

**TEXAS GROUNDWATER PROTECTION COMMITTEE**  
**RECORD OF MEETING**  
 Second Quarterly Meeting, Fiscal Year 2015

Meeting Date: January 21, 2015  
 Meeting No.: 109

Place: TCEQ Campus, Bldg F  
 Room: 2210

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## MEETING ATTENDANCE

### Committee Members

Cary Betz

Janie Hopkins

Chris Moore

David Villarreal

T.J. Helton

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 A&M AgriLife Research (AgriLife  
Research)

Texas Department of Licensing and Regulation  
(TDLR)

### Agency Staff

Abiy Berehe

Alan Cherepon

Kathy Humphries

Peggy G. Hunka

Kathy McCormack

Kelly Mills

L. Scott Underwood

### Affiliation

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

### Program

Water Availability Division

Water Availability Division

Environmental Law Division

Water Availability Division

Water Availability Division

Water Availability Division

Water Availability Division

### Interested Parties

Bill Stevens

### Affiliation

Texas Desalination Association

## MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on January 21, 2015
2. Record for Texas Groundwater Protection Committee meeting on November 12, 2014
3. Draft Table of Contents for *Joint Groundwater Monitoring and Contamination Report – 2014*
4. *Activities and Recommendations of the Texas Groundwater Protection Committee – A Report to the 84th Legislature* (TCEQ publication SFR-047/14, [http://www.tceq.texas.gov/assets/public/comm\\_exec/pubs/sfr/047-14.pdf](http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/047-14.pdf), TGPC members only)
5. Draft Texas Groundwater Protection Committee, Groundwater Contaminants Subcommittee, Subcommittee Charge
6. Drought 2015 – U.S. Drought Monitor, Texas, January 13, 2015; U.S. Seasonal Drought Outlook, January – April 2015; Public Water Supply Systems Affected, January 14, 2015; TCEQ List of Texas Public Water Systems (PWSs) Limiting Water Use to Avoid Shortages, January 9, 2015
7. TCEQ Rules Update, 1/20/2015
8. National Groundwater Awareness Week 2015 posters announcement (TGPC members only)
9. 2015 Water-related Conferences in Texas, January 2015

The following items were also on display on the handout table:

1. TGPC Public Information Act Policy

## **MEETING RECORD OF JANUARY 21, 2015**

### **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 1:09 PM CST. TGPC members then introduced themselves. The representatives from the Department of State Health Services (DSHS) and University of Texas Bureau of Economic Geology (UTBEG) were not present at the meeting, and the representative from Texas A&M AgriLife Research (AgriLife Research) was not present at the beginning of the meeting.

### **2. SUBCOMMITTEE REPORTS**

#### **Agricultural Chemicals**

Cary Betz (TCEQ) reported that the TGPC Agricultural Chemicals Subcommittee had not met since the last TGPC meeting.

#### **Data Management**

Cary Betz (TCEQ) reported that the TGPC Data Management Subcommittee had not met since the last TGPC meeting.

#### **Public Outreach and Education**

Cary Betz (TCEQ) reported that the TGPC Public Outreach and Education (POE) Subcommittee had not met since the last TGPC meeting.

#### **Groundwater Research**

Cary Betz (TCEQ) reported that the TGPC Groundwater Research Subcommittee had not met since the last TGPC meeting.

#### **Legislative Report**

Cary Betz (TCEQ) reported that the TGPC Legislative Report Subcommittee had not met since the last TGPC meeting.

### **3. PRESENTATION**

There was no scheduled presentation at the meeting.

#### 4. BUSINESS DISCUSSION AND POSSIBLE ACTION

##### *Joint Groundwater Monitoring and Contamination Report – 2014 – Format and Content Approval*

Abiy Berehe (TCEQ) requested TGPC approval of the draft Table of Contents and format for the *Joint Groundwater Monitoring and Contamination Report – 2014* (“*Joint Report*”). David Van Dresar (TAGD) proposed, David Gunn (TDLR) seconded, and all remaining TGPC members approved the draft Table of Contents and format for the *2014 Joint Report*.

##### *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 84th Legislature – Status of Final Report and Delivery to the Legislature*

Cary Betz (TCEQ) reported that the *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 84th Legislature* (“*Legislative Report*”) had been electronically submitted to all of the required parties on January 8, 2015.

##### Deactivation of Legislative Report Subcommittee

Chris Moore (RRC) proposed, Janie Hopkins (TWDB) seconded, and all remaining TGPC members approved deactivation of the 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) reported that the proposed work group (TAGD, TWDB, TCEQ, and RRC) for refining the Groundwater Classification System section in the *Texas Groundwater Protection Strategy* (“*Strategy*”) had not met since the last TGPC meeting. He indicated that additional review of the various state regulations and rules related to groundwater quality is required, and that input from other interested parties will be included in the review. The *Strategy* update is on hold pending finalization of the Groundwater Classification System section.

Kevin Wagner (AgriLife Research) arrived at approximately 1:25 PM CST and was present for the remainder of the meeting.

##### Restructuring of TGPC Subcommittees – Discuss and Approve Changes

Cary Betz (TCEQ) led the discussion of the draft Charge for the Groundwater Issues Subcommittee which would incorporate some of the duties of the TGPC Nonpoint Source Task Force and Agricultural Chemicals, Data Management, and Groundwater Research Subcommittees. Kathy Humphreys (TCEQ) noted that, in order to conform with Open

Meetings Act (OMA) requirements, the TGPC and its Subcommittees can meet via videoconference (but not teleconference) as long as:

- The necessary equipment is available for the remote individual, the rest of the TGPC or its Subcommittee, and the public to fully participate;
- The remote individual is clearly visible and audible to the public; and,
- The individual presiding over the meeting is in the location that is available to the public.

David Villarreal (TDA) proposed, David Gunn (TDLR) seconded, and all remaining TGPC members approved the Groundwater Issues Subcommittee Charge with the changes discussed at the meeting. Finalization of the Groundwater Classification System section for the *Strategy* update will be the first priority of the Groundwater Issues Subcommittee at its kickoff meeting on April 22, 2015, at 10:00 AM CDST.

#### 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 April 22, 2015, 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, reviewed seven groundwater contamination cases, and mailed 106 letters to private drinking water well owners since the last TGPC meeting.

#### Groundwater Management Areas

David Van Dresar (TAGD) reported that Groundwater Conservation Districts (GCDs) were still in the Desired Future Conditions (DFCs) planning process with Proposals to Adopt due by May 1, 2016.

#### Regional Water Planning

Janie Hopkins (TWDB) reported that:

- Draft adopted regional plans were due to TWDB by May 1, 2015. These documents will be completed within the next three months so that Regional Water Planning Group members will be able to review, comment, and adopt them by the deadline;
- A public comment period will start when Initially Prepared Plans (IPPs) are submitted. At least one public hearing will be held in each Regional Water Planning Area;

- The 2012 State Water Plan will have its second amendment considered on January 29, 2015 for a brackish groundwater project for the Brazosport Water Authority (BWA) and a seawater desalination project for the Guadalupe-Blanco River Authority (GBRA); and,
- State Water Implementation Fund for Texas (SWIFT) abridged applications are due by February 3, 2015.

#### Groundwater Availability Modeling

Janie Hopkins (TWDB) reported that:

- Staff have updated the model for the northern portion of the Trinity and Woodbine Aquifers in Groundwater Management Area (GMA) 8.
  - Staff are extracting the water budgets for each of the three GCD's management plans which are due to TWDB by August 1, 2015.
- Staff met on January 20, 2015 with 14 prospective applicants for the Groundwater Availability Model (GAM) Request For Qualifications (RFQs); the applications are due by February 17, 2015. The three RFQs include:
  - The Lower Rio Grande Valley groundwater transport model (estimated cost is \$740,000);
  - Mapping fresh, brackish, and saline groundwater in the Queen City, Sparta, and Carrizo-Wilcox Aquifers, mainly in GMA 13 (estimated cost is \$380,000); and,
  - The effect of faults on groundwater flow in the Carrizo-Wilcox Aquifer in Central Texas (GMA 12) and model updates (estimated cost is \$520,000, including outside participation of at least \$200,000 in matching funds).

Additional information on these RFQs is available at

[http://www.twdb.texas.gov/about/contract\\_admin/rfq/RFA04/index.asp](http://www.twdb.texas.gov/about/contract_admin/rfq/RFA04/index.asp).

#### Nonpoint Source Pollution

There was no discussion of this topic at the meeting.

#### National Groundwater Initiatives

Cary Betz (TCEQ) reported that the federal budget that was passed in December 2014 and signed into law included \$2,600,000 for implementation of a national groundwater monitoring network to be administered by the United States Geological Survey (USGS) with some of the funding going to the existing pilot projects.

#### 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 January 13, 2015, 60 % of the state was in one of the five drought categories (down from 74 % at the last meeting), and drought conditions were forecast to persist or intensify in the central portion of the state through April 2015. As of January 14, 2015, of the 4,636

active community water systems in Texas, 1,174 were affected by drought (either voluntary or mandatory), and 786 of these use groundwater (either exclusively or partially). As of January 9, 2015, 58 PWSs in the state could be out of water in 180 days or less (up from 57 at the last TGPC meeting).

## 6. ANNOUNCEMENTS

### Rules Update

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

- 2014-020-305-OW – Construction Stormwater Effluent Limitation Guideline Revisions;
- 2013-057-291-OW – HB 1600 and SB 567: PUC Transfer;
- 2013-053-331-WS – SB 1532: Authorizing Certain Injection Wells in the Edwards Aquifer;
- 2013-046-290-OW – HB 1600, §2.96, and SB 567, §§1, 4, 95, and 96; Federal Revisions; and Staff-Initiated Rule Efficiencies;
- 2013-025-317-LS – Reproposal of 30 TAC Chapter 317: Design Criteria for Sewage Systems;
- 2012-040-217-OW – Amendments to 30 TAC Chapter 217: Design Criteria for Domestic Wastewater Systems;
- 2009-034-311-OW – Water Quality Management within the Barton Creek and Onion Creek Watersheds; and,
- 2008-022-213-CE – Edwards Aquifer Amendment.

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

Chris Moore (RRC) reported that they had recently adopted certain amendments to 16 TAC §3.9 relating to Disposal Wells, and to 16 TAC §3.46 relating to Fluid Injection into Productive Reservoirs (<http://www.rrc.texas.gov/legal/rules/current-rules/>). These amendments incorporated requirements related to seismic events in connection with disposal well permits, monitoring, and reporting.

### New Publications

Cary Betz (TCEQ) announced two TCEQ publications:

- *Activities and Recommendations of the Texas Groundwater Protection Committee - A Report to the 84th Legislature*, SFR 047/14 (January 2015), [https://www.tceq.texas.gov/assets/public/comm\\_exec/pubs/sfr/047-14.pdf](https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/047-14.pdf); and,
- *Priority Groundwater Management Areas and Groundwater Conservation Districts, Report to the 84th Legislature*, SFR-053/09 (January 2015), [https://www.tceq.texas.gov/assets/public/comm\\_exec/pubs/sfr/053-09.pdf](https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/053-09.pdf).



## Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2015 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) also announced that the TGPC had again prepared National Groundwater Awareness Week posters for its members. This year’s event is scheduled for March 8 – 14, 2015.

## 7. PUBLIC COMMENT

There was no public comment.

## 8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 2:58 PM CST.