

**TEXAS GROUNDWATER PROTECTION COMMITTEE**  
**RECORD OF MEETING**  
First Quarterly Meeting, Fiscal Year 2021

Meeting Date: October 21, 2020  
Meeting No.: 131

Place: videoconference  
Room: N/A

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**MEETING ATTENDANCE**

Committee Members

Kelly Mills

Larry French

Christopher Heiligenstein

Evelyn Reátegui-Zirena

David Villarreal

David Van Dresar

Rosario Sanchez

Bridget Scanlon

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)

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

Texas Department of Licensing and Regulation (TDLR)

Agency Staff

Jennifer Allis

Natalie Ballew

Abiy Berehe

Leslie Bruce

Stacey Carr

Alan Cherepon

Robert Deans

Grant Gibson

James Harcourt

Cindy Hooper

Peggy Hunka

Morgan Johnson

Leah Martinsson

Kathy McCormack

Christopher Moore

Rebecca Storms

Scott Underwood

Affiliation

Program

TCEQ

Water Availability Division

TWDB

TCEQ

Water Availability Division

RRC

TCEQ

Coastal & East Texas Area Division

TCEQ

Water Availability Division

TCEQ

Water Quality Planning Division

TCEQ

Water Availability Division

RRC

TCEQ

Water Availability Division

TCEQ

Water Availability Division

TCEQ

Office of the Commissioners

TAGD

TCEQ

Water Availability Division

TCEQ

Remediation Division

TWDB

TCEQ

Water Availability Division

Interested Parties

Margo Cardwell

Eularian Dugat

Holly Fults

Michael Helfrich

Kevin Hopson

Ken Kramer

Eric Pastor

Jonathon Smith

Affiliation

West Texas Regional Groundwater Alliance

Orion Engineered Carbons

Hays Trinity Groundwater Conservation District

LJA Engineering, Inc.

Daniel B. Stephens & Associates, Inc.

Sierra Club – Lone Star Chapter

Golder Associates

Porter Special Utility District

## MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on October 21, 2020
2. Record for Texas Groundwater Protection Committee meeting on July 15, 2020
3. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meetings, September 9, 2020
4. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, September 9, 2020
5. Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee *Annual Report*, October 21, 2020
6. Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee *Annual Report*, September 4, 2020
7. TCEQ Rules Update, 10/14/2020
8. *Joint Groundwater Monitoring and Contamination Report 2019* (TCEQ publication SFR-056/19, June 2020,  
[https://www.tceq.texas.gov/assets/public/comm\\_exec/pubs/sfr/056-19.pdf](https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/056-19.pdf))
9. 2020 – 2021 Water-related Conferences in Texas, October 2020

## MEETING RECORD OF OCTOBER 21, 2020

### 1. PRE-MEETING REMINDERS

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

### 2. CALL TO ORDER AND INTRODUCTIONS

Due to the COVID-19 pandemic, on March 16, 2020, in accordance with section 418.016 of the Texas Government Code, Governor Abbott suspended various provisions of the Open Meetings Act that require government officials and members of the public to be physically present at a specified meeting location. Pursuant to that suspension, the TGPC met via videoconference.

Kelly Mills (TCEQ), Designated Chairman of the Texas Groundwater Protection Committee (TGPC), called the meeting to order at approximately 1:05 PM CDT and called the roll of TGPC members. The representative from the Texas State Soil and Water Conservation Board (TSSWCB) was not present at the meeting, and the representatives from AgriLife Research and TDLR were not present at the beginning of the meeting.

### 3. SUBCOMMITTEE REPORTS

#### Groundwater Issues

Leslie Bruce (RRC) reported that the TGPC GWI Subcommittee last met on September 9, 2020 via videoconference and 13 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 at the meeting with the following highlights:

- TWDB conducted routine monitoring activities in the Trinity, Gulf Coast, Carrizo-Wilcox, and Yegua Aquifers, several minor aquifers, and 11 springs in Central Texas, as well as collected 48 water well samples;
- Cooperative Pesticide Groundwater Monitoring Results:
  - 85 sample analyses for atrazine which included 11 springs, 13 duplicates, and 13 blanks
    - Three atrazine detects, with a high of 0.47 parts per billion (ppb)
  - For 2,4-D, only 32 samples were analyzed as the 2,4-D reagents were limited to one kit which was used up when the first set of samples had to be re-run due to calibrators being out of range
    - No 2,4-D detects\*
      - \*Control above range, high bias; Correlation Factor off by 0.001

- The TCEQ Interagency Pesticide Database (IPD) had been updated with the Cooperative data through 2020; the United States Geological Survey (USGS) data through 2020 would be added in 2021;
- The scheduled U.S. Environmental Protection Agency (EPA) Region 6 pesticide meeting in October 2020 would likely be held virtually; and,
- A Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Technical Amendment had been completed and provided to TCEQ’s Federal Grants budget analyst for review and approval; upon approval and opening of Revision 2.0, the Grant Budget Spreadsheet could then be corrected to indicate these changes in the budget; major items included correcting the budget to show the \$6,000 U.S. EPA reduction over 2020 and 2021.

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

- *Joint Groundwater Monitoring and Contamination Report – 2019* (“*Joint Report*”, SFR-056)
  - The 2019 *Joint Report* was recently published and available on the TGPC Publications webpage (<https://tgpc.texas.gov/tgpc-publications/#Current>) as well as the TCEQ website (<https://www.tceq.texas.gov/publications/sfr/056>); and,
  - Notification of the availability of the 2019 *Joint Report* would be mailed to county judges, county health officials, and Groundwater Conservation Districts (GCDs).
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 87th Legislature* (“*Legislative Report*”, SFR-047)
  - The draft 87th *Legislative Report* had been routed to TGPC members for their respective agencies’ management review and concurrence, and the report was anticipated to be approved by the TGPC at their meeting on October 21, 2020; and,
  - The 87th *Legislative Report* was anticipated to be published and distributed to the Texas Legislature by December 2020.
- *Landowner’s Guide to Plugging Abandoned Water Wells* (“*Plugging document*”, RG-347)
  - The TGPC Public Outreach and Education (POE) Subcommittee updated the links in the *Plugging document* in April 2020 and the updated publication was available online at [https://www.tceq.texas.gov/assets/public/comm\\_exec/pubs/rg/rg-347.pdf](https://www.tceq.texas.gov/assets/public/comm_exec/pubs/rg/rg-347.pdf); and,
  - The POE Subcommittee was reviewing the *Plugging document* for possible substantive updates.

The following current groundwater issues were discussed at the meeting:

- Oil and Gas Produced Water;
- Emerging Contaminants;
- Aquifer Storage and Recovery (ASR); and,
- Desalination.

As required by the GWI Subcommittee's *Charge* ([https://tgpc.texas.gov/wp-content/themes/responsive/subcommittees/gwissues/GWI\\_SubComm\\_Charge10Jul2019.pdf](https://tgpc.texas.gov/wp-content/themes/responsive/subcommittees/gwissues/GWI_SubComm_Charge10Jul2019.pdf)), a draft TGPC GWI Subcommittee Fiscal Year (FY) 2020 *Annual Report* was reviewed and approved, and it would be presented to the TGPC for approval at their next meeting.

Ken Rainwater (Texas Tech University) indicated that he hoped to have an initial draft of the *Opportunities and Challenges in Aquifer Storage and Recovery* white paper for the next GWI Subcommittee meeting.

Diane Boellstorff (Texas A&M AgriLife Extension Service, i.e., AgriLife Extension) reviewed an updated draft of the *How is Groundwater Quality Affected by Wellhead Impacts from Flooding during Natural Disasters?* white paper. GWI Subcommittee members were invited to provide feedback to Diane Boellstorff (AgriLife Extension) via email after the meeting, and an updated draft of the white paper would be presented at the next meeting.

Adam Foster (TDLR) indicated that he hoped to have an initial draft of the white paper related to Abandoned Water Wells for the next GWI Subcommittee meeting.

Leslie Bruce (RRC) announced that this was her last meeting as GWI Subcommittee Co-Chair and that Chris Heiligenstein (RRC) would be taking over that responsibility.

The next TGPC GWI Subcommittee meeting was scheduled for December 9, 2020.

#### Public Outreach and Education

Peggy Hunka (TCEQ) reported that the TGPC POE Subcommittee last met on September 9, 2020 and nine state agencies and organizations were represented.

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

- AgriLife Extension Water Well Screening Events
  - One screening event in Hockley County.
- TGPC Exhibit Booth
  - One virtual booth at the TAGD Groundwater Summit.

Joel Pigg (AgriLife Extension) reviewed the Texas Well Owner Network (TWON) schedule of completed and confirmed water well one-day training events and workshops which showed there had been over 10,080 samples or attendees at TWON events since April 2011.

The Google Analytics activity report on the TGPC website for June 1, 2020 through August 31, 2020 was reviewed along with a comparison of FY 2019 and FY 2020.

Regarding TGPC *Groundwater Educational Outreach Plan* topics, Joel Pigg (AgriLife Extension) was asked to be a Champion of the Abandoned Water Well topic, and Diane Boellstorff (AgriLife Extension) announced that Anish Jantrania (AgriLife Extension) had agreed to be the Champion of the Septic Tank topic.

The POE Subcommittee *Annual Report* to the TGPC reviewed and approved, and it would be presented to the TGPC for approval at their next meeting.

Diane Boellstorff (AgriLife Extension) presented the final publication of the Arsenic Fact Sheet that was printed as a trifold brochure (in order to accommodate the map) and published in both English and Spanish.

Peggy Hunka (TCEQ) presented a draft update of the *Landowner's Guide to Plugging Abandoned Water Wells* (TCEQ publication RG-347, [https://www.tceq.texas.gov/assets/public/comm\\_exec/pubs/rg/rg-347.pdf](https://www.tceq.texas.gov/assets/public/comm_exec/pubs/rg/rg-347.pdf)) for review. The final draft would be reviewed at the next POE Subcommittee meeting.

Chris Mueller (TWDB) announced that he would be retiring soon, and he introduced Rebecca Storms (TWDB) as his replacement on the POE Subcommittee.

The next TGPC POE Subcommittee meeting was scheduled for December 9, 2020.

#### 4. PRESENTATION

There was no presentation at the meeting.

#### 5. BUSINESS DISCUSSION AND POSSIBLE ACTION

##### *Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 87th Legislature*

Abiy Berehe (TCEQ) reported that the final draft *Legislative Report* was sent to TGPC members on July 21, 2020 with a request for review and concurrence from their management. Kelly Mills (TCEQ) noted that TCEQ executive management had concurred with the TGPC's final draft *Legislative Report*. David Van Dresar (TAGD) proposed, Bridget Scanlon (UTBEG) seconded, and all remaining TGPC members approved the TGPC *Legislative Report*, while also allowing TCEQ staff to make any non-substantive changes required for publication on the TCEQ website. The report would be distributed to TGPC members and the Texas Legislature in December 2020 before the session began in January 2021.

### TGPC Groundwater Issues Subcommittee *Annual Report*

Kathy McCormack (TCEQ) presented the TGPC GWI Subcommittee *Annual Report* highlighting FY 2020 results and FY 2021 plans. Bridget Scanlon (UTBEG) proposed, Larry French (TWDB) seconded, and all remaining TGPC members approved the TGPC GWI Subcommittee *Annual Report*. The report would be posted on the TGPC website.

### TGPC Public Outreach and Education Subcommittee *Annual Report*

Peggy Hunka (TCEQ) presented the TGPC POE Subcommittee *Annual Report* highlighting FY 2020 results and FY 2021 plans. David Van Dresar (TAGD) proposed, David Villarreal (TDA) seconded, and all remaining TGPC members approved the TGPC POE Subcommittee *Annual Report* with the typo correction noted at the meeting. The report would be posted on the TGPC website.

David Gunn (TDLR) joined the meeting at approximately 1:28 PM CDT and was present for the remainder of the meeting.

### Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for January 13, 2021 at 1:00 PM CST. Evelyn Reátegui-Zirena (DSHS) announced that she would be leaving the agency on November 20, 2020 and that Jessica Kessinger (DSHS), the DSHS designated alternate to the TGPC, would be representing her agency until DSHS management designated a new TGPC representative.

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

### Groundwater Contamination Notice Coordination (Texas Water Code §26.408)

Grant Gibson (TCEQ) reported that their Impact Evaluation Team (IET) had met six times and reviewed 10 groundwater contamination cases, and that 27 notices had been sent to private water well owners and users since the last TGPC meeting.

### Groundwater Management Areas

David Van Dresar (TAGD) reported that the 16 Groundwater Management Areas (GMAs) in the state were in various stages of reviewing their Desired Future Conditions (DFCs) with the deadline for drafts being May 2021.

### Regional Water Planning

Larry French (TWDB) reported that:

- Regional Water Plans were due to TWDB by November 5, 2020;
- Regions E, G, J still needed to adopt their plans; and,



- TWDB staff were using the submitted Regional Water Plans to draft the State Water Plan for 2022.

### Groundwater Availability Modeling

Larry French (TWDB) reported on the following items:

- Conceptual model for the Marathon Aquifer – the development work had begun;
- Recharge and Groundwater/Surface Water Interaction research project – the work had just begun and it would focus on the Edwards-Trinity (Plateau) Aquifer;
- Groundwater Pumping research project – the work had begun and it would focus on developing an improved dataset of groundwater pumping in the Edwards-Trinity (Plateau) Aquifer and the Trinity (Hill Country) Aquifer;
- Gulf Coast Aquifer System (GMAs 15 and 16) – a stakeholder meeting was held at the end of September 2020 and the conceptual model for this area had been completed with the draft report posted on the TWDB agency website for public review and comment;
- Conceptual model for the Cross Timbers Aquifer – this work was nearly complete; and,
- Central Carrizo-Wilcox Aquifer Groundwater Availability Model (GAM) – working with GMA 12, the Central Carrizo-Wilcox GAM was modified over small area in order to adjust aquifer properties based on new data generated by the operation of the Vista Ridge pumping project; information about the model modification was available on the TWDB website for stakeholder review and comment that would end on November 9, 2020.

### Nonpoint Source Pollution

There was no discussion of this topic at the meeting.

### National Groundwater Information

Abiy Berehe (TCEQ) reported that the following topics were discussed during the Ground Water Protection Council (GWPC) 2020 Virtual Annual Forum on September 28 – 30, 2020:

- ASR, Managed Aquifer Recharge, and Enhanced Aquifer Recharge;
- U.S. EPA’s newly-adopted National Water Reuse Action Plan (WRAP);
- Groundwater data management;
- Underground Injection Control (UIC) and National Pollutant Discharge Elimination System (NPDES);
- Source water protection programs;
- USGS’s National Ground-Water Monitoring Network (NGWMN) that had funding opportunities to add more monitoring stations to its network; and,
- Two states had reported on the monitoring of wastewater outfalls for COVID-19 hot spot identification.

Rosario Sanchez (AgriLife Research) joined the meeting at approximately 1:38 PM CDT and was present for the remainder of the meeting.

## 7. ANNOUNCEMENTS

### Rules Update

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

- 2020-014-307-OW – Triennial Review of 30 TAC Chapter 307, Texas Surface Water Quality Standards (TSWQS);
- 2016-022-331-WS – Permit Streamlining Pre-Injection Units (PIUs);
- 30 TAC Chapter 213 Hearing – Edwards Aquifer Protection Program Public Hearings for 30 TAC 213;
- 2020-048-311-OW – Sand Mining Best Management Practices in the San Jacinto River Watershed; and,
- 2019-108-281-OW – Revisions to Expedite Deficiency Notices and Responses.

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

### New Publications

Kelly Mills (TCEQ) announced one TCEQ publication:

- *Joint Groundwater Monitoring and Contamination Report 2019*, TCEQ publication SFR-056/19 (June 2020), [https://www.tceq.texas.gov/assets/public/comm\\_exec/pubs/sfr/056-19.pdf](https://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/056-19.pdf).

### Upcoming Conferences

Kelly Mills (TCEQ) referred TGPC members to the conferences listed in the “2020 – 2021 Water-related Conferences in Texas” handout – the current version of this handout is 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.

## 8. PUBLIC COMMENT

There was no public comment at the meeting, but Kelly Mills (TCEQ) thanked Evelyn Reátegui-Zirena (DSHS) for her service to the TGPC.

## 9. ADJOURN

Kelly Mills (TCEQ) adjourned the meeting at approximately 1:45 PM CDT.