Groundwater Monitoring and Contamination Report – 2023*, and allowing TCEQ staff to make any non-substantive changes required for publication on the TCEQ website. TCEQ staff would continue working on this annual TGPC report so that it would be published later in 2024.

Cindy Hooper (TCEQ) also announced that the initial emails requesting updated information from TGPC members would be sent out the following week and that feedback would be requested by February 23, 2024.

*Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 89th Legislature – Reactivation of Legislative Report Subcommittee and Appointment of Members*

Abiy Berehe (TCEQ) provided background information on the TGPC Legislative Report Subcommittee. David Villarreal (TDA) proposed, James Harcourt (RRC) seconded, and all remaining TGPC members approved reactivation of the Legislative Report

Subcommittee. Abiy Berehe (TCEQ) was named Chair of the Subcommittee, representing TCEQ, and the following Subcommittee representatives were identified:

- TWDB – Robert Bradley;
- DSHS – Eric Lawrence;
- TDA – David Villarreal;
- TAGD – their future Executive Director; and,
- TDLR – David Gunn.

James Harcourt (RRC) and Justin Thompson (UTBEG) indicated that they would provide Abiy Berehe (TCEQ) with the names of those that would attend these Subcommittee meetings as the representative from their agency or organization.

#### *Pesticides in Urban Groundwater and How Do You Prevent Pesticide Contamination of Private Water Wells? FAQs*

Peggy Hunka (TCEQ) presented the *Pesticides in Urban Groundwater and How Do You Prevent Pesticide Contamination of Private Water Wells? FAQs*. David Gunn (TDLR) proposed, David Van Dresar (TAGD) seconded, and all remaining TGPC members approved the FAQs. The FAQs would be posted on the TGPC website.

#### Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for April 24, 2024, at 1:30 PM CDT as a hybrid meeting.

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

### Groundwater Contamination Notice Coordination (Texas Water Code §26.408)

Peggy Hunka (TCEQ) reported that, since the last TGPC meeting, their Impact Evaluation Team (IET) had met three times and reviewed three groundwater contamination cases, and that eight notices had been sent to the potentially affected private water well owners and users.

### Groundwater Management Areas

David Van Dresar (TAGD) reported that the Groundwater Management Areas (GMAs) were in the preliminary stages of their evaluations for the next round of regional water planning as well as updating their management plans.

### Updates on Regional Water Planning, Groundwater Availability Modeling, Brackish Groundwater Studies, and Innovative Water

Natalie Ballew (TWDB) reported that the Regional Water Planning Groups were working on their technical memorandums which were due in March 2024.



## Nonpoint Source Pollution

Kelly Mills (TCEQ) reported that the *Nonpoint Source Pollution Management in Texas 2023 Annual Report* was waiting on TCEQ executive approval and it was due to the U.S. EPA by January 31, 2024.

## National Groundwater Information

There was no discussion of this topic at the meeting.

## 7. ANNOUNCEMENTS

### Rules Update

Cindy Hooper (TCEQ) reported on current TCEQ rulemaking and non-rule projects that were of interest to the TGPC:

- 2024-006-230-OW – Groundwater Certification Requirements;
- 2023-139-321-OW – Land Application of Dairy Waste and Disposal of Dairy Waste in Control Facility;
- 2023-099-230-OW – Rule Review of Title 30 Texas Administrative Code (TAC) Chapter 230 (30 TAC 230); and,
- 2024-009-285-CE – Proposed Changes to 30 TAC 285, On-site Sewage Facilities (OSSFs).

Cindy Hooper (TCEQ) added that:

- They were conducting research on the administrative and technical aspects of establishing a grant program to plug leaking water wells in certain counties and would start the rulemaking required to implement House Bill (HB) 4256 (88th Texas Legislature, Regular Session, 2023); and,
- TCEQ rulemaking was not required for HB 4856 (88th Texas Legislature, Regular Session, 2023) which allowed treated liquid oil and gas waste to be injected for the purpose of aquifer recharge.

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

Natalie Ballew (TWDB) reported that their rules related to Title 31 Texas Administrative Code (TAC) Chapter 356 (groundwater management) would be undergoing quadrennial review soon.

### New Publications

There were no TCEQ groundwater-related publications to report since the last meeting.

## Upcoming Conferences

Kelly Mills (TCEQ) referred TGPC members to the conferences listed in the “2024 Water-related Conferences in Texas” handout – the current version of this handout was always available on the TGPC’s POE Subcommittee webpage at <https://tgpc.texas.gov/tgpc-subcommittees/tgpc-public-outreach-and-education-subcommittee/> under the “Additional Resources” heading.

Kelly Mills (TCEQ) announced that the TGPC had again prepared a National Groundwater Awareness Week poster for its members. The event was scheduled for March 10 – 16, 2024, and the file would be available for download from the TGPC homepage in February 2024.

Michael Parr (TCEQ and the TGPC’s Legal Counsel) followed up on his announcement at the last meeting about their APO BMPs project. Feedback was requested from TGPC members regarding BMPs that related to water use, water storage, water pumping, pre-blasting surveys, or blasting, as well as any recommendations regarding other state agencies or Points of Contacts (POCs) that could have useful information.

Kelly Mills (TCEQ) recognized Leah Martinsson (TAGD) who would be leaving that organization at the end of February 2024.

## 8. PUBLIC COMMENT

There was no public comment at the meeting.

## 9. ADJOURN

Kelly Mills (TCEQ) adjourned the meeting at approximately 2:43 PM CST.