

**TEXAS GROUNDWATER PROTECTION COMMITTEE**  
**RECORD OF MEETING**  
 Fourth Quarterly Meeting, Fiscal Year 2016

Meeting Date: July 20, 2016  
 Meeting No.: 115

Place: TCEQ Campus, Bldg F  
 Room: 2210

TABLE OF CONTENTS

<b>MEETING ATTENDANCE .....</b>	<b>2</b>
<b>MEETING HANDOUTS .....</b>	<b>3</b>
<b>MEETING RECORD OF JULY 20, 2016.....</b>	<b>4</b>
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> .....	8
<i>Texas Groundwater Protection Strategy – Discussion of Final Report Text,</i>	
<i>Approval of Final Report, and Discussion of Timetable for Completion of Final</i>	
<i>Report and Delivery to the Legislature</i> .....	8
Current Groundwater Issues .....	8
Set Future Meeting Date .....	9
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.....	9
National Groundwater Initiatives.....	10
Drought Status .....	10
6. ANNOUNCEMENTS.....	10
Rules Update.....	10
New Publications .....	11
Upcoming Conferences.....	11
7. PUBLIC COMMENT .....	11
8. ADJOURN.....	11

**MEETING ATTENDANCE**

Committee Members

Cary L. Betz

Janie Hopkins

Peter Pope

Emily Hall

David Villarreal

Ashley Wendt

David Van Dresar

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)

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

Agency Staff

Deborah Armbruster

Sean Avitt

Ryan Baxter

Jessica Bernal

Abiy Berehe

Alan Cherepon

Debjani Chakravarty

Lorrie Council

George Dunfield

Deba Dutta

Cindy Hooper

Peggy Hunka

Dale Kohler

Paul S. Lewis

Kathy McCormack

David Murry

Tom Ortiz

Michael Parr

Toni Red

Hayden Ross

L. Scott Underwood

Matt Webb

Affiliation

TCEQ

RRC

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

RRC

DSHS

TCEQ

TWDB

Program

Radioactive Materials Division

Radioactive Materials Division

Radioactive Materials Division

Water Availability Division

Water Availability Division

Water Availability Division

Radioactive Materials Division

Water Availability Division

Water Availability Division

Critical Infrastructure Division

Remediation Division

Water Availability Division

Radioactive Materials Division

Radioactive Materials Division

Environmental Law Division

Water Availability Division

Water Availability Division

Water Availability Division

Interested Parties

Peter George  
Cindy Loeffler  
Mary Musick  
Steve Musick

Jeff Saitas  
Ale Saitas  
Mariana Saitas  
Christopher Saitas  
Hope Wells

Affiliation

Collier Consulting  
Texas Parks and Wildlife Department (TPWD)  
Ground Water Protection Council (GWPC)  
Musick Groundwater Consulting (MGC) and  
GWPC  
GovHelp  
GovHelp  
GovHelp  
GovHelp  
San Antonio Water System (SAWS)

**MEETING HANDOUTS**

1. Agenda for Texas Groundwater Protection Committee meeting on July 20, 2016
2. Record for Texas Groundwater Protection Committee meeting on April 20, 2016
3. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, April 20, 2016
4. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, June 22, 2016
5. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, June 22, 2016
6. 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, July 14, 2016; U.S. Seasonal Drought Outlook, June – September 2016; Public Water Supply Systems Affected, July 13, 2016; TCEQ List of Texas Public Water Systems (PWSs) Limiting Water Use to Avoid Shortages, July 7, 2016
8. TCEQ Rules Update, 7/20/2016
9. Protect Your Groundwater Day 2016 announcement
10. 2016 Water-related Conferences in Texas, July 2016

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

1. TGPC Public Information Act Policy

## MEETING RECORD OF JULY 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 1:06 PM CDST. TGPC members then introduced themselves. The representatives from Texas A&M AgriLife Research (AgriLife Research) and the Texas Department of Licensing and Regulation (TDLR) were not present at the meeting.

### 2. SUBCOMMITTEE REPORTS

#### Legislative Report

Abiy Berehe (TCEQ) reported that:

- The TGPC Legislative Report Subcommittee had not met during last quarter, but they had approved all changes made to the Recommendations section of the draft *Activities and Recommendations of the Texas Groundwater Protection Committee: A Report to the 85th Legislature* (“*Legislative Report*”) at their March 23, 2016 meeting, and a new recommendation would be discussed during the Business portion of the meeting;
- TCEQ staff had updated all of the Activities section of the *Legislative Report* except for a few items which would not delay the publication process;
- The final draft *Legislative Report* would be emailed to TGPC members shortly after the meeting and feedback was requested by August 31, 2016;
- TCEQ staff would then address the feedback and the final *Legislative Report* would be presented for approval at the TGPC meeting in October before TCEQ staff would send it to Agency Publications;
- If the Legislative Report Subcommittee needed to work on any new recommendations, TCEQ staff had reserved a room for a meeting on September 21, 2016; and,
- The Legislative Report Subcommittee planned to distribute the final *Legislative Report* to the Legislature in December 2016 before the session began on January 10, 2017.

#### Groundwater Issues

Kathy McCormack (TCEQ) reported that the TGPC Groundwater Issues (GWI) Subcommittee had met on June 22, 2016 and nine 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 four staff, the Texas Water Development Board (TWDB) was in the process of Cooperative sampling 310 sites in 2016:
  - Major aquifers: Ogallala, Pecos Valley, and Hueco-Mesilla Bolson; and,

- Minor aquifers: Dockum, Edwards-Trinity (High Plains), West Texas Bolson, Igneous, Capitan Reef Complex, Rustler, Marathon, Hickory, Marble Falls, and Ellenburger-San Saba.
- TCEQ had screened 60 cooperative monitoring samples for atrazine and glyphosate using immunoassay (IA) analysis techniques, but the IA analyses for imidacloprid and pyrethroids on these samples were not successful; and,
- TCEQ was preparing to collect samples from approximately 21 springs and shallow wells in the Austin to San Antonio area and eastward the week of June 27, 2016, with some emphasis on screening for imidacloprid near apiaries as part of the national pollinator protection effort; samples would be IA screened for atrazine, glyphosate, imidacloprid, pyrethroids, and 2,4-D, and one lab method would be used on the samples at the DSHS laboratory in Austin.

The current TGPC Publications Status Report (also available on the GWI Subcommittee webpage) was reviewed:

- Groundwater Assessment for the *2016 Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d)* (“*Texas Integrated Report*”):
  - TCEQ staff had completed the draft Groundwater Assessment and it would be posted on the TCEQ website along with the other surface water assessment reports; and,
  - The *Texas Integrated Report* is a biannual report to the U.S. EPA.
- *Joint Groundwater Monitoring and Contamination Report – 2015* (“*Joint Report*”, TCEQ publication SFR-056):
  - TCEQ staff were working on the 2015 *Joint Report* and it would be completed by the end of July 2016.
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 85th Legislature* (“*Legislative Report*”, TCEQ publication SFR-047):
  - The Legislative Report Subcommittee updated the draft report and it would be presented at the July 2016 TGPC meeting; after the Committee’s approval, the final draft report would be routed for upper management review and concurrence at the TGPC member agencies;
  - TCEQ staff would send the final report to Agency Publications after the October 2016 TGPC meeting; and,
  - The final report would be distributed to the Legislature in December 2016 before the session begins on January 10, 2017.
- There was no change in status for the *Texas Groundwater Protection Strategy* (“*Strategy*”, TCEQ publication AS-188), *Landowner’s Guide to Plugging Abandoned Water Wells* (Plugging document, TCEQ publication RG-347), or *Texas Groundwater Protection Committee* (TGPC trifold brochure, TCEQ publication GI-088).

Mike Chadwick (TCEQ) presented information on the following aspects of Priority Groundwater Management Areas (PGMAs) to GWI Subcommittee members:

- The definition of a PGMA;
- The types of critical groundwater problems that could influence the creation of a PGMA;

- The process that is followed for creating a PGMA; and,
- The status of the seven existing PGMA's in the state.

The following groundwater issues were briefly discussed:

- Brush Control;
- Hydraulic Fracturing;
- Freshwater Mussels;
- Emerging Contaminants;
- Saline Groundwater Trends and Impacts in Texas;
- Agricultural Chemicals;
- Priority Groundwater Management Areas (PGMA's); and,
- Border Groundwater.

Mike Chadwick (TCEQ) presented a draft PGMA white paper and valuable feedback was provided by GWI Subcommittee members. The draft PGMA white paper would be updated and brought back for additional discussion at the next GWI Subcommittee meeting.

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

#### Public Outreach and Education

Peggy Hunka (TCEQ) reported that the TGPC Public Outreach and Education (POE) Subcommittee last met on June 22, 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
  - Four 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 that time
- TGPC Exhibit Booth
  - The National Groundwater Awareness Week Poster at the Capitol had an estimated 1,275 views and the Splash! Into Edwards Aquifer Exhibit had an estimated 458 views, while the TGPC booth at the TCEQ Environmental Trade Fair held on May 3 – 4, 2016 had an estimated 401 visitors
  - One planned through August 2016

Sarah Schlessinger (TAGD) gave an overview of the information that was available on their website.

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 had been over 6,264 samples or attendees at TWON events since April 2011.

The Google Analytics activity report on the TGPC website for February 25, 2016 through June 20, 2016 was reviewed. The average website visit duration was 1:53 minutes (down almost one minute from the last meeting), and the average pages/visit was down to 1.93 (from 2.05 in December 2015). Website activity that spiked in March 2016 was probably due to outreach from the TGPC National Groundwater Awareness Week poster. In addition, publication of an April 2016 article about abandoned water wells in the *Texas Realtor* magazine caused a surge in website activity. As usual, the GovDelivery email regarding the quarterly TGPC meeting also generated some 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](http://tgpc.state.tx.us/POE/TGPC_POE_GW_EduOutreachPlan10Sep2013.pdf)) was briefly discussed, but no updates were given.

A Frequently Asked Question (FAQ) regarding scientific monitoring wells will be drafted by Chris Muller (TWDB) because they have a number of these types of wells in place for their water level network.

Draft revisions of the following 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 ?*
- *What Does It Cost to Conduct Regional Water Planning Group (RWPG) Activities ?*

All of the FAQ revisions were approved by the POE Subcommittee.

During the discussion of current groundwater issues, the recent flooding was mentioned and it was decided that an FAQ on the precautions and steps to take in order to protect your water well during flooding would be developed.

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

### 3. PRESENTATION

Matt Webb (TWDB) gave a presentation on the current status of Aquifer Storage and Recovery (ASR) in the state. He provided a definition of ASR, some of its benefits and challenges, data on its growth in interest, background information on the funding available through TWDB, and a summary of the six grant applications that TWDB had received. Three grants have been awarded to the Edwards Aquifer Authority, Victoria

County Groundwater Conservation District (GCD), and Corpus Christi Aquifer Storage and Recovery Conservation District (ASRCD).

David Murry (TCEQ) gave a presentation on new legislation and rulemaking related to ASR. He discussed TCEQ's jurisdiction for ASR projects, the two fully-authorized and operating ASR projects in Texas (SAWS and the City of Kerrville), House Bill 655 regarding the requirements for ASR projects, the chapters of Title 30 of the Texas Administrative Code (30 TAC) that were revised, and the timeline and details of the rule changes.

#### 4. BUSINESS DISCUSSION AND POSSIBLE ACTION

##### *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 85th Legislature*

Cary Betz (TCEQ) reviewed the draft *Legislative Report* with TGPC members and requested feedback from their agency or organization by August 31, 2016. A new recommendation was discussed regarding flexibility in the groundwater contamination notification process. The final draft *Legislative Report* would be emailed to TGPC members shortly after the meeting. Cary Betz indicated that they would review the Water Conservation Advisory Council (WCAC) legislative recommendations, as well.

##### *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) reported that there was no update on this topic and that it would be removed from the agenda for the next TGPC meeting. Cary Betz also announced that the *Joint Groundwater Monitoring and Contamination Report – 2015* was under TCEQ management review and should be sent to Agency Publications within the next few days.

##### Current Groundwater Issues

Scott Underwood (TCEQ) reported that he had recently seen a presentation about the Upper Trinity GCD's conversion of 90 abandoned water wells into water level monitoring wells. Peggy Hunka (TCEQ) added that the TGPC POE Subcommittee was developing an FAQ about scientific monitoring wells.

Cary Betz (TCEQ) reported that they had become aware of a landowner who was a city water customer and was not within a GCD. This landowner wanted to drill a water well inside the city limit, but the city had an ordinance which did not allow water wells. However, the ordinance allowed the requestor to get a variance if 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. Cary Betz did not think that a city ordinance could mandate that the state or federal government had to do something before a landowner could use their groundwater.

Cary Betz (TCEQ) also reported that TCEQ staff had recently discovered and reported to TDLR an improperly-covered private well or cistern, and that TDLR had indicated that they did not have jurisdiction over it if it were a cistern that was not in hydrological communication with the groundwater.

David Villarreal (TDA) left at 2:55 PM CDST, returned at 2:58 PM CDST, and was present for the remainder of the meeting.

#### Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for October 19, 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 four times during the last quarter. Twelve cases were reviewed and 76 letters of notification were to be mailed to private drinking water well owners.

#### Groundwater Management Areas

David Van Dresar (TAGD) reported that all of the proposed Desired Future Conditions (DFCs) should have been delivered to TWDB by May 1, 2016, and the Groundwater Management Areas (GMAs) are in various stages of their final DFCs and explanatory reports. In addition, they were starting the next planning phase.

#### Regional Water Planning

Janie Hopkins (TWDB) reported that the *2017 State Water Plan* had been approved at the May 19, 2016 Board meeting. The current online transitional document would be replaced with a graphically-enhanced version before January 5, 2017.

#### Groundwater Availability Modeling

Janie Hopkins (TWDB) reported that Cindy Ridgeway (TWDB) was preparing to go to their Board about assigning the contractors for three Groundwater Availability Model (GAM) studies (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

Ashley Wendt (TSSWCB) reported that their U.S. EPA Clean Water Act (CWA) §319(h) Nonpoint Source (NPS) pollution grant funding Request for Proposals (RFPs) for Fiscal

Year 2017 had closed on June 3, 2016. They had received 32 proposals which were being reviewed, and one of them might have been related to groundwater.

Peter Pope (RRC) reported that State Managed Cleanup Program in their Site Remediation Section was entering the final year of a NPS grant-funded groundwater remediation project. Some recovery wells were being installed in the upper Colorado River area (Ballinger Seep and Wendkirk Oil Field) in order to address historical saline groundwater contamination that had been getting into the river.

#### National Groundwater Initiatives

There was no discussion of this topic at 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 July 14, 2016, only 6 % of the state was classified as D0 (the lowest drought category), down from 25 % (D0 and D1) at the last meeting, and no drought conditions were forecast across the state through September 2016. As of July 13, 2016, of the 4,642 active community water systems in Texas, 1,090 were affected by drought (either voluntary or mandatory) and 722 of these used groundwater (either partially or exclusively). As of July 7, 2016, 16 PWSs in the state could be out of water in 180 days or less (the same number as at the last TGPC meeting).

## 6. ANNOUNCEMENTS

#### Rules Update

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

- 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>.

## New Publications

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

Janie Hopkins (TWDB) announced that they had partnered with other entities such as the Guadalupe Blanco River Authority, the Lower Colorado River Authority, and the Edwards Aquifer Authority in order to develop a statewide earth observation data collection network called TexMesonet (<https://www.texmesonet.org/>). The primary goal was to create a unified virtual network of high quality data to support flood monitoring and flood forecasting efforts by the National Weather Service, regional river authorities, and local emergency responders. Five stations of the network had already been installed in Blanco and Kendall counties and more would be installed over the next several years.

## Upcoming Conferences

Cary Betz (TCEQ) announced that the TGPC would again be a promotional partner for the national “Protect Your Groundwater Day” on September 6, 2016, and he encouraged TGPC members to do their own inreach/outreach for this event using the example material provided in the handout package.

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. Cary Betz noted that the TGPC would again be sponsoring an exhibit booth at the TCEQ Public Drinking Water Conference on August 9 – 10, 2016 in Austin, and TGPC members were welcome to assist with staffing this annual outreach effort.

Cary Betz (TCEQ) added that the Ground Water Protection Council (GWPC) 2016 Annual Forum would be held on September 11 – 14, 2016 in Orlando, FL.

## 7. PUBLIC COMMENT

There was no public comment.

## 8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 3:25 PM CDST.