

**TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING**

Third Quarterly Meeting, Fiscal Year 2013

Meeting Date: April 17, 2013
Meeting No.: 97

Place: TCEQ Campus, Bldg F
Room: 2210

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MEETING ATTENDANCE

Committee Members

Cary Betz

Janie Hopkins

Peter Pope

Richard Eyster

Richard Egg

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 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

Agency Staff

Abiy Berehe

Bill Carter

Alan Cherepon

Peggy Hunka

Paul Lewis

Kathy McCormack

Joe Peters

L. Scott Underwood

David Villarreal

Affiliation

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TDA

Program

Water Availability Division

Water Quality Planning Division

Water Availability Division

Water Availability Division

Remediation Division

Water Availability Division

Water Availability Division

Water Availability Division

Interested Parties

Brian Boerner

Vicky Kennedy

Cindy Loeffler

Steve Musick

Susan Stuver

Affiliation

Chesapeake Energy

Travis County

Texas Parks and Wildlife Department (TPWD)

Texas A&M Institute of Renewable Natural Resources (IRNI)

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on April 17, 2013
2. Record for Texas Groundwater Protection Committee meeting on January 16, 2013
3. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee meeting, March 6, 2013
4. Draft TGPC Groundwater Research Subcommittee Charge (TGPC members only)
5. Draft TGPC Data Management Subcommittee Charge (TGPC members only)
6. Drought 2013 – U.S. Drought Monitor, Texas as of April 9, 2013; U.S. Seasonal Drought Outlook, April – June 2013; Public Water Supply Systems Affected as of April 10, 2013
7. TCEQ Rules Update, April 16, 2013
8. *Managing Nonpoint Source Pollution in Texas: 2012 Annual Report*, TCEQ publication SFR-066/12 (January 2013), http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/066_12.pdf
9. Handout regarding TGPC Booth at TCEQ 2013 Environmental Trade Fair (TGPC members only)
10. TCEQ 2013 Environmental Trade Fair flyer and program
11. 2013 Water-related Conferences in Texas, April 2013

The following items were also on display in the back of the room:

1. TGPC Public Information Act Policy
2. *Priority Groundwater Management Areas and Groundwater Conservation Districts: Report to the 83rd Legislature*, TCEQ publication SFR-053/08 (January 2013), http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/053_08.pdf
3. *Common Environmental Requirements for Regulated Oil and Gas Operations*, TCEQ publication RG-482 (February 2013), <http://www.tceq.texas.gov/publications/rg/rg-482.html>
4. *Municipal Setting Designations: A Guide for Cities*, TCEQ publication GI-326 (February 2013), <http://www.tceq.texas.gov/publications/gi/gi-326.html>
5. TGPC National Groundwater Awareness Week poster, March 10 – 16, 2013

MEETING RECORD OF APRIL 17, 2013

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. The representative from the Department of State Health Services (DSHS) was not present at the meeting, and the representative from the Texas Alliance of Groundwater Districts (TAGD) was not present at the beginning of the meeting.

2. SUBCOMMITTEE REPORTS

Agricultural Chemicals

Joe Peters (TCEQ) reported that the TGPC Agricultural Chemicals Subcommittee had met that morning.

For the Site Selection Task Force, Janie Hopkins (TWDB, Task Force Chair) reported that they had a goal of collecting 305 samples in 2013. Their 2013 sampling will include the Gulf Coast, Sparta, Yegua Jackson, and Hickory aquifers.

For the Educational Task Force, Mark Matocha (Texas A&M AgriLife Extension Service (AgriLife Extension), Task Force Co-Chair) reported that they had been providing guidance in Galveston and Brazoria Counties on the Texas Pollution Discharge Elimination System (TPDES) permitting process.

Alan Cherepon (TCEQ) gave a presentation outlining the details of the Proposed Fiscal Year (FY) 2013 Pesticide Monitoring Plan. Monitoring will include TCEQ sampling in the Texas Panhandle and TWDB Cooperative Monitoring. Both immunoassay and laboratory methods (525.2 (expanded), 515.4, and 531) will be used for analysis. After some discussion, the Agricultural Chemicals Subcommittee unanimously approved the FY 2013 Pesticide Monitoring Plan.

David Van Dresar (TAGD) arrived at approximately 1:09 PM CDST and was present for the remainder of the meeting.

Data Management

Cary Betz (TCEQ) reported that the TGPC Data Management Subcommittee had not met since the last TGPC meeting, but that its Charge would be discussed during the Business portion of the meeting.

Public Outreach and Education

Kathy McCormack (TCEQ) reported that the TGPC POE Subcommittee last met on March 6, 2013 and nine state 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:

- AgriLife Extension Water Well Screening Events
 - Three since the previous POE Subcommittee meeting (264 samples)
 - Two planned through April 2013
- AgriLife Extension Abandoned Water Well Closures
 - None since the previous POE Subcommittee meeting
 - None scheduled at this time, but planning is underway for two well plugging demonstrations in central Texas
- TGPC Exhibit Booth
 - Three since the previous POE Subcommittee meeting (110 estimated attendees)
 - Four planned through August 2013

Drew Gholson (AgriLife Extension) reported that Post Oak Savannah Groundwater Conservation District (GCD) may be able to provide some funds for plugging an abandoned water well. In addition, they had candidate wells in Milam (a 4-inch diameter drilled well) and Burleson (a large-diameter hand-dug well) Counties that may be appropriate for a well plugging demonstration.

The Texas Well Owner Network (TWON) schedule of completed, confirmed, obligated, and suggested water well screening events and workshops was also reviewed. Over 2,270 samples have been processed at these events since April 2011.

The Google Analytics activity report on the redesigned TGPC website for January 8 – February 28, 2013 was provided to the POE Subcommittee. Compared to the last report for September 17 – November 29, 2012, average website visit duration increased from 1.30 to 2.95 minutes and average pages per visit increased from 1.43 to 3.14.

Diane Boellstorff (AgriLife Extension) had conducted an inventory of the AgriLife Extension Bookstore and found that there were sufficient quantities of the publications that are distributed from the TGPC exhibit booth. In addition, plans are underway regarding an update of *Questions about Groundwater Conservation Districts in Texas* (B-6120) after this Legislative session, with printing to be completed by the end of FY 2014 or in the beginning of FY 2015. The POE Subcommittee discussed using the reproduction allocation in the FY 2013 TCEQ and AgriLife Extension POE Contract to reprint one of Guy Fipps’ (AgriLife Extension) irrigation publications (e.g., *Irrigation of Forage Crops*, B-6150).

Diane Boellstorff (AgriLife Extension) reported that the POE Subcommittee would be asked to review draft versions of several new TWON Fact Sheets and provide feedback via email prior to the next meeting.

Peter Pope (RRC) reported that the U.S. EPA had released a progress report on its *Study of the Potential Impacts of Hydraulic Fracturing on Drinking Water Resources* (<http://www.epa.gov/hfstudy/>) and he reviewed four related handouts with the POE Subcommittee.

The following Subject Matter Experts (SMEs) and Champions provided their initial input for the draft *TGPC Groundwater Education Outreach Plan*:

- Abandoned Water Wells – David Gunn (TDLR) and David Van Dresar (TAGD);
- Texas Well Owner Network – Diane Boellstorff (AgriLife Extension); and,
- Texas Evapotranspiration Networks – Guy Fipps (AgriLife Extension).

The Water Supply Enhancement Program SME and Champion, Mel Davis (TSSWCB), was not able to provide his initial input prior to the meeting. An update of the draft *Plan* will be reviewed at the next POE Subcommittee meeting.

The next POE Subcommittee meeting is scheduled for June 12, 2013.

Groundwater Research

There was no report from the Groundwater Research Subcommittee.

3. PRESENTATION

Environmental Issues Associated with Natural Gas Operations – Hype or Health Hazard

Susan Stuver (Texas A&M IRNI) reviewed the basics of hydraulic fracturing operations and then discussed the technology's regulations, water and chemical use, potential water contamination issues, and air emissions. Current industry efforts to minimize its environmental impact were also presented.

Richard Eyster (TDA) left at approximately 1:43 PM CDST and returned at approximately 1:53 PM CDST.

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Update Groundwater Research Subcommittee Charge

Cary Betz (TCEQ) reviewed the proposed change to the Groundwater Research Subcommittee Charge regarding Nonpoint Source (NPS) pollution project recommendations for Clean Water Act (CWA) Section 319 grant funding. Kevin Wagner (AgriLife Research) proposed, Bridget Scanlon (UTBEG) seconded, and all

remaining TGPC members approved the update of the Groundwater Research Subcommittee Charge.

There was a meeting break from approximately 2:40 to 2:50 PM CDST.

David Gunn (TDLR) left at approximately 2:50 PM CDST and was absent for the remainder of the meeting.

Richard Eyster (TDA) left at approximately 3:00 PM CDST.

Update Data Management Subcommittee Charge

Cary Betz (TCEQ) reviewed the proposed change to the Data Management Subcommittee Charge regarding the use and availability of groundwater-related geospatial data, an update on the federal Advisory Committee on Water Information (ACWI) Subcommittee on Ground Water's (SOGW's) activities, data exchange elements, and a data collection project and publication inventory. Kevin Wagner (AgriLife Research) proposed, Janie Hopkins (TWDB) seconded, and all remaining TGPC members approved the update of the Data Management Subcommittee Charge.

Richard Eyster (TDA) returned at approximately 3:05 PM CDST and was present for the remainder of the meeting.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for July 17, 2013 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 reviewed five cases in the last quarter and sent out 25 notices for four of those cases. Cary Betz (TCEQ) noted that proposed Texas Senate Bill 1385 would require that groundwater contamination sites be posted on the TCEQ website within 30 days.

Groundwater Management Areas

David Van Dresar (TAGD) reported that GCDs are watching proposed legislation which may require Groundwater Management Area (GMA) Rule changes. One bill would allow Desired Future Conditions (DFCs) adoptions to coordinate with regional water planning beginning in 2016. David Van Dresar also reported that most GMAs are now hiring consultants to assist with the submission of required documentation.

Regional Water Planning

Janie Hopkins (TWDB) reported that:

- Draft municipal projections have been provided to the Regional Water Planning Groups (RWPGs) and revisions are requested to be returned to TWDB by the end of the summer; Board consideration of all water demand projections is anticipated in September 2013; and,
- RWPGs continue evaluating water availability and supplies.

Groundwater Availability Modeling

Janie Hopkins (TWDB) reported that:

- The Presidio-Redford Bolsons Aquifer model has been released;
- Staff are developing total estimates of recoverable storage as directed by statute from the last legislative session, and they have completed estimates for GMA 16;
- A model for the Brazos River Alluvium Aquifer will be proposed to the Board in April 2013 for Request for Qualifications (RFQs) totaling \$540,135;
- Three research contracts are scheduled to be completed in 2013 on the geochemistry in GMAs (a) 3 and 7, (b) 11, 12, and 13, and (c) 14, 15, and 16; and,
- Two contracts are scheduled to be completed in 2015: one to develop a model of the High Plains Aquifer System in the Panhandle that would combine the northern and southern Ogallala, Edwards-Trinity (High Plains), Rita Blanca, Dockum, and Pecos Valley Aquifers, and one for an educational video on groundwater in Texas.

Nonpoint Source Pollution

Cary Betz (TCEQ) reported that *Managing Nonpoint Source Pollution in Texas: 2012 Annual Report*, TCEQ publication SFR-066/12 (January 2013), http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/066_12.pdf, had been published.

Richard Egg (TSSWCB) reported that:

- The U.S. Environmental Protection Agency (EPA) has released their final NPS program guidance;
- TCEQ will be releasing their CWA Section 319 Request for Proposals (RFPs) on June 1, 2013 and they will be open for 60 days; and,
- TSSWCB will release their CWA Section 319 RFPs some time later this year.

National Groundwater Initiatives

Peter Pope (RRC) reported that the U.S. EPA Science Advisory Board (SAB) will be discussing their draft *Study of the Potential Impacts of Hydraulic Fracturing on Drinking Water Resources* (<http://www.epa.gov/hfstudy/>) during the first week of May 2013 with a teleconference scheduled for the following week.

Drought Status

Cary Betz (TCEQ) referred TGPC members to the most recent U.S. Drought Monitor and TCEQ drought-affected Public Water Supply (PWS) Systems maps. As of April 9, 2013, 99.6 % of the state was in one of the five drought categories (up from 96 % at the last meeting), and some or likely improvement in drought conditions was still forecast only in east Texas through June 2013. As of April 10, 2013, of the 4,667 active community water systems in Texas, 1,023 were affected by drought (either voluntary or mandatory), and 687 of these use groundwater (either exclusively or partially).

David Van Dresar (TAGD) reported that approximately 25 PWS systems were in the Concern category on TCEQ's "List of Texas PWSs Limiting Water Use to Avoid Shortages" indicating that they could be out of water in 180 days or less.

Kevin Wagner (AgriLife Research) left at approximately 3:16 PM CDST and was absent for the remainder of the meeting.

6. ANNOUNCEMENTS

Rules Update

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

- 2013-025-317-LS – Reproposal of 30 TAC Chapter 317: Design Criteria for Sewage Systems;
- 2013-010-336-WS – Exemption for Disposal of Radioactive Tracer Material Used in Oil, Gas, and Geothermal Exploration, Development, or Production Operations;
- 2012-040-217-OW – Amendments to 30 TAC Chapter 217: Design Criteria to Domestic Wastewater Systems;
- 2012-001-307-OW – Triennial Revision of 30 TAC Chapter 307, Texas Surface Water Quality Standards;
- 2011-057-290-OW – HB 3372, HB 3391, and SB 1073: Rainwater;
- 2009-034-311-OW – Water Quality Management within the Barton Creek and Onion Creek Watersheds;
- 2009-011-321-OW – Revisions to certain Subchapters of 30 Texas Administrative Code (TAC) Chapter 321 related to revised U.S. EPA Concentrated Animal Feeding Operation (CAFO) rules; and,
- 2008-022-213-CE – Edwards Aquifer.

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

Richard Eyster (TDA) reported that the U.S. Food and Drug Administration (FDA) is proposing rules for the water quality testing of irrigation water. The comment period will end on May 16, 2013.

New Publications

Cary Betz (TCEQ) announced six TCEQ publications:

- *Managing Nonpoint Source Pollution in Texas: 2012 Annual Report*, SFR-066/12 (January 2013), http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/066_12.pdf;
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 83rd Legislature*, SFR-047/12 (January 2013), http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/047_12.pdf;
- *Priority Groundwater Management Areas and Groundwater Conservation Districts: Report to the 83rd Legislature*, SFR-053/08 (January 2013), http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/053_08.pdf;
- *Common Environmental Requirements for Regulated Oil and Gas Operations*, RG-482 (Revised February 2013), <http://www.tceq.texas.gov/publications/rg/rg-482.html>;
- *Municipal Setting Designations: A Guide for Cities*, GI-326 (Revised February 2013), <http://www.tceq.texas.gov/publications/gi/gi-326.html>; and,
- *On-Site Sewage Facility Rules Compilation*, RG-472 (Revised March 2013), <http://www.tceq.texas.gov/publications/rg/rg-472.html>.

Janie Hopkins (TWDB) announced two TWDB publications:

- *Groundwater Availability Model of West Texas Bolsons (Presidio and Redford) Aquifer* (February 2013), https://www.twdb.texas.gov/groundwater/models/gam/prbl/PRBL_ModelFinalReport.pdf; and,
- *Summary of Groundwater Conditions in Texas: Recent (2010-2011) and Historical Water Level Changes in the TWDB Online Recorder Network*, Technical Note 13-01 (February 2013), http://www.twdb.state.tx.us/publications/reports/technical_notes/doc/GW_Recorder2_011_Feb_2013_final.pdf.

Janie Hopkins (TWDB) also noted the recent AgriLife Research article “Characterization of Groundwater Resources in the Trinity and Woodbine Aquifers in Texas” in the May 2013 issue of *The Science of the Total Environment*.

Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2013 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) requested TGPC member agency assistance with staffing shifts in the TGPC exhibit booth at the TCEQ Environmental Trade Fair on April 30 – May 1, 2013.

7. PUBLIC COMMENT

Cary Betz (TCEQ) reported that the TGPC had received an email from Teresa Carrillo related to the meeting presentation. As requested, Cary Betz (TCEQ) read the email.

8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 3:30 PM CDST.