

TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING
 Fourth Quarterly Meeting, Fiscal Year 2014

Meeting Date: July 16, 2014
 Meeting No.: 106

Place: TCEQ Campus, Bldg F
 Room: 2210

TABLE OF CONTENTS

| | |
|--|----------|
| MEETING ATTENDANCE..... | 2 |
| MEETING HANDOUTS | 3 |
| MEETING RECORD OF JULY 16, 2014 | 4 |
| 1. CALL TO ORDER AND INTRODUCTIONS | 4 |
| 2. SUBCOMMITTEE REPORTS | 4 |
| Agricultural Chemicals..... | 4 |
| Data Management..... | 4 |
| Public Outreach and Education | 4 |
| Groundwater Research | 5 |
| Legislative Report | 6 |
| 3. PRESENTATION | 6 |
| 4. BUSINESS DISCUSSION AND POSSIBLE ACTION | 6 |
| Restructuring of TGPC Subcommittees | 6 |
| <i>Activities and Recommendations of the Texas Groundwater Protection Committee –</i> <i>Report to the 84th Legislature</i> | 6 |
| Quadrennial Rules Review and Amendments to 31 TAC Chapter 601, Groundwater Contamination Report | 6 |
| <i>Texas Groundwater Protection Strategy.....</i> | 7 |
| Current Groundwater Issues | 7 |
| Set Future Meeting Date..... | 7 |
| 5. INFORMATION EXCHANGE FOR GROUNDWATER-RELATED ACTIVITIES – STATUS UPDATE | 8 |
| Groundwater Contamination Notice Coordination (HB 3030, 78th Legislature) | 8 |
| Groundwater Management Areas..... | 8 |
| Regional Water Planning..... | 8 |
| Groundwater Availability Modeling | 8 |
| Nonpoint Source Pollution | 8 |
| National Groundwater Initiatives | 8 |
| Drought Status..... | 9 |
| 6. ANNOUNCEMENTS | 9 |
| Rules Update | 9 |
| New Publications..... | 10 |
| Upcoming Conferences | 10 |
| 7. PUBLIC COMMENT..... | 10 |
| 8. ADJOURN | 10 |

MEETING ATTENDANCE

Committee Members

Cary Betz

Janie Hopkins

Chris Moore

Angela Kennedy

David Villarreal

T.J. Helton

David Van Dresar

Kevin Wagner

Bridget Scanlon

David Gunn

Affiliation

Texas Commission on Environmental Quality (TCEQ)

Texas Water Development Board (TWDB)

Railroad Commission of Texas (RRC)

Texas Department of State Health Services

Texas Department of Agriculture (TDA)

Texas State Soil and Water Conservation Board (TSSWCB)

Texas Alliance of Groundwater Districts (TAGD)

Texas A&M AgriLife Research (AgriLife Research)

University of Texas Bureau of Economic Geology (UTBEG)

Texas Department of Licensing and Regulation (TDLR)

Agency Staff

Abiy Berehe

Bill Carter

Michael Chadwick

Alan Cherepon

Kathy Humphreys

Peggy Hunka

Kathy McCormack

Kelly Mills

L. Scott Underwood

Affiliation

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

Program

Water Availability Division

Water Quality Planning Division

Water Availability Division

Water Availability Division

Environmental Law Division

Water Availability Division

Water Availability Division

Water Availability Division

Water Availability Division

Interested Parties

Lynne Fahlquist

Affiliation

United States Geological Survey (USGS)

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on July 16, 2014
2. Record for Texas Groundwater Protection Committee meeting on April 23, 2014
3. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee meeting, June 10, 2014
4. Adopted Rule Reviews, Texas Groundwater Protection Committee, Title 31, Part 18
5. Texas Groundwater Protection Committee, Chapter 601 – Groundwater Contamination Report, 2014 Amendments
6. Draft *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 84th Legislature* (TGPC members only)
7. Draft *Texas Groundwater Protection Strategy* (TGPC members only)
8. Drought 2014 – U.S. Drought Monitor, Texas, July 8, 2014; U.S. Seasonal Drought Outlook, June – September 2014; Public Water Supply Systems Affected, July 9, 2014; TCEQ List of Texas Public Water Systems (PWSs) Limiting Water Use to Avoid Shortages, July 9, 2014
9. TCEQ Rules Update, 7/15/2014
10. 2014 TCEQ Public Drinking Water Conference program
11. 2014 – 2015 Water-related Conferences in Texas, July 2014

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

1. TGPC Public Information Act Policy
2. *Joint Groundwater Monitoring and Contamination Report – 2013*, SFR-056/13, <https://www.tceq.texas.gov/publications/sfr/056>

MEETING RECORD OF JULY 16, 2014

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 1:07 PM CDST. TGPC members then introduced themselves.

2. SUBCOMMITTEE REPORTS

Agricultural Chemicals

Cary Betz (TCEQ) reported that the TGPC Agricultural Chemicals Subcommittee had not met since the last TGPC meeting.

Data Management

Mike Chadwick (TCEQ) reported that the TGPC Data Management Subcommittee had met that morning and discussion items included:

- Changing from a Subcommittee to a Task Force with meetings as needed;
- TWDB reported that TCEQ is providing raw water data updates for the Water Information Integration and Dissemination (WIID) System database quarterly, that USGS is also providing groundwater level measurements to TWDB, and that several datasets from TCEQ and USGS provide enough independent variables to continue to identify public water supply well ownership changes from the production history of the well; and,
- TDA reported that they were collecting pesticide data from fish tissue residues and that they appreciated receiving pesticide information from TCEQ, TWDB, and USGS.

Public Outreach and Education

Kathy McCormack (TCEQ) reported that the TGPC POE Subcommittee last met on June 10, 2014 and nine state and federal agencies and organizations were represented.

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

- Texas A&M AgriLife Extension Service (AgriLife Extension) Water Well Screening Events
 - Four since the previous POE Subcommittee meeting (181 samples)
 - Two planned through July 2014
- AgriLife Extension Abandoned Water Well Closures
 - None since the previous POE Subcommittee meeting
 - None scheduled at this time
- TGPC Exhibit Booth

- Three since the previous POE Subcommittee meeting (1,756 estimated attendees)
- Two planned through September 2014

Drew Gholson (AgriLife Extension) reviewed the TWON schedule of completed, confirmed, obligated, and suggested water well screening events and workshops. There have been over 4,175 samples or attendees at these events since April 2011.

The Google Analytics activity report on the TGPC website for March 3, 2014 – June 8, 2014 was reviewed. The average website visit duration was 2.75 minutes (up from 1.5 minutes at the last meeting), and the average pages per visit was 4.22 (up from 3.58 at the last meeting). A spike of activity on the TGPC website was observed during National Groundwater Awareness Week.

The Subject Matter Experts for each topic in the current *Texas Groundwater Protection Committee Groundwater Educational Outreach Plan* (http://www.tgpc.state.tx.us/subcommittees/POE/TGPC_POE_GW_EduOutreachPlan10-Sep2013.pdf) discussed various actions that could help deliver their messages to their audiences.

The draft TGPC responsive design test website was reviewed. The TGPC website should be more user-friendly for mobile devices by the end of August 2014.

Drew Gholson (AgriLife Extension) reviewed the second issue (June 3, 2014) TWON Well-Read e-letter and its referenced *Protect Your Water Well During Drought* fact sheet (AgriLife Extension publication SC-014).

The interactive, online map of GCDs in the state with cost-share programs for plugging abandoned water wells which is posted the TGPC Water Wells webpage (<http://www.tgpc.state.tx.us/WaterWells.php>) was reviewed. TCEQ and TAGD should repeat their surveys of GCDs and update the map with any new information by the end of 2014. David Van Dresar (TAGD) has already provided a summary of the well closure grant program at Post Oak Savannah GCD.

Diane Boellstorff (AgriLife Extension) indicated that TWON may develop a fact sheet about how to identify abandoned water wells in the field, and some existing information on the TDLR Water Well Drillers and Pump Installers webpages will be very helpful in that effort.

The next POE Subcommittee meeting was scheduled for September 16, 2014.

Groundwater Research

Cary Betz (TCEQ) reported that the TGPC Groundwater Research Subcommittee had not met since the last TGPC meeting.

Legislative Report

Cary Betz (TCEQ) reported that the TGPC Legislative Report Subcommittee had met twice since the last TGPC meeting (on June 2, 2014 and July 16, 2014) and that the draft *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 84th Legislature* would be discussed during the Business portion of the meeting.

3. PRESENTATION

There was no scheduled presentation at the meeting.

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Restructuring of TGPC Subcommittees

Cary Betz (TCEQ) led an extensive discussion of the current TGPC Subcommittee structure, meeting frequency, and possible deactivation of several Subcommittees at the next TGPC meeting. David Villarreal (TDA) proposed, David Van Dresar (TAGD) seconded, and all remaining TGPC members approved TCEQ staff to draft updated TGPC Subcommittee Charges for discussion and possible action at the next TGPC meeting.

Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 84th Legislature

Cary Betz (TCEQ) referred TGPC members to a draft update of the *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 84th Legislature* (“*Legislative Report*”) based on discussion at the morning’s Legislative Report Subcommittee meeting. The “Groundwater Classification System” section was reviewed again. Chris Moore (RRC) proposed, David Gunn (TDLR) seconded, and all remaining TGPC members approved TCEQ staff to prepare a final draft of the *Legislative Report* with no additional substantive changes for review by member agencies and publication approval at the next TGPC meeting.

Quadrennial Rules Review and Amendments to 31 TAC Chapter 601, Groundwater Contamination Report

Kathy Humphreys (TCEQ) reviewed two handouts with TGPC members (Adopted Rule Reviews and Texas Groundwater Protection Committee, Chapter 601 – Groundwater Contamination Report, 2014 Amendments) and reported that:

- The request to propose amendments to 31 Texas Administrative Code § 601.2 and the rule review of 31 Texas Administrative Code Part 18 was presented to the TGPC at its open meeting on April 23, 2014;
- The proposed amendments were published in the *Texas Register* on May 9, 2014; and,

- TCEQ did not receive any comments on either proposal.

Kathy Humphreys (TCEQ) recommended that the TGPC adopt both proposed rules, without changes.

David Van Dresar (TAGD) proposed, Kevin Wagner (TAR) seconded, and all remaining TGPC members approved:

- Adoption of both proposed TGPC rules; and,
- TCEQ staff to make any non-substantive revisions necessary to comply with *Texas Register* requirements.

David Gunn (TDLR) left at 3:05 PM CST and was absent for the remainder of the meeting.

Texas Groundwater Protection Strategy

Cary Betz (TCEQ) referred TGPC members to a draft update of the *Texas Groundwater Protection Strategy* (“*Strategy*”, http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/as/188.pdf) based on discussion at the last Work Session on June 2, 2014 and noted that some trans-boundary information is still needed.

David Villarreal (TDA) left at 2:48 PM CST, returned at 2:52 PM CST, and was present for the remainder of the meeting.

Angela Kennedy (DSHS) left at 2:52 PM CST and returned at 2:54 PM CST.

Chris Moore (RRC) proposed, Bridget Scanlon (UTBEG) seconded, and all remaining TGPC members approved TCEQ staff to prepare a final draft of the *Strategy* with no additional substantive changes for review by member agencies. At the next TGPC meeting, members would be asked to approve posting the document in the *Texas Register* for public comment.

Angela Kennedy (DSHS) left at 3:16 PM CST and was absent for the remainder of the meeting.

Current Groundwater Issues

There was no discussion of this topic at the meeting.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for October 15, 2014 at 1:00 PM CDST.

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

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

Peggy Hunka (TCEQ) reported that the Impact Evaluation Team (IET) had met four times during the last quarter and reviewed five groundwater contamination cases. Twenty one letters were mailed to private drinking water well owners for a case reviewed during the last quarter, 28 letters were mailed for three of this quarter's cases, and two letters for two of this quarter's cases are still pending.

Groundwater Management Areas

David Van Dresar (TAGD) reported that Groundwater Conservation Districts (GCDs) were still in the Desired Future Conditions (DFCs) planning process.

Regional Water Planning

Janie Hopkins (TWDB) reported that:

- Regional Water Planning Groups (RWPGs) submitted draft project prioritizations on June 1, 2014 as required by House Bill 4, with the final list due by September 1, 2014; and,
- Technical memoranda representing all demand, supply, and needs information for each Regional Water Planning Area must be submitted by RWPGs by August 1, 2014.

Groundwater Availability Modeling

Janie Hopkins (TWDB) reported that the Groundwater Availability Modeling Section held two initial stakeholder advisory forums for Groundwater Availability Models:

- One in Daingerfield on June 25, 2014, for the Blossom Aquifer; and,
- One in Corpus Christi on June 17, 2014, for the Gulf Coast Aquifer in Groundwater Management Areas 15 and 16.

Nonpoint Source Pollution

T.J. Helton (TSSWCB) reported that U.S. Environmental Protection Agency (EPA) Clean Water Act (CWA) §319(h) grant funding Request for Proposals (RFPs) were due to TCEQ by July 31, 2014 and to TSSWCB by August 22, 2014.

National Groundwater Initiatives

Cary Betz (TCEQ) reported that Lynne Fahlquist (USGS) had provided him with copies of two reports (*Progress Toward Establishing a National Assessment of Water Availability and Use*, USGS Circular 1384, <http://pubs.usgs.gov/circ/1384/>, and *USGS Water Science Strategy – Observing, Understanding, Predicting, and Delivering Water*

Science to the Nation, USGS Circular 1383-G, <http://pubs.usgs.gov/circ/1383g/>) that did not include any mention of the National Groundwater Monitoring Network.

Cary Betz (TCEQ) also announced that there will be a U.S. Department of the Interior Advisory Committee on Water Information (ACWI) Subcommittee on Ground Water (SOGW, <http://acwi.gov/sogw/>) meeting in Reston, VA in September, 2014.

Drought Status

Cary Betz (TCEQ) referred TGPC members to the most recent U.S. Drought Monitor map, the TCEQ drought-affected Public Water Systems (PWSs) map, and the TCEQ List of PWSs Limiting Water Use to Avoid Shortages (aka, the “180-day list”). As of July 8, 2014, 88 % of the state was in one of the five drought categories (up from 82 % at the last meeting), and drought conditions were forecast to develop, persist, or intensify in the eastern two thirds of the state through September 2014. As of July 9, 2014, of the 4,640 active community water systems in Texas, 1,173 were affected by drought (either voluntary or mandatory), and 787 of these use groundwater (either exclusively or partially). As of July 9, 2014, 50 PWSs in the state could be out of water in 180 days or less.

6. ANNOUNCEMENTS

Rules Update

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

- 2014-028-PET-NR – WCS Petition to Amend 30 TAC Chapter 336;
- 2014-019-335-WS – RCRA Rule Project for Parts of EPA Clusters XXI – XXIII;
- 2014-010-312-OW – Amendments to Chapter 312: Sludge Use, Disposal, and Transportation;
- 2014-006-311-OW – Amendments to Chapter 311 Subchapter G: Watershed Protection;
- 2013-058-331-WS – HB 1079: Class III UIC Area Permits;
- 2013-055-295-OW – HB 3233: Interbasin Transfers of Surface Water;
- 2013-053-331-WS – SB 1532: Authorizing Certain Injection Wells in the Edwards Aquifer;
- 2013-046 -290-OW – HB 1600, §2.96, and SB 567, §§1, 4, 95, and 96; Federal Revisions; and Staff-Initiated Rule Efficiencies;
- 2013-025-317-LS – Reproposal of 30 TAC Chapter 317: Design Criteria for Sewage Systems;
- 2012-040-217-OW – Amendments to 30 TAC Chapter 217: Design Criteria for Domestic Wastewater Systems;
- 2011-019-305-OW – Basin Permitting (30 TAC §305.71);
- 2009-034-311-OW – Water Quality Management within the Barton Creek and Onion Creek Watersheds; and,
- 2008-022-213-CE – Edwards Aquifer Amendment.

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 two TCEQ publications:

- *Joint Groundwater Monitoring and Contamination Report – 2013*, SFR-056/13 (new May 2014), <http://www.tceq.texas.gov/publications/sfr/056/056-13-index.html>; and,
- *Groundwater Monitoring and Reporting for LPST Sites*, RG-523/PST-06 (revised June 2014), <http://www.tceq.texas.gov/publications/rg/rg-523-PST-06.html>.

Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2014 – 2015 Water-related Conferences in Texas” handout – the current version of this handout is always available on the TGPC’s POE Subcommittee webpage at <http://www.tgpc.state.tx.us/subcommittees-POE-POE.php> under “Additional Resources”.

Cary Betz (TCEQ) announced that the TGPC would again be sponsoring an exhibit booth at the TCEQ Public Drinking Water Conference on August 5 – 6, 2014 and TGPC members were welcome to assist with staffing this annual outreach effort.

Cary Betz (TCEQ) also announced that there would be Ground Water Protection Council (GWPC) meeting in Seattle, WA in October 2014.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 3:28 PM CDST.