

**TEXAS GROUNDWATER PROTECTION COMMITTEE**  
**RECORD OF MEETING**  
 Second Quarterly Meeting, Fiscal Year 2012

Meeting Date: January 18, 2012  
 Meeting No.: 92

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

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 AgriLife Research (TAR)

Texas Department of Licensing and Regulation (TDLR)

### Agency Staff

Sean Ables

Abiy Berehe

Alan Cherepon

Peggy Hunka

Paul S. Lewis

Kathy McCormack

Kelly Mills

Joe Peters

L. Scott Underwood

David Villarreal

### Affiliation

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TDA

### Program

Water Supply Division

Water Availability Division

Water Availability Division

Water Availability Division

Remediation Division

Water Availability Division

Water Availability Division

Water Availability Division

Water Availability Division

### Interested Parties

Wyatt Ringgold

Robert Stahl

Ronald Woodruff

Steve Young

Gary Franklin

J.T. Murrey

Joshua Grimes

Patrick Shriver

Betsy Bira

Ann Ardis

Jennifer Thompson

### Affiliation

Brazosport Water Authority (BWA)

BWA

BWA

INTERA

Lower Colorado River Authority (LCRA)

Pioneer Natural Resources

Prairielands Groundwater Conservation District (GCD)

San Antonio Water System (SAWS)

Texas Senator Seliger's Office

United States Geological Survey (USGS)

## MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on January 18, 2012
2. Record for Texas Groundwater Protection Committee meeting on October 12, 2011
3. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting on December 1, 2011
4. Draft Table of Contents for *Joint Groundwater Monitoring and Contamination Report – 2011* (TGPC members only)
5. Draft TGPC Groundwater Research Subcommittee Charge, January 18, 2012
6. Draft TGPC Public Outreach and Education Subcommittee Charge, January 18, 2012
7. Oil and Gas Disposal Wells and Water Quality Frequently Asked Questions (FAQs):
  - o *How Do the Underground Injection Control Regulations Protect Groundwater ?*
  - o *Who Has Jurisdiction Over the Clean-up of Wastes from Oil and Gas Activities in Texas ?*
8. *What Are the Statewide Water Well Databases ?* FAQ
9. Drought 2012 – U.S. Drought Monitor, Texas as of January 12, 2012; U.S. Seasonal Drought Outlook January – March 2012; Public Water Supply Systems Affected as of January 11, 2012
10. TCEQ Rules Update, January 18, 2012
11. *Assessing the Vulnerability of Public-Supply Wells to Contamination – Edwards Aquifer Near San Antonio, Texas*, USGS Fact Sheet 2011-3142,  
<http://pubs.usgs.gov/fs/2011/3142/>
12. TCEQ Drought Emergency Planning Workshops flyer,  
<http://www.tceq.texas.gov/assistance/water/drought-emergency-planning-workshops>
13. 2012 Water-related Conferences in Texas, January 2012

## **MEETING RECORD OF JANUARY 18, 2012**

### **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 1:05 PM CST. TGPC members then introduced themselves. All member agencies except for the Department of State Health Services (DSHS) and University of Texas Bureau of Economic Geology (UTBEG) were present.

### **2. SUBCOMMITTEE REPORTS**

#### **Agricultural Chemicals**

Joe Peters (TCEQ) reported that the TGPC Agricultural Chemicals Subcommittee met for their Fiscal Year 2012 Second Quarter meeting that morning.

For the Site Selection Task Force, Janie Hopkins (TWDB, Task Force Co-Chair) reported that although they would be sampling in the Texas Panhandle this coming season, their sampling activities will be diminished because of a reduced budget.

For the Educational Task Force, Mark Matocha (Texas AgriLife Extension Service) reported that they had conducted a number of educational programs on the General Pesticide Permit, and that they had also conducted educational activities in several counties on the Spill Prevention Control Counter Measures program – this program is primarily aimed at petroleum products, but it also covers agricultural chemicals.

For the Pesticide Management Plan Task Force, Alan Cherepon (TCEQ, Task Force Co-Chair), reported that the five out of 57 remaining pesticides (copper pesticides, dimethenamid, monosodium methyl arsenate (MSMA) and arsenical herbicides, pendamethalin, and phenoxy herbicides) had been assessed for the U.S. Environmental Protection Agency's (EPA's) POINTS (Pesticides Of INterest Tracking System) database.

Joy Tegbe (TCEQ) gave a presentation on the U.S. EPA General Pesticide Permit and the Texas Pollutant Discharge Elimination System (TPDES) program. Alan Cherepon (TCEQ) also gave an overview of the proposed 2012 TCEQ monitoring plan which was subsequently approved by the Agricultural Chemicals Subcommittee.

#### **Data Management**

Janie Hopkins (TWDB) reported that the Data Management Subcommittee had not met since the last TGPC meeting, but that an online survey would be issued soon regarding TGPC member agency groundwater sampling programs.

## Public Outreach and Education

Kathy McCormack (TCEQ) reported that the TGPC POE Subcommittee last met on December 1, 2011 and eight state agencies and organizations were represented.

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

- Texas AgriLife Extension Service (TAES) Water Well Screening Events
  - Five since the previous TGPC POE Subcommittee meeting (228 samples)
  - Two planned through March 2012
- TAES Abandoned Water Well Closures
  - None since the previous TGPC POE Subcommittee meeting
  - None planned at this time
- TGPC Booth
  - Two since the previous TGPC POE Subcommittee meeting (98 estimated attendees)
  - One planned through December 2011

Diane Boellstorff (TAES) reported that material for the Texas Well Owner Network (TWON) Handbook is being finalized and reviewed internally before being delivered to the Texas State Soil and Water Conservation Board (TSSWCB) by January 1, 2012. While the draft Handbook is being reviewed by TSSWCB, Kristine Uhlman (TAES) will develop PowerPoint presentations for the TWON training sessions (six hours each). The first TWON training sessions are tentatively scheduled for April 2012.

The Google Analytics report on recent TGPC website activity indicated that the Water Wells webpage and search variations on “water wells” account for 50% of the TGPC website’s page views and top 25 keywords, respectively, and that website visitation continues to peak after the quarterly GovDelivery emails announcing each TGPC meeting.

The POE Subcommittee approved two Oil and Gas Disposal Wells and Water Quality Frequently Asked Questions (FAQs) with the minor changes discussed at the meeting:

- *How Do the Underground Injection Control Regulations Protect Groundwater ?*
- *Who Has Jurisdiction Over the Clean-up of Wastes from Oil and Gas Activities in Texas ?*

The POE Subcommittee also approved the *What Are the Statewide Water Well Databases ?* FAQ with the minor changes discussed at the meeting.

Three topics related to the *TGPC POE Groundwater Educational Outreach Plan Implementation Strategy* (“Implementation Strategy”, [http://www.tgpc.state.tx.us/subcommittees/POE/TGPC\\_POE\\_EduOutreachPlan\\_Impl\\_St\\_rat03Oct2007.pdf](http://www.tgpc.state.tx.us/subcommittees/POE/TGPC_POE_EduOutreachPlan_Impl_St_rat03Oct2007.pdf)) were discussed:

1. Diane Boellstorff (TAES) reviewed the TGPC FAQ Survey with selected TAES county agents. The 50 survey responses indicated that TAES county agents had received questions from the public which could be addressed by several existing TGPC FAQs:

- *Water in Texas – Who Owns It ?;*
- *Have Radionuclides Been Detected in Texas Groundwater ?;*
- *What Are the Statewide Water Well Databases ?;*
- The series of FAQs on Oil and Gas; and,
- The two FAQs on Groundwater Conservation Districts (GCDs).

Two items suggested by TAES county agents in the survey were added to the TGPC website:

- Information on how to find licensed water well drillers and pump installers in Texas was added to the TGPC's Drilling a Well webpage (<http://www.tgpc.state.tx.us/Drilling.htm>); and,
- A link to the U.S. Environmental Protection Agency's "Build Your Own Aquifer" interactive lesson was added to the TGPC's Classroom webpage (<http://www.tgpc.state.tx.us/Classroom.htm>).

Topics for future FAQs based on feedback from the TAES survey include:

- Drilling water wells;
- Water quality testing of wells;
- Water conservation and drought;
- Additional information about GCDs (permits, metering, regulations, etc.); and,
- Irrigation using groundwater.

2. Mel Davis (TSSWCB) agreed to prepare for a similar announcement of TGPC FAQs and follow-up survey with Soil and Water Conservation District (SWCD) representatives in 2012.
3. David Gunn (Texas Department of Licensing and Regulation, TDLR) presented the final draft of the Abandoned Water Well Identification online training module and obtained feedback from the POE Subcommittee. When the module is posted on TDLR's website a link to it will be added to the TGPC website.

The next POE Subcommittee meeting is scheduled for March 1, 2012.

### Groundwater Research

Cary Betz (TCEQ) reported that the Groundwater Research Subcommittee had not met since the last TGPC meeting, and that the Groundwater Research Subcommittee Charge would be discussed during the Business portion of the meeting. Cary Betz also referenced a TWDB solicitation regarding Fiscal Year 2012 Research Topics relating to the conservation and development of the state's water resources; with input due by March 1, 2012, the Groundwater Research Subcommittee could call a special session to address this announcement, if desired.

## Nonpoint Source

Richard Egg (TSSWCB) reported that the Nonpoint Source (NPS) Task Force had not met in the last quarter, but that the next NPS Task Force meeting is scheduled for March 30, 2012.

### 3. PRESENTATION

#### Edwards Aquifer Recovery Implementation Program (EARIP)

Cary Betz (TCEQ) presented a summary of the Edwards Aquifer Recovery Implementation Program (<http://earip.org/>) and its stakeholder-driven process which is designed to protect the endangered species that are dependent on the aquifer-fed Comal and San Marcos Springs. This two-phased program will protect stream flow, habitat, and water quality, and a draft Habitat Conservation Plan was submitted to the U.S. Fish and Wildlife Service in January 2012.

### 4. BUSINESS DISCUSSION AND POSSIBLE ACTION

#### Joint Groundwater Monitoring and Contamination Report - 2011 -- Format and Content Approval

Abiy Berehe (TCEQ) requested TGPC approval of the draft Table of Contents for the *Joint Groundwater Monitoring and Contamination Report – 2011* (“*Joint Report*”). Kevin Wagner (TAR) proposed, Richard Eyster (TDA) seconded, and all remaining TGPC members approved the draft Table of Contents and format for the *2011 Joint Report*.

#### Discuss Groundwater Research and Public Outreach and Education Subcommittee Charges

The draft update of the Groundwater Research Subcommittee Charge included removal of the paragraph related to a joint annual meeting with the POE Subcommittee and TCEQ/TSSWCB NPS teams, as well as removal of a conference call as a meeting option. David Van Dresar (TAGD) proposed, Kevin Wagner (TAR) seconded, and all remaining TGPC members approved the changes to the Groundwater Research Subcommittee Charge.

The draft update of the POE Subcommittee Charge included removal of the paragraph related to a joint annual meeting with the Groundwater Research Subcommittee and TCEQ/TSSWCB NPS teams, as well as removal of a reference to the Texas On-Site Wastewater Treatment Research Council (these responsibilities were transferred to TCEQ in September 2011). Kevin Wagner (TAR) proposed, David Gunn (TDLR) seconded, and all remaining TGPC members approved the changes to the POE Subcommittee Charge.

## Review, Discuss, and Approve Publications and Popular Press Articles

Kathy McCormack (TCEQ) presented an FAQ related to statewide water well databases and two Oil and Gas Disposal Wells and Water Quality FAQs that had previously been approved by the POE Subcommittee. David Van Dresar (TAGD) proposed, Richard Egg (TSSWCB) seconded, and all remaining TGPC members approved the three FAQs.

## Set Future Meeting Date

The next TGPC quarterly meeting is scheduled for April 18, 2012 at 1:00 PM CDT.

## 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 15 new groundwater contamination cases in the past quarter. A total of 206 letters were mailed to private drinking water well owners, 60 of which were from new documentation of contamination in old cases, due either to a new Contaminant of Concern (COC) or an increase in the size of the plume.

### Groundwater Management Areas

Janie Hopkins (TWDB) reported that technical staff are working through the petition process in Groundwater Management Areas 7, 9, 10, 11, 12, and 13. David Van Dresar (TAGD) noted that this slow process has delayed the return of Managed Available Groundwater (MAG) information to the Groundwater Conservation Districts (GCDs) for further processing and is also holding up some aspects of regional water planning.

### Regional Water Planning

Janie Hopkins (TWDB) reported that:

- TWDB adopted the *2012 State Water Plan* (<http://www.twdb.state.tx.us/wrpi/swp/swp.asp>) and delivered it to the Legislature on January 5, 2012;
- TWDB staff are orchestrating a major rule revision of Texas Administrative Code (TAC), Title 31, Part 10 (TWDB), Chapter 357 (Regional Water Planning Guidelines). Most of the existing rule content remains in some form within the proposed revised rules but with significant overall reorganization for simplicity and clarity. This reorganization reflects how regional water planning groups already perform the associated work and have presented information in the previous regional water plans. The section on conservation and drought requirements has been significantly reworked; and,
- Regional Water Planning Groups are considering draft non-municipal water demand projections and are beginning to develop information for the next *State Water Plan*.



## Groundwater Availability Modeling

Janie Hopkins (TWDB) reported that:

- TWDB staff are revising the 31 TAC 356 (Groundwater Management) rules – they had a public hearing on January 10, 2012, they are looking for public comment through the end of January 2012, and they will have another public hearing in February or March 2012 with the proposed rules;
- They have openings for a temporary Playa Researcher assistant through August 2012 and for two groundwater modelers; and,
- In December 2011, Larry French was named the Groundwater Resources Division Director and Melanie Callahan was appointed TWDB Executive Director.

## Nonpoint Source Pollution

Richard Egg (TSSWCB) reported that:

- The update to the *Texas Nonpoint Source Management Program* five-year plan will be released for 30 days of public comment within the next month; and,
- The TSSWCB/TAES-sponsored Texas Well Owner Network (TWON) project is now underway.

## National Groundwater Initiatives

Cary Betz (TCEQ) reported that National Groundwater Monitoring framework document was being finalized prior to submission to the U.S. Department of the Interior's Advisory Committee on Water Information (ACWI, <http://acwi.gov/>).

## 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 January 12, 2012, exceptional drought conditions affect 25% of the state (down from 88% at the last meeting), but 99% of the state is still in one of the five drought categories, and the drought is forecast to persist through at least the end of March 2012. As of January 11, 2012, of the 4,720 active community water systems in Texas, 1,003 (up from 931 in October 2011 and the highest on record) have been affected by drought (either voluntary or mandatory), and 682 of these use groundwater (either exclusively or partially).

## 6. ANNOUNCEMENTS

### Rules Update

Cary Betz (TCEQ) referred TGPC members to the TCEQ Rules Update handout and noted rulemaking for both the Edwards Aquifer (2008-022-213-CE) and Water Quality Management within the Barton Creek and Onion Creek Watersheds (2009-034-311-OW). Additional information on a specific TCEQ rule can be found at <http://www.tceq.texas.gov/rules/whatsnew.html>.

Peter Pope (RRC) reported the adoption of hydraulic fracturing disclosure rules in December 2011. After February 1, 2012, operators will be required to upload information to FracFocus (<http://fracfocus.org/>), a national public chemical disclosure registry. Several training sessions will be available through the Ground Water Protection Council (GWPC, [http://www.gwpc.org/home/GWPC\\_Home.dwt](http://www.gwpc.org/home/GWPC_Home.dwt)) and RRC (<http://www.rrc.state.tx.us/>) through February 2012.

#### New Publications

Cary Betz (TCEQ) announced five publications:

- *Captacion de agua de lluvia con barriles (Rainwater Harvesting with Rain Barrels, A Take Care of Texas Guide)*, GI-383esp (October 2011), <http://www.tceq.texas.gov/publications/gi/gi-383esp.html>;
- *Common Environmental Requirements for Regulated Oil and Gas Operations*, RG-482 (revised November 2011), <http://www.tceq.texas.gov/publications/rg/rg-482.html>;
- *Financial Reporting Requirements for Water Districts in Texas*, RG-378 (revised December 2011), <http://www.tceq.texas.gov/publications/rg/rg-378.html>;
- *Guia del Inquilino para el Servicio de Agua o Drenaje Asignado (Tenant Guide to Allocated Water or Wastewater Service)*, GI-276esp and GI-276 (revised December 2011), <http://www.tceq.texas.gov/publications/gi/gi-276esp.html> and <http://www.tceq.texas.gov/publications/gi/gi-276.html>; and,
- *Guia del Inquilino para el Servicio de Agua o Drenaje Submedido (Tenant Guide to Submetered Water or Wastewater Service)*, GI-277esp and GI-277 (revised December 2011), <http://www.tceq.texas.gov/publications/gi/gi-277esp.html> and <http://www.tceq.texas.gov/publications/gi/gi-277.html>.

Ann Ardis (USGS) announced three publications that collectively describe the National Water-Quality Assessment (NAWQA) Program on the Transport of Anthropogenic and Natural Contaminants (TANC) study work in the south-central Texas Edwards aquifer:

- *Assessing the Vulnerability of Public-Supply Wells to Contamination – Edwards Aquifer Near San Antonio, Texas*, USGS Fact Sheet 2011-3142, <http://pubs.usgs.gov/fs/2011/3142/>;
- *Hydrogeology, Chemical Characteristics, and Water Sources and Pathways in the Zone of Contribution of a Public-Supply Well in San Antonio, Texas*, USGS Scientific Investigations Report (SIR) 2011–5146, <http://pubs.usgs.gov/sir/2011/5146/>; and,
- *Simulations of Groundwater Flow and Particle-Tracking Analysis in the Zone of Contribution to a Public-Supply Well in San Antonio, Texas*, USGS SIR 2011–5149, <http://pubs.usgs.gov/sir/2011/5149/>.

Janie Hopkins (TWDB) announced two contracted reports:

- *Anthropogenic Groundwater Contamination in Texas Aquifers*, [http://www.twdb.texas.gov/RWPG/rpgm\\_rpts/1004831126\\_gwcontamination.pdf](http://www.twdb.texas.gov/RWPG/rpgm_rpts/1004831126_gwcontamination.pdf); and,

- *Naturally Occurring Groundwater Contamination in Texas*, [http://www.twdb.texas.gov/RWPG/rpgm\\_rpts/1004831125.pdf](http://www.twdb.texas.gov/RWPG/rpgm_rpts/1004831125.pdf).

#### Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2012 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.htm> under “Additional Resources”. Cary Betz also noted the flyer for TCEQ Drought Emergency Planning Workshops through February 2012, <http://www.tceq.texas.gov/assistance/water/drought-emergency-planning-workshops>.

Kevin Wagner (TAR) announced the following events (details are available at <http://watereducation.tamu.edu/schedule/>):

- Stakeholder Facilitation Training in Waco, Texas on January 24, 2012;
- Texas Watershed Coordinator Roundtable in Waco, Texas on January 25, 2012; and,
- 2012 Bacterial Source Tracking – State of the Science Conference in New Braunfels, Texas on February 28 – 29, 2012.

David Van Dresar (TAGD) announced their Annual Groundwater Conference in Austin, Texas on August 28 – 30, 2012.

Cary Betz (TCEQ) also announced that the TGPC would be sponsoring National Groundwater Awareness Week (March 11 – 17, 2012) posters again this year, and that Kathy McCormack (TCEQ) would be contacting TGPC members in February 2012 for poster pick-up or drop-off arrangements. Texas-specific information about National Groundwater Awareness Week 2012 would be posted on the TGPC website by the end of January 2012 ([http://www.tgpc.state.tx.us/GW\\_AwarenessWeek2012.pdf](http://www.tgpc.state.tx.us/GW_AwarenessWeek2012.pdf) and [http://www.tgpc.state.tx.us/Natl\\_GW\\_Week\\_flyer\\_2012.pdf](http://www.tgpc.state.tx.us/Natl_GW_Week_flyer_2012.pdf)).

#### 7. PUBLIC COMMENT

There was no public comment at the meeting.

#### 8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 2:33 PM CST.