

TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING
 Second Quarterly Meeting, Fiscal Year 2023

Meeting Date: January 11, 2023
 Meeting No.: 140

Place: TCEQ Campus, Bldg F
 Room: 5108

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MEETING ATTENDANCE

Committee Members

Kelly Mills

Natalie Ballew
James Harcourt
T.J. Helton

Leah Martinsson
Allen Berthold

David Gunn

Affiliation

Texas Commission on Environmental Quality (TCEQ)
Texas Water Development Board (TWDB)
Railroad Commission of Texas (RRC)
Texas State Soil and Water Conservation Board (TSSWCB)
Texas Alliance of Groundwater Districts (TAGD)
Texas A&M AgriLife Research (AgriLife Research)
Texas Department of Licensing and Regulation (TDLR)

Agency Staff

Abiy Berehe
Alan Cherepon
Grant Gibson
Jason Godeaux
Daniel Collazo
Cindy Hooper
Peggy Hunka
Marty Kelly
Kristie Laughlin
John Malito

Kathy McCormack
Kathleen McCully

Scott Underwood

Affiliation

Program

TCEQ Water Availability Division
TCEQ Water Availability Division
TCEQ Water Availability Division
TCEQ Water Availability Division
TWDB
TCEQ Water Availability Division
TCEQ Water Availability Division
Texas Parks and Wildlife Department (TPWD)
TWDB
Bureau of Economic Geology of The University of Texas at Austin (UTBEG)
TCEQ Water Availability Division
TCEQ Program Support and Environmental Assistance Division
TCEQ Water Availability Division

Interested Parties

Noelle George
Terese McCaine
Jennifer Miller
Brita Minin
Joel Murry
Mary Musick
Diana Nichols
Jamie Shakar
Alysa Suydam
Rane Wilson

Affiliation

WateReuse Texas

Brazos River Authority (BRA)
Terracon Consultants
Eastman Chemical Company
Ground Water Protection Council (GWPC)
Kelly Hart & Hallman, LLP
City of Houston Public Works
Synergetic Partners
reUse Engineering

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on January 11, 2023
2. Record for Texas Groundwater Protection Committee meeting on October 19, 2022
3. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, December 7, 2022
4. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, December 7, 2022
5. Draft Table of Contents for 2022 *Joint Groundwater Monitoring and Contamination Report*
6. *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 88th Legislature*,
<https://www.tceq.texas.gov/downloads/groundwater/publications/sfr-47-22-tgpc-report-88th-legislature.pdf>
7. TCEQ Rules Update, 1/11/2023
8. 2023 Water-related Conferences in Texas, January 2023

MEETING RECORD OF JANUARY 11, 2023

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 1:35 PM CST and called the roll of TGPC members. The designated representative or alternate from the Texas Department of State Health Services (DSHS), Texas Department of Agriculture (TDA), and UTBEG were not present at the meeting.

3. SUBCOMMITTEE REPORTS

Groundwater Issues

Kathy McCormack (TCEQ) reported that the TGPC GWI Subcommittee last met on December 7, 2022, via videoconference and nine 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:

- The proposed Fiscal Year (FY) 2023 Cooperative Groundwater Pesticide Monitoring program activities between TWDB and TCEQ included the continued monitoring for atrazine and possibly some 2,4-D, on-going monitoring in the Panhandle of Public Water Supply (PWS) systems with previous high atrazine detects (but only if the budget allowed), and providing the U.S. Environmental Protection Agency (EPA) with available Texas water pesticide monitoring data.
- In early FY 2023, the FY 2022 end-of-year report and the updated TCEQ Interagency Pesticide Database (IPD) was sent to U.S. EPA Region 6 along with updated 2022 pesticide water sample results from TCEQ’s Public Drinking Water and Source Water Protection programs.
- A table-top display and staff providing information on the TGPC, including pesticide information and data, was set up at the annual Texas Plant Protection Conference in Bryan on December 6 – 7, 2022.

- The U.S. EPA Region 6 pesticide meeting was held in a hybrid format (virtually and in Dallas) on October 25 – 26, 2022, and water quality remained a lower priority issue compared to climate change and environmental justice. At this meeting, Alan Cherepon (TCEQ) reported a summary of his work conducted in FY 2022.

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 – 2022 (“Joint Report”, SFR-056)*
 - Work on the 2022 *Joint Report* would commence in January 2023.
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 88th Legislature (“Legislative Report”, SFR-047)*
 - The TGPC *Legislative Report* for the 88th Legislature was provided to TCEQ’s Intergovernmental Relations program for distribution to elected officials and the report would be published on the TGPC and TCEQ websites in December 2022.

Cindy Hooper (TCEQ) also reported on the following groundwater-related TCEQ publication:

- *Priority Groundwater Management Areas and Groundwater Conservation Districts, Report to the 88th Legislature (“PGMA/GCD Legislative Report”, SFR-53/22)*
 - Work on the *PGMA/GCD Legislative Report* was in progress between TWDB and TCEQ, and TCEQ planned to distribute the report to legislative leadership in January 2023.

The following current groundwater issues were discussed:

- Oil and Gas Produced Water;
- Emerging Contaminants;
- Aquifer Storage and Recovery (ASR);
- Abandoned Water Wells;
- Brackish Groundwater; and,
- Evapotranspiration Networks.

As required by the GWI Subcommittee’s current *Charge* (https://tGPC.texas.gov/wp-content/themes/responsive/subcommittees/gwissues/GWI_SubComm_Charge10Jul2019.pdf), Kathy McCormack (TCEQ) presented an initial draft of the *TGPC GWI Subcommittee Fiscal Year 2024 – 2025 Activity Plan*. There were several suggestions regarding new groundwater-related issues, and the draft *Activity Plan* would be reviewed and discussed again at the next meeting.

Updated drafts of the *Abandoned Water Wells and the Challenges They Pose* and *Prioritizing New Drinking Water Infrastructure Funding in Texas* white papers were presented and discussed. Additional feedback was requested from Subcommittee members, and updated versions of each white paper would be presented at the next Subcommittee meeting.

The next TGPC GWI Subcommittee meeting was scheduled for March 8, 2023.

Public Outreach and Education

Peggy Hunka (TCEQ) reported that the TGPC POE Subcommittee last met on December 7, 2022, and seven state agencies and organizations were represented.

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
 - John Smith (AgriLife Extension) reported that eight events were held in Gillespie, Culberson, Brazos, Gaines, Andrews, Lubbock, Carson, Deaf Smith, and Taylor counties where 238 samples were analyzed, and that they would be in Falls County in May 2023.
- TGPC Exhibit Booth
 - The booth was set up at the Texas Plant Protection Association (TPPA) conference in Bryan on December 5 – 7, 2022, with about 30 attendees stopping by the booth.

Joel Pigg (AgriLife Extension) reviewed the Texas Well Owner Network (TWON) schedule of completed and confirmed water well one-day training events and workshops. There had been over 1,835 samples or attendees at TWON events since May 2021.

The Google Analytics activity report on the TGPC website was reviewed.

- TGPC *Groundwater Educational Outreach Plan* Topic Updates:
 - Abandoned Wells
 - § David Gunn (TDLR) reported that a number of hand-dug wells were discovered in northeast Texas and that efforts to identify the landowners were underway. Once the landowners were identified, they would be notified that the wells needed to be either brought into compliance or plugged.
 - Frequently Asked Questions (FAQs) and Fact Sheets
 - § After a brief review of the draft FAQ titled *How Is Pesticide Contamination of Water Wells Prevented?*, it was decided that further review was required and an updated draft would be presented at the next meeting.

The next TGPC POE Subcommittee meeting was scheduled for March 8, 2023.

Legislative Report

This Subcommittee report was given during the Business portion of the meeting.

4. PRESENTATION

Daniel Collazo (TWDB) shared information on their Aquifer Storage and Recovery (ASR) and Aquifer Recharge (AR) program. The review included a quick history of

ASR and AR in Texas, definitions, their Statewide Suitability Survey (<https://www.twdb.texas.gov/innovativewater/asr/projects/Statewide/index.asp>) and its interactive public data display, some example maps, a summary of two additional completed studies, a brief description of current projects, and a list of potential future projects.

Presentations at TGPC meetings were 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 – 2022

Cindy Hooper (TCEQ) presented the draft Table of Contents for the *Joint Groundwater Monitoring and Contamination Report – 2022*. David Gunn (TDLR) proposed, James Harcourt (RRC) seconded, and all remaining TGPC members approved the draft format and content of the *Joint Groundwater Monitoring and Contamination Report – 2022*, 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 2023.

Cindy Hooper (TCEQ) also announced that the initial emails requesting updated information had been sent out and that feedback was requested by February 24, 2023.

Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 88th Legislature

Abiy Berehe (TCEQ) provided the status of the final report and its delivery to the Texas Legislature. The Legislative Report Subcommittee had completed working on the *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 88th Legislature*, and it was published and distributed to the Governor, Lt. Governor, Speaker of the House, Chairman Perry, and Chairman King on December 7, 2022. The report was also posted on the TGPC and TCEQ websites. Abiy Berehe (TCEQ) thanked the TGPC members and TCEQ staff that contributed to this work.

Legislative Report Subcommittee Deactivation

With its most recent work completed, Kelly Mills (TCEQ) announced that it was time to deactivate the Legislative Report Subcommittee. Natalie Ballew (TWDB) proposed, Allen Berthold (AgriLife Research) seconded, and all remaining TGPC members approved deactivation of the TGPC Legislative Report Subcommittee pending its re-activation in January 2024 in order to prepare the TGPC's next *Legislative Report*.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for April 19, 2023, 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)

Grant Gibson (TCEQ) reported that, since the last TGPC meeting, their Impact Evaluation Team (IET) had met five times and reviewed three groundwater contamination cases, and that 24 notices had been sent to the potentially affected private water well owners and users.

Groundwater Management Areas

Leah Martinsson (TAGD) reported that all of the Groundwater Management Areas (GMAs) had adopted their final Desired Future Conditions (DFCs), most of them had received their Managed Available Groundwater (MAG) data back from TWDB, some of them were meeting (or planning to meet) for the next round of regional water planning, and that public comment was being encouraged throughout this process. Marty Kelly (TPWD) asked if there was an online location listing the deadlines for public comments. Leah Martinsson (TAGD) indicated that the GMAs follow all Open Meeting Act (OMA) requirements, but there was no central website due to the administrative challenge with maintaining up-to-date information. Natalie Ballew (TPWD) noted that they had a GMA webpage (https://www.twdb.texas.gov/groundwater/management_areas/schedule/index.asp) with meeting schedules.

Regional Water Planning

Natalie Ballew (TWDB) reported that planning groups were still primarily focused on projections and that:

- Draft irrigation and mining water demand projections, along with supporting data and dashboards, were released to the Regional Water Planning Groups (RWPGs) in August 2022;
- Draft population and municipal water demand projections, along with supporting data and dashboards, would be released to RWPGs in February 2023; and,
- RWPG revision requests for draft projections were due to the TWDB in July 2023 (for nonmunicipal demands) and August 2023 (for population and municipal demands).

Groundwater Availability Modeling

Natalie Ballew (TWDB) reported on the following modeling efforts:

- Current and upcoming research projects
 - Development of Pumping Volumes, Locations, and Aquifers for the Blaine and Seymour Aquifers with an expected completion in July 2024;
 - Investigating Remote Sensing Techniques to Identify and Quantify Groundwater and Surface Water Interactions with an expected completion in late 2024; and,
 - Development of Statewide Aquifer/Well Test Data Compilation with an expected completion in late 2024.
- Major models that were in-progress and nearing completion
 - The Southern and Central portions of the Gulf Coast Aquifer System model was under final internal review with an expected completion in February 2023;
 - The Northern segment of the Edwards (Balcones Fault Zone) Aquifer model was under internal review, with an expected completion in early 2023; and,
 - The U.S. Geological Survey (USGS) had nearly completed the GULF2023 model for the Northern Gulf Coast Aquifer System; their report was undergoing internal review and the completed model was expected to be available for public review on January 13, 2023.

James Harcourt (RRC) asked about the definition of a model (i.e., compared to a map).

Natalie Ballew (TWDB) indicated that their models (i.e., conceptual and numerical) were used for planning and generally represented a larger region than a map.

Nonpoint Source Pollution

T.J. Helton (TSSWCB) reported that they were still finalizing the *2022 Texas Nonpoint Source Program Annual Report* which was due to the U.S. EPA by the end of January 2023 as a grant requirement.

National Groundwater Information

Natalie Ballew (TWDB) reported that they had been involved with the USGS National Ground-Water Monitoring Network (NGWMN, <https://cida.usgs.gov/ngwmn/>) for a number of years and they would soon be attending a national conference on this subject. Leah Martinsson (TAGD) noted that they would have a panel discussion at their upcoming Business meeting to discuss grant funding opportunities for GCDs and groundwater monitoring would be one of the topics.

Mary Musick (GWPC) reported that:

- They were working with the National Ground Water Association (NGWA) to sponsor a Managed Aquifer Recharge conference in San Antonio on April 24 – 25, 2023, and the call for papers was still open; and;
- Grant funding opportunities for the USGS NGWMN would be closing on January 26, 2023.

7. ANNOUNCEMENTS

Rules Update

Cindy Hooper (TCEQ) reported on current TCEQ rulemaking that was of interest to the TGPC:

- 2022-018-210-OW – Updates to Chapter 210 Use of Reclaimed Water; and,
- 2021-030-285-CE – On-site Sewage Facility (OSSF) Updates.

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

New Publications

Kelly Mills (TCEQ) reported on the following TCEQ publication which was available on the TGPC homepage:

- *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 88th Legislature* (TCEQ publication SFR-47/22), <https://www.tceq.texas.gov/downloads/groundwater/publications/sfr-47-22-tgpc-report-88th-legislature.pdf>.

Natalie Ballew (TWDB) reported on the recent publication of:

- *Brackish Groundwater in the Hill Country Trinity Aquifer and Trinity Group Formations, Texas*, https://www.twdb.texas.gov/groundwater/bracs/studies/hillcountry_trinity/index.asp; and,
- *The Future of Desalination in Texas: 2022 Biennial Report on Seawater and Groundwater Desalination*, <https://www.twdb.texas.gov/innovativewater/desal/doc/2022-Biennial-Report-on-Seawater-and-Brackish-Groundwater-Desalination.pdf>.

Upcoming Conferences

Kelly Mills (TCEQ) referred TGPC members to the conferences listed in the “2023 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) also announced that the TGPC had again prepared a National Groundwater Awareness Week poster file for its members. The upcoming event was scheduled for March 5 – 11, 2023, and the file would be available for download from the TGPC homepage in February 2023. The poster would not be displayed in the Capitol rotunda in 2023.

8. PUBLIC COMMENT

Noelle George (WateReuse Texas) introduced herself to the TGPC members and offered to discuss or collaborate on any ideas related to water reuse.

9. ADJOURN

Kelly Mills (TCEQ) adjourned the meeting at approximately 2:34 PM CST.