# TEXAS GROUNDWATER PROTECTION COMMITTEE
## RECORD OF MEETING
### Third Quarterly Meeting, Fiscal Year 2010

**Meeting Date:** April 7, 2010  
**Place:** TCEQ Campus, Bldg F  
**Meeting No.:** 85  
**Room:** 2210

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<td>Janie Hopkins</td>
<td>Texas Water Development Board (TWDB)</td>
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<td>Marcia Becker</td>
<td>Department of State Health Services (DSHS)</td>
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<td>Richard Eyster</td>
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<td>Texas State Soil and Water Conservation Board (TSSWCB)</td>
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<td>David Van Dresar</td>
<td>Texas Alliance of Groundwater Districts (TAGD)</td>
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<td>Kevin Wagner</td>
<td>Texas AgriLife Research (TAR)</td>
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<td>Robert Reedy</td>
<td>University of Texas Bureau of Economic Geology (UTBEG)</td>
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<td>Sean Ables</td>
<td>TCEQ</td>
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<td>Lauren Bilbe</td>
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<td>Alan Cherepon</td>
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<td>Peggy Hunka</td>
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<td>Kathy McCormack</td>
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<td>Joe Peters</td>
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<td>Robert Phillips</td>
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<td>Leslie Smith</td>
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<td>David Villarreal</td>
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<td>Leo Wick</td>
<td>TAGD</td>
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<td>Gary Franklin</td>
<td>Barton Springs / Edwards Aquifer Conservation District</td>
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MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on April 7, 2010
2. Record for Texas Groundwater Protection Committee meeting on January 20, 2010
4. Impact of TGPC letter of endorsement for the *Major Rivers* program
5. Approved TGPC Data Management Subcommittee Charge (January 16, 2008)
8. TCEQ Rules of Interest to TGPC 04/07/2010
11. TCEQ 2010 Environmental Trade Fair & Conference program
12. 2010 Water-related Conferences in Texas, April 2010
MEETING RECORD OF APRIL 7, 2010

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 CDT. TGPC members then introduced themselves. The representative from the Railroad Commission of Texas (RRC) was not present at the meeting, the TSSWCB representative was not present at the beginning of the meeting, and the TWDB and TDLR representatives left during the meeting.

2. SUBCOMMITTEE REPORTS

Agricultural Chemicals

Joe Peters (TCEQ) reported that the Agricultural Chemicals Subcommittee met for their Fiscal Year 2010 Third Quarter meeting that morning.

For the Site Selection Task Force, Alan Cherepon (TCEQ) summarized TCEQ’s planned monitoring this year in the Panhandle and cotton growing area around Lubbock, as well as urban monitoring in and around the cities of Dallas and Fort Worth. Janie Hopkins (TWDB) reported that they had recently started monitoring in the Carrizo-Wilcox, Woodbine, Sparta, Lipan, and Gulf Coast aquifers, and that they may do some monitoring in the Edwards-Trinity Plateau Aquifer. TWDB is also doing some joint monitoring of springs with Texas Parks and Wildlife Department (TPWD).

For the Educational Task Force, Bruce Lesikar (Texas AgriLife Extension Service, TAES) reported on upcoming activities of the TGPC Public Outreach and Education (POE) Subcommittee concerning the Groundwater Educational Outreach Plan Implementation Strategy (e.g., identifying initiatives and evaluating activities such as drafting fact sheets and Frequently Asked Questions).

For the Pesticide Management Plan Task Force, Alan Cherepon (TCEQ) provided an update on input that EPA requested concerning POINTs (Pesticides Of INterest Tracking System).

Mark Matocha (TAES) presented an overview of cotton-related pesticides in Texas which included the various insecticides, herbicides, defoliants, and plant growth regulators that have been used and how their usage has changed over the years.

Recommendations for the Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 82nd Legislature (“Legislative Report”) were also discussed during the meeting. The Agricultural Chemicals Subcommittee decided that the proposed recommendations concerning “Abandoned Water Well Plugging and Education Fund” and “Protecting Groundwater Quality Through Education Programs” should be retained, and that a Recommendation concerning “Education on the Upcoming
National Pollutant Discharge Elimination System (NPDES) General Permit on Pesticide Application Near Water Bodies” should be added.

Data Management

Cary Betz (TCEQ) reported that the Data Management Subcommittee had not met since the last TGPC meeting and postponed further discussion until the Business portion of the meeting.

Public Outreach and Education

Kathy McCormack (TCEQ) reported that the POE Subcommittee last met on March 24, 2010 and eight state agencies and organizations were represented.

Kathy McCormack (TCEQ) reviewed the Outreach Events Status Report (available on the POE Subcommittee webpage, http://www.tgpc.state.tx.us/subcommittees/POE/POE.htm, under “Additional Resources”):

- TAES Water Well Screening Events
  - One since the previous POE Subcommittee meeting (40 samples)
  - Eight planned through September 2010
- TAES Abandoned Water Well Closures
  - None since the previous POE Subcommittee meeting
  - None planned at this time
- TGPC Booth
  - Three since the previous POE Subcommittee meeting (75 estimated attendees)
  - Two planned through August 2010

The TGPC sponsored several “National Groundwater Awareness Week, March 7 – 13, 2010” posters for TGPC member agencies and in the Austin area with 1,167 estimated attendees at the Texas Capitol Annex, Barton Springs Splash! Into the Edwards Aquifer Exhibit, and Austin Cave Festival.

Linda Ruiz McCall (TWDB) reported that at least four new Groundwater Conservation District (GCD) sponsors had contacted TWDB about the Major Rivers program (http://www.twdb.state.tx.us/edu/MajorRivers/index.asp). This would have been a major effort for each of these GCDs, and it may have been due to the October 27, 2009 TGPC letter of support for the program. For the TGPC meeting, Linda Ruiz McCall had also provided a letter detailing the impact of the TGPC letter of endorsement for the Major Rivers program – orders from these new sponsors will potentially reach 44 classrooms and 1,320 students.

Kathy McCormack (TCEQ) reported that Robin Gary (Barton Springs Edwards Aquifer Conservation District) had sufficient personnel to support this year’s Groundwater to the Gulf (G2G) Summer Institute (http://www.keepaustinbeautiful.org/GroundwaterstoGulf). The TGPC will provide them with a binder containing examples of the maps and fact
sheets distributed from the TGPC Booth along with a one-page list of the URLs where this material can be found online.

A major portion of the meeting was spent discussing the status report of the TGPC POE Groundwater Educational Outreach Plan Implementation Strategy (“Implementation Strategy”, http://www.tgpc.state.tx.us/subcommittees/POE/TGPC_POE_EduOutreachPlan_Impl_Strat03Oct2007.pdf). Discussion items included:

- The various types of social media being used by state agencies;
- Direct outreach of our Frequently Asked Questions (FAQs, http://www.tgpc.state.tx.us/FAQs.htm) to TAGD members;
- Experimenting with the free Google Analytics website activity statistics application for the TGPC website;
- Issuing a survey to collect information and explore different styles of outreach; and,
- Considering development of a Public Service Announcement (PSA).

Several new Champions and team members were suggested for a number of Issues in the Implementation Strategy. The Champions were asked to review their respective Issues with their team members and suggest new Specific Activities at the next TGPC POE Subcommittee meeting.

A final draft revision of the Plugging Abandoned Water Wells brochure (TAES L-5413, https://agrilifebookstore.org/) was approved by the POE Subcommittee with the changes discussed at the meeting. Publication is expected by May 1, 2010.

Printing of the following TAES publications was approved by the POE Subcommittee:

- 3,000 copies of the Plugging Abandoned Water Wells (TAES L-5413) revision; and,
- Additional copies of Questions about Groundwater Conservation Districts in Texas (TAES B-6120) up to the limit of the TCEQ/TAES POE contract.

One previously-approved FAQ was updated (with two additional references and a URL revision), approved, and subsequently posted on the TGPC website (http://www.tgpc.state.tx.us/FAQs.htm):

- What Do I Need to Know About the Operation and Maintenance of Onsite Wastewater Systems?

FAQs on the following topics are in various stages of revision:

- Oil and Gas Waste Disposal Wells and Water Quality:
  - How are Oil and Gas Waste Disposal Wells Regulated?
  - What are the Construction Standards for an Oil and Gas Waste Disposal Well?
  - What is the Permitting Process for an Oil and Gas Waste Disposal Well?
- Have Radionuclides Been Detected in Texas Groundwater?

The next POE Subcommittee meeting is scheduled for June 24, 2010.
Groundwater Research

Kevin Wagner (TAR) reported that the Groundwater Research Subcommittee met that morning and, in addition to discussing the impact of climate change on groundwater resources and recently available funding, the primary focus of their discussion was on Recommendations for the Legislative Report. The two Recommendations from the Groundwater Research Subcommittee address state-wide issues:
- Evaluate groundwater treatment methodologies for effectiveness and economics in relationship to removal of contaminants; and,
- Characterize groundwater/surface water interactions in the state with respect to water quantity and quality.

Legislative Report

Cary Betz (TCEQ) reported that the Legislative Report Subcommittee last met on March 10, 2010 and seven state agencies and organizations were represented.

The 14 Recommendations listed in the Executive Summary of the previous Legislative Report were reviewed. Two of the Recommendations had been acted upon by the 81st Legislature and were moved to the “Actions on Recommendations to the 81st Legislature” section of the report. All of the other Recommendations will be reviewed and possibly updated by their sponsoring member agency, and new Recommendations will also be considered. Action items were assigned to various member agencies in preparation for the next meeting on May 19, 2010.

3. PRESENTATION

Discuss Future Presentations

Cary Betz (TCEQ) requested suggestions for future TGPC meeting presentations:
- Cary Betz (TCEQ) – A TCEQ Environmental Trade Fair presentation may be of interest to the TGPC, and he had received some input from the former TGPC Designated Chair;
- Kathy McCormack (TCEQ) – Diane Boellstorff (TAES) would be willing to give a presentation on the Texas Well Owner Network (TWON) project, and Linda Ruiz McCall (TWDB) would be interested in hearing more about surface water / groundwater interactions (e.g., how Texas springs, which feed Texas rivers, are affected by drought);
- David Gunn (TDLR) – Cloud seeding and TDLR’s weather modification program (George Bomar (TDLR) may be a good speaker);
- Kevin Wagner (TAR) – Recent EPA Region 6 conference topics (e.g., aquifer storage recovery, desalination of brackish groundwater, brackish groundwater resources in the state, etc.; Sanjeev Kalaswad (TWDB) may be a good speaker);
- David Villarreal (TDA):
  o Pharmaceuticals and Personal Care Products (PPCPs);


• Bacterial vegetative cells, spores, viruses, cysts, dormant microbes, parasites, and other pathogenic microorganism forms that can travel and persist in shallow groundwater (i.e., alluvial aquifers), wells, leaking septic systems, etc.;
• The Edwards Aquifer Recovery Implementation Program (RIP) and the status of its threatened species;
• Groundwater contamination from a terrorist attack and its long-term implications; and,
• Regional Water Planning Groups (RWPGs) issues and allotments of water supplies.

• David Van Dresar (TAGD) – RWPGs and Desired Future Conditions (DFCs).

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Discuss Data Management Subcommittee Charge and Staff Assignments

Janie Hopkins (TWDB) discussed how they are addressing the first goal (“facilitate interagency groundwater data communication”), supported the idea of groundwater quality ranking, and noted that some of the Data Management Subcommittee’s goals may actually be met through other mechanisms. Cary Betz (TCEQ):
• Suggested that Michael Chadwick (TCEQ) be the new TCEQ Co-Chair for the Data Management Subcommittee;
• Noted the interest in developing a groundwater and surface water quantity and quality database on a national level, but the proposed constituent list is different from what has already been collected in Texas;
• Pointed out the shortage of staff and funding for sampling and analysis; and,
• Asked TGPC members to review the Data Management Subcommittee’s Charge, especially the Subcommittee’s purpose and goals, and provide him with feedback by June 1, 2010 so that the updated Charge can be acted upon at the next TGPC meeting.

Donna Long (TSSWCB) arrived at 1:40 PM and was present for the remainder of the meeting.

Reactivation of Nonpoint Source Task Force – Discuss Task Force Charge and Staff Assignments

TGPC members discussed Nonpoint Source (NPS) issues (e.g., the five-year plan, funding challenges, and development of groundwater project ranking criteria) and the draft TGPC NPS Management Plan Task Force Charge. Kevin Wagner (TAR) suggested that TCEQ and TSSWCB be the Co-Chairs. Cary Betz (TCEQ) suggested that the Task Force’s name be changed to “NPS Task Force”.

Kevin Wagner (TAR) proposed, Richard Eyster (TDA) seconded, and all remaining TGPC members approved reactivation of the NPS Task Force and its updated Charge with the changes discussed at the meeting.
Cary Betz (TCEQ) asked that TGPC members provide him with Co-Chair and member nominations for the NPS Task Force. All NPS Task Force members must complete Open Meetings Act training and comply with its requirements. TCEQ will coordinate NPS Task Force meeting notices with the Texas Register.

Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 82nd Legislature – Continue Discussion of the Report

Cary Betz (TCEQ) asked that TGPC members and the Groundwater Research, Agricultural Chemicals, and POE Subcommittees submit any proposed Recommendations for the Legislative Report to Peggy Hunka (TCEQ) before the next Legislative Report Subcommittee meeting on May 19, 2010. Peggy Hunka added that current sections of the Legislative Report would be emailed that week and updated responses would be needed by May 1, 2010. The TGPC will need to act on the Recommendations and finalize the Legislative Report at the next meeting, the draft Legislative Report will then be circulated within the member agency’s management for their concurrence, and the final version of the Legislative Report will be approved at the TGPC’s First Quarter Fiscal Year 2011 meeting. The TGPC will consider making a formal presentation of the Legislative Report to the Legislature.

Texas Groundwater Protection Strategy – Continue Discussion of the Update

Cary Betz (TCEQ) commented on some basic questions that need specific answers in the update of the Texas Groundwater Protection Strategy (“Strategy”):

- Who is using groundwater in Texas?
- What constitutes “municipal use”?
- Where in Texas is groundwater being used?
- What is Texas groundwater being used for (e.g., irrigation, domestic, power plants, manufacturing, mining, etc.)?

Cary Betz (TCEQ) also noted some specific challenges that need to be addressed in the updated Strategy:

- Do we need to involve other entities in gathering this basic information (e.g., Texas Water Conservation Association (TWCA), Texas Rural Water Association (TRWA), etc.)?
- Are existing regulatory programs working for known constituents of concern?
- How do we address the impacts of emerging contaminants (e.g., new pesticides, pharmaceuticals, personal care products, and pathogens)?
- How do we identify contaminant vectors (e.g., septic systems, wastewater pipelines, effluent disposal, surface waters, abandoned wells, etc.)?
- How do we address health issues and groundwater quality (e.g., epidemiological studies, disease occurrences, “cancer clusters”, etc.)?
- Is the TGPC doing its job in coordinating activities between its member agencies?
- Are the various groundwater classification systems being discussed and possibly reconciled?
What should be the role of the TGPC? Texas Water Code, Section 26.401 (http://www.statutes.legis.state.tx.us/Docs/WA/htm/WA.26.htm#J), is the TGPC’s enabling legislation, and it refers to both water quality and water conservation.

Subsequent discussion included the following comments:

- Marcia Becker (DSHS) offered increased involvement and assistance (e.g., with pharmaceuticals and epidemiological studies);
- Donna Long (TSSWCB) supported the idea of having more specifics listed in the Strategy;
- Kevin Wagner (TAR) thought that the TGPC could do a better job of coordination and reporting the groundwater-related hot topics within each agency;
- Cary Betz (TCEQ) felt that better protection for rural groundwater users was important;
- David Van Dresar (TAGD) noted that water quality parameters are not currently included in DFCs.

Cary Betz (TCEQ) requested that TGPC members send him any other Strategy input as soon as possible.

Janie Hopkins (TWDB) and David Gunn (TDLR) left at 2:33 PM and were absent for the remainder of the meeting.

Set Future Meeting Date

The next TGPC quarterly meeting is scheduled for July 14, 2010 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 the Impact Evaluation Team (IET) reviewed 13 contamination cases and mailed out 126 letters to water well owners and users in the last quarter. Most of the cases involved benzene, Methyl Tertiary Butyl Ether (MTBE), and trichloroethylene (TCE) contamination. Cary Betz (TCEQ) indicated that some public outreach and education may be developed regarding nitrate contamination.

Groundwater Management Areas

Cary Betz (TCEQ) reported on notes provided by Janie Hopkins (TWDB):
- TWDB’s Groundwater Technical Assistance (GTA) indicated that more meetings are taking place supporting the pending deadline of September 1, 2010 for adopting DFCs. Meetings are currently scheduled for Groundwater Management Areas (GMAs) 3, 7, 10, 11, 13, and 15 in April and May 2010;
• TWDB’s GTA is also assisting in the review of the groundwater component of 11 RWPGs in the Initially Prepared Plans, and staff have been added to lead the management plan review team;
• A new team is also leading the way on minor and major aquifer research in order to support the modeling efforts; and,
• Litigation has been filed concerning TWDB’s petition decision for GMA 1.

David Van Dresar (TAGD) noted that there are three additional petitions in various stages of development.

Regional Water Planning

Cary Betz (TCEQ) reported on notes provided by Janie Hopkins (TWDB):
• Fifteen of the 16 RWPGs have submitted their Initially Prepared Plans (draft Regional Plans) to TWDB for review;
• Staff are currently reviewing the plans, including groundwater availability and strategies involving groundwater development; and,
• RWPGs used Managed Available Groundwater (MAG) values as they were available in the development of their plans (MAGs were required if DFCs were submitted by January 2008, and some RWPGs worked with DFCs adopted at later dates).

Groundwater Availability Modeling

Cary Betz (TCEQ) reported on notes provided by Janie Hopkins (TWDB):
• In support of joint planning for groundwater resources in Texas, in 2010 the TWDB Groundwater Availability Modeling (GAM) section recalibrated the Baron Springs portion of the Edwards (Balcones Fault Zone) Aquifer model to simulate the 1950s drought and re-calibrated the Dockum Aquifer model to better simulate requested draft model runs.
• TWDB is currently working on:
  o Development of a model for Kinney County;
  o Development of a comprehensive model for GMA 16 that incorporates all of the aquifers within the planning area;
  o Re-calibrating the Edwards-Trinity Plateau and Pecos Valley Alluvium aquifer models; and,
  o Calibrating a localized model for the Seymour Aquifer.
• TWDB had completed or is working on model simulations for GMA 1, 2, 4, 7, 8, 9, 11, 13, 15, and 16.
• Four research projects (estimated to cost $1,320,000) have been published in the Texas Register:
  o Re-visiting and updating the framework for the northern portion of the Gulf Coast Aquifer from the Brazos River to Louisiana;
  o Using remote satellite information and analysis in order to better quantify groundwater recharge and evapotranspiration in GMA 8;
  o Developing three-dimensional visual tools representing the various components of flow to, within, and from aquifers; and,
• Compiling and scanning aquifer pumping tests for aquifers located in GMA 8 from hard copy data associated with TCEQ’s Public Water Supply program in order to better understand and constrain aquifer properties for the development of a comprehensive numerical groundwater flow model for GMA 8.

David Van Dresar (TAGD) added that TWDB received the Yegua Jackson Aquifer GAM at the end of March 2010.

Nonpoint Source Pollution

Donna Long (TSSWCB) announced that the NPS Annual Report is now available:
- **Managing Nonpoint Source Pollution in Texas, 2009 Annual Report**, TCEQ SFR-066/09, January 2010,

Lauren Bilbe (TCEQ) added that requests for grant applications for Fiscal Year 2011 will be accepted this summer, and that staff are available to discuss the grant application prior to submission.

National Groundwater Initiatives

Cary Betz (TCEQ) reported that there would be side meetings of the National Groundwater Strategy Workgroup and the Aquifer Storage and Recovery Task Force at the Ground Water Protection Council’s 2010 Spring Meeting at the National Ground Water Association’s Ground Water Summit in Denver, CO on April 11 – 15, 2010.

Cary Betz (TCEQ) also noted that TCEQ is anticipating U.S. Environmental Protection Agency (EPA) revision of the Clean Water Act, and their possibly seeking reauthorization, including the groundwater-related sections.

Drought Status

Cary Betz (TCEQ) referred the TGPC to the most recent U.S. Drought Monitor and TCEQ drought-affected Public Water Supply Systems maps. Drought conditions are currently almost non-existent in the state and are not expected through June 2010.

David Van Dresar (TAGD) added that the Drought Preparedness Council would be meeting the next day.
6. ANNOUNCEMENTS

Rules Update

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

- 2010-009-025-CE: Lab Accreditation
- 2009-055-007-PR: Memorandum of Understanding Between the TCEQ and the Rail Road Commission of Texas
- 2009-044-331-PR: SB 1387: Injection and Storage of Anthropogenic Carbon Dioxide
- 2009-034-311-PR: Water Quality Management within the Barton Creek and Onion Creek Watersheds
- 2009-011-321-PR: Revisions to certain Subchapters of 30 TAC Chapter 321 related to revised EPA CAFO rules
- 2008-022-213-CE: Edwards Aquifer

Additional information on a specific TCEQ rule can be found at http://www.tceq.state.tx.us/nav/rules/proposal_adopt.html.

New Publications

Cary Betz (TCEQ) announced several TCEQ publications:

- Groundwater Classification (RG-366/TRRP-08, http://www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/rg/rg-366_trrp_08.html) had been revised; and,

Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2010 Water-related Conferences in Texas” handout – the current version of this handout is always available on the TGPC’s POE Subcommittee webpage at http://www.tgpc.state.tx.us/subcommittees/POE/POE.htm. Cary Betz requested assistance with staffing the TGPC booth at the TCEQ Environmental Trade Fair on May
4 – 5, 2010. Members were asked to contact Kathy McCormack (TCEQ) by April 14, 2010 to sign up for a shift.

Marcia Becker (DSHS) announced that the American Rainwater Catchment Systems Association (ARCSA) 2010 National Conference (http://www.arcsa.org/) will be held in Austin, Texas on October 4 – 6, 2010.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 3:42 PM CDT.