

GROUNDWATER RESEARCH SUBCOMMITTEE MEETING RECORD

TIME AND DATE:

9:00 AM, Wednesday April 9, 2008

LOCATION:

Texas Commission on Environmental Quality Campus Building F, Room 2210, 12100 Park 35 Circle, Austin, TX 78753

PURPOSE OF MEETING:

This was the third quarterly meeting. It was a special joint meeting of the GWRS and representatives from the TCEQ and TSSWCB NPS teams. The purpose was to share information on NPS groundwater problems, improvement projects, and sources of funding.

AGENCIES/ENTITIES REPRESENTED:

Bureau of Economic Geology [BEG]
Texas AgriLife Research [TAR]
Texas Commission on Environmental Quality [TCEQ]
Texas Department of Agriculture [TDA]
Texas State Soil and Water Conservation Board [TSSWCB]
Texas Water Development board [TWDB]
United States Geological Service [USGS]

ATTENDEES:

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| Allan Jones | TAR, Co-chair of the GW Research Subcommittee of the TGPC |
| Bridget Scanlon | BEG, Co-chair of the GW Research Subcommittee of the TGPC |
| Cary Betz | TCEQ, Chairman of TGPC |
| Anju S. Chalise | TCEQ |
| Lauren Bilbe | TCEQ |
| Radu Boghici | TWDB |
| Bill Carter | TCEQ |
| Alan Cherepon | TCEQ |
| Laurie Curra | TCEQ |
| Richard Eyster | TDA |
| Lynne Fahlquist | USGS |
| Donna Long | TSSWCB |
| Kathleen McCormack | TCEQ |
| Joseph L. Peters | TCEQ |
| David Villarreal | TDA |

MEETING SUMMARY:

I. Call to Order and Introductions

Dr. Allan Jones called the meeting to order at about 9:05 AM. He then had everyone introduce themselves. After introductions he explained the special nature of this particular meeting, that it was a joint meeting of the GWRS and representatives from the TCEQ and TSSWCB NPS programs, and that its purpose was to share information on NPS groundwater problems, improvement projects, and sources of funding. He then turned over the meeting to Ms. Donna Long and Ms. Lauren Bilbe, representatives of the TSSWCB's and TCEQ's NPS programs, respectively.

II. Introduction to Clean Water Act Chapter 319(h) Grant Funding

Ms. Bilbe began the business portion of the meeting with a slide presentation entitled Texas Nonpoint source Water Pollution Management Program jointly prepared by herself and Ms. Donna Long. The presentation gave a definition of NPS pollution and described the NPS program history in Texas. TSSWCB has jurisdiction over silvicultural and agricultural sources of nonpoint pollution, while TCEQ has jurisdiction over urban and non agricultural or non silvicultural rural sources. Project types were discussed describing the distinctions between monitoring and assessment, planning, and implementation projects. Also, presented were how federal funds are distributed under CWA §319(h) and grant cycles. Part of the presentation dealt specifically with NPS groundwater projects.

Ms. Long mentioned that at TSSWCB's End-of-Year meeting with EPA, EPA indicated that they may consider funding some projects having to do with their new initiatives based on Pesticides of Interest (POIs) and Pesticides of Concern (POCs). The flowchart developed by The Agricultural Chemicals Subcommittee's Pesticide Management Task Force describing the POI and POC process could serve as a basis for projects. Also, in response to a question by Mr. Eyster, Ms. Long responded that EPA may consider funding some groundwater/surface water interaction projects.

Ms. Fahlquist asked how funding priorities are determined. Ms. Bilbe responded that the water bodies on the 303(d) list receive priority and that implementation projects also get priority over the other types of projects. There is a grading criteria, posted on the TCEQ and TSSWCB NPS websites, which determines how project proposals are ranked out.

Dr. Jones asked that Ms. Bilbe and Ms. Long describe the difference between the NPS program and the TMDL program, especially the difference between Watershed Protection Plans, TMDLs, and Implementation. Ms. Bilbe stated that a lot of TMDL funding comes from CWA Section 106 funds, while TMDL implementation for NPS pollutants can be funded through 319(h). A Watershed Protection Plan can be put into place usually when a TMDL is not yet in place. This is to avoid duplication of effort and funding. Also Watershed Protection Plans can address parameters of concern that are not addressed by TMDLs. Ms. Long added that Watershed Protection Plans are stake holder driven only, while TMDLs, which also stake holder driven, also have a regulatory concern. TMDLs focus on specific parameters of regulatory concern, while

Watershed Protection Plans can cover any parameter of concern to the stake holders. When a TMDL is put in place, and there is already a Watershed Protection Plan in place, the NPS portion of the Watershed Protection Plan pertaining to the parameters of interest in the TMDL can be used as part of the implementation plan portion of the TMDL. Watershed Protection Plans to be funded through the NPS program must deal primarily with NPSs, but TMDLs can deal with both Point and Nonpoint sources. Dr. Jones commented on the confusion stakeholders have on the nature of Watershed Protection Plans and TMDLs. Ms. Curra responded that efforts are being made to educate stakeholders so as to solve this problem. Ms Long explained also that new guidelines will be coming out on both TMDLs and Watershed Protection Plans.

Ms. Bilbe at this point moved the discussion more specifically towards groundwater. There was considerable discussion initiated by Dr. Scanlon as to why there isn't a similar list for threatened groundwater as there is for impaired surface waters with the 303(d) list. There is no official list since we don't have groundwater quality standards in Texas. There is an unofficial list of threatened groundwaters. Dr. Jones suggested that this committee take it on itself to rank aquifers or parts of aquifers.

There was additional discussion as to how 319(h) funds can be used and how to get a project approved. Ms. Long explained that groundwater projects are considered by a different set of criteria than surface water so that they can be considered on their own merits separate from surface water. Furthermore, it was brought up that only 20% of base funding can be used for data gathering projects. Funding through 319(h) is primarily aimed at implementation and any research type of project needs to be preliminary to and in preparation for an implementation project.

It was also stressed that even though we realize the importance of projects pertaining to groundwater, we have to convince EPA of the importance of these projects. Ms. Long spoke to the need of some mechanism to highlight the need of pursuing certain groundwater projects. It was suggested that EPA is so surface water focused because of the large number of surface water bodies on the 303(d) list. It was thus reiterated that this is why the development of a priority aquifer list would be such a good idea. Any project involving an aquifer or portion of an aquifer that would appear on the priority list would be better positioned to be competitive with surface water projects and thus have a greater chance of approval. Dr. Jones reiterated that it would be desirable for this group to meet again to discuss the idea of putting together some mechanism like an aquifer priority list, so that groundwater projects could more successfully be pursued. The 303(d) list is driving surface water activities and we need something analogous to drive groundwater activities.

The next (Request for Grant Applications) RFGA for projects funded through TCEQ, for the 2009 funding, should be coming out this summer. TCEQ is getting ready to submit the application to EPA for 2008 funding. The 2008 projects (nine projects) are all worked out and funding for them has been fully allocated. It's time to think about projects for the 2009 round of funding. The TSSWCB puts out its Request for Proposals (RFPs) in November or December. Applications are received in the first part of January and are reviewed by the first part of February. The project selection process is taking place now. EPA has to award the funds for the selected projects before the end of the federal fiscal year.

III. Other Sources of Funding for Nonpoint Source (NPS) Pollution Water Quality Improvement Projects

Information on other sources of funding for NPS pollution water quality improvement projects can be found on the TCEQ Management Program web page at

<http://www.tceq.state.tx.us/compliance/monitoring/nps/mgmt-plan/index.html#management>

There is also a listing of all the active projects on this website, and there is a similar listing of the active projects funded through the TSSWCB on their website at

<http://www.tsswcb.state.tx.us/managementprogram>.

Mr. Carter explained to us about the existence of a federal four-year cycle Clean Watershed Needs Survey. It started out determining needs for new wastewater treatment systems but then evolved to include needs for new storm water systems and NPS. It's an assessment of what the needs are for infrastructure and capital, looking up to twenty years into the future. This report goes to Congress and is a basis for determining funding for all the programs including SRF and the NPS 319(h). Towards the end of the summer this survey will be complete. Protection of groundwater would be included, so this would be a potential source of funding for groundwater projects. The TWDB is the state agency coordinating this process. Mr. Allan Williams is the contact person at TWDB.

Dr. Jones had a question concerning whether there is any kind of coordination or linkage between the GAM program, which deals with water quantity, and water quality programs. For example the USGS has programs where they are looking for wells that would give information that would be valuable for recharge information for GAM as well as information for pollution from recharge. Also in certain cases these wells could help determine the potential for contamination of surface waters from spring flows. Is there a regular communication between the people interested in groundwater quality in the agencies and the people interested in modeling aquifer recharge and use? There should be an opportunity here for sharing information and building useful tools. Somewhere down the line there will be a need to bring together quantity and quality modeling. This will give us an integrated system that could be used in a more holistic way. Perhaps this subcommittee should start some initial conversations that would smooth the way for this type of development.

As the meeting was drawing to a close, Mr. Carter announced that the latest edition of *Managing Nonpoint Source Pollution in Texas, 2007 Annual Report* had recently been published (February 2008) and was available. The report, jointly published by TCEQ and TSSWCB, is available as TCEQ publication SFR-066/07. It can be obtained in hard copy, or viewed online or downloaded from the TCEQ website as follows.

http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/066_07.pdf

At this point in the meeting time expired and agenda items **IV**, **V**, and **VI** listed below were not covered.

IV. Discussion of NPS Groundwater Problems in the State

V. Potential NPS Water Quality Improvement Projects and Appropriate Funding Sources

VI. Public Comments

VII. Adjourn

The meeting adjourned at 10:20 AM.

Minutes prepared by Joseph L. Peters, May 23, 2008

Action Items:

1. Meet again to discuss the idea of putting together some mechanism like an aquifer priority list, so that groundwater projects could more successfully be pursued
2. In future meetings the Groundwater Research Subcommittee should start some initial conversations that would smooth the way for regular communication between the people interested in groundwater quality in the agencies and the people interested in modeling aquifer quantity.

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