

History of the Texas Groundwater Protection Committee

October 23, 2019

House Bill 1458 sponsored by Representative Guerrero in the House and Senator Santiesteban in the Senate, was passed by the 71st Legislature in 1989, set out the state's groundwater protection policy, and created the Texas Groundwater Protection Committee (TGPC) in Chapter 26 of the Texas Water Code. At its inception, the Committee was composed of the chief executives of the Texas Water Commission (TWC), the Texas Water Development Board (TWDB), the Railroad Commission of Texas (RRC), the Texas Department of Health (TDH), and the Texas State Soil and Water Conservation Board (TSSWCB), as well as the Deputy Commissioner of the Department of Agriculture (TDA), and a representative selected by the Texas Groundwater Conservation Districts Association (TGCDA).

The duties of the Committee were set forth as coordinating groundwater protection activities of the agencies represented on the Committee, developing and updating a comprehensive groundwater protection strategy for the state, studying and recommending to the legislature groundwater protection programs for areas in which groundwater is not protected by current regulation, filing a report on the Committee's activities and recommendations with the Governor and the legislature, and finally, publishing a joint groundwater monitoring and contamination report.

Though not codified, there was a predecessor committee of five agencies. The Ground Water Protection Committee was formed in 1985, and consisted of the TWC, TWDB, RRC, TDH, and TDA. The Committee's goals were to delineate the current status of state agency administered groundwater protection programs, establish better coordination of these activities, and develop a comprehensive strategy for addressing groundwater protection in the state.

Subcommittees of this group developed the first *Texas Groundwater Protection Strategy* (1988), language for the state's adopted groundwater policy, the state's groundwater classification system, and ultimately implemented HB 1458, creating the current TGPC.

The first two years of the TGPC saw adoption of rules to fulfill statutory mandates and the development of the first *Texas State Management Plan for Agricultural Chemicals in Ground Water*. The first *Joint Groundwater Monitoring and Contamination Report* was published, listing 2,244 cases of groundwater contamination.

Subcommittees and work groups are created at the call of the Chairman. Upon approval of the TGPC, the subcommittees address specific groundwater-related issues or areas of program development and keep the TGPC apprised of ongoing issues and projects. The subcommittees report and provide recommendations to the TGPC at its regularly scheduled meetings. At its meetings, the TGPC considers the findings and recommendations of the subcommittees, and after holding discussion, takes action as it

finds appropriate for each issue. The public is encouraged to fully participate in the subcommittee process.

Senate Bill 469 of the 73rd Texas Legislature, 1993, amended Section 26.403 of the Texas Water Code to extend Committee membership to the Texas Agricultural Experiment Station (TAES) and the University of Texas Bureau of Economic Geology (UTBEG). In addition, SB 469 further amended Section 26.403 to formally recognize the name change from the Texas Groundwater Conservation Districts Association to the Texas Alliance of Groundwater Districts (TAGD).

The Committee began publishing educational brochures in 1994 outlining the Committee's creation and mandate, membership, and major responsibilities. The brochures also discuss the state's groundwater protection strategy and implementation, subcommittee responsibilities, and the Committee meetings. The first brochure was initially distributed to the general public and other interested parties during 1995 by the Committee's member agencies. The TGPC's *Landowner's Guide to Plugging Abandoned Water Wells* has also been an important outreach tool since 1999.

1996 was a very productive year for the Committee, seeing the development of the *Texas State Management Plan for Prevention of Pesticide Contamination of Ground Water* (TGPC, 1996), the *Texas Ground-Water Data Dictionary* (TGPC, 1996), and the *Texas Groundwater Program Directory* (TGPC, 1996).

In 1998, the TGPC established an Internet website (<https://www.tgpc.texas.gov>). The TGPC's homepage provides "hot links" to the member agencies' homepages and recent TGPC publications. Links are also provided to general information about the TGPC and the subcommittees, records of TGPC meetings, the TGPC's Groundwater Classification System, and TGPC rules. Links to meeting announcements and locations are provided, as are opportunities for the public to provide comments or seek inclusion on the TGPC's mailing list.

The TGPC's recommendation to amend TGPC membership to add the Water Well Drillers and Pump Installers Program was carried as legislation and passed in 1999. House Bill 1848 amended the TGPC's enabling law to provide that a representative of the Water Well Drillers and Pump Installers Program of the Texas Department of Licensing and Regulation (TDLR) selected by the Department's Executive Director serve as a member of the TGPC. The Texas Water Well Drillers Board was one of the original members of the TGPC when it was established in 1989. However, subsequent agency reorganizations placed the Water Well Drillers and Pump Installers Program in the TDLR, which was not a TGPC member.

1999 saw the peak in cases tracked by the TGPC through its *Joint Groundwater Monitoring and Contamination Report*, with 8,065 cases. The number of cases tracked began to decline after this to the current number, 3,307 for calendar year 2018. The decline in cases represents a "maturing" of groundwater-focused regulatory programs –

most of the existing cases of groundwater contamination were discovered in the early stages of groundwater programs, and have been addressed by the appropriate agencies.

Starting the new century, the Committee began to focus on a new *Texas Groundwater Protection Strategy* for the state, and published the second *Strategy* document in 2003.

The remainder of the decade was uneventful in terms of additions to the Committee membership or alterations the Committee's mission. The Committee concentrated on implementing provisions of the *Texas Groundwater Protection Strategy*, including the development of an enhanced statewide groundwater monitoring program. In 2018, a streamlined, third version of the *Strategy* was published which noted that the comprehensive strategy for protecting groundwater in Texas includes both the TGPC member's internal programs and the TGPC's internal processes outlined in the updated document.

Other TGPC accomplishments over the last ten years include:

- The Water Well Report Viewer that debuted in 2009; this online, map-based application allows users to geographically locate and view scanned copies of over a million historical reports for water wells drilled in Texas;
- A TGPC email address in 2012 that facilitates communication with the public;
- A complete TGPC website redesign and upgrade in 2013, with the website made "secure" (i.e., <https://>) in 2018;
- A major reorganization of the subcommittees in 2015; and,
- The Groundwater Contamination Viewer that was developed in 2017; this interactive, online map allows users to query and obtain spatial relationship information about groundwater contamination cases as per the most recent *Joint Groundwater Monitoring and Contamination Reports*.

Over its thirty year history, the Committee has:

- Been led by four Designated Chairmen:
 - Bruce Fink, 1989 – 1991
 - Mary (Ambrose) Musick, 1991 – 2007
 - Cary Betz, 2007 – 2019
 - Kelly Mills, 2019 – present
- Produced and delivered 15 reports to the legislature with recommendations;
- Produced and delivered 30 *Joint Groundwater Monitoring and Contamination Reports*, tracking 21,252 cases of groundwater contamination;
- Produced numerous brochures, factsheets, and white papers on groundwater-related subjects;
- Participated in the preparation of three Pesticide Management Plans; and,
- Produced three groundwater protection strategies for the state.