

**TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING**

Third Quarterly Meeting, Fiscal Year 2016

Meeting Date: April 20, 2016
Meeting No.: 114

Place: TCEQ Campus, Bldg F
Room: 2210

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MEETING ATTENDANCE

Committee Members

Cary L. Betz

Larry French

Chris Moore

Emily Hall

David Villarreal

T. J. Helton

David Van Dresar

John Tracy

Linda Ruiz McCall

Affiliation

Texas Commission on Environmental Quality
(TCEQ)

Texas Water Development Board (TWDB)

Railroad Commission of Texas (RRC)

Texas 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 A&M AgriLife Research (AgriLife
Research)

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

Agency Staff

Abiy Berehe

Leon Byrd

Alan Cherepon

Cindy Hooper

Peggy Hunka

Paul S. Lewis

Kathy McCormack

John Meyer

Andrea Morrow

Michael Parr

L. Scott Underwood

Kristin Wang

Marcia Workman

Affiliation

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TWDB

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

Program

Water Availability Division

Remediation Division

Water Availability Division

Agency Communications Division

Environmental Law Division

Water Availability Division

Water Availability Division

Water Availability Division

Interested Parties

David Barer

Julia Carrillo

Cindy Loeffler

Tom Rapp

Affiliation

KXAN

Edwards Aquifer Authority

Texas Parks and Wildlife Department (TPWD)

KXAN

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on April 20, 2016
2. Record for Texas Groundwater Protection Committee meeting on January 13, 2016
3. Texas Groundwater Protection Committee (TGPC) Legislative Report Subcommittee Status Report, April 20, 2016
4. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, January 13, 2016
5. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, March 1, 2016
6. Drought 2016 – U.S. Drought Monitor, Texas, April 12, 2016; U.S. Seasonal Drought Outlook, March – June 2016; Public Water Supply Systems Affected, April 13, 2016; TCEQ List of Texas Public Water Systems (PWSs) Limiting Water Use to Avoid Shortages, April 14, 2016
7. TCEQ Rules Update, 4/20/2016
8. *Nonpoint Source Pollution in Texas*, SFR-066/15 (new January 2016), http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/066-15.pdf
9. *Be Water Wise at Home / Sea Prudente con el Agua en Casa*, GI-370 (revised March 2016), <https://www.tceq.texas.gov/publications/gi/gi-370.html>
10. TGPC Counter at TCEQ ETF announcement (TGPC members only)
11. 2016 TCEQ Environmental Trade Fair & Conference program
12. 2016 Water-related Conferences in Texas, April 2016

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

1. TGPC Public Information Act Policy

MEETING RECORD OF APRIL 20, 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 1:03 PM CDST. TGPC members then introduced themselves. The representative from TDLR was not present at the meeting.

2. SUBCOMMITTEE REPORTS

Legislative Report

Abiy Berehe (TCEQ) reported that the TGPC Legislative Report Subcommittee had been re-activated in order to prepare the *Activities and Recommendations of the Texas Groundwater Protection Committee: A Report to the 85th Legislature* (“*Legislative Report*”), and they had met twice since the last TGPC meeting (on February 24, 2016 and March 23, 2016). Meeting highlights included:

- The process and time line for completion of the draft *Legislative Report* was reviewed;
- The Legislative Report Subcommittee worked on and updated mainly the Recommendations section of the draft *Legislative Report*, and they approved those changes at the March 23, 2016 meeting;
- No new recommendations were presented at either meeting;
- The final draft *Legislative Report* will be routed for upper management review and concurrence after the next TGPC meeting;
- The Activities section of the final draft *Legislative Report* will be completed towards the end of Fiscal Year (FY) 2016;
- TCEQ staff were approved to make non-substantive changes during the publication process;
- The final *Legislative Report* would be presented for approval at the TGPC meeting in October before TCEQ staff send it to Agency Publications;
- If the Legislative Report Subcommittee needs to work on any last-minute recommendations, TCEQ staff have reserved a room for a meeting on September 7, 2016 or September 21, 2016; and,
- The Legislative Report Subcommittee plans to distribute the final *Legislative Report* to the Legislature in December 2016 before the session begins on January 10, 2017.

Groundwater Issues

Chris Moore (RRC) reported that the TGPC Groundwater Issues (GWI) Subcommittee had met that morning and completed the following agenda items:

- Alan Cherepon (TCEQ) presented the Agricultural Chemicals Task Force Status Report;
- Abiy Berehe (TCEQ) presented the TGPC Publications Status Report;

- Using initial summaries prepared by TCEQ staff, the issues of Saltwater Intrusion, Agricultural Chemicals, and Priority Groundwater Management Areas (PGMAs) were discussed;
- TCEQ, TDA, TWDB, TAGD, TSSWCB, AgriLife Research, Texas A&M AgriLife Extension Service (“AgriLife Extension”), and the United States Geological Survey (USGS) were approved as initial members of the Agricultural Chemicals Task Force;
- GWI Subcommittee members agreed to prepare and review white papers on Brush Control, Freshwater Mussels, and PGMAs; and,
- The next GWI Subcommittee meeting was scheduled for June 22, 2016.

Public Outreach and Education

Peggy Hunka (TCEQ) reported that the TGPC POE Subcommittee last met on March 1, 2016, eight state agencies and organizations were represented, and 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:

- AgriLife Extension Water Well Screening Events
 - None since the previous POE Subcommittee meeting
 - Six planned through October 2016
- AgriLife Extension Abandoned Water Well Closure Education
 - None since the previous POE Subcommittee meeting
 - None scheduled at this time
- TGPC Exhibit Booth
 - Two since the previous POE Subcommittee meeting (84 estimated attendees)
 - Five planned through August 2016

Diane Boellstorff (AgriLife Extension) reviewed the Texas Well Owner Network (TWON) schedule of completed, confirmed, obligated, and suggested water well screening events and workshops. There have been over 5,700 samples or attendees at these events since April 2011.

The Google Analytics activity report on the TGPC website for December 1, 2015 through February 25, 2016 was reviewed. The average website visit duration was 2:04 minutes (down 0:01 seconds from December 2015), and the average pages/visit was 2.05 (down from 2.17 in December 2015). The GovDelivery emails regarding the quarterly TGPC meeting generated a spike in website activity.

Two 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) were briefly discussed, but no updates were given.

Diane Boellstorff (AgriLife Extension) reviewed the warehouse inventory of printed AgriLife Extension publications used for TWON and TGPC outreach events. The POE Subcommittee discussed using the reproduction allocation in the FY 2016 TCEQ and

AgriLife Extension POE Contract to print/reprint the following AgriLife Extension publications:

- *Hydrogen Sulfide in Drinking Water* (L-5312); and,
- *Understanding and Maintaining your Septic System* (L-5491).

Draft revisions of the following Frequently Asked Questions (FAQs) were discussed:

- *What is a Regional Water Planning Group (RWPG) ?;*
- *What Planning Activities are Conducted by Regional Water Planning Groups (RWPGs) ?;*
- *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 ?*

Changes were suggested to the first two FAQs, and they will be discussed further at the next meeting. Changes in the last two FAQs were approved by the POE Subcommittee.

There was a presentation by Peter Sprouse and Barrett Clark (both with Zara Environmental) on the need for biological monitoring wells. It was decided that a poll of Groundwater Conservation Districts (GCDs) would help the POE Subcommittee understand what GCDs are doing about monitoring wells, and then the POE Subcommittee would either amend the FAQ on abandoned water wells or draft a new FAQ for monitoring wells.

The next POE Subcommittee meeting was scheduled for June 22, 2016.

3. PRESENTATION

John Meyer (TWDB) presented the status of their Brackish Aquifer Mapping Program. Groundwater desalination is one of the 2012 State Water Plan's recommended water management strategies, and the goals of the Brackish Resources Aquifer Characterization System (BRACS) are to:

- Collect geophysical data from across the state;
- Map and characterize existing brackish aquifers;
- Map key water quality parameters;
- Estimate saturated zones using net sand analysis;
- Identify chemical parameters important to desalination; and,
- Provide data to stakeholders.

The TWDB Water Data Interactive website

(<http://www2.twdb.texas.gov/apps/waterdatainteractive/groundwaterdataviewer>) shows the location of BRACS wells and has links to each geophysical well log. The interactive map has several base layer options, as well as information on all TWDB groundwater wells and submitted driller report wells. The BRACS Database is available at <http://www.twdb.texas.gov/innovativewater/bracs/database.asp>, and published reports can be found at <http://www.twdb.texas.gov/innovativewater/bracs/docs.asp>. A status of their work is provided in every biennial desalination report to the Texas Legislature.

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Activities and Recommendations of the Texas Groundwater Protection Committee - Report to the 85th Legislature

Cary Betz (TCEQ) encouraged TGPC members to forward their revised program descriptions and any new recommendations to the TGPC Legislative Report Subcommittee.

Texas Groundwater Protection Strategy – 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) suggested that the current format of the *Texas Groundwater Protection Strategy* (“*Strategy*”) is not responsive enough for protecting the groundwater resources in the state, and that its legislative mandate does not specify how the TGPC should devise its *Strategy*. Cary Betz suggested that the *Strategy* update should outline the TGPC’s procedures for addressing groundwater quality issues, and that perhaps a *Strategy* Task Force could be established within the TGPC Groundwater Issues Subcommittee in the future. Linda Ruiz McCall (UTBEG) added that the *Strategy* update could document the TGPC’s underlying tactics that it would use in order to achieve its overall goals.

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 July 20, 2016, at 1:00 PM CDST.

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

Groundwater Contamination Notice Coordination (Texas Water Code §26.408)

Peggy Hunka (TCEQ) reported that the Impact Evaluation Team (IET) had met five times during the last quarter. Twelve groundwater contamination cases had been reviewed, and 49 letters (including 25 from the previous quarter) were mailed to private drinking water well owners.

Cary Betz (TCEQ) added that, since the last TGPC meeting, TCEQ staff had met with all of the TGPC members regarding Texas Water Code (TWC) 26.408, the *Joint Groundwater Monitoring and Contamination Report* (“*Joint Report*”), and groundwater contamination communication.

Groundwater Management Areas

David Van Dresar (TAGD) reported that the Groundwater Management Areas (GMAs) had 11 days to complete and submit their proposed Desired Future Conditions (DFCs) to TWDB by the May 1, 2016 deadline, and a number of GMAs had already submitted them.

Larry French (TWDB) added that they were holding a number of meetings with GMAs regarding DFCs, and GMA 9 had already adopted their DFCs. TWDB will ultimately convert DFCs into Modeled Available Groundwater (MAG) values by the end of 2016.

Regional Water Planning

Larry French (TWDB) reported that:

- Staff were considering some proposed rule changes governing the regional water planning process, comments were gathered from various stakeholders through early April 2016, there would be a technical stakeholder meeting on May 2, 2016, they anticipated taking the draft rule revision to their Board for consideration some time during the summer of 2016, and there would be an associated public comment period; and,
- The draft *2017 State Water Plan* was posted on their website, a public hearing was held on April 18, 2016, the comment period on the draft plan would close on April 25, 2016, and they anticipated taking it to their Board for adoption early in the summer of 2016.

Groundwater Availability Modeling

Larry French (TWDB) reported that they were:

- Supporting the BRACS team with modeling support;
- Finishing up work related to House Bill 1232 (i.e., analyses of the state's confined and unconfined aquifers, as well as groundwater and surface water interactions);
- Reviewing a draft model for the Brazos River Alluvium Aquifer and planning for a final stakeholder meeting;
- Finalizing Groundwater Availability Models (GAMs) for minor aquifers in the Llano Uplift Area and the eastern arm of the Capitan Reef Complex;
- Preparing to adopt the Bone Spring-Victorio Peak Aquifer GAM; and,
- Processing Requests for Qualifications (RFQs) for three GAM-related studies approved by the Board (i.e., an upgrade of the Northern Carrizo-Wilcox Aquifer model, an evaluation of subsidence across the state, and the Trinity Aquifer in the Hill Country).

Nonpoint Source Pollution

T.J. Helton (TSSWCB) reported that the joint annual *Nonpoint Source Pollution in Texas* report (SFR-066/15 (new January 2016),

http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/066-15.pdf) had recently been published.

National Groundwater Initiatives

Cary Betz (TCEQ) reported that TWDB would be participating in an additional project for the U.S. Department of the Interior Advisory Committee on Water Information (ACWI) Subcommittee on Ground Water (SOGW, <http://acwi.gov/sogw/>) National Groundwater Monitoring Network, and that additional funding would be available through the USGS which would enable the participation of more states, organizations, and local governments in the network.

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 April 14, 2016, 25 % of the state was classified as either D0 or D1 (the two lowest drought categories), up from 2 % at the last meeting, and no drought conditions were forecast across the state through June 2016. As of April 13, 2016, of the 4,630 active community water systems in Texas, 1,092 were affected by drought (either voluntary or mandatory) and 734 of these used groundwater (either partially or exclusively). As of April 14, 2016, 16 PWSs in the state could be out of water in 180 days or less (down from 20 at the last TGPC meeting).

Linda Ruiz McCall (UTBEG) commented that it would be interesting to see whether PWSs kept conservation measures in place during non-drought conditions.

6. ANNOUNCEMENTS

Cary Betz (TCEQ) announced that he had recently received a letter from the Texas Lieutenant Governor encouraging the TGPC to scrutinize each and every one of its agency expenditures using a zero-based budget approach. The TGPC would be able to fully comply with this request since it has no budget or staff.

Rules Update

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

- 2016-033-PET-NR – City of Austin Petition;
- 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;
- 2015-027-007-WS – HB 2230: TCEQ and RRC MOU;
- 2015-025-293-OW – HB 2767: Powers, Duties, and Administration of GCDs; and,
- 2015-022-331-WS – HB 655: Aquifer Storage and Recovery.

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

Larry French (TWDB) added that they were revising their rules related to House Bill 200 and the DFC petition process which would move from TWDB to the Texas State Office of Administrative Hearings (SOAH); draft rules had been published and the final rule package (incorporating public comment) would be presented to the Board in May 2016.

New Publications

Cary Betz (TCEQ) announced two TCEQ publications:

- *Nonpoint Source Pollution in Texas*, SFR-066/15 (new January 2016), https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/066-15.pdf; and,
- *Be Water Wise at Home / Sea Prudente con el Agua en Casa*, GI-370 (revised March 2016), <https://www.tceq.texas.gov/publications/gi/gi-370.html>.

Larry French (TWDB) added that *So Secret, Occult, and Concealed: An Overview of Groundwater Management in Texas* by Robert Mace had recently been posted on their website at http://www.twdb.texas.gov/groundwater/docs/2016_Mace_OverviewGroundwaterManagement.pdf.

Upcoming Conferences

Cary Betz (TCEQ) announced that the TGPC would again be sponsoring an exhibit counter in the TCEQ Water kiosk at the TCEQ Environmental Trade Fair on May 3 – 4, 2016, and he requested TGPC member assistance with staffing this annual outreach effort.

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2016 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.

Chris Moore (RRC) added that David Hillis would be speaking about “How a Salamander Saved a City: The Politics and Science of Endangered Species”

(<http://www.esi.utexas.edu/outreach/hot-science-cool-talks/lecture-archives/how-a-salamander-saved-a-city/>) at the next *Hot Science – Cool Talks* series presented by the Environmental Science Institute at The University of Texas at Austin on April 22, 2016.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 2:13 PM CDST.