

**TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING**

Fourth Quarterly Meeting, Fiscal Year 2018

Meeting Date: July 18, 2018
Meeting No.: 123

Place: TCEQ Campus, Bldg F
Room: 2210

TABLE OF CONTENTS

MEETING HANDOUTS	3
MEETING RECORD OF JULY 18, 2018.....	4
1. CALL TO ORDER AND INTRODUCTIONS	4
2. SUBCOMMITTEE REPORTS.....	4
Groundwater Issues.....	4
Public Outreach and Education.....	5
Legislative Report.....	6
3. PRESENTATION.....	6
4. BUSINESS DISCUSSION AND POSSIBLE ACTION.....	6
<i>Activities and Recommendations of the Texas Groundwater Protection Committee</i> – <i>Report to the 86th Legislature</i>	6
Proposed <i>Texas Groundwater Protection Strategy Update</i>	7
Current Groundwater Issues	7
Set Future Meeting Date	7
5. INFORMATION EXCHANGE FOR GROUNDWATER-RELATED ACTIVITIES – STATUS UPDATE	7
Groundwater Contamination Notice Coordination (Texas Water Code §26.408) .	7
Groundwater Management Areas	8
Regional Water Planning	8
Groundwater Availability Modeling.....	8
Nonpoint Source Pollution.....	8
National Groundwater Initiatives.....	9
Drought Status	9
6. ANNOUNCEMENTS.....	9
Rules Update.....	9
New Publications	10
Upcoming Conferences.....	10
7. PUBLIC COMMENT	10
8. ADJOURN.....	11

MEETING ATTENDANCE

Committee Members

Cary Betz

Larry French

Peter Pope

David Villarreal

T.J. Helton

John Tracy

Affiliation

Texas Commission on Environmental Quality (TCEQ)

Texas Water Development Board (TWDB)

Railroad Commission of Texas (RRC)

Texas Department of Agriculture (TDA)

Texas State Soil and Water Conservation Board (TSSWCB)

Texas A&M AgriLife Research (AgriLife Research)

Agency Staff

Maria Denise Benitez

Mike Chadwick

Alan Cherepon

Leslie Bruce

Cindy Hooper

Peggy Hunka

Kathy McCormack

Andie Parnell

L. Scott Underwood

Affiliation

TCEQ

TCEQ

TCEQ

RRC

TCEQ

TCEQ

TCEQ

TCEQ

TCEQ

Program

Water Availability Division

Water Availability Division

Water Availability Division

Oil & Gas Division

Water Availability Division

Water Availability Division

Water Availability Division

Water Availability Division

Water Availability Division

Interested Parties

Ann Ardis

Carol Fisher

Ken Kramer

Stephanie Moore

Annalisa Peace

Russell Perry

Amanda Scott

Gwen Webb

Affiliation

Greater Edwards Aquifer Alliance

Sierra Club

Daniel B. Stephens & Associates

Greater Edwards Aquifer Alliance

Daniel B. Stephens & Associates

Webb & Webb, Attorneys

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on July 18, 2018
2. Record for Texas Groundwater Protection Committee meeting on April 18, 2018
3. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, June 13, 2018
4. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, June 2018
5. Proposed Texas Groundwater Protection Strategy Update, 43 TexReg 4790, July 13, 2018, *Texas Register*
6. Drought 2018 – U.S. Drought Monitor, Texas, July 10, 2018; Public Water Supply Systems Affected, July 11, 2018; TCEQ List of Texas PWSs Limiting Water Use to Avoid Shortages, July 11, 2018; U.S. Seasonal Drought Outlook, June – September 2018, June 21, 2018
7. TCEQ Rules Update, 7/18/2018
8. *Joint Groundwater Monitoring and Contamination Report – 2017*, TCEQ publication SFR-056/17, June 2018, https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/056-17.pdf (TGPC members only)
9. 2018 – 2019 Water-related Conferences in Texas, July 2018

The following items were also on display on the handout table:

1. TGPC Public Information Act Policy
2. *Joint Groundwater Monitoring and Contamination Report – 2017*

MEETING RECORD OF JULY 18, 2018

1. CALL TO ORDER AND INTRODUCTIONS

Cary Betz (TCEQ), Designated Chairman of the Texas Groundwater Protection Committee (TGPC), called the meeting to order at approximately 1:10 PM CDT. TGPC members then introduced themselves. The representatives from the Texas Department of State Health Services (DSHS), Texas Alliance of Groundwater Districts (TAGD), Bureau of Economic Geology of The University of Texas at Austin (UTBEG), and Texas Department of Licensing and Regulation (TDLR) were not present at the meeting.

2. SUBCOMMITTEE REPORTS

Groundwater Issues

Kathy McCormack (TCEQ) reported that the TGPC GWI Subcommittee last met on June 13, 2018 and 11 state agencies and organizations were represented.

The current Agricultural Chemicals Task Force Status Report (available on the TGPC GWI Subcommittee webpage, <http://tgpc.texas.gov/tgpc-subcommittees/tgpc-groundwater-issues-subcommittee/>, under the “Additional Resources” heading) was reviewed with the following highlights:

- TCEQ monitoring took place the week of June 4, 2018:
 - Shallow wells and springs were sampled for atrazine and related pesticides used on corn and sorghum cropland areas from Williamson to Ellis Counties, primarily east of IH-35. This area had not been previously monitored by TCEQ and was close enough to TCEQ’s central office to limit travel expenses.
 - Eight springs and five wells were sampled, along with one duplicate and one blank. The samples were screened for atrazine, with the highest detection at 0.18 ppb. Five samples were taken to the laboratory for analysis by Method 525.2.

The current TGPC Publications Status Report (also available on the TGPC GWI Subcommittee webpage) was reviewed with the following highlights:

- Groundwater Assessment for the *2018 Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d)* (“*Texas Integrated Report*”):
 - The groundwater assessment portion of the *2018 Texas Integrated Report* had been prepared and it would be posted together with the other assessment reports on the TCEQ website upon USEPA approval (this is a biannual report).
- *Joint Groundwater Monitoring and Contamination Report – 2016* (“*Joint Report*”, TCEQ publication SFR-056):
 - The *2017 Joint Report* had been completed, it was under management review, and it was anticipated to be published by the end of June 2018.
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 86th Legislature* (“*Legislative Report*”, TCEQ publication SFR-047):
 - The Legislative Report Subcommittee had started working on the draft report and its recommendations to the 86th Legislature, and the draft report would be

- presented at the July 2018 TGPC meeting; with TGPC approval, the final draft report would then be routed for upper management review and concurrence.
- *Texas Groundwater Protection Strategy* (“*Strategy*”, TCEQ publication AS-188):
 - The TGPC approved the proposed *Strategy* update for member agency management concurrence at their last meeting on April 18, 2018.

The following current groundwater issues were briefly discussed:

- Emerging Contaminants;
- Saline Groundwater Trends and Impacts in Texas;
- Border Groundwater;
- Aquifer Storage and Recovery;
- Failing Septic Systems; and,
- Others (bacterial corrosion in drinking water wells).

The TGPC GWI Subcommittee reviewed their *Charge* and did not have any changes to recommend to the TGPC. They also briefly reviewed their two-year *Activity Plan*.

A draft of the *How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?* white paper was reviewed, and feedback would be provided to the author, Anish Jantrania (AgriLife Extension), after the meeting.

The next TGPC GWI Subcommittee meeting was scheduled for September 5, 2018.

Public Outreach and Education

Peggy Hunka (TCEQ) reported that the TGPC POE Subcommittee last met on June 13, 2018 and ten state agencies and organizations were represented.

The current Outreach Events Status Report (available on the POE Subcommittee webpage, <http://tGPC.texas.gov/tGPC-subcommittees/tGPC-public-outreach-and-education-subcommittee/>, under the “Additional Resources” heading) was reviewed:

- Texas A&M AgriLife Extension Service (AgriLife Extension) Water Well Screening Events
 - There were no screening events, but there was on-going sampling in areas affected by Hurricane Harvey, and five events were scheduled in July 2018.
- TGPC Exhibit Booth
 - One since the previous POE Subcommittee meeting.

Diane Boellstorff (AgriLife Extension) reviewed the Texas Well Owner Network (TWON) schedule of completed, confirmed, obligated, and suggested water well one-day training events and workshops. There had been over 8,159 samples or attendees at TWON events since April 2011.

The Google Analytics activity report on the TGPC website for March 19, 2018 through June 12, 2018 was reviewed.

Diane Boellstorff (AgriLife Extension) gave a presentation on their Hurricane Harvey sampling activity.

None of the four topics in the current *Texas Groundwater Protection Committee Groundwater Educational Outreach Plan* (“Plan”, http://tgpc.texas.gov/POE/TGPC_POE_GW_EduOutreachPlan10Sep2013.pdf) were discussed.

There was a discussion and agreement on several new Frequently Asked Questions (FAQs):

- TWDB would draft a FAQ on brackish water;
- DSHS would investigate drafting a FAQ on fluoride in drinking water; and
- RRC offered to write a FAQ on well owner responsibilities.

The next TGPC POE Subcommittee meeting was scheduled for September 5, 2018.

Legislative Report

Scott Underwood (TCEQ) reported that the draft *Activities and Recommendations of the Texas Groundwater Protection Committee: A Report to the 86th Texas Legislature* (“*Legislative Report*”) would be emailed to members for their management’s review in August 2018. The TGPC Legislative Report Subcommittee may meet again on September 19, 2018.

Having left a Water Conservation Advisory Council (WCAC) meeting that morning, David Villarreal (TDA) reported that three new recommendations, similar to three of the TGPC’s legislative recommendations, were being discussed and may be adopted by the WCAC for their biennial report to the Legislature. An additional new WCAC recommendation may be to clarify the TGPC’s Legislative Charge regarding groundwater conservation. Cindy Loeffler (Texas Parks and Wildlife Department) had been at the meeting and she would answer any questions that they might have regarding this issue.

3. PRESENTATION

There was no presentation at the meeting.

4. BUSINESS DISCUSSION AND POSSIBLE ACTION

Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 86th Legislature

There was no additional discussion of this topic at the meeting.

Proposed *Texas Groundwater Protection Strategy* Update

Cary Betz (TCEQ) reported that:

- All 10 of the member agency management concurrence letters regarding the proposed *Strategy* update had been received;
- The proposed *Strategy* update had been announced in the *Texas Register* on July 13, 2018; and,
- Public comments were due by 5:00 PM on August 13, 2018.

Current Groundwater Issues

Cary Betz (TCEQ) reported that he had attended the American Water Resources Association (AWRA) 2018 Summer Conference regarding the science, management, and governance of transboundary groundwater on July 9 – 11, 2018 in Fort Worth. John Tracy (AgriLife Research) noted that the conference had speakers and participants from Texas, the United States, and around the world, and that working groups would develop white papers on transboundary groundwater planning and management.

Cary Betz (TCEQ) also reported that:

- They had recently met with DSHS regarding a possible TGPC white paper on Per- and Polyfluoroalkyl Substances (PFAS);
- Internally, TCEQ was still discussing potential PFAS health effects; and,
- The National Ground Water Association (NGWA) would be holding a PFAS in Groundwater Workshop on August 14 – 15, 2018 in St. Paul, MN.

David Villarreal (TDA) reported that the issue of food safety and disease outbreaks, specifically related to food and water microbial contamination (due to contamination of groundwater and shallow wells) is becoming more prominent.

Larry French (TWDB) reported that the Texas House Natural Resources Committee held hearings in May and June 2018 in Brady and Canyon related to the connection between surface water and groundwater, and that another hearing on this issue was planned for September 2018 in Del Rio.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for October 17, 2018 at 1:00 PM CDT.

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

Groundwater Contamination Notice Coordination (Texas Water Code §26.408)

Peggy Hunka (TCEQ) reported that the Impact Evaluation Team (IET) had met three times since the last TGPC meeting. Four groundwater contamination cases were reviewed and 22 private water well owners were notified of possible groundwater

contamination in their wells. During the last quarter, the IET also reviewed a PFAS groundwater contamination case at Reese Air Force Base (AFB) in Lubbock; in May 2018, 70 letters were mailed to private water well owners near Reese AFB, and an additional 161 letters were mailed in July 2018. The extent of the PFAS groundwater contamination plume had not yet been delineated, and the project manager expected at least one more round of letters to be mailed after delineation of the plume.

Groundwater Management Areas

There was no discussion of this topic at the meeting.

Regional Water Planning

Larry French (TWDB) reported that:

- TWDB was reviewing a request from Region G to utilize a Modeled Available Groundwater (MAG) Peak Factor in the 2021 Region G Regional Water Plan for the Carrizo-Wilcox Aquifer in Brazos County. A response would be issued to Region G by July 27, 2018. District representatives in Groundwater Management Area (GMA) 14 would hear a presentation on the MAG Peak Factor concept at their next meeting on July 25, 2018; and,
- TWDB had recently reaffirmed that GMA representatives appointed to planning groups must be a representative of the Groundwater Conservation District (GCD) that is within the boundary of both the GMA and Regional Water Planning Group (RWPG).

Groundwater Availability Modeling

Larry French (TWDB) reported that:

- TWDB was updating the existing model for the Central/Southern Gulf Coast Aquifer System, and staff had recently met with GCD representatives in GMAs 15 and 16 to review the progress;
- A stakeholder advisory forum was held on July 13, 2018 in San Antonio to review the conceptual model for the Hill Country Portion of the Trinity Aquifer in GMA 9, and the draft report was available on the TWDB website and open for public comment;
- A stakeholder advisory forum was scheduled on August 9, 2018 in Nacogdoches to review the conceptual model for the updated Northern Carrizo-Wilcox Aquifer Groundwater Availability Model (GAM); and,
- Almost all of the MAG values for GMAs 7 and 10 had been calculated, and they would be delivered to district representatives within a few weeks, thus completing the second cycle of joint planning work.

Nonpoint Source Pollution

David Villarreal (TDA) reported that they had recently received requests for assistance with Bacterial Source Tracking (BST). T.J. Helton (TSSWCB) noted that they were still providing support for various BST projects around the state. John Tracy (AgriLife

Research) added that their new director in El Paso hoped to hire someone for their BST program.

National Groundwater Initiatives

Cary Betz (TCEQ) reported that the Advisory Committee on Water Information (ACWI) Subcommittee on Ground Water (SOGW) had implemented a National Ground-Water Monitoring Network Program (NGWMNP), and while funding was still being awarded to federal, state, regional, and local cooperators, the SOGW was now moving in new directions (e.g., advances in the science underlying groundwater quantity and usage, citizen science, and groundwater and surface water interactions).

Drought Status

Cary Betz (TCEQ) referred TGPC members to the most recent U.S. Drought Monitor and TCEQ drought-affected Public Water Systems (PWSs) maps, as well as the TCEQ List of PWSs Limiting Water Use to Avoid Shortages (aka, the “180-day list”). As of July 10, 2018, 75 % of the state was classified as D0 through D4, up 10 % from the last TGPC meeting, with the U.S. Seasonal Drought Outlook forecasting drought conditions persisting or likely to develop in the central and northern portions of the state through September 30, 2018. As of July 11, 2018, of the 4,649 active community water systems in Texas, 1,057 were affected by drought (either voluntary or mandatory), and 742 of those used groundwater (either partially or exclusively). As of July 11, 2018, five PWSs in the state could be out of water in 180 days or less (the same number of systems as at the last TGPC meeting).

6. ANNOUNCEMENTS

Rules Update

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

- 2018-017-336-WS – Texas Mining and Reclamation Association (TMRA-UC) Petition Follow-up and Federal Cross-Reference Update;
- 2018-004-344-CE – Landscape Irrigation Backflow Assemblies;
- 2017-042-PET-NR – IAC Petition – Backflow Prevention Installation;
- 2017-041-PET-NR – IAC Petition – Backflow Prevention Methods; and,
- 2017-034-295-OW – House Bill (HB) 1600 and Senate Bill (SB) 567 (83rd), HB 1648, HB 3735, SB 864, SB 1430 (85th): Water Rights – Expedited Amendments, Notice, & Conservation, and Public Utility Commission (PUC) Transfer.

Additional information on a specific TCEQ rule can be found at <http://www.tceq.texas.gov/rules/whatsnew.html>.

Cary Betz (TCEQ) reported on a June 22, 2018 letter from the Office of the Governor requesting their review of new rules proposed by state agencies. Because this initiative only applies to new rules, it does not affect the TGPC’s proposed *Strategy* update or its next Quadrennial Rules Review.

New Publications

Cary Betz (TCEQ) announced one TCEQ publication:

- *Joint Groundwater Monitoring and Contamination Report – 2017*, TCEQ publication SFR-056/17 (new June 2018), https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/056-17.pdf.

Upcoming Conferences

Cary Betz (TCEQ) referred TGPC members to the conferences listed in the “2018 – 2019 Water-related Conferences in Texas” handout – the current version of this handout is always available on the TGPC’s POE Subcommittee webpage at <http://tgpc.state.tx.us/tgpc-subcommittees/tgpc-public-outreach-and-education-subcommittee/> under the “Additional Resources” heading.

Cary Betz (TCEQ) noted the upcoming Ground Water Protection Council (GWPC) 2018 Annual Forum on September 10 – 13, 2018 in New Orleans, LA.

Larry French (TWDB) reported that there was a Texas Desalination Association (TDA) TexasDesal 2018 Conference on September 13 – 14, 2018 in Austin.

7. PUBLIC COMMENT

Gwen Webb (Webb & Webb, Attorneys) commented that they had recently tried to find information on a groundwater contamination incident for one of their clients, but it had been very difficult to find information about the incident, who to contact, and the rules and procedures. Gwen Webb suggested that a clear method on how to address groundwater contamination strategies or responses be provided by RRC and TCEQ in the proposed *Strategy* update for:

- Those that are representing people who are affected by a groundwater contamination incident; and,
- Operators who discover contamination in their groundwater-based utilities.

Cary Betz (TCEQ) indicated that this suggestion would be included as formal public comment on the proposed *Strategy* update.

Ken Kramer (Sierra Club) reported that the WCAC did not vote that morning on any recommendations that would be included in their biennial report to the Legislature, but he did not think that they would include the recommendation to clarify the TGPC’s Legislative Charge regarding groundwater conservation. Ken Kramer suggested that

members of the TGPC and WCAC could meet and discuss their respective roles in groundwater conservation in the state.

8. ADJOURN

Cary Betz (TCEQ) adjourned the meeting at approximately 2:13 PM CDT.