

Texas Groundwater Protection Committee

Record of Meeting
Fourth Quarter Meeting
Fiscal Year 1998

Meeting Date: August 13, 1998
Place: Building F, TNRCC, Park 35 Room: 2210
Meeting No.: 36

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MEETING ATTENDANCE

Committee Members	Affiliation
Mary Ambrose	TNRCC
Phil Nordstrom	TWDB
Richard Ginn	RCT
Donnie Dippel	TDA
Beade Northcut	TSSWCB
Wayne Jordan	TAES
Alan Dutton	BEG
Bill Couch	TAGD
John Jacobi	TDH

Speakers

Nico Hauwert of the Barton Springs/Edwards Aquifer Conservation District

Agency Staff	Affiliation	Program
Steve Musick	TNRCC	Water Quality Division
Kelly Mills	TNRCC	Water Quality Division
Craig Caldwell	TNRCC	Water Quality Division
Cary Betz	TNRCC	Water Quality Division
Alan Cherepon	TNRCC	Water Quality Division
Cecily Warren	TNRCC	Compliance & Enforcement
Ken May	TNRCC	SWAP
Robert Musick	TNRCC	Remediation
Pat Hooper	TNRCC	
Jeanette O'Hare	TDA	
Steve Wiley	TDLR	WWD

David Dunlap TXDOT
Tom Reilly TXDOT

Interested Parties

Affiliation

Jim O'Connor San Antonio Water System
Gayle Kipp Edwards Aquifer Authority
David Johns City of Austin
Scott Holland Irion Co. WCD/TAGD
Ken Kramer Sierra Club

COMMITTEE HANDOUTS

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MEETING RECORD OF AUGUST 13, 1998

I. Call to Order and Introductions

Mary Ambrose, Designated Chairman of the Texas Groundwater Protection Committee (TGPC), called the meeting to order at 1:09 p.m. All TGPC members were present. A copy of the meeting's agenda was provided as Handout #1.

II. Subcommittee Reports

Agricultural Chemicals

Steve Musick, TNRCC, presented the subcommittee's report (Handout #2). Mr. Musick noted that the subcommittee's Fourth Quarter FY98 meeting was held at 10:00 a.m., August 13, 1998. It was reported to the subcommittee that EPA had indicated that the federal State Management Plan (SMP) rule had been released from the Office of Management and Budget and was in EPA management review with an adoption schedule for January, 1999. The final version of the state's

generic SMP, the Texas State Management Plan for the Prevention of Pesticide Contamination of Ground Water, was submitted to EPA Region 6 by cover letter dated June 9, 1998. There is no word from EPA yet on the status of the concurrence process.

At the subcommittee's meeting, the Site Selection Task Force (SSTF) reported that 1) the Atrazine Quality Assurance Project Plan (QAPP) had been approved by EPA; 2) wells and agricultural land use conditions were investigated and in a few cases wells were sampled in Hidalgo County; and 3) no detections of atrazine were made with immunoassay analysis of five samples for atrazine and metolachlor. Samples sent to the lab for verification analysis have not been completed.

TNRCC staff with the TMDL Team updated the subcommittee on the agency's TMDL process and the involvement of this program with the atrazine detections of surface waters in Marlin and Aquilla. A cooperative relationship has been formed to coordinate the TMDL effort and the already existing interagency group focusing on the agricultural response.

TNRCC staff updated the subcommittee on the investigation into atrazine detections in the City of Friona's water wells. TNRCC staff presented an outline of status of the investigation and compilation of data. It was determined that sufficient information was available to finalize a charge to the subcommittee's Data Evaluation and Interpretation Task Force (DEI TF). The Subcommittee's Chair is preparing a task force charge and plans to transmit the investigation outline and data summaries to the Chair of the DEITF to continue the investigation.

The subcommittee reviewed the previous legislative recommendation regarding SMP funding. Subcommittee members discussed the previous recommendation and suggestions provided from the Legislative Report Subcommittee. Issues include a refined discussion of the economic impact of cancellation on the agricultural sector, refined estimates of costs of the SMP program for both development and implementation and a discussion of fee funding options.

The subcommittee continued its discussion of this year's atrazine monitoring efforts based on the report of the Site Selection Task Force (SSTF). The SSTF will continue with the monitoring plan to include atrazine sampling of the wells identified in Hidalgo and Bailey counties through the first quarter of FY99 with sampling and additional field work to identify other potential wells and areas suitable for use of the driven well point technology.

Data Management

Mr. Musick presented the subcommittee's report. Mr. Musick noted that the subcommittee has not been active and did not meet during the quarter. On a related issue, Mr. Musick noted that the TNRCC was preparing the groundwater assessment section for the annual update for the State of Texas Water Quality Inventory Report (i.e., the 305 (b) report) and provided Handout #3 describing the current effort.

He noted that EPA's groundwater section guidance for the 1996 State 305 (b) Reports requested each state to set a minimum goal of assessing at least 75 percent of the state's aquifers over a ten-year period. The guidance provided sufficient flexibility to allow each state to utilize existing

groundwater quality data, determine assessment methodologies, and determine state-specific priorities. EPA continued this charge in the 1998 guidance for State 305 (b) Reports and required pertinent data be provided via annual electronic updates.

Mr. Musick noted the 1996 305 (b) groundwater assessment for Texas provided assessment as requested in EPA's guidance for the Trinity Group and Dockum aquifers and the Rio Grande Alluvium and Laredo Formation. The majority of the 1996 effort was devoted to developing an assessment methodology which could be utilized on an ongoing basis to produce an end-product of use to the TGPC and the state agencies. The developed methodology is tied directly to, and relies heavily upon the TWDB's Groundwater Data System and the TWDB's Ambient Water Quality Monitoring Cycle. Efforts were also made to incorporate data from the TGPC's Joint Groundwater Monitoring and Contamination Report and the TNRCC's Public Water Supply (PWS) water quality data.

Mr. Musick reported that EPA has approached the TNRCC to prepare a map presentation for the 1998 Texas 305 (b) groundwater assessment. He noted TNRCC staff has held discussions with TWDB staff regarding data from the ambient water quality monitoring network and that discussions will be held with the public drinking water program to possibly incorporate public water supply data. Aquifer assessments in the developed methodology will follow, on a one- to two-year lag, the aquifers sampled by the TWDB's aquifer monitoring cycle. The aquifers which are scheduled to be assessed for the 1998 305 (b) update include the Ogallala, Edwards-Trinity Plateau, Hickory, Cenozoic Pecos Alluvium, and Ellenburger-San Saba aquifers. Priority will be placed on the assessments of the Ogallala, Edwards-Trinity Plateau, and the Hickory aquifers. Efforts should be completed in the August to September time frame.

Richard Ginn, RCT, asked if the assessments were tied to the Source Water Assessment and Protection program assessments. Mr. Musick noted efforts would be coordinated with the SWAP program, but at this time the assessments are primarily linked to the TWDB's aquifer monitoring cycle.

Ms. Ambrose asked how groundwater contamination data from the TGPC's joint report would be incorporated into the assessments. Mr. Musick noted this information was included in a tabular format and will attempt to be included in a graphical format as well.

Nonpoint Source

Beade Northcut, TSSWCB, presented the subcommittee's report. He noted that the subcommittee has not met and that TSSWCB and TNRCC 319 efforts for the year are geared to support total maximum daily load (TMDL) initiatives.

Water Well Closure

Craig Caldwell described the two presentations given by members of the Abandoned Well-Closure Task Force. On May 22, 1998, Beade Northcut (TSSWCB), Alan Colwick (NCRS), Lee

Parham and John Dupnik (TDLR), John Ashworth (LGB-Guyton Associates), and Mr. Caldwell (TNRCC) spoke to approximately 30 members of the TSSWCB field staff about abandoned well closure issues. The Closure Guide was distributed. The cost to landowners of plugging abandoned wells was a concern to the staff members, as well as the availability and cost of equipment and materials.

On July 7, 1998, Monty Dozier (TAEX), John Dupnik, and Mr. Caldwell spoke to an executive meeting of TAEX. Again, closure costs was a major concern to those attending. The members stated that closure costs and potential cost-sharing strategies were being explored by the Committee and would be communicated to the public as part of an ongoing education outreach effort.

Legislative Report

Kelly Mills, TNRCC, presented the subcommittee's report (Handout #6). The subcommittee held meetings on June 11 and July 23, 1998. At the June 11 meeting, a draft table of contents and the scope of the report were approved. Initial issues were also identified for recommendation development. TNRCC program staff submitted a publication in-development notice to the Agency Communications Division on July 10, 1998 (for scheduling of the report's publication).

At the July 23 meeting, the scope and content of the working draft were discussed. Groundwater protection issues and draft recommendations were discussed and subcommittee members were tasked to flesh-out the issues and refine the draft recommendations. An issue summary document was proposed to give legislative staff a "heads-up" on the TGPC recommendation issues being developed. It was noted that the recommendations would receive little attention if they are not provided to the legislature until the report is finalized and published in December.

The issue summary document would provide legislative staff the opportunity to contact the TGPC for input if staff were interested in pursuing any of the TGPC issues. It was agreed that the subcommittee would provide draft recommendations, the draft issue summary document, and a draft report to the TGPC at its August 13, 1998 meeting for consideration and would seek the TGPC's approval to finalize the issue summary document.

The subcommittee's next meeting is scheduled for September 3, 1998. A final (draft) report and recommendations are scheduled to be presented to the TGPC at its October 15, 1998 meeting for final approval to publish. The report should be physically entered into the TNRCC's publication process the following week for publication prior to December 31, 1998.

III. Presentation

Nico Hauwert, Barton Springs/Edwards Aquifer Conservation District -- Preliminary Report on Groundwater Tracing Studies Within the Barton and Williamson Creek Watersheds, Barton Springs/Edwards Aquifer

Bill Couch, TAGD, introduced Nico Hauwert, Hydrogeologist, Barton Springs/Edwards Aquifer Conservation District (BS/EACD). Mr. Hauwert noted that two phases of a groundwater tracing

project in the Barton Springs segment of the Edwards Aquifer have been conducted. The full project calls for five phases. The preliminary results of the groundwater tracing project are providing new insights on groundwater flow directions and travel rates. Mr. Hauwert provided the preliminary report on the project as Handout #7.

Co-sponsored by the BS/EACD and the City of Austin, the groundwater tracing study has measured the travel times and destinations for water entering two recharge points in Barton Creek and two points in Williamson Creek. The preliminary traces have shown relatively rapid flow rates of about half a mile per day during very low aquifer flow conditions (summer of 1996), to over four miles per day from selected injection points during high flow conditions (summer 1997).

The early results also suggest that portions of the upper recharge zone of Barton and Williamson creeks contribute flow to Cold Springs on the bank of the Colorado River rather than Barton Springs in Barton Creek. The rapid travel rates measured during the preliminary phases of the study suggest a sensitivity of Barton Springs to lower Barton Creek, Williamson Creek, and possibly some of the other watersheds further to the south that recharge the aquifer. Where sufficient information was available, fault trends and groundwater potentiometric maps generally predict the flow paths and destinations of the traces performed.

The traces provide information necessary: to provide wellhead protection, to anticipate the fate of a hazardous material spill on the recharge zone; to assist in developing monitoring strategies and to predict the benefits of recharge enhancement. A TNRCC/EPA grant has been awarded to help continue the study for the watersheds of Slaughter Creek, Bear Creek, Little Bear Creek, and Onion Creek, and to perform additional verification traces at Barton and Williamson Creeks.

IV. Business

Proposal for Adoption of Amended Committee Rules, 31 TAC Chapter 601

Ms. Ambrose called the member's attention to TGPC rules (Handout #8) which were being proposed for adoption in accordance with the General Appropriations Act, Article IX, §§167, 75th Legislature, 1997. Ms. Ambrose noted that comments from one entity had been received on the proposed rule. The comments were distributed to the TGPC members in mid-July. She also note that a draft response to the comments was distributed to the TGPC members earlier in the week.

Ms. Ambrose noted that a few changes had been made to the rule in response to the comments. She noted that §§601.2 had been amended to include the language "or organizations" to make the rule applicable to all TGPC member agencies and organizations. A definition of "Documented groundwater contamination" was added as §§601.3 (4) and was defined as "a case of groundwater contamination where an agency has an established procedure for making a determination based on the quality of groundwater and the information pertinent to making the determination is maintained by the agency under §§601.4 (b) of this title (relating to Public File)." She further noted that the definition of "Groundwater contamination" under §§601.3 (7) was amended to denote groundwater contamination cases maintained in public files. Ms.

Ambrose then opened the floor for discussion.

Alan Dutton, BEG, inquired about the origin of §§601.4. Ms. Ambrose noted the language was almost verbatim from §§26.406 (a) of the Texas Water Code. She further noted that §§26.406 (b) of the Texas Water Code defined which state agencies were required to maintain public files.

John Jacobi, TDH, noted that §§601.4, and any references to §§601.4, should be amended to read "Public Files" instead of "Public File".

Mr. Ginn moved for the adoption of the proposed rules with the named changes. Phil Nordstrom, TWDB, seconded the motion. A vote was taken, the motion passed unanimously, and the rules were adopted by the TGPC.

Ms. Ambrose volunteered to make the necessary changes and provide the adopted rule to the TNRCC's Texas Register team to initiate Texas Register publication of the adopted rule.

Texas Comprehensive State Ground Water Protection Program

Mr. Musick noted there was no new information to be provided at this time. He noted that TNRCC staff are continuing their efforts on the draft core program assessment and would hopefully have something to report at the next meeting.

Legislative Report

Ms. Ambrose asked Mr. Mills to clarify the handouts related to this item. Mr. Mills noted that there were three handouts. Handout #9 was the draft recommendations, including the draft state management plan (SMP) recommendation amended by the Agricultural Chemicals Subcommittee and the draft educational programming recommendation provided by TAES. Handout #10 is the issue summary for the 76th Legislature. Handout #11 is the draft TGPC legislative report.

Ms. Ambrose asked Mr. Mills what action the Legislative Subcommittee was seeking from the TGPC. Mr. Mills noted the subcommittee would appreciate any feedback on the draft recommendations and a decision by the TGPC on what actions the subcommittee should pursue regarding the issue summary document. Ms. Ambrose then opened the floor for discussion.

Steve Wiley, Texas Department of Licensing and Regulation (TDLR)/Water Well Drillers and Pump Installers Program, noted that the TGPC may want to reconsider the recommendation to extend TGPC membership to the Chairman of the Texas Water Well Drillers Advisory Council. He suggested the TGPC may want to consider extending the seat to the Executive Director of TDLR. He noted that other water related programs could be coming to the agency in the future. Mr. Jacobi suggested that the TGPC should not speculate on what might transpire in the future regarding other programs. Mr. Ginn agreed and noted that if changes were made in the future, the TGPC could react appropriately at that time. Ms. Ambrose noted the subcommittee should further refine the recommendation and include the responsibilities of TDLR and the Advisory

Council. However, she noted TGPC sentiment was to tailor the recommendation specifically to the Chairman of the Advisory Council at this time.

The issue summary document was brought up for discussion. The general format of the document was accepted. Several members offered suggestions for improving the language of the issue summary bullets. The TGPC instructed the subcommittee to clarify each bulleted issue to explain the issue/problem and to offer the solution the TGPC's plans to recommend. The subcommittee was instructed to distribute the modified issue summary document to the TGPC for comments prior to the September 3, 1998, subcommittee meeting. TGPC members of the subcommittee will further discuss making the document available at the September 3 meeting.

The state management plan (SMP) implementation and funding, exempt well, priority groundwater management area (PGMA) process simplification, and educational programming recommendations were briefly discussed and a few suggestions were provided. The TGPC instructed the subcommittee to refine and finalize the recommendations for consideration at the next meeting.

Set Future Meeting Dates

Ms. Ambrose noted that the TGPC, at the last meeting, scheduled the FY 1999 First Quarter meeting for October 15, 1998, at 1:00 p.m. and asked if any conflicts had arisen for the members. No conflicts were voiced and the date and time were accepted.

Following discussion, the FY 1999 Second Quarter meeting was scheduled for January 14, 1999, at 1:00 p.m.

V. Information Exchange for Groundwater Related Activities/Status Update

Committee Publications

Joint Groundwater Monitoring and Contamination Report Craig Caldwell reported that the "Joint Groundwater Monitoring and Contamination Report" had entered the TNRCC publication process, and should be published in one or two months. When published, copies will be sent to Committee members, county judges, and county health officials. The report will be available on the TGPC Web site soon after publication.

Water Well Closure Technical Guidance Document

Mr. Caldwell noted that the members had a copy of the latest draft of the "Landowners Guide to Plugging Abandoned Water Wells." The document is being submitted to the TNRCC's publications process. Two brochures relating to well closure are being prepared and will be reviewed at an Abandoned Well-Closure Subcommittee meeting yet to be scheduled.

Priority Groundwater Management Area Program Status Update

Mr. Musick noted the TNRCC was finalizing PGMA reports for the El Paso County study area

and the North Texas Alluvium and Paleozoic Outcrop study area. He noted TWDB and Texas Parks and Wildlife Department studies had been supplied to the TNRCC. He reported the El Paso PGMA report should be filed with the Chief Clerk within a week. The draft TNRCC report for the North Texas PGMA had been distributed to the study's regional advisory committee for review. An advisory committee meeting was conducted on August 3, 1998, to solicit final comments. The Executive Director will be briefed and the North Texas Report will be finalized within the next two weeks.

Senate Bill 1 - PGMA Education Efforts; TAEX and TAGD

Dr. Wayne Jordan, TAES, provided Handout #12 (Senate Bill 1 - PGMA Educational Efforts, TAEX) which outlined the TAEX educational efforts being developed as required by Senate Bill 1. The publication Managing Texas Groundwater Resources through Groundwater Conservation Districts should be published in October, 1998. A fact sheet tentatively entitled Groundwater Issue/Success Stories is planned to be published in the near future. Information was also provided on the handout pertaining to educational training efforts for PGMA-related activities. Actual education initiatives in the designated PGMA's are not anticipated until early 1999.

Bill Couch, TAGD, reported that the draft Groundwater Conservation Districts Operations Manual was distributed for comments in June and that Richard Bowers, North Plains GWCD No. 2 was addressing the comments. Scott Holland, TAGD, added that TNRCC had provided comments and that TAGD was aiming to have the publication completed prior to the end of the year.

Mr. Musick noted that TAGD's educational effort was not required by Senate Bill 1; TAGD had taken the initiative voluntarily. Mr. Musick commended TAGD for this effort.

Mr. Couch added that the Barton Springs/Edwards Aquifer Conservation District had developed a CD which provided information on roles and responsibilities of groundwater conservation districts. The CD is intended to assist groups interested in creating a groundwater district understand what will be required of them as well as assist the existing districts in their planning and program development.

Risk Reduction Rules Update

Mr. Musick noted the comment period for this set of rules ended in late June. The rules are currently being revised and the final rule will most-likely be released for public review prior to going to the Commission. He noted that EPA had provided favorable comments on the rule. He noted the rule should go before the Commission in the early-fall time frame.

VI. Announcements

Ms. Ambrose provided the TNRCC Rule Tracking Log (Handout #13) and discussed the current development of the Edwards Aquifer and Contributing Zone Rules.

Ms. Ambrose noted that the Texas Department of Licensing and Regulation would be publishing

their water well drillers rules soon. Following publication, the TNRCC will withdraw its existing rules. A memorandum-of-understanding is being negotiated between the two agencies and should be finalized by mid-January, 1999.

Dr. Jordan announced the Water for Texas Conference scheduled for December 1-2, 1998, at the Red Lion Inn in Austin.

Mr. Musick announced the Ground Water Protection Council's 1998 Annual Forum, September 19-23, in Sacramento, California.

Mr. Musick announced the Groundwater Foundation's 14th Annual Fall Symposium, Practical Approaches to Groundwater Management, in San Antonio on September 9-10, 1998. The Groundwater Foundation is also holding a Source Water Assessment and Protection Workshop in San Antonio on September 9, 1998.

Mr. Nordstrom announced the Texas Water Quality Monitoring Conference in Austin from September 1-3, 1998.

Mr. Mills reported that he attended the National Water-Quality Monitoring Council's National Monitoring Conference in Reno, Nevada from July 7-9, 1998. He noted that common issues that emerged from the four tracks included that the Council should: serve as an information clearinghouse, promote public participation and the effect on decision making, increase outreach and visibility, develop guidelines for TMDL monitoring, and evaluate the impact of TMDL monitoring at the expense of other program goals and need. Mr. Musick noted the Council has replaced the Intergovernmental Task Force on Monitoring (ITFM).

VII. Public Comment

None

VIII. Adjourn

Ms. Ambrose adjourned the meeting at 3:07 p.m.

Prepared by: Steve Musick, TNRCC