

TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING
 Second Quarterly Meeting, Fiscal Year 2019

Meeting Date: January 16, 2019
 Meeting No.: 125

Place: TCEQ Campus, Bldg F
 Room: 2210

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MEETING ATTENDANCE

Committee Members

Cary L. Betz

Janie Hopkins

Ashley Correll

Jessica Kessinger

David T. Villarreal

John Tracy

Linda 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 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

Leslie Bruce

Leon Byrd

Alan Cherepon

Cindy Hooper

Peggy G. Hunka

Anish Jantrania

Kathy McCormack

Evelyn Reategui-Zirena

L. Scott Underwood

Affiliation

TCEQ

RRC

TCEQ

TCEQ

TCEQ

TCEQ

Texas A&M AgriLife Extension Service (ArgiLife Extension)

TCEQ

DSHS

TCEQ

Program

Water Availability Division

Water Availability Division

Water Availability Division

Water Availability Division

Water Availability Division

Water Availability Division

Water Availability Division

Interested Parties

Stephanie Moore

Randolph P. Weber, P.E.

Affiliation

Daniel B. Stephens & Associates, Inc. (DBS&A)

Texas Onsite Wastewater Association (TOWA)

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on January 16, 2019
2. Record for Texas Groundwater Protection Committee meeting on October 17, 2018
3. *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 86th Legislature*, TCEQ publication SFR-047/18, https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/047-18.pdf (TGPC members only)
4. Draft *Joint Groundwater Monitoring and Contamination Report – 2018* Table of Contents (TGPC members only)
5. *How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?* white paper
6. Drought 2019 – U.S. Drought Monitor, Texas, January 8, 2019; U.S. Seasonal Drought Outlook, December 2018 – March 2019, December 20, 2018; Public Water Supply Systems Affected, January 9, 2019; TCEQ List of Texas PWSs Limiting Water Use to Avoid Shortages, January 9, 2019
7. TCEQ Rules Update, 1/16/2019
8. Excerpt from January 11, 2019 issue of the *Texas Register* (44 TexReg 287, page 287 – 288), Texas Groundwater Protection Committee
9. *Texas Groundwater Protection Strategy*, TCEQ publication AS-188, https://www.tceq.texas.gov/assets/public/comm_exec/pubs/as/188.pdf
10. 2019 Water-related Conferences in Texas, January 2019
11. Water Conservation Advisory Council (WCAC) Blue Legacy Award in Agriculture flyer

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

1. TGPC Public Information Act Policy
2. *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 86th Legislature*, TCEQ publication SFR-047/18, https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/047-18.pdf

MEETING RECORD OF JANUARY 16, 2019

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 representatives from the Texas State Soil and Water Conservation Board (TSSWCB) and Texas Alliance of Groundwater Districts (TAGD) were not present at the meeting.

2. SUBCOMMITTEE REPORTS

Groundwater Issues

Leslie Bruce (RRC) reported that the TGPC GWI Subcommittee met that morning and nine state agencies and organizations were represented.

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

- The Proposed FY 2019 Pesticide Monitoring Plan was reviewed. It would include cooperative monitoring, and provided sufficient budget is available, TCEQ monitoring for atrazine in the corn and sorghum cropland of the Northern Panhandle Region, with a limited number of samples to include laboratory analysis by EPA Method 525.2. Other activities would include updating and conducting quality assurance and control activities on the Interagency Pesticide Database (IPD) and requesting pesticide water monitoring data from TCEQ programs and the USGS.

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

- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 86th Legislature (“Legislative Report”, TCEQ publication SFR-047):*
 - The *Legislative Report* was published, it was available online, and it was distributed to the Texas Legislature in December 2018.
- *Texas Groundwater Protection Strategy (“Strategy”, TCEQ publication AS-188):*
 - At the TGPC’s quarterly public meeting on October 17, 2018, the responses to the public comments regarding the proposed *Strategy* update were presented and approved, the Committee then approved the proposed *Strategy* update, the *Strategy* was published, and it was available online.

The following current groundwater issues were briefly discussed:

- Hydraulic Fracturing;
- Aquifer Storage and Recovery;
- Abandoned Water Wells; and,

- Others (i.e., a USGS meeting on September 5, 2018 regarding a Geoenvironmental Assessment of a portion of the Texas Gulf Coast Uranium Resources Pilot Study).

GWI Subcommittee members approved the final draft of the *How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?* white paper and it would be presented to the TGPC for approval during the Business portion of the meeting.

The draft *How is Groundwater Quality Affected by Per- and Polyfluoroalkyl Substances (PFAS) ?* white paper was reviewed and an update would be provided at the next meeting. An update of the draft *Transboundary Groundwater Resources along the Texas-Mexico Border* white paper would also be provided at the next meeting.

A draft TGPC GWI Subcommittee Fiscal Year 2020 – 2021 *Activity Plan* was briefly reviewed and it would be discussed again at the next meeting.

The next TGPC GWI Subcommittee meeting was scheduled for March 6, 2019.

Public Outreach and Education

Peggy Hunka (TCEQ) reported that the TGPC POE Subcommittee met that morning and five 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:

- Texas A&M AgriLife Extension Service (AgriLife Extension) Water Well Screening Events
 - Six since the previous POE Subcommittee meeting.
- TGPC Exhibit Booth
 - One since the previous POE Subcommittee meeting.

Diane Boellstorff (AgriLife Extension) reviewed the Texas Well Owners Network (TWON) schedule of completed, confirmed, obligated, and suggested water well one-day training events and workshops. There had been over 8,909 samples or attendees at TWON events since April 2011.

The Google Analytics activity report on the TGPC website for September 3, 2018 through January 15, 2019 was reviewed.

Diane Boellstorff (AgriLife Extension) led a discussion on updating their *Drinking Water Problems: Arsenic* fact sheet.

The next TGPC POE Subcommittee meeting was scheduled for March 6, 2019.

Legislative Report

There was no report from the TGPC Legislative Report Subcommittee. Discussion of this topic was moved to the Business portion of the meeting.

3. PRESENTATION

There was no official presentation at the meeting, but Cary Betz (TCEQ) announced that Janie Hopkins (TWDB) would be retiring at the end of February 2019, and he acknowledged her dedicated service to the TGPC over the last 21 years.

Linda McCall (UTBEG) arrived at approximately 1:15 PM CST and was present for the remainder of the meeting.

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

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

Cary Betz (TCEQ) reported that the *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 86th Texas Legislature* (“*Legislative Report*”, https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/047-18.pdf) was electronically distributed to the statutorily-required elected officials in early December 2018.

Legislative Report Subcommittee Deactivation

John Tracy (AgriLife Research) proposed, Janie Hopkins (TWDB) seconded, and all remaining TGPC members approved deactivation of the TGPC Legislative Report Subcommittee pending its re-activation in order to prepare the TGPC’s next *Legislative Report*.

David Villarreal (TDA) suggested that the TGPC Legislative Report Subcommittee be transformed into a TGPC Publications Subcommittee which would work on all of the TGPC publications and always remain active. Cary Betz (TCEQ) agreed to add a discussion of this topic to the agenda at the next TGPC meeting.

Joint Groundwater Monitoring and Contamination Report – 2018

Cary Betz (TCEQ) requested TGPC approval of the format and draft Table of Contents for the *Joint Groundwater Monitoring and Contamination Report – 2018* (“*Joint Report*”). David Villarreal (TDA) proposed, John Tracy (AgriLife Research) seconded, and all remaining TGPC members approved the draft Table of Contents and format for the *2018 Joint Report*, allowing TCEQ staff to make any non-substantive changes required for publication on the TCEQ website, rename one of the tables for improved clarity, and possibly start streamlining the overall report.

How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?
White Paper

Kathy McCormack (TCEQ) presented the *How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?* white paper to the TGPC for approval. David Villarreal (TDA) proposed, Janie Hopkins (TWDB) seconded, and all remaining TGPC members approved the white paper. Cary Betz (TCEQ) thanked the subject matter experts in the room for their work on the document. The white paper would be posted on the TGPC website.

How is Groundwater Quality Affected by Per- and Polyfluoroalkyl Substances (PFAS) ?
White Paper

There was no discussion of this topic at the meeting.

Current Groundwater Issues

Cary Betz (TCEQ) noted a recent news article about a Spanish toddler that had fallen into an abandoned water well, and then he presented an excerpt from the *Interim Report to the 86th Texas Legislature*, House Committee on Natural Resources (December 2018), regarding their recommendations about abandoned water wells, some of which were based on recommendations in previous editions of the TGPC *Legislative Report*. David Villarreal (TDA) added that it would be good to continue to partner with the Water Conservation Advisory Council (WCAC) and build relationships with other groups.

Linda Ruiz McCall (UTBEG) reported that unconventional oil and gas activities in west Texas were generating large quantities of produced water and solutions were needed for its disposal, treatment, and re-use. Cary Betz (TCEQ) noted that this may be important information for Priority Groundwater Management Area (PGMA) studies which consider the aspect of groundwater quantity. Stephanie Moore (DBS&A) added that there was an upcoming National Ground Water Association (NGWA) workshop regarding produced water on March 4 – 5, 2019 in San Antonio.

David Villarreal (TDA) reported that the University of Texas had identified some new salamander species.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for April 17, 2019 at 1:00 PM CDT.

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

Groundwater Contamination Notice Coordination (Texas Water Code §26.408)

Peggy Hunka (TCEQ) reported that the Impact Evaluation Team (IET) had met two times since the last TGPC meeting. Three groundwater contamination cases were reviewed and notifications were recommended for two of the cases.

Groundwater Management Areas

There was no discussion of this topic at the meeting.

Regional Water Planning

Janie Hopkins (TWDB) reported that:

- They were evaluating Region H's request to use Modeled Available Groundwater (MAG) Peak Factors in the development of their 2021 Regional Water Plan;
- The Texas Water Service Boundary Viewer (available at <http://www.twdb.texas.gov/mapping/index.asp>) was open for public viewing and boundary verification or revision by public water systems within the state; this application also included access to system-related reports (e.g., historical water use data and TCEQ public water system information); and,
- Staff were preparing the model to conduct the socio-economic impact analysis for not meeting water needs, a required analysis for each Regional Water Plan and also included in the State Water Plan. TWDB would be conducting the analysis on water supply needs identified as of May 2019 so that the information may be provided to Regional Water Planning Groups (RWPGs) by the end of 2019 for inclusion in their draft plans (which were due by March 2020) and for the public comment period that must be held on those draft documents (note that this information was used in the Desired Future condition (DFC) petition for Groundwater Management Area (GMA) 14).

Groundwater Availability Modeling

Janie Hopkins (TWDB) reported that:

- Groundwater Availability Model (GAM) staff completed their analysis of non-relevant aquifer values submitted by RWPGs in order to confirm that they were compatible with MAG and discrepancies were noted;
- They had released an updated model of the central portion of the Carrizo-Wilcox, Queen City, and Sparta Aquifers in December 2018;
- They had hired a new Geographic Information Systems (GIS) Analyst and were interviewing for the open modeler position;
- They had received a total of 11 Statement of Qualifications for 1) developing the conceptual model for the Cross Timbers Aquifer, and 2) updating the southern

portion of the Carrizo-Wilcox, Queen City, and Sparta Aquifers; contracts with the top candidates would be processed within the next couple of months;

- Staff were still working on 1) developing a model for the Blossom Aquifer, 2) updating the model for the northern portion of Edwards (Balcones Fault Zone) Aquifer, and 3) developing a model that included the central and southern portions of the Gulf Coast Aquifer;
- They were responding to legislative requests; and,
- They were reviewing the final deliverable for the conceptual model of the expanded Hill Country portion of the Trinity Aquifer and the Trinity Aquifer below the Edwards (Balcones Fault Zone) Aquifer located south of the Colorado River.

Nonpoint Source Pollution

There was no discussion of this topic at the meeting.

National Groundwater Initiatives

Cary Betz (TCEQ) reported that the Advisory Committee on Water Information (ACWI) Subcommittee on Ground Water (SOGW) had met in December 2018 in Las Vegas, NV in association with the NGWA 2018 National Groundwater Expo and Annual Meeting.

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 8, 2019, 7 % of the state was classified as D0 through D1, down from 31 % at the last TGPC meeting, with a U.S. Seasonal Drought Outlook forecast of persisting drought conditions in two small areas in the western and northern portions of the state through March 31, 2019. As of January 9, 2019, of the 4,647 active community water systems in Texas, 1,079 were affected by drought (either voluntary or mandatory), and 755 of those used groundwater (either partially or exclusively). As of January 9, 2019, three PWSs in the state could be out of water in 180 days or less (down from six systems at the last TGPC meeting).

6. ANNOUNCEMENTS

Rules Update

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

- 2017-026-342-OW – HB 2582: Exemption for Certain Quarries from the Aggregate Production Operation Registration Requirements of Texas Water Code, Chapter 28A; and,
- 2018-017-336-WS – Texas Mining and Reclamation Association (TMRA-UC) Petition Follow-up and Federal Cross-Reference Update.

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

New Publications

Cary Betz (TCEQ) referred TGPC members to the *Texas Groundwater Protection Strategy* (TCEQ publication AS-188, https://www.tceq.texas.gov/assets/public/comm_exec/pubs/as/188.pdf) in the handout package.

John Tracy (AgriLife Research) reported that a Council for Agricultural Science and Technology (CAST) article regarding “Aquifer Depletion and Potential Impacts on Long-term Irrigated Agricultural Productivity” would be rolled out on February 26, 2019 in Washington, D.C.

Janie Hopkins (TWDB) announced that their *Overview of Groundwater Conditions in Val Verde County, Texas* report was available on their website (http://www.twdb.texas.gov/groundwater/special_projects/valverde/index.asp).

Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2019 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.texas.gov/tgpc-subcommittees/tgpc-public-outreach-and-education-subcommittee/> under the “Additional Resources” heading.

Cary Betz (TCEQ) also announced that the TGPC had again prepared National Groundwater Awareness Week posters for its members. This year’s event was scheduled for March 10 – 16, 2019. TGPC members were asked to make whatever requests were needed in order to display the poster during that work week at their agency.

John Tracy (AgriLife Research) announced:

- Annual Meeting of the Ogallala Aquifer Program on March 19 – 20, 2019 in Garden City, KS;
- Transboundary Groundwater Water Summit on April 10 – 11, 2019 in El Paso;
- Three Borders, One Water Conference on April 24 – 26, 2019 in Las Cruces, NM; and,
- Southern Regional Water Conference on July 23 – 25, 2019 in College Station.

David Villarreal (TDA) announced that the Texas Water Foundation would be hosting a “Texas Water Day” on March 13, 2019 in Austin and that the TGPC might be able to have an exhibit booth there.

7. PUBLIC COMMENT

There was no public comment at the meeting.

8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 2:21 PM CST.