

**TEXAS GROUNDWATER PROTECTION COMMITTEE  
RECORD OF MEETING**

Second Quarterly Meeting, Fiscal Year 2009

Meeting Date: January 21, 2009  
Meeting No.: 80

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 JANUARY 21, 2009 .....</b>   | <b>4</b> |
| 1. CALL TO ORDER AND INTRODUCTIONS .....  | 4        |
| 2. SUBCOMMITTEE REPORTS.....  | 4        |
| Agricultural Chemicals .....  | 4        |
| Data Management .....   | 5        |
| Public Outreach and Education.....  | 5        |
| Groundwater Research.....   | 6        |
| 3. PRESENTATION.....  | 6        |
| Water Well Reports Digitization Project .....   | 6        |
| 4. BUSINESS DISCUSSION AND POSSIBLE ACTION.....   | 6        |
| Texas Groundwater Protection Strategy – Continue Discussion of the Update .....                 | 6        |
| Report to the Legislature – Status of Final Report and Delivery to the Legislature.....         | 7        |
| Joint Groundwater Monitoring and Contamination Report – 2008 – Format and Content Approval..... | 7        |
| Set Future Meeting Dates.....   | 7        |
| 5. INFORMATION EXCHANGE FOR GROUNDWATER-RELATED ACTIVITIES – STATUS UPDATE .....                | 8        |
| Groundwater Contamination Notice Coordination (HB 3030, 78th Legislature).....                  | 8        |
| Groundwater Management Areas .....  | 8        |
| Regional Water Planning .....   | 8        |
| Groundwater Availability Modeling.....  | 8        |
| Nonpoint Source Pollution.....  | 9        |
| National Groundwater Initiatives.....   | 9        |
| Drought Status .....  | 10       |
| 6. ANNOUNCEMENTS.....   | 10       |
| Rules Update .....  | 10       |
| New Publications .....  | 10       |
| Upcoming Conferences.....   | 11       |
| 7. PUBLIC COMMENT .....   | 11       |
| 8. ADJOURN .....  | 11       |

## MEETING ATTENDANCE

### Committee Members

Cary Betz

Robert Mace

Leslie Savage

Ken Ofunrein

Richard Eyster

Donna Long

David Van Dresar

B.L. Harris

Bridget Scanlon

### Affiliation

Texas Commission on Environmental Quality  
(TCEQ)

Texas Water Development Board (TWDB)

Railroad Commission of Texas (RRC)

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 AgriLife Research (TAR)

University of Texas Bureau of Economic Geology  
(UTBEG)

### Agency Staff

Sean Ables

Abiy Berehe

Leon Byrd

Alan Cherepon

Peggy Hunka

Kathy McCormack

Joe Peters

Richard Yashewski

David Villarreal

Janie Hopkins

### Affiliation

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

TDA

TWDB

### Program

Water Supply Division

Water Supply Division

Water Supply Division

Water Supply Division

Water Supply Division

Water Supply Division

Water Supply Division

Water Supply Division

### Interested Parties

Will Jones

Bruce Lesikar

Mary Musick

Steve Musick

Jim O'Connor

### Affiliation

The Jones Law Firm

Texas AgriLife Extension Service (TAES)

Musick Groundwater Consulting

Musick Groundwater Consulting

San Antonio Water System (SAWS)

## MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on January 21, 2009
2. Record for Texas Groundwater Protection Committee meeting on October 29, 2008
3. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting on December 2, 2008
4. Water Well Digitization Project presentation handout
5. TCEQ SFR-047/08 (January 2009), *Activities of the Texas Groundwater Protection Committee – Report to the 81st Legislature* (TGPC members only)
6. January 21, 2009 letter to TGPC members regarding *Joint Groundwater Monitoring and Contamination Report – 2008* (“*Joint Report*”) and draft *Joint Report* Table of Contents (TGPC members only)
7. Drought 2009 – Public Water Supply Systems Affected as of January 1, 2009, U.S. Drought Monitor, Texas as of January 13, 2009, and the Barton Springs Edwards Aquifer Conservation District *Aquifer Bulletin*, January – April 2009, pages 1 and 3
8. Karst Horizons, 15th International Congress of Speleology brochure
9. Ground Water Protection Council (GWPC) Underground Injection Control (UIC) Conference flyer
10. 2009 Water-related Conferences in Texas

## **MEETING RECORD OF JANUARY 21, 2009**

### **1. CALL TO ORDER AND INTRODUCTIONS**

Cary Betz (TCEQ), Designated Chair of the Texas Groundwater Protection Committee (TGPC), called the meeting to order at approximately 1:10 PM CST and then TGPC members introduced themselves.

### **2. SUBCOMMITTEE REPORTS**

#### **Agricultural Chemicals**

Joe Peters (TCEQ) reported that the Agricultural Chemicals Subcommittee met for their Fiscal Year 2009 Second Quarter meeting that morning.

For the Site Selection Task Force, Janie Hopkins (TWDB) reported that they now have a contract with the Lower Colorado River Authority (LCRA) Laboratory after having problems with their previous contract lab. Janie Hopkins also reported that in their next monitoring season they will continue to sample the Gulf Coast Aquifer, but they will also sample in the Blaine, Rustler, Sparta, and Yegua Aquifers, and possibly in the aquifers of the Llano uplift.

For the Education Task Force, Bruce Lesikar (TAES) reported that there were two irrigation conferences held recently, both on irrigation management. One was held in Amarillo, TX and the other in Hondo, TX.

Lynne Fahlquist (United States Geological Survey, USGS) gave a presentation on their planned National Water Quality Assessment (NAWQA) monitoring, emphasizing the groundwater portion. They will be sampling five wells in each of three areas – the Edwards, Carrizo – Wilcox, and Gulf Coast Aquifers (the latter effort focused near Houston, TX). Some reference wells may also be sampled. Later in the meeting Lynne Fahlquist mentioned that they will be releasing their monitoring data in a more timely basis in the future (i.e., immediately after receipt of laboratory analysis).

Al Cherepon (TCEQ) gave a presentation outlining the details of the proposed 2009 Pesticide Sampling Plan. Monitoring this coming season will include interagency cooperative monitoring and TCEQ's continued monitoring in the Panhandle and urban areas. Both immunoassay and laboratory methods will be utilized for analysis. Atrazine, 2,4-D, acetochlor, diazinon, and glyphosate will be analyzed by immunoassay. Possible laboratory analyses, depending on costs, will include tebuthiuron, trifluralin, acetochlor, aldicarb, propiconazole, triclopyr, aldicarb, carbaryl, carbofuran, edosulfan, and glyphosate. The proposed 2009 Pesticide Sampling Plan was approved with no changes by the Agricultural Chemicals Subcommittee members.

Al Cherepon (TCEQ) also reported that he had assessed 16 of the 57 pesticides requiring assessment in 2008 using the U.S. Environmental Protection Agency's (EPA's) online tracking system.

Ed Baker (Syngenta, Inc.) gave a report on Albaugh, Inc.'s progress in monitoring for propazine because they are seeking its re-registration (they are also monitoring simazine and atrazine). The monitoring areas include Lake McKenzie, Lake Stanford, White River Reservoir, and Mundy Reservoir. Only very low levels of atrazine were detected (mostly below 0.1 ppb).

#### Data Management

Cary Betz (TCEQ) reported that the Data Management Subcommittee had not met since the last TGPC meeting. The Data Management Subcommittee is still waiting on input from the management of several agencies for a statewide groundwater monitoring plan. Additional data management activities are anticipated within the next quarter.

#### Public Outreach and Education

Bruce Lesikar (TAES) reported that the POE Subcommittee last met on December 2, 2008.

The status report on recent and upcoming outreach events ([http://www.tgpc.state.tx.us/subcommittees/POE/WellScreening\\_Closure\\_TGPCboothEvents21Feb2008.pdf](http://www.tgpc.state.tx.us/subcommittees/POE/WellScreening_Closure_TGPCboothEvents21Feb2008.pdf)) was reviewed.

A third survey was made of links to the TGPC website on TGPC member agency websites. Changes from the last survey include:

- A link to the TGPC website was added, and found as the first website search result, on two additional TGPC member agency websites (TDA and RRC);
- The link to the TGPC website declined slightly in the search results on two TGPC member agency websites (TWDB and TSSWCB); and,
- A link to the TGPC website was still not found on one of the TGPC member agency websites (UTBEG); however, it was added by the UTBEG webmaster shortly after the meeting.

After starting with only four TGPC member agency websites (TCEQ, TWDB, TSSWCB, and TAR) that had a link to the TGPC website, all 10 now have a link, and it is the first (TCEQ, RRC, DSHS, TDA, and TAR) or second (TSSWCB and UTBEG) search result on seven of them. Two TGPC member agency websites (TAGD and TDLR) do not have search engines but they do have a link to the TGPC, and the TWDB website has a link to the TGPC and is working on improving their search engine results. This is the last time that this survey will be performed.

Seven Frequently Asked Questions (FAQs) were approved and four were subsequently posted on the TGPC website (<http://www.tgpc.state.tx.us/FAQs.htm>). In addition to a

*Drinking Water Problems: Benzene* Fact Sheet, several more FAQs are in various stages of revision.

The next POE Subcommittee meeting is scheduled for March 10, 2009.

#### Groundwater Research

Bridget Scanlon (UTBEG) reported that the Groundwater Research Subcommittee met that morning and discussed a number of different topics, including:

- Perchlorate in groundwater, possible perchlorate regulation changes under the new U.S. administration, and possible responses, especially in the High Plains;
- Adding groundwater to the Nonpoint Source (NPS) program (in association with TCEQ, the University of Texas, and Texas A&M University) with potential projects related to pathogens and water safety in the Edwards Aquifer and alluvial aquifers adjacent to the Brazos and Colorado Rivers, as well as nitrate studies with the TSSWCB;
- Possible increased funding in the U.S. economic stimulus package for “shovel-” or “construction-ready” groundwater research projects;
- A USGS discussion of the microparticulate project that they are conducting for TCEQ;
- Performing water studies related to the uranium program in different counties;
- Water issues and decreasing water supplies in the High Plains, how long this might last, and the well spacing program that the High Plains Underground Water Conservation District No. 1 is trying to implement;
- Brush removal programs, their impacts, and the results of recently completed Texas Tech University and other master theses showing increased surface water runoff and decreased groundwater infiltration; and,
- Proposed national water monitoring programs.

### 3. PRESENTATION

#### Water Well Reports Digitization Project

Richard Yashewski (TCEQ) provided the status of TCEQ’s Water Well Digitization Project. Approximately 700,000 plotted water well driller reports from all 254 Texas counties have been scanned and will be available electronically in TCEQ’s Central File Room by the end of February 2009. The target date for availability on TCEQ’s website is the end of March 2009. Users will be able to search the reports by grid number, county, or both, with an additional map function to assist in identifying the grid number.

### 4. BUSINESS DISCUSSION AND POSSIBLE ACTION

#### Texas Groundwater Protection Strategy – Continue Discussion of the Update

Cary Betz (TCEQ) noted that the *Texas Groundwater Protection Strategy* (“Strategy”, AS-188, February 2003,

[http://www.tceq.state.tx.us/assets/public/comm\\_exec/pubs/as/188.pdf](http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/as/188.pdf)) update was started a year ago. Most of the update portions are complete, but additional information is desired from TGPC member agency management. In order to address the *Strategy's* second paragraph on page 90 (related to an analysis of groundwater quality threats), Cary Betz assigned an action item to the TGPC – members should poll their agency or organization and bring a list of perceived threats to groundwater to the next TGPC meeting so that they, and their possible prevention/recovery actions, can be ranked. Cary Betz announced that TCEQ program areas which deal with groundwater will also be meeting quarterly to discuss these same issues and then share them with the TGPC.

#### Report to the Legislature – Status of Final Report and Delivery to the Legislature

Cary Betz (TCEQ) directed TGPC members to the published *Activities and Recommendation of the Texas Groundwater Protection Committee – Report to the 81<sup>st</sup> Legislature* (“*Report*”, SFR-047/08, January 2009, [http://www.tceq.state.tx.us/assets/public/comm\\_exec/pubs/sfr/047\\_08.pdf](http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/047_08.pdf)) in their packets. The *Report* was delivered to the Governor, Lieutenant Governor, and Speaker of the House in accordance with statute on January 12, 2009. Copies will also be sent to the House and Senate Natural Resources Committee Chairs once they have been identified.

#### Joint Groundwater Monitoring and Contamination Report – 2008 – Format and Content Approval

Abiy Berehe (TCEQ) presented a letter to the TGPC requesting updates for the preparation of the *Joint Groundwater Monitoring and Contamination Report – 2008* (“*Joint Report*”) as well as a draft Table of Contents. Abiy Berehe noted that the submission deadline for updates is February 27, 2009 and the report publication deadline is April 1, 2009. This TGPC publication is prepared every year to document groundwater contamination cases in Texas. The primary audiences are county judges, county health officials, and Groundwater Conservation Districts (GCDs), but it is also a secondary notification to local officials if there are any groundwater contamination cases in their respective counties.

Robert Mace (TWDB) proposed, Bridget Scanlon (UTBEG) seconded, and all remaining TGPC members approved the draft Table of Contents for the 2008 *Joint Report* and its continued preparation.

#### Set Future Meeting Dates

The next TGPC quarterly meeting is scheduled for April 15, 2009 at 1:00 PM CDT.

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

### Groundwater Contamination Notice Coordination (HB 3030, 78th Legislature)

Peggy Hunka (TCEQ) reported that there were 18 cases presented to the Impact Evaluation Team (IET) resulting in 161 letters mailed to water well owners. Cary Betz (TCEQ) indicated that TCEQ needs to set up an initial or repeat meeting with TSSWCB, TAR, DSHS, UTBEG, and TAGD in order to review the HB 3030 provisions.

### Groundwater Management Areas

Robert Mace (TWDB) reported there have not been any additional Desired Future Conditions (DFCs) approved since the last TGPC meeting, but the DFCs from Groundwater Management Areas (GMAs) 1 and 2 in the High Plains are nearing completion and they hope to approve them within one or two months. David Van Dresar (TAGD) agreed that the process to establish the first set of DFCs and then gain TWDB approval is proving to be a time-consuming and daunting task. Robert Mace also indicated that the first challenge to the reasonableness of a DFC has been received and more are anticipated.

### Regional Water Planning

Robert Mace (TWDB) reported that TWDB staff are reviewing interim studies performed by some of the Regional Water Planning Groups. The next round of regional water planning is not quite as rigorous (i.e., mainly looking at changed conditions) as the one that will be performed after the 2010 Census. Steve Musick (Musick Groundwater Consulting) asked if fracing issues would be included in the upcoming regional planning and Robert Mace indicated that there was an expectation that they would.

### Groundwater Availability Modeling

Robert Mace (TWDB) reported that several models are almost ready to be released to the public:

- The Dockum Aquifer in west Texas;
- The remainder of the West Texas Bolsons Aquifer including Red Light Draw, Green Valley, and Eagle Flat;
- The addition of the Edwards-Trinity (High Plains) to the southern model for the Ogallala Aquifer; and,
- The Hill Country Trinity Aquifer.

B.L. Harris (TAR) asked if the Dockum Aquifer's varying levels of water quality were included in its model and Robert Mace (TWDB) indicated that they were not.



## Nonpoint Source Pollution

Donna Long (TSSWCB) reported:

- The TSSWCB and TCEQ NPS programs are currently evaluating Fiscal Year 2009 Clean Water Act 319(h) grant proposals, including some groundwater-related projects, with all ranking to be completed by the first week of February 2009;
- The Fiscal Year 2008 NPS Annual Report should be available by the end of January 2009; and,
- The TCEQ and TSSWCB NPS teams have started revising the five-year Texas NPS Management Plan, which is due to the U.S. Environmental Protection Agency in 2010, and they will be asking for TGPC input over the next year.

## National Groundwater Initiatives

Cary Betz (TCEQ) reported that the U.S. Department of the Interior's Advisory Committee on Water Information (ACWI, <http://acwi.gov/>) Groundwater Subcommittee's (<http://acwi.gov/sogw/index.html>) *National Groundwater Monitoring Program – Draft Framework Document* (“*Document*”) was not yet available, but that he had forwarded a “draft of the draft” to the TGPC at the end of 2008 and had received some feedback. The *Document* has since been revised and it would be sent out to the TGPC again soon; it is scheduled to be presented to ACWI in February 2009.

Cary Betz (TCEQ) also reported that the U.S. Senate had passed a bill (Omnibus Public Land Management Act of 2009, S.22, <http://thomas.loc.gov/cgi-bin/query/F?c111:2:./temp/~c111SjSjaB:e1076931>;) which includes a section on “Secure Water” – this bill authorizes the USGS to conduct a water inventory and to establish a national water availability and use assessment program, including groundwater. Robert Mace (TWDB) noted that they have had discussions with USGS regarding groundwater availability in Texas, the role of science and policy, and how USGS seems to be focused on quantifying the natural water budget (e.g., discharge and recharge).

Robert Mace (TWDB) provided some additional information regarding the National Groundwater Monitoring Program. TWDB is planning on sending a letter to USGS requesting funding for continued groundwater modeling in Texas (e.g., real-time monitoring, targeted elements across the state, etc.). Bridget Scanlon (UTBEG) asked how USGS would interface with TWDB on this program and Robert Mace said that the USGS state office is planning on working with TWDB and TAGD on the existing groundwater availability models (i.e., providing additional refinement and capabilities, such as climate change impacts on agriculture in the High Plains).

Cary Betz (TCEQ) recognized Steve and Mary Musick (Musick Groundwater Consulting) and asked if they had information to share regarding their interaction with the Ground Water Protection Council (GWPC, [http://www.gwpc.org/home/GWPC\\_Home.dwt](http://www.gwpc.org/home/GWPC_Home.dwt)). Mary Musick reported that the GWPC has a National Ground Water Strategy Committee (NGWSC) which is interested in groundwater quality and quantity from a national perspective. Mary Musick also agreed

to send Cary Betz information regarding the federal National Environmental Status and Trends (NEST) Indicators Project ([http://acwi.gov/hydrology/minutes/NEST\\_Presentation\\_22\\_July\\_2008.pdf](http://acwi.gov/hydrology/minutes/NEST_Presentation_22_July_2008.pdf)) which has a mandate to look at the availability of water resources nationwide.

## Drought Status

Cary Betz (TCEQ) referred the TGPC to the most recent TCEQ drought-affected Public Water Supply Systems and U.S. Drought Monitor maps which indicate the continuing extreme drought in central Texas, as well as an update on the Critical Stage Drought status in the Edwards Aquifer from the Barton Springs Edwards Aquifer Conservation District's January – April 2009 *Aquifer Bulletin*.

Richard Eyster (TDA) reported that the LCRA meteorologist does not anticipate an improvement in the drought condition until after this summer. Cary Betz (TCEQ) pointed out that 2008 was drier than any single year in Texas' "Drought of Record" of the 1940s and 1950s.

## 6. ANNOUNCEMENTS

### Rules Update

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

- Remediation of Leaking Petroleum Storage Tank (LPST) Sites;
- Phase 2 of Implementation of Radioactive Material Disposal and Source Material Recovery Requirements;
- Dams and Reservoirs;
- Reclaimed Water; and,
- Landscape Irrigation.

Additional information on a specific rule can be found at [http://www.tceq.state.tx.us/nav/rules/propose\\_adapt.html](http://www.tceq.state.tx.us/nav/rules/propose_adapt.html).

### New Publications

Cary Betz (TCEQ) repeated the announcement that the TGPC's *Activities and Recommendation of the Texas Groundwater Protection Committee – Report to the 81<sup>st</sup> Legislature* (SFR-047/08, January 2009, [http://www.tceq.state.tx.us/assets/public/comm\\_exec/pubs/sfr/047\\_08.pdf](http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/047_08.pdf)) had been published. Some additional TCEQ recent publications included:

- *The John Graves Scenic Riverway: A Report to the 81st Legislature* (SFR-087/08, December 2008, [http://www.tceq.state.tx.us/assets/public/comm\\_exec/pubs/sfr/087\\_08.pdf](http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/087_08.pdf)); and,
- The Water and Wastewater Consumer Assistance Team Can Help (RG-210, November 2008, [http://www.tceq.state.tx.us/files/rg-210.pdf\\_4400889.pdf](http://www.tceq.state.tx.us/files/rg-210.pdf_4400889.pdf)).

Robert Mace (TWDB) announced two new publications:

- *Changes in Water Levels in Texas, 1990 – 2000* (Report 371, November 2008, [http://www.twdb.state.tx.us/publications/reports/GroundWaterReports/GWReports/R371\\_WaterLevels.pdf](http://www.twdb.state.tx.us/publications/reports/GroundWaterReports/GWReports/R371_WaterLevels.pdf)); and,
- *Evaluation of Designating a San Marcos Pool, Maintaining Minimum Spring Flows at Comal and San Marcos Springs, and Adjusting the Critical Period Management Triggers for San Marcos Springs* (November 2008, <http://earip.tamu.edu/ProgramDocs/SSC%20Final%20Report%202008.pdf>) by the Edwards Aquifer Area Expert Science Subcommittee for the Edwards Aquifer Recovery Implementation Program (<http://earip.tamu.edu/index.cfm>).

B.L. Harris (TAR) reported that interested parties could subscribe to any of their publications – *tx H<sub>2</sub>O*, *Rio Grande Basin Initiatives Outcomes*, and *New Waves E-letter* (<http://twri.tamu.edu/newsletters.php>).

### Upcoming Conferences

Handouts on the 15th International Congress of Speleology and the GWPC Underground Injection Control (UIC) Conference were available. Details regarding additional upcoming conferences were listed in the “2009 Water-related Conferences in Texas” handout.

Leslie Savage (RRC) announced that there would be a Water/Energy Sustainability Symposium – “Developing Water & Energy Policy in the 21st Century” at the GWPC Annual Forum in Salt Lake City, UT on September 13 – 17, 2009 ([http://www.gwpc.org/home/GWPC\\_Home.dwt](http://www.gwpc.org/home/GWPC_Home.dwt)).

Cary Betz (TCEQ) reviewed the list of TGPC members still requiring Open Meetings Act training (TSSWCB and the RRC, UTBEG, and TDLR backups) and agencies still needing a backup to the TGPC (DSHS and TAR).

Cary Betz (TCEQ) announced that the TGPC would be sponsoring National Groundwater Awareness Week (March 8 – 14, 2009) posters again this year.

### 7. PUBLIC COMMENT

There was no public comment.

### 8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 2:50 PM CST.