

**TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING**

Third Quarterly Meeting, Fiscal Year 2023

Meeting Date: April 19, 2023
Meeting No.: 141

Place: TCEQ Campus, Bldg F
Room: 5108

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MEETING ATTENDANCE

Committee Members

Kelly Mills

Natalie Ballew

Christopher Heiligenstein

Eric Lawrence

David Villarreal

Leah Martinsson

Allen Berthold

David Gunn

Affiliation

Texas Commission on Environmental Quality
(TCEQ)

Texas Water Development Board (TWDB)

Railroad Commission of Texas (RRC)

Texas Department of State Health Services (DSHS)

Texas Department of Agriculture (TDA)

Texas Alliance of Groundwater Districts (TAGD)

Texas A&M AgriLife Research (AgriLife
Research)

Texas Department of Licensing and Regulation
(TDLR)

Agency Staff

Kayla Ayala

Abiy Berehe

Alan Cherepon

Katie Cunningham

Hailey Davidson

Grant Gibson

Jason Godeaux

Cindy Hooper

Nicole Hughes

Peggy Hunka

Kathy McCormack

Carly Rotzler

Justin Thompson

Scott Underwood

Affiliation

TCEQ Program Support and Environmental
Assistance Division

TCEQ Water Availability Division

TCEQ Water Availability Division

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Assistance Division

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Assistance Division

TCEQ Water Availability Division

TCEQ Water Availability Division

TCEQ Water Availability Division

TCEQ Water Quality Planning Division

TCEQ Water Availability Division

TCEQ Water Availability Division

Texas Parks and Wildlife Department (TPWD)

Bureau of Economic Geology of The University of
Texas at Austin (UTBEG)

TCEQ Water Availability Division

Interested Parties

Ted Boriack

Bobby Hicks

Sarah Kinkle

Jennifer Klidies

Jennifer Miller

Joel Murry

Jonathan Pennington

Affiliation

Corix Utilities Texas

Texas Water Conservation Association (TWCA)

City of Corpus Christi Water

Brazos River Authority (BRA)

Eastman Chemical Company

Conoco Phillips Company

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on April 19, 2023
2. Record for Texas Groundwater Protection Committee meeting on January 11, 2023
3. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, March 8, 2023
4. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, March 8, 2023
5. *Abandoned Water Wells and the Challenges They Pose* White Paper
6. *Prioritizing New Drinking Water Infrastructure Funding in Texas* White Paper
7. TCEQ Rules Update, 04/19/2023
8. *Priority Groundwater Management Areas and Groundwater Conservation Districts: Report to the 88th Legislature* (SFR-53/22, January 2023),
<https://www.tceq.texas.gov/downloads/groundwater/publications/sfr-53-22-pgma-gcd-report-88th-legislature.pdf>
9. 2023 Water-related Conferences in Texas, April 2023

MEETING RECORD OF APRIL 19, 2023

1. PRE-MEETING REMINDERS

Before the meeting started, Kelly Mills (TCEQ) provided the attendees with some tips that would facilitate a productive videoconference option for the meeting.

2. CALL TO ORDER AND INTRODUCTIONS

The member of the TGPC presiding over this meeting was physically present at the location listed on the first page and this meeting location was accessible to the public. Other designated TGPC members and the public were also able attend this meeting via videoconference or teleconference at no cost.

Kelly Mills (TCEQ), Designated Chairman of the Texas Groundwater Protection Committee (TGPC), called the meeting to order at approximately 1:39 PM CDT and called the roll of TGPC members. The designated representative or alternate from the Texas State Soil and Water Conservation Board (TSSWCB) and UTBEG were not present at the meeting.

3. SUBCOMMITTEE REPORTS

Groundwater Issues

Chris Heiligenstein (RRC) reported that the TGPC GWI Subcommittee last met on March 8, 2023, via videoconference and 11 state and federal agencies and organizations were represented.

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

- TCEQ had their immunoassay kits, they were scheduled to do sampling in June 2023, and TWDB was scheduled to do cooperative monitoring sampling in April 2023.
- A table-top display and staff providing information on the TGPC, including pesticide information and data, was set up at the annual Texas Ground Water Association (TGWA) Convention in San Marcos on January 25 – 27, 2023.
- The Pesticides of INterest Tracking System (POINTS) Pesticide Assessment Database was updated for Texas by Alan Cherepon (TCEQ) in December 2022 for Fiscal Year 2022 and uploaded to the U. S. Environmental Protection Agency (EPA) Central Data Exchange (CDX) Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Grant Database.
- A U.S. EPA Region 6 pesticide meeting was scheduled to be held in a hybrid format (virtually and in Oklahoma) in May 2023.

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

- *Joint Groundwater Monitoring and Contamination Report – 2022* (“*Joint Report*”, SFR-056)
 - Work on the *2022 Joint Report* was in process and it was expected to be published before June 1, 2023.
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 88th Legislature* (“*Legislative Report*”, SFR-047)
 - The *Legislative Report* for the 88th Legislature was published and distributed to legislative leadership in December 2022, and it was available at <https://www.tceq.texas.gov/downloads/groundwater/publications/sfr-47-22-tgpc-report-88th-legislature.pdf>.

Cindy Hooper (TCEQ) also reported on the following groundwater-related TCEQ publications:

- Groundwater Assessment (AS-465/24) for the *2024 Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d)* (“*Texas Integrated Report*”, <https://www.tceq.texas.gov/waterquality/assessment/22twqi/22txir>)
 - Work on the Groundwater Assessment for the *2024 Texas Integrated Report* would commence in September 2023.
- *Priority Groundwater Management Areas and Groundwater Conservation Districts, Report to the 88th Legislature* (“*PGMA/GCD Legislative Report*”, SFR-53/22)
 - The PGMA/GCD Legislative Report was published and distributed to legislative leadership in January 2023, and it was available at <https://www.tceq.texas.gov/downloads/groundwater/publications/sfr-53-22-pgma-gcd-report-88th-legislature.pdf>.

The following current groundwater issues were discussed:

- Oil and Gas Produced Water;
- Emerging Contaminants;
- Aquifer Storage and Recovery (ASR);
- Abandoned Water Wells;
- Brackish Groundwater;
- Evapotranspiration Networks; and,
- Others (i.e., a new Railroad Commission of Texas (RRC) interactive map of orphaned oil and gas wells that were being plugged with the use of federal funding, and a proposed survey regarding groundwater quality databases and data collection programs in Texas).

As required by the GWI Subcommittee’s current *Charge* (https://tgpc.texas.gov/wp-content/themes/responsive/subcommittees/gwissues/GWI_SubComm_Charge10Jul2019.pdf), Kathy McCormack (TCEQ) presented an updated draft of the *TGPC GWI Subcommittee Fiscal Year 2024 – 2025 Activity Plan*. A new groundwater-related issue regarding Groundwater Quality Monitoring was noted, as well as the possibility of adding one or two more white papers to the Accomplishments list, and the final draft *Activity Plan* would be presented for approval at the next meeting.

The final drafts of the *Abandoned Water Wells and the Challenges They Pose* and *Prioritizing New Drinking Water Infrastructure Funding in Texas* white papers were approved and they would be presented to the TGPC for approval at their next meeting. Adam Foster (TDLR) and Bridget Scanlon (UTBEG) were thanked for their 3.5 years and eight months of effort, respectively, on these white papers.

Margaret Willis (DSHS) reported that they expected to present the initial draft of the *Potential Impacts of Unregulated Private Water Systems in Child Care Operations* white paper at the next meeting.

The next TGPC GWI Subcommittee meeting was scheduled for June 14, 2023.

Public Outreach and Education

Peggy Hunka (TCEQ) reported that the TGPC POE Subcommittee last met on March 8, 2023, via videoconference and eight state agencies and organizations were represented.

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

- Texas A&M AgriLife Extension Service (AgriLife Extension) Water Well Screening Events
 - John Smith (AgriLife Extension) reported there were no recent events.
- TGPC Exhibit Booth
 - The Texas Ground Water Association (TGWA) Annual Convention was held in San Marcos on January 26 – 27, 2023, with about 30 attendees stopping by the TGPC exhibit booth.

Joel Pigg (AgriLife Extension) reviewed the Texas Well Owner Network (TWON) schedule of completed and confirmed water well one-day training events and workshops. There had been over 2,028 samples or attendees at TWON events since May 2021.

Peggy Hunka (TCEQ) reviewed the Google Analytics activity report on the TGPC website.

The following TGPC *Groundwater Educational Outreach Plan* topic update was provided:

- Abandoned Water Wells
 - David Gunn (TDLR) reported that approximately 50 letters were sent to owners of abandoned water wells.

After a brief review of the draft Frequently Asked Question (FAQ) titled *How Is Pesticide Contamination of Water Wells Prevented ?*, it was decided that clarification was needed regarding the version to be finalized.

The next TGPC POE Subcommittee meeting was scheduled for June 14, 2023.

4. PRESENTATION

There was no presentation at the meeting.

Presentations at TGPC meetings were always available on the Meeting Records of the TGPC webpage (<https://tgpc.texas.gov/meetings/meeting-records-of-the-texas-groundwater-protection-committee/>).

5. BUSINESS DISCUSSION AND POSSIBLE ACTION

Joint Groundwater Monitoring and Contamination Report – 2022

Cindy Hooper (TCEQ) provided a status report on the development of the *Joint Groundwater Monitoring and Contamination Report – 2022*. Staff were finishing up the initial draft report and expected to submit it for TCEQ management review within the next week. Once that was complete, the report would be shared with TGPC members during the TCEQ agency-wide review process, which was expected to occur in May 2023, with a comment period of three business days. The format was similar to the previous year's report, and the case numbers were relatively consistent with those in recent reports. TCEQ staff would continue working on the document with a publication goal of June 1, 2023.

Abandoned Water Wells and the Challenges They Pose White Paper

Chris Heiligenstein (RRC) presented the *Abandoned Water Wells and the Challenges They Pose* white paper. Adam Foster (TDLR) had developed this white paper which listed two Continuing Research Needs and three Recommendations. David Villarreal (TDA) proposed, Natalie Ballew (TWDB) seconded, and all remaining TGPC members approved the *Abandoned Water Wells and the Challenges They Pose* white paper. The white paper would be posted on the TGPC website.

Prioritizing New Drinking Water Infrastructure Funding in Texas White Paper

Chris Heiligenstein (RRC) presented the *Prioritizing New Drinking Water Infrastructure Funding in Texas* white paper. Bridget Scanlon (UTBEG) had developed this white paper which listed five Opportunities and nine Continuing Task Needs. Leah Martinsson (TAGD) proposed, Chris Heiligenstein (RRC) seconded, and all remaining TGPC members approved the *Prioritizing New Drinking Water Infrastructure Funding in Texas* white paper. The white paper would be posted on the TGPC website.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for July 12, 2023, at 1:30 PM CDT as a hybrid meeting.

David Gunn (TDLR) joined the meeting at approximately 1:57 PM CDT and was present for the remainder of the meeting.

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

Groundwater Contamination Notice Coordination (Texas Water Code §26.408)

Peggy Hunka (TCEQ) reported that, since the last TGPC meeting, their Impact Evaluation Team (IET) had met four times and reviewed eight groundwater contamination cases, and 69 notices had been sent to the potentially affected private water well owners and users.

Groundwater Management Areas

Leah Martinsson (TAGD) reported that a few districts were finalizing the adoption their Desired Future Conditions (DFCs) based on the Managed Available Groundwater (MAG) data from TWDB, a few Groundwater Management Areas (GMAs) were meeting again in preparation for the next cycle of the regional water planning process, and there were some current legislative bills that might affect this process.

Regional Water Planning

Natalie Ballew (TWDB) reported that:

- All draft population, municipal demand, and non-municipal demand projections had been released for Regional Water Planning Group (RWPG) review.
 - Draft non-municipal projections were available at www.twdb.texas.gov/waterplanning/data/projections/2027/projections.asp, and draft population and municipal projections were available at www.twdb.texas.gov/waterplanning/data/projections/2027/municipal.asp.
- RWPG revision requests for draft projections were due to TWDB in July 2023 (for non-municipal demands) and August 2023 (for population and municipal demands).
- TWDB staff would present all projections to their Board for final adoption in Fall 2023.

Natalie Ballew (TWDB) added that they had recently received all of the regional flood plans and they would be compiled into the first State Flood Plan by 2024.

Groundwater Availability Modeling

Natalie Ballew (TWDB) reported on the following modeling efforts:

- Current and upcoming research projects
 - Development of Pumping Volumes, Locations, and Aquifers for the Blaine and Seymour Aquifers;
 - Investigating Remote Sensing Techniques to Identify and Quantify Groundwater and Surface Water Interactions; and,

- Development of Statewide Aquifer/Well Test Data Compilation.
- Major models that were in-progress and nearing completion
 - The Southern and Central portions of the Gulf Coast Aquifer System model and report would be released at the beginning of May 2023;
 - The Northern segment of the Edwards (Balcones Fault Zone) Aquifer model was under internal review with an expected completion in early 2023; and,
 - The U.S. Geological Survey (USGS) had nearly completed the GULF2023 model for the Northern Gulf Coast Aquifer System; the public comment period closed on April 17, 2023, and TWDB was compiling and reviewing comments.

Natalie Ballew (TWDB) also reported on the following Brackish Resources Aquifer Characterization System (BRACS) and Aquifer Storage and Recovery (ASR) updates:

- They had held a stakeholder feedback meeting in March 2023 regarding Brackish Groundwater Production Zone (BGPZ) amendment guidance, and the final guidance document would be posted at www.twdb.texas.gov/groundwater/bracs/HB30.asp.
- A public webinar regarding their longevity assessment for the City of Bandera's water wells and a potential ASR project was held on March 30, 2023, and the video and slides were available at www.twdb.texas.gov/innovativewater/asr/projects/Bandera/index.asp.

Nonpoint Source Pollution

Kelly Mills (TCEQ) reported that the TSSWCB/TCEQ 2022 *NPS Annual Report* was published in February 2023, and it was available on both agency websites.

National Groundwater Information

Kelly Mills (TCEQ) reported that U.S. EPA Region 6 had announced a virtual listening session regarding their per- and polyfluoroalkyl substances (PFAS) Strategic Roadmap for Region 6 communities on April 25, 2023, from 6 – 8 PM CDT, and more information was available at <https://pfascommunityengagement.org/>.

7. ANNOUNCEMENTS

Rules Update

Cindy Hooper (TCEQ) reported on current TCEQ rulemaking that was of interest to the TGPC:

- 2021-030-285-CE – On-site Sewage Facility (OSSF) Updates.

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

New Publications

Kelly Mills (TCEQ) reported on the following TCEQ publications which were available on their website:

- *Priority Groundwater Management Areas and Groundwater Conservation Districts: Report to the 88th Legislature* (SFR-53/22, January 2023), <https://www.tceq.texas.gov/downloads/groundwater/publications/sfr-53-22-pgma-gcd-report-88th-legislature.pdf>; and,
- *Managing Nonpoint Source Pollution in Texas: 2022 Annual Report*, (SFR-66/22, February 2023), <https://www.tceq.texas.gov/downloads/water-quality/nonpoint/plans-reports/nps-2022-annual-report-sfr-066-22.pdf>.

Upcoming Conferences

Kelly Mills (TCEQ) referred TGPC members to the conferences listed in the “2023 Water-related Conferences in Texas” handout – the current version of this handout was always available on the TGPC’s POE Subcommittee webpage at <https://tgpc.texas.gov/tgpc-subcommittees/tgpc-public-outreach-and-education-subcommittee/> under the “Additional Resources” heading.

Kelly Mills (TCEQ) also announced that the Western States Water Council Spring (201st) Meetings would be held in Reno, Nevada on May 22 – 24, 2023, and that information was available at <https://westernstateswater.org/>.

8. PUBLIC COMMENT

Ted Boriack provided public comment regarding groundwater pumping in Gonzales County.

9. ADJOURN

Kelly Mills (TCEQ) adjourned the meeting at approximately 2:25 PM CDT.