

**TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING**

First Quarterly Meeting, Fiscal Year 2017

Meeting Date: October 19, 2016
Meeting No.: 116

Place: TCEQ Campus, Bldg F
Room: 2210

TABLE OF CONTENTS

MEETING ATTENDANCE	2
MEETING HANDOUTS	3
MEETING RECORD OF OCTOBER 19, 2016	4
1. CALL TO ORDER AND INTRODUCTIONS	4
2. SUBCOMMITTEE REPORTS.....	4
Legislative Report.....	4
Groundwater Issues.....	4
Public Outreach and Education.....	6
3. PRESENTATION.....	7
4. BUSINESS DISCUSSION AND POSSIBLE ACTION.....	8
<i>Activities and Recommendations of the Texas Groundwater Protection Committee</i> – <i>Report to the 85th Legislature</i> – Discussion of Final Report Text, Approval of Final Report, and Discussion of Timetable for Completion of Final Report and Delivery to the Legislature.....	8
Current Groundwater Issues	8
Set Future Meeting Date	8
5. INFORMATION EXCHANGE FOR GROUNDWATER-RELATED ACTIVITIES – STATUS UPDATE	9
Groundwater Contamination Notice Coordination (Texas Water Code §26.408) .	9
Groundwater Management Areas	9
Regional Water Planning	9
Groundwater Availability Modeling.....	9
Nonpoint Source Pollution.....	10
National Groundwater Initiatives.....	10
Drought Status	10
6. ANNOUNCEMENTS.....	10
Rules Update	10
New Publications	11
Upcoming Conferences.....	11
7. PUBLIC COMMENT	12
8. ADJOURN.....	12

MEETING ATTENDANCE

Committee Members

Cary L. Betz

Larry French

Peter Pope

David Villarreal

Sarah Schlessinger

Rebecca Smyth

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 Alliance of Groundwater Districts (TAGD)

Bureau of Economic Geology of The University of Texas at Austin (UTBEG)

Texas Department of Licensing and Regulation (TDLR)

Agency Staff

Abiy Berehe

Leon Byrd

Ruben Cortez

Cindy Hooper

Paul S. Lewis

Kathy McCormack

Hayden Ross

L. Scott Underwood

Suzy Valentine

Affiliation

TCEQ Water Availability Division

TCEQ Water Availability Division

Texas Department of State Health Services (DSHS)

TCEQ Water Availability Division

TCEQ Remediation Division

TCEQ Water Availability Division

TCEQ Water Availability Division

TCEQ Water Availability Division

TCEQ Water Availability Division

Program

Interested Parties

Christopher Braun

Beth Hood

Natalie Houston

Ken Kramer

Jennifer Wilson

Affiliation

United States Geological Survey (USGS)

TAGD

USGS

Sierra Club

USGS

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on October 19, 2016
2. Record for Texas Groundwater Protection Committee meeting on July 20, 2016
3. Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Annual Report, October 19, 2016
4. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, September 14, 2016
5. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, September 14, 2016
6. Final draft *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 85th Legislature* (TGPC members only)
7. Drought 2016 – U.S. Drought Monitor, Texas, October 11, 2016; Public Water Supply Systems Affected, October 12, 2016; TCEQ List of Texas PWSs Limiting Water Use to Avoid Shortages, October 13, 2016; U.S. Seasonal Drought Outlook, September – December 2016, September 15, 2016
8. TCEQ Rules Update, 10/19/2016
9. 2016 – 2017 Water-related Conferences in Texas, October 2016

The following item was also on display on the handout table:

1. TGPC Public Information Act Policy

MEETING RECORD OF OCTOBER 19, 2016

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 1:10 PM CDST. TGPC members then introduced themselves. The representatives from the Texas Department of State Health Services (DSHS), Texas State Soil and Water Conservation Board (TSSWCB), and Texas A&M AgriLife Research (AgriLife Research) were 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

Legislative Report

Abiy Berehe (TCEQ) reported that:

- The TGPC Legislative Report Subcommittee had met twice this year in order to prepare the *Activities and Recommendations of the Texas Groundwater Protection Committee: A Report to the 85th Legislature* (“*Legislative Report*”) and the final draft would be presented for approval during the Business portion of the meeting;
- The Subcommittee had reached consensus on the Recommendations and all comments and suggestions had been addressed; and,
- He thanked the Subcommittee members who had worked diligently and provided input to the report as well as TCEQ’s Groundwater Planning and Assessment Team members who had provided administrative support.

Groundwater Issues

Kathy McCormack (TCEQ) presented the TGPC Groundwater Issues (GWI) Subcommittee Annual Report for Fiscal Year (FY) 2016. Highlights included:

- Establishment of its Agricultural Chemicals Task Force;
- Establishment of formal status reports for its Agricultural Chemicals Task Force and the TGPC’s publications;
- Identification of three initial topics for white paper development with team leaders and members for each topic;
- Approval of a white paper outline;
- Discussion of a draft Priority Groundwater Management Area (PGMA) white paper; and,
- Plans for a biennial Activities Plan and development of a new edition of the *Texas Groundwater Protection Strategy* in FY 2017.

Kathy McCormack (TCEQ) also reported that the TGPC GWI Subcommittee had met on September 14, 2016 and 11 state and federal agencies and organizations were represented.

The current Agricultural Chemicals Task Force Status Report (available on the GWI Subcommittee webpage, <http://tgpc.state.tx.us/tgpc-subcommittees/tgpc-groundwater-issues-subcommittee/>, under the “Additional Resources” heading) was reviewed with the highlights listed below.

- FY 2016 pesticide monitoring results:
 - Cooperative Monitoring Immunoassay (IA) screening: 90 wells, 22 QA samples = 112 total samples
 - 112 Atrazine, 13 detects, high 0.19 ppb
 - 60 Imidacloprid, 28 OK, 32 unacceptable, no detects
 - 84 Glyphosate, 24 qualified (estimated values), 60 OK, 17 detects, high 0.14 ppb
 - 45 2,4-D, 7 detects, high 0.14 ppb
 - 96 pyrethroids, none acceptable
 - TCEQ Pollinator Protection Monitoring: 14 samples, 9 wells, 3 springs, 2 QA samples from Austin-San Antonio/La Grange-Seguin-Floresville; shallow wells and springs near apiaries
 - All 14 samples analyzed by the five above immunoassay kits
 - IA screening: 5 2,4-D, high 0.90 ppb; 1 Atrazine, 0.11 ppb; 1 Imidacloprid, 0.11 ppb; 1 Glyphosate, 0.076 ppb; no acceptable pyrethroids analyses
 - 12 analyzed at DSHS laboratory by Method 525.2; 1 Atrazine detect of 0.1 ppb
- The FY 2017 pesticide monitoring plan would be presented at the next GWI Subcommittee meeting.
- The revised Quality Assurance Project Plan (QAPP) for the Pesticide Monitoring Plan (PMP) for the Implementation of the *Texas State Management Plan for Prevention of Pesticide Contamination of Groundwater* was sent to U.S. Environmental Protection Agency (EPA) Region 6 in Dallas on August 25, 2016, with minor changes from last year’s QAPP.

The current TGPC Publications Status Report (also available on the GWI Subcommittee webpage) was reviewed with the highlights listed below.

- *Joint Groundwater Monitoring and Contamination Report – 2015* (“*Joint Report*”, TCEQ publication SFR-056):
 - TCEQ staff had completed the 2015 *Joint Report* and publication notices were sent to County Judges, County Health Officials, and to the individual Groundwater Conservation Districts (GCDs); and,
 - A link to the publication was also posted on the TGPC website.
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 85th Legislature* (“*Legislative Report*”, TCEQ publication SFR-047):
 - Two Legislative Report Subcommittee meetings had been held this year in order to prepare the Legislative Report;
 - The draft report had been reviewed by TGPC member agency upper management;
 - TCEQ staff had updated the final draft report and it would be presented at the October 2016 TGPC meeting;
 - After the TGPC’s approval, the final draft report would be sent to TCEQ Agency Publications; and,

- The final report would be distributed to the Legislature in December 2016 before the session begins on January 10, 2017.

The following current groundwater issues were briefly discussed:

- Water Supply Enhancement Program;
- Hydraulic Fracturing;
- Emerging Contaminants; and,
- Border Groundwater.

Kathy McCormack (TCEQ) presented the draft *Priority Groundwater Management Area* white paper and requested that GWI Subcommittee members provide feedback by September 21, 2016. A final draft of this white paper would be brought back for approval at the next GWI Subcommittee meeting.

Cindy Loeffler (Texas Parks and Wildlife Department) presented the draft *How is Groundwater Quantity Affected by Freshwater Mussels ? How are Freshwater Mussels Affected by Groundwater Quantity ?* white paper, and GWI Subcommittee members were also requested to provide feedback on this draft white paper by September 21, 2016. The freshwater mussels white paper would be updated and brought back for additional discussion and possible approval at the next GWI Subcommittee meeting.

The next GWI Subcommittee meeting was scheduled for December 14, 2016.

Sarah Schlessinger (TAGD) arrived at approximately 1:16 PM CDST and was present for the remainder of the meeting.

Public Outreach and Education

Cary Betz (TCEQ) reported that the TGPC Public Outreach and Education (POE) Subcommittee last met on September 14, 2016 and nine 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
 - Eight since the previous POE Subcommittee meeting
 - None planned through September 2016
- AgriLife Extension Abandoned Water Well Closure Education
 - None since the previous POE Subcommittee meeting
 - None scheduled at this time
- TGPC Exhibit Booth
 - TCEQ Public Drinking Water Conference held on August 9 – 10, 2016 in Austin had an estimated 93 views, and the TAGD Texas Groundwater Summit held on August 23 – 25, 2016 in San Marcos had an estimated 36 views.

- One planned through December 2016

Diane Boellstorff (AgriLife Extension) reviewed the Texas Well Owner Network (TWON) schedule of completed, confirmed, obligated, and suggested water well one-day training events and workshops. There have been over 6,534 samples or attendees at TWON events since April 2011.

The Google Analytics activity report on the TGPC website for June 21 – September 13, 2016 was reviewed. The average website visit duration was 2:03 minutes and the average pages/visit was 2.03 (both up slightly from last quarter). Website activity spiked in mid-July 2016 and again at the end of August 2016. As usual, GovDelivery emails regarding the quarterly TGPC meeting also generated a spike in website activity.

One of the four topics in the current *Texas Groundwater Protection Committee Groundwater Educational Outreach Plan* (“Plan”, http://tgpc.state.tx.us/POE/TGPC_POE_GW_EduOutreachPlan10Sep2013.pdf) was briefly discussed, but no updates were given.

The Frequently Asked Question (FAQ) on scientific monitoring wells drafted by Chris Muller (TWDB) was reviewed and a new process for editing was discussed. All comments will be sent to Chris Muller for consideration, and he will make the updates and send the document to Peggy Hunka (TCEQ) and Diane Boellstorff (AgriLife Extension) for a final review. The document will then be brought to the POE Subcommittee for approval at the next meeting.

The information gathered about flooding events and well head protection was reviewed and a suggestion was made that the TGPC website could list the links to information found at other websites.

The next POE Subcommittee meeting was scheduled for December 14, 2016.

3. PRESENTATION

Suzy Valentine (TCEQ) and Natalie Houston (USGS) gave TGPC members a presentation on the background, historical context, causes, sources, and impacts of salinity in the Pecos River. They also reported on the efforts to harvest salt and thereby reduce the river’s salinity at Malaga Bend in southeast New Mexico (about 15 miles from the Texas border).

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 85th Legislature – Discussion of Final Report Text, Approval of Final Report, and Discussion of Timetable for Completion of Final Report and Delivery to the Legislature

Cary Betz (TCEQ) invited discussion on the final draft of the *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 85th Legislature* (“*Legislative Report*”) that had been out for review by TGPC member agency management since the last TGPC meeting. Larry French (TWDB) proposed, David Gunn (TDLR) seconded, and all remaining TGPC members approved the *Legislative Report* and authorized TCEQ staff to continue its publication process.

Current Groundwater Issues

Cary Betz (TCEQ) provided an update from the last TGPC meeting on the Texas city that prohibited the drilling of a private water well unless TCEQ and the U.S. Environmental Protection Agency (EPA) wrote a letter confirming that no cross contamination of aquifers would occur if the water well was drilled. TCEQ plans to notify the inquiring landowner that the city does have the authority to make rules or pass ordinances that prohibit well drilling, that TCEQ does not certify that wells will not cause cross contamination, but that TCEQ’s policy is that if a well is constructed in accordance with TDLR’s rules and regulations then it should not cause cross contamination. However, there is nothing that prevents a city from stipulating in their rules or ordinances that they will take certain steps once TCEQ takes certain steps.

Cary Betz (TCEQ) also indicated that they would soon be discussing groundwater pumping in Val Verde County with a state representative. There was a bill to create a GCD in Val Verde County that died during the last legislative session.

Ruben Cortez (DSHS) noted that they had received three phone calls regarding radon in drinking water within the last three months (two for private water wells). Cary Betz (TCEQ) and David Gunn (TDLR) responded that they were not aware of any recent drinking water quality reports that highlighted this as an issue.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for January 18, 2017 at 1:00 PM CST.

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

Groundwater Contamination Notice Coordination (Texas Water Code §26.408)

Leon Byrd (TCEQ) reported that the Impact Evaluation Team (IET) had met five times during the last quarter, fourteen groundwater contamination cases had been reviewed, and 92 letters of notification were recommended to be mailed to nearby, potentially-affected private drinking water well owners.

Groundwater Management Areas

Sarah Schlessinger (TAGD) reported that most Groundwater Management Areas (GMAs) were wrapping up their final Desired Future Conditions (DFCs) and explanatory reports. As of August 2016, the first official DFC appeal from Lone Star GCD in GMA 14 was going to the State Office of Administrative Hearings (SOAH).

Regional Water Planning

Larry French (TWDB) reported that:

- They were addressing public comments related to draft regional water planning Rules, particularly the introduction of a concept of a Peak Factor Modeled Available Groundwater (MAG);
- The final recommended Rules should go to their Board in November 2016;
- They were beginning to work on Regional Water Planning Group (RWPG) contracts for groundwater availability; and,
- Their Board was planning on holding a Work Session regarding the regional planning process in November 2016.

Groundwater Availability Modeling

Larry French (TWDB) reported that:

- The Groundwater Availability Modeling (GAM) team was about to issue two final models – one for the Capitan Reef Complex Aquifer and the other for the Llano Uplift Aquifers – and that they would post these reports on their website;
- The Brazos River Alluvium Aquifer model was almost complete, and the Lower Rio Grande Aquifer Transport model was in progress;
- Staff would make recommendations for three new groundwater modeling projects to their Board in November 2016:
 - A statewide view of subsidence and how to incorporate that into groundwater modeling products;
 - An update of the conceptual model for the Trinity Aquifer in the Hill Country, particularly with a view of how this interacts with the Edwards Aquifer; and,
 - An update of the existing Northern Carrizo-Wilcox Aquifer model.
- Staff were receiving DFC statements from GMAs and developing their MAG values.

Nonpoint Source Pollution

There was no discussion of this topic at the meeting.

National Groundwater Initiatives

Cary Betz (TCEQ) reported that the U.S. Department of the Interior Advisory Committee on Water Information (ACWI) Subcommittee on Ground Water (SOGW, <http://acwi.gov/sogw/>) would be meeting in conjunction with the National Ground Water Association (NGWA) Groundwater Week on December 6 – 8, 2016 in Las Vegas, NV. They were working on updating their Terms of Reference in order to address various scenarios encountered since the publication of the framework document and the activation of the National Groundwater Monitoring Network and its portal.

David Villarreal (TDA) left at 3:52 PM CDST, returned at 3:54 PM CDST, and was present for the remainder of the 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 October 11, 2016, 22 % of the state was classified as D0 and D1 (the lowest two drought conditions), up from 6 % in D0 at the last TGPC meeting, but the U.S. Seasonal Drought Outlook map forecast no drought conditions across the state through December 2016. As of October 12, 2016, of the 4,646 active community water systems in Texas, 1,093 were affected by drought (either voluntary or mandatory) and 728 of these used groundwater (either partially or exclusively). As of October 13, 2016, 11 PWSs in the state could be out of water in 180 days or less (down from 16 at the last TGPC meeting).

6. ANNOUNCEMENTS

Rules Update

Cary Betz (TCEQ) reported on current TCEQ rulemaking that was of interest to the TGPC (no change from the last TGPC meeting):

- 2016-022-331-WS – Permit Streamlining Pre-Injection Units;
- 2016-021-331-WS – HB 2230: Dual Authorizations;
- 2016-020-007-OW – MOU Between the Texas State Soil and Water Conservation Board and TCEQ;
- 2016-019-334-CE – Implementation of Federal PST Rule Updates;
- 2016-002-307-OW – Triennial Revision of 30 TAC Chapter 307, Texas Surface Water Quality Standards;
- 2015-035-290-OW – Revised Total Coliform Rule Plus (RTCR Plus);
- 2015-029-295-OW – HB 2031 and HB 4097: Marine Seawater Desalination;
- 2015-028-210-OW – HB 1902: Graywater and Alternate Onsite Water Reuse; and,

- 2015-027-007-WS – HB 2230: TCEQ and RRC MOU.

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

David Gunn (TDLR) reported that their Water Well Drillers and Pump and Installers program would be performing their Quadrennial Rules Review.

New Publications

Cary Betz (TCEQ) reported that there had been no new TCEQ publications of interest to the TGPC during the last quarter.

Rebecca Smyth (UTBEG) reported that *Texas Through Time* (<http://www.beg.utexas.edu/node/1559>) was now available in their bookstore.

Christopher Braun (USGS) left a list of their recent groundwater-related publications on the handout table:

- *Water-level altitudes 2016 and water-level changes in the Chicot, Evangeline, and Jasper aquifers and compaction 1973-2015 in the Chicot and Evangeline aquifers, Houston-Galveston region, Texas* (<https://pubs.er.usgs.gov/publication/sim3365>);
- *Source, variability, and transformation of nitrate in a regional karst aquifer: Edwards aquifer, central Texas* (<https://pubs.er.usgs.gov/publication/70173854>); and,
- *Changes between early development (1930-60) and recent (2005-15) groundwater-level altitudes and dissolved-solids and nitrate concentrations in and near Gaines, Terry, and Yoakum Counties, Texas* (<https://pubs.er.usgs.gov/publication/sim3355>).

Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2016 – 2017 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.state.tx.us/tgpc-subcommittees/tgpc-public-outreach-and-education-subcommittee/> under the “Additional Resources” heading.

Cary Betz (TCEQ) announced that the annual PGMA meeting between the TCEQ Executive Director and the TWDB Executive Administrator would be held in December 2016.

David Villarreal (TDA) announced that the 5th Lone Star Water Summit was scheduled for October 25 – 27, 2016 in Austin.

Sara Schlessinger (TAGD) announced that their annual Leadership Training would take place on October 27, 2016 in Austin.

Christopher Braun (USGS) left a list of their upcoming lectures on the handout table and three were directly related to groundwater:

- Tuesday, October 25, 2016, 3:00 PM – Barbara Mahler – Karst, critters, and climate change: A multidisciplinary evaluation of karst species vulnerability to climate change;
- Wednesday, October 26, 2016, 11:00 AM – Pete McMahon – Methane and Benzene in Drinking-Water Wells Overlying the Eagle Ford and Haynesville Shales; and,
- Tuesday, November 15, 2016, 11:00 AM – Stephen Opsahl – New Insights into Nitrate Dynamics in a Karst Groundwater System Gained from High-Frequency Optical Sensor Measurements.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 3:01 PM CDST.