

**TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING**

Third Quarterly Meeting, Fiscal Year 2011

Meeting Date: April 20, 2011
Meeting No.: 89

Place: TCEQ Campus, Bldg F
Room: 2210

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MEETING ATTENDANCE

Committee Members

Cary Betz

Janie Hopkins

Leslie Savage

Tom Ellerbee

Richard Eyster

Donna Long

Kirk Holland

Kevin Wagner

Bridget Scanlon

David Gunn

Affiliation

Texas Commission on Environmental Quality (TCEQ)

Texas Water Development Board (TWDB)

Railroad Commission of Texas (RRC)

Department of State Health Services (DSHS)

Texas Department of Agriculture (TDA)

Texas State Soil and Water Conservation Board (TSSWCB)

Texas Alliance of Groundwater Districts (TAGD)

Texas AgriLife Research (TAR)

University of Texas Bureau of Economic Geology (UTBEG)

Texas Department of Licensing and Regulation

Agency Staff

Alan Cherepon

April Hoh

Paul Lewis

Kathy McCormack

Joe Peters

L. Scott Underwood

David Villarreal

Radu Boghici

Affiliation

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TDA

TWDB

Program

Water Supply Division

Water Quality Division

Remediation Division

Water Supply Division

Water Supply Division

Water Supply Division

Interested Parties

Dave O'Rourke

Brad Spencer

Affiliation

LBG-Guyton

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on April 20, 2011
2. Record for Texas Groundwater Protection Committee meeting on January 19, 2011
3. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting on March 8, 2011
4. TGPC Overview flyer for Texas AgriLife Extension Service (TAES) county offices
5. Summary of Texas Groundwater Protection Committee (TGPC) Nonpoint Source (NPS) Task Force (TF) Meeting on March 11, 2011
6. Draft TGPC Data Management Subcommittee Charge
7. Drought 2011 – Public Water Supply Systems Affected as of April 14, 2011; U.S. Drought Monitor, Texas as of April 12, 2011; U.S. Seasonal Drought Outlook April – June 2011
8. What’s New in TCEQ Rules, April 1, 2011
9. *2010 Annual Report: Managing Nonpoint Source Pollution in Texas*, TCEQ publication SFR-066 (January 2011),
http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/066_10.pdf
10. 14th World Lake Conference – Lakes, Rivers, Groundwater and Coastal Areas: Understanding Linkages, Second Announcement
11. TCEQ Environmental Trade Fair and Conference flyer
12. 2011 Water-related Conferences in Texas, April 2011

A TGPC-sponsored National Groundwater Awareness Week (March 6 – 12, 2011) poster was also on display in the back of the room.

MEETING RECORD OF APRIL 20, 2011

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 CDST. TGPC members then introduced themselves. All member agencies were present and represented.

2. SUBCOMMITTEE REPORTS

Agricultural Chemicals

Joe Peters (TCEQ) reported that the TGPC Agricultural Chemicals Subcommittee met for their Fiscal Year 2011 Third Quarter meeting that morning.

For the Site Selection Task Force, Janie Hopkins (TWDB), the Task Force Chair, reported that TWDB had started their groundwater monitoring activities this year and identified the aquifers and number of wells to be sampled in each. In addition, Alan Cherepon (TCEQ) reported on the pesticide monitoring of groundwater that TCEQ was planning for May 2011 in the Corpus Christi area and the Rio Grande Valley.

For the Pesticide Management Plan Task Force, Alan Cherepon (TCEQ) and David Villarreal (TDA), the Task Force Co-Chairs, reported that TCEQ and TDA will be providing the United States Environmental Protection Agency (U.S. EPA) with assessments on the remaining five pesticides from their list of 57 pesticides of interest and concern.

Alan Cherepon (TCEQ) gave a presentation on the United States Geological Survey (USGS) National Water Information System (NWIS, <http://waterdata.usgs.gov/nwis>). This USGS web resource has recently been upgraded and Alan Cherepon demonstrated how to access and download pesticide groundwater monitoring data from the website.

Data Management

Cary Betz (TCEQ) reported that the Data Management Subcommittee had not met since the last TGPC meeting and deferred further discussion of the Subcommittee's Charge until the Business portion of the meeting.

Public Outreach and Education

Kathy McCormack (TCEQ) reported that the TGPC POE Subcommittee last met on March 8, 2011 and nine 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:

- TAES Water Well Screening Events
 - None since the previous TGPC POE Subcommittee meeting
 - Eight planned through October 2011
- TAES Abandoned Water Well Closures
 - None since the previous TGPC POE Subcommittee meeting
 - None planned at this time
- TGPC Booth
 - Three since the previous TGPC POE Subcommittee meeting (86 estimated attendees)
 - Two planned through August 2011

The Google Analytics report on TGPC website activity statistics for June 1, 2010 through March 1, 2011 was provided to the POE Subcommittee. The seven monitored TGPC webpages continued to average 42 unique visitors per day, with website visitation peaking after the quarterly GovDelivery emails announcing each TGPC meeting.

Holly Vierk (TWDB) reviewed their Water IQ: Know Your WaterSM statewide public awareness water conservation program including its website (<http://www.wateriq.org/apps/wateriq/default.aspx>), promotional material and literature, public service announcements, and municipal examples.

The POE Subcommittee approved reprinting *Questions about Groundwater Conservation Districts in Texas* (TAES B-6120) within the limits of the TCEQ/TAES POE contract.

The POE Subcommittee approved an update of the *What Did the TCEQ Monitoring Program in Urban Areas Find in the Groundwater ?* FAQ with the changes discussed at the meeting.

The updates to *What is the Status of the Regional Water Planning Group (RWPG) Process ?* and *What Does It Cost to Conduct Regional Water Planning Group (RWPG) Activities ?* FAQs were briefly discussed. Linda Ruiz McCall (TWDB) will work with Kathy McCormack (TCEQ) to bring draft updates to the next POE Subcommittee meeting.

Extensive feedback was provided to Peter Pope (RRC) on the latest drafts of the Oil and Gas Waste Disposal Wells and Water Quality FAQs. Peter Pope will work with Alan Cherepon (TCEQ) and Fred Duffy (TCEQ) to bring revised FAQs to the next POE Subcommittee meeting.

Various 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) were discussed:

- The script and 90-second recording of a TDA “Shoot the Bull” radio program were reviewed. The episode referred to National Groundwater Awareness Week (March 6 – 12, 2011) and aired on March 1, 2011. The “Shoot the Bull” radio program has a weekly adult audience of over 50,000 and is available on approximately a dozen radio stations in the Texas State Network (TSN, <http://www.tsnradio.com/>); and,
- Diane Boellstorff (TAES) reviewed the final draft of a fact sheet about the TGPC and its FAQs. The fact sheet was to be emailed to TAES county offices after the meeting, and a follow-up survey is planned for later this year.

FAQs on the following topics are in various stages of revision:

- *What is the Status of the Regional Water Planning Group (RWPG) Process ?* update
- *What Does It Cost to Conduct Regional Water Planning Group (RWPG) Activities ?* update
- Oil and Gas Waste Disposal Wells and Water Quality:
 - *What is an Underground Injection Well ?*
 - *How Are Oil and Gas Waste Disposal Wells Regulated ?*
 - *How Are Oil and Gas Waste Disposal Wells Regulated to Protect Water Quality ?*
 - *What Are the Construction Standards for an Oil and Gas Waste Disposal Well ?*
 - *What Are the Permitting Processes for an Oil and Gas Waste Disposal Well ?*
 - *How Are Oil and Gas Waste Disposal Wells Monitored to Ensure That They Are Not Leaking ?*
 - *Who Has Jurisdiction Over the Clean-up of Oil and Gas Waste Disposal Well Contamination ?*
- *What are the Statewide Water Well Databases ?*

The next POE Subcommittee meeting is scheduled for June 8, 2011.

Groundwater Research

Bridget Scanlon (UTBEG) reported that the Groundwater Research Subcommittee met that morning and discussed the following white paper topics:

- Characterization of Groundwater Surface Water Interactions with Respect to Water Quantity and Quality;
- Aquifer Storage and Recovery (ASR) Programs in Texas;
- Quantification and Vulnerability of Dynamic Aquifer Systems (e.g., karst and alluvial aquifers) to Contamination (focusing particularly pathogens);
- Evaluation of Groundwater Treatment Methodologies for Effectiveness and Economics in Relationship to Removal of Contaminants; and,
- Health Aspects of Lignite Deposits Associated with Groundwater.

These white papers will be a collaborative effort with a number of entities (e.g., TAR, UTBEG, TCEQ, TWDB, TDA, and others).

Nonpoint Source

Donna Long (TSSWCB) reported that the Nonpoint Source (NPS) Task Force last met on March 11, 2011 and six state agencies and organizations were represented. A summary was presented of the fiscal year 2011 second quarter meeting held on December 1, 2010. The latest draft of the *Texas Nonpoint Source Management Program* was reviewed by the Task Force and suggestions were provided to further establish groundwater goals and objectives for the state in Chapters 1 and 2 of the *Management Program*.

The next NPS Task Force meeting is scheduled for June 3, 2011 at 9:30 AM. The primary focus will be to review changes incorporated into the *Management Program*.

3. PRESENTATION

Anthropogenic Sources of Groundwater Contamination in Texas

Dave O'Rourke (LBG-Guyton) provided the background, objectives, current data sources, and some draft maps of a TWDB-sponsored project regarding the potential sources of anthropogenic groundwater contamination in Texas. The project completion date is August 2011, and Dave O'Rourke requested that TGPC members contact him if they know of any other appropriate sources of data.

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Discuss Data Management Subcommittee Charge and Staff Assignments

Cary Betz (TCEQ) reviewed the revised Data Management Subcommittee Charge. The majority of the changes were under the Expected Results heading. Key points included:

- “The Data Management Subcommittee will shift its focus from statewide adherence to particular data standards and instead encourage adoption by each agency of basic metadata essentials...”;
- “...the Data Management Subcommittee will undertake a study of all currently available groundwater datasets...”;
- “The Subcommittee will encourage the publication of summaries of data collected with links to each agency’s web site where the data can be viewed and downloaded”;
- “...the Data Management Subcommittee will compile and maintain an inventory of data collection projects and their publications” and may post this information on the TGPC website; and,
- “...the Data Management Subcommittee will coordinate the compilation of data to be assessed by the TGPC and its member agencies...”, including the state-mandated *Joint Groundwater Monitoring and Contamination Report* and its enforcement status matrix, as well as the federally-mandated *Texas Water Quality Inventory*, Groundwater Assessment portion.

The work of the federal Advisory Committee on Water Information (ACWI), and its Subcommittee on Ground Water's (SOGW's) National Ground Water Monitoring Network (NGWMN), were also referenced in the Charge update.

Kevin Wagner (TAR) proposed, Bridget Scanlon (UTBEG) seconded, and all remaining TGPC members approved the revised Data Management Subcommittee Charge. Cary Betz (TCEQ) encouraged all TGPC member agencies to participate in this Subcommittee and requested that representative names be forwarded to him after the meeting. Cary Betz noted that he would also invite the USGS to attend future Data Management Subcommittee meetings.

Review, Discuss, and Approve Publications and Popular Press Articles

No publications or popular press articles were reviewed at the meeting.

Set Future Meeting Date

The next TGPC quarterly meeting is scheduled for July 20, 2011 at 1:00 PM CDT.

Kevin Wagner (TAR) left at approximately 2:05 PM CDST and was absent for the remainder of the meeting.

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

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

Cary Betz (TCEQ) reported that the Impact Evaluation Team (IET) reviewed nine groundwater contamination cases in the past quarter with 82 letters being mailed to private water well owners and users. Cary Betz requested additional information on some of these wells from the RRC.

Groundwater Management Areas

Kirk Holland (TAGD) reported that most of the Managed Available Groundwater (MAG) values have been received related to Desired Future Conditions (DFCs), and that there have only been a few petitions related to the unreasonableness of some DFCs.

Regional Water Planning

Janie Hopkins (TWDB) reported that all final regional water plans which were due last September were approved in December 2010, and TWDB provided the Texas Legislature with a summary of those plans in January 2011. Work is underway on the next *State Water Plan* which is due to the Texas Legislature on January 5, 2012. A draft report will be presented to TWDB in August 2011 and a public hearing will be conducted this fall.

Groundwater Availability Modeling

Janie Hopkins (TWDB) reported that Groundwater Availability Modeling (GAM) staff are in the process of comparing MAG values with *State Water Plan* water availability numbers in order to determine sustainable yields, and these reports will be presented to TWDB later this year. GAM staff are also working on various model runs, reviewing conceptual models, and managing up to eight contracts related to GAMs.

Janie Hopkins (TWDB) also noted that the Texas Senate confirmed in March 2011 the Governor's new appointees to TWDB with terms to expire in December 2015: Billy Ray Bradford of Brownsville and Monte Cluck of Gruver.

Nonpoint Source Pollution

Donna Long (TSSWCB) reported that the electronic version of the *2010 Annual Report: Managing Nonpoint Source Pollution in Texas* was presented to U.S. EPA in January 2011 and the printed version was in each TGPC member's packet. Donna Long also reported that, for Clean Water Act Section 319 NPS project grant funding, TCEQ's Request for Grant Applications begins June 1, 2011 and TSSWCB's grant proposal request announcement is expected shortly.

National Groundwater Initiatives

Janie Hopkins (TWDB) reported that the USGS-designed National Groundwater Monitoring Network and Monitoring Program pilot project's web portal was supposed to have gone live in April 2011, but it is about three months behind schedule. Cary Betz (TCEQ) added that several key project terms are still being defined.

Leslie Savage (RRC) reported that the U.S. EPA had published a *Hydraulic Fracturing Draft Study Plan* (<http://water.epa.gov/type/groundwater/uic/class2/hydraulicfracturing/index.cfm>).

Drought Status

Cary Betz (TCEQ) referred the TGPC to the most recent TCEQ drought-affected Public Water Supply (PWS) Systems and U.S. Drought Monitor maps. As of April 14, 2011, of the 4,726 active community water systems in Texas, 97 (up from 75 in January 2011) have been affected by drought (either voluntary or mandatory), and 64 of these use groundwater (either exclusively or partially). Drought conditions continue to worsen across the state – 100% of the state is now in one of the five drought categories (only 4% of the state was considered abnormally dry, the lowest drought category, one year ago), 10% of the state is in the exceptional (worst) drought category, and the drought is expected to persist or intensify through June 2011. Kirk Holland (TAGD) announced that the Edwards Aquifer Authority would be declaring Stage II Alarm Drought conditions in the next week, and that some of the other Hill Country aquifers would also be experiencing water restrictions shortly. Bridget Scanlon (UTBEG) reported that they

were currently conducting a drought study (e.g., land/atmospheric feedback and its impact on drought persistence/termination and the economy).

6. ANNOUNCEMENTS

Rules Update

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

- *2010 Annual Report: Managing Nonpoint Source Pollution in Texas*, SFR-066 (new), http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/066_10.pdf
- *Priority Groundwater Management Areas and Groundwater Conservation Districts, Report to the 82nd Legislature*, SFR-053/07 (new), http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/053_07.pdf
- *The Texas Clean Rivers Program*, GI-063 (revised), <http://www.tceq.texas.gov/publications/gi/gi-063.html>

Cary Betz (TCEQ) also announced the publication of the Carrizo-Wilcox Aquifer Study final report (available at <http://www.beg.utexas.edu/cswr/aquiferstudy/>).

Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2011 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 (TCEQ) requested assistance with staffing the TGPC booth at the TCEQ Environmental Trade Fair on May 3 – 4, 2011. TGPC members were asked to contact Kathy McCormack (TCEQ) as soon as possible in order to sign up for a shift.

Cary Betz (TCEQ) referenced a flyer for the 14th World Lake Conference (<http://www.rivers.txstate.edu/wlc14>) and Texas Water Day at the Capitol on April 27, 2011.

Cary Betz (TCEQ) also noted that there would be a TCEQ public meeting in Jourdanon on April 27, 2011 to discuss the Eagle Ford Shale; at a previous meeting in Cotulla the public had the following questions:

- How much groundwater will be used in the fracturing process ?;
- What is being done to make sure drilling is safe ?;
- Will this activity impact the quality of our groundwater?; and,

- Who is monitoring our groundwater ?

In addition, uranium mining and its potential impact on groundwater quality was a concern at the Cotulla public meeting. Several TGPC members indicated that they would be interested in attending these public meetings, as well.

Bridget Scanlon (UTBEG) reported that J.P. Nicot (UTBEG) had drafted a contract report for TWDB titled “Current and Projected Water Use in the Texas Mining and Oil and Gas Industry”.

Leslie Savage (RRC) announced the 2011 NGWA Ground Water Summit and 2011 Ground Water Protection Council Spring Meeting in Baltimore, MD on May 1 – 5, 2011 (<http://www.ngwa.org/summit2011/index.aspx>). Leslie Savage also noted that this would be her last TGPC meeting and that Peter Pope (RRC) would be attending TGPC meetings in the future.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 2:44 PM CDST.