

**TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING**

First Quarterly Meeting, Fiscal Year 2016

Meeting Date: October 21, 2015
Meeting No.: 112

Place: TCEQ Campus, Bldg F
Room: 2210

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MEETING ATTENDANCE

Committee Members

Cary Betz

Larry French

Chris Moore

Deba Dutta

David Villarreal

David Van Dresar

Linda McCall

David Gunn

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 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

Emily Hall

Abiy Berehe

Megan Brown

Leon Byrd

Faith Hambleton

Peggy Hunka

Paul Lewis

Kathy McCormack

Greg Tipple

L. Scott Underwood

Affiliation

DSHS

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

Program

Environmental & Injury

Epidemiology and Toxicology Unit

Water Availability Division

Water Availability Division

Water Availability Division

Water Quality Planning Division

Water Availability Division

Remediation Division

Water Availability Division

Water Supply Division

Water Availability Division

Interested Parties

Natalie Houston

Sarah Schlessinger

Affiliation

USGS

TAGD

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on October 21, 2015
2. Record for Texas Groundwater Protection Committee meeting on July 15, 2015
3. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, September 10, 2015
4. Texas Fluoridation Program flyer
5. Draft *Texas Groundwater Protection Committee* trifold brochure revision (TCEQ publication GI-088; TGPC members only)
6. Draft *Can I Convert an Abandoned Oil or Gas Well Into a Water Well ?* Frequently Asked Question (FAQ)
7. Drought 2015 – U.S. Drought Monitor, Texas, October 13, 2015; U.S. Seasonal Drought Outlook, October 2015 – January 2016; Public Water Supply Systems Affected, October 14, 2015; TCEQ List of Texas Public Water Systems (PWSs) Limiting Water Use to Avoid Shortages, October 16, 2015
8. TCEQ Rules Update, 10/19/2015
9. 2015 – 2016 Water-related Conferences in Texas, October 2015
10. Bell County Water Symposium agenda
11. Texas Well Owner Network (TWON) trifold brochure (Texas A&M AgriLife Extension Service publication EM-118)
12. TAGD's Guide to Groundwater flyer

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

1. TGPC Public Information Act Policy
2. Miscellaneous DSHS freebies (first aid bags, hand sanitizer, pens, etc.)

MEETING RECORD OF OCTOBER 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 1:06 PM CDST. TGPC members then introduced themselves. The representatives from TDLR and UTBEG were not present at the beginning of the meeting.

David Gunn (TDLR) arrived at approximately 1:07 PM CDST and was present for the remainder of the meeting.

2. SUBCOMMITTEE REPORTS

Groundwater Issues

Chris Moore (RRC) reported that the TGPC Groundwater Issues Subcommittee had met that morning, discussed items on their agenda, and learned of recent TCEQ staffing changes that would affect the Groundwater Issues Subcommittee. Cary Betz (TCEQ) indicated that TCEQ staff would develop talking points for discussion on several groundwater-related issues at the next Groundwater Issues Subcommittee meeting.

Public Outreach and Education

Kathy McCormack (TCEQ) reported that the TGPC POE Subcommittee last met on September 10, 2015, 10 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:

- Texas A&M AgriLife Extension Service (AgriLife Extension) Water Well Screening Events
 - None since the previous POE Subcommittee meeting
 - Four planned through October 2015
- AgriLife Extension Abandoned Water Well Closure Education
 - One since the previous POE Subcommittee meeting (14 attendees)
 - None scheduled at this time
- TGPC Exhibit Booth
 - Three since the previous POE Subcommittee meeting (156 estimated attendees)
 - Two planned through December 2015

Drew Gholson (AgriLife Extension) reviewed the TWON schedule of completed, confirmed, obligated, and suggested water well screening events and workshops. There have been over 5,350 samples or attendees at these events since April 2011.

The Google Analytics activity report on the TGPC website for June 5 – September 7, 2015 was reviewed. The average website visit duration was the same (1.9 minutes), but

the average pages/visit was again less than what was reported at the last meeting (2.0 vs 2.2 pages/visit). The GovDelivery emails regarding both the quarterly TGPC meeting and the publication of the *Joint Groundwater Monitoring and Contamination Report – 2014* generated a spike in website activity. The TGPC website’s internal Search box was working again.

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 discussed at the meeting:

- Abandoned Water Wells – Kathy McCormack (TCEQ) reported that initial internal discussions had taken place regarding a possible Supplemental Environmental Project (SEP, <https://www.tceq.texas.gov/legal/sep/>) for plugging abandoned water wells, and that TWON had been contacted about being a potential Third-Party Administrator for the SEP; and,
- Texas Evapotranspiration Networks – Charles Swanson (AgriLife Extension) reported that the TGPC’s *What Are the Texas Evapotranspiration (ET) Networks ?* FAQ will need to be updated at the next POE Subcommittee meeting because the Texas High Plains ET Network (TxHPET) no longer exists.

A draft revision of the TGPC trifold brochure, *Texas Groundwater Protection Committee* (TCEQ publication GI-088, <https://www.tceq.texas.gov/publications/gi/gi-088.html>) was reviewed and POE Subcommittee members provided feedback. The final draft of the trifold brochure was a business action item later in the TGPC meeting; if approved, it would be submitted to TCEQ Agency Communications for publication.

A draft revision of the *What Do I Need to Know About Plugging An Abandoned Water Well ?* Frequently Asked Question (FAQ) and a draft *Can I Convert an Abandoned Oil or Gas Well Into a Water Well ?* FAQ were reviewed and approved. The FAQ revision was posted on the TGPC FAQ webpage (<http://tgpc.state.tx.us/frequently-asked-questions-faqs/>). The new FAQ was a business action item later in the TGPC meeting; if approved, it would also be posted on the TGPC FAQ webpage.

The next POE Subcommittee meeting was scheduled for December 2, 2015.

Linda McCall (UTBEG) arrived at approximately 1:11 PM CDST and was present for the remainder of the meeting.

3. PRESENTATION

Emily Hall (DSHS) and Deba Dutta (DSHS) presented an overview of DSHS’s role and perspectives in providing safe groundwater for Texans. They reviewed:

- The overall organizational structure of DSHS;
- The mission and projects of the Environmental & Injury Epidemiology and Toxicology (EIET) Unit;
- The results of their Drinking Water Fluoride study; and,

- An overview of the Texas Fluoridation Program, including its achievements and challenges.

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Review, Discuss, and Approve Popular Press Articles – *Texas Groundwater Protection Committee* and *Can I Convert an Abandoned Oil or Gas Well Into a Water Well ?*

Cary Betz (TCEQ) reviewed the draft *Texas Groundwater Protection Committee* trifold brochure revision. David Van Dresar (TAGD) proposed, David Gunn (TDLR) seconded, and all remaining TGPC members approved the revision with the changes discussed at the meeting and allowed TCEQ staff to work with Agency Communications to make any non-substantial changes required for publication.

Chris Moore (RRC) reviewed the draft *Can I Convert an Abandoned Oil or Gas Well Into a Water Well ?* FAQ. David Gunn (TDLR) proposed, Larry French (TWDB) seconded, and all remaining TGPC members approved the FAQ for posting on the TGPC website.

David Van Dresar (TAGD) left at approximately 2:05 PM CDST, returned at approximately 2:08 PM CDST, and was present for the remainder of the meeting.

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

There was no discussion of this topic at the meeting.

Current Groundwater Issues

Cary Betz (TCEQ) noted that the following issues were mentioned in the Groundwater Issues Subcommittee meeting that morning:

- Groundwater quality and hydraulic fracturing;
- The possible listing of several Texas freshwater mussel species as threatened or endangered and their groundwater needs;
- A possible reduction in animal and crop antibiotic and pharmaceutical use, but an increase in human use, which can migrate to the water supply; and,
- Meat and produce bacterial contamination.

Cary Betz (TCEQ) also reported on the situation of *E. coli* and total coliform bacteria being initially reported in 11 of 13 private water wells located in the Sutton County Groundwater Conservation District (GCD). These wells subsequently tested negative, possibly due to disinfection of the wells through shock chlorination prior to re-sampling. However, GCD testing of the wells continued to indicate the presence of *E. coli* which normally can exist for only up to 30 days after a release. TCEQ thus considered the on-going contamination to be naturally-occurring, and therefore outside of its jurisdiction.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for January 13, 2016, at 1:00 PM CST. David Villarreal (TDA) requested that the TGPC Legislative Report Subcommittee be re-activated at this meeting, and that the Water Conservation Advisory Council's (WCAC's, <http://www.savetexaswater.org/>) potentially wide-ranging legislative recommendations be reviewed in a Legislative Report Subcommittee meeting.

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 eight times since the last TGPC meeting, reviewed 10 cases of groundwater contamination, and mailed 84 notification letters to private drinking water well owners.

Groundwater Management Areas

David Van Dresar (TAGD) reported that proposed Desired Future Conditions (DFCs) were due to TWDB by May 1, 2016, and that most of the Groundwater Management Areas (GMAs) are still in the DFC planning process.

Larry French (TWDB) noted that GMA 14 will adopt their DFCs on October 28, 2015.

Regional Water Planning

Larry French (TWDB) reported that:

- Regional Water Planning Area (RWPA) boundaries were reaffirmed by the Board that week (i.e., there were no changes to the boundaries);
- Final 2016 Regional Water Plans were due to the Board by December 1, 2015, and Regional Water Planning Groups were meeting in October and November 2015 in order to adopt their final plans; and,
- The Board approved GMA 2 and GMA 6 boundary changes (i.e., from along county lines to along the Dockum Aquifer outcrop).

Groundwater Availability Modeling

Larry French (TWDB) reported that:

- They were in the process of releasing the completed High Plain Aquifer System Groundwater Availability Model (GAM) to GCDs, RWPAs, and River Authorities;
- They have released some new videos of the physical groundwater flow model for a middle school audience (http://www.twdb.texas.gov/conservation/education/kids/physical_model_video/index.asp);
- GAM staff continue to work on:

- The Llano Uplift area model (nearing the end of calibration);
- The eastern arm of the Capitan Reef Complex Aquifer System model;
- The Blossom Aquifer Model; and,
- Combining southern and central Gulf Coast Aquifer System into one model (just getting underway).
- They should be releasing 3D images of the major aquifers in conjunction with their new Water Data Interactive (WDI, formerly the Water Information Integration and Dissemination (WIID)) website soon;
- They are kicking off stakeholder meetings for three new GAM-funded contracts within the next month:
 - The density flow model for the Lower Rio Grande Valley (November 4, 2015 in Weslaco);
 - Mapping fresh, brackish, and saline waters in the southern portion of the Carrizo-Wilcox Aquifer in GMA 13 (TBA); and,
 - The central portion of the Carrizo-Wilcox and Queen City Aquifers GAM will be upgraded to include the interaction of fault systems within the model (TBA).
- Staff are preparing for two stakeholder meetings to be held on October 26, 2015 concerning the implementation of House Bill (HB) 30 and HB 1232.

Nonpoint Source Pollution

Faith Hambleton (TCEQ) reported that the U.S. Environmental Protection Agency (EPA) Clean Water Act (CWA) §319(h) NPS pollution grant funding Request for Grant Applications (RFGAs) for urban and non-rural projects in FY 2016 had closed and applicants were being selected. Of the 25 applications received, one or two may involve groundwater and chloride contamination issues in the Colorado River below E.V. Spence Reservoir; there are on-going NPS projects in the area already, and the RRC is involved in those current well plugging projects.

National Groundwater Initiatives

Cary Betz (TCEQ) reported that TWDB and TCEQ representatives would be traveling to Reston, VA during the following week in order to discuss U.S. Department of the Interior Advisory Committee on Water Information (ACWI) Subcommittee on Ground Water (SOGW, <http://acwi.gov/sogw/>) funding for the National Groundwater Monitoring Network which is administered by the USGS. The five pilot programs (including one in Texas) had been invited to this meeting, and participation may be expanded.

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 13, 2015, 64 % of the state was in one of the five drought categories (up from 5 % at the last meeting), but drought conditions were forecast to improve or end throughout the entire state through January 2016. As of October 14, 2015, of the 4,631 active

community water systems in Texas, 1,114 were affected by drought (either voluntary or mandatory). As of October 16, 2015, 26 PWSs in the state could be out of water in 180 days or less (down from 30 at the last TGPC meeting).

6. ANNOUNCEMENTS

Rules Update

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

- 2015-035-290-OW – Federal Revised Total Coliform Rule (RTCR) and Ground Water Rule (GWR);
- 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;
- 2015-024-305-CE – SB 912: Volume-Based Exemptions for Certain Accidental Discharges; 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>.

New Publications

TGPC members did not have any new publications to announce.

Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2015 – 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://tgp.state.tx.us/tgpc-subcommittees/tgpc-public-outreach-and-education-subcommittee/> under the “Additional Resources” heading.

Sarah Schlessinger (TAGD) noted that a comprehensive overview of groundwater and surface water would be provided at the 2015 Texas Water Law Institute to be held October 28 – 30, 2015 in Austin.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURN

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