

**TEXAS GROUNDWATER PROTECTION COMMITTEE**

**LEGISLATIVE REPORT SUBCOMMITTEE**

**RECORD OF MEETING**

First Meeting, Fiscal Year 2022

Meeting Date: March 9, 2022

Place: Videoconference

Room: N/A

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## MEETING ATTENDANCE

### Subcommittee Members

Abiy Berehe (Chair)	Texas Commission on Environmental Quality (TCEQ)
Natalie Ballew	Texas Water Development Board (TWDB)
<b>Chris Heiligenstein</b> (absent)	Railroad Commission of Texas (RRC)
TJ Helton (absent)	Texas State Soil and Water Conservation Board (TSSWCB)
Bridget Scanlon (absent)	University of Texas Bureau of Economic Geology (UTBEG)
David Gunn	Texas Department of Licensing and Regulation (TDLR)
John Tracy	Texas A&M AgriLife Research (AgriLife Research)
Leah Martinsson	Texas Alliance of Groundwater Districts (TAGD)
David Villarreal	Texas Department of Agriculture (TDA)
Eric Lawrence	Texas Department of State Health Services (TDSHS)

### Agency Staff

<u>Agency Staff</u>	<u>Affiliation</u>	<u>Program</u>
Al Cherepon	TCEQ	Water Availability Division
Grant Gibson	TCEQ	Water Availability Division
Jason Godeaux	TCEQ	Water Availability Division
Cindy Hooper	TCEQ	Water Availability Division
Peggy Hunka	TCEQ	Water Availability Division
Kathy McCormack	TCEQ	Water Availability Division
Kelly Mills	TCEQ	Water Availability Division
Scott Underwood	TCEQ	Water Availability Division

## MEETING HANDOUTS

1. [Legislative Report Subcommittee Agenda March 9, 2022](#)
2. [Recommendations to the 87th Texas Legislature \(pages 7-11 of SFR-047/20\)](#)

## 1. CALL TO ORDER AND INTRODUCTIONS

The TGPC approves all Subcommittee products and designated TGPC members attending this Subcommittee meeting participated as an employee or representative of their agency or organization, not as a designated TGPC member. Therefore, this Subcommittee meeting was not subject to the Open Meetings Act and it was held 100% virtually. The public was also able to attend this meeting via teleconference or videoconference at no cost.

Abiy Berehe (TCEQ), Chair of the Legislative Report Subcommittee, called the meeting to order at 3:06 p.m. Subcommittee members introduced themselves.

## 2. DISCUSSION AND EDITING OF THE DRAFT ACTIVITIES AND RECOMMENDATIONS OF THE TEXAS GROUNDWATER PROTECTION COMMITTEE: A REPORT TO THE 88TH LEGISLATURE.

Mr. Berehe outlined the plan for preparing the *Report to the 88<sup>th</sup> Legislature*. There will be two subcommittee meetings: today's meeting and a second meeting on June 8, 2022. The objective is to update the *Report to the 87<sup>th</sup> Legislature* and submit the draft *Report to the 88<sup>th</sup> Legislature* to the main committee in July. If there's a need for another meeting, we'll discuss it after the July main committee meeting. Mr. Berehe referred members to the table of contents for *Recommendations to the 87th Texas Legislature*. Mr. Berehe went through the report and pointed out which sections will be updated by the other subcommittees. This subcommittee is responsible for updating the Recommendations section. Mr. Berehe then referred members to the Recommendations section: pages 7-11 from the *Recommendations to the 87th Texas Legislature*. This is the document this subcommittee will work on. We will send subcommittee members an electronic copy so that any comments after the meeting can be tracked and sent to Mr. Berehe or Scott Underwood (TCEQ). Mr. Berehe initiated the review and update of pages 7-11:

### *26.401 Legislative Findings*

Leah Martinsson (TAGD) states that groundwater quantity and quality cannot be separated-they are linked. Leah recommends that the text ask for some clarification.

### *26.403 Creation and Members of TGPC*

No changes. David Gunn (TDLR) wonders if the General Land Office has changed their minds because they drilled and plugged a lot of wells-they may want to join now. Abiy states it has been three or four years since we asked them so maybe it is time to contact them to see if they still want to join the TGPC.

### *26.405 Powers and Duties of TGPC*

No changes. David Villarreal (TDA) has been in contact with the Water Conservation Advisory Counsel.

### *26.406 Groundwater Contamination Information and Reports; Rules*

David Villarreal (TDA) suggested putting a link in section to make the report available after publishing. Abiy Berehe (TCEQ) stated this is an action item-we need some new language to address hard copies and online availability. Leah Martinsson (TAGD) suggest that the committee ask for funding for an interactive database. Natalie Ballew (TWDB) stated the TWDB would appreciate an interagency database. Natalie says she agrees that the committee ask for

funding. Leah Martinsson (TAGD) sent Abiy the 2019 Legislative Budget Board (LBB) report link that discusses options for funding

#### *26.407 Protection and Enhancement Plans*

No changes.

#### *26.408 Notice of Groundwater Contamination*

No changes. Leah Martinsson (TAGD) recommends that we give the report a bit of a refresh and look to using information from the 2019 LBB report that she referenced during the meeting.

### **3. DISCUSSION OF THE COMPLETION OF THE DRAFT LEGISLATIVE REPORT AND PRESENTATION TO THE TGPC.**

March 9, 2022-discuss previous report's recommendations and actions-first subcommittee meeting.

June 8, 2022-finalize draft recommendations to the 88<sup>th</sup> Legislature-second subcommittee meeting

July 2022-TGPC meeting. Report status to main committee. Seek tentative approval and send out to member agencies for concurrence and management approval. TCEQ staff to make non-substantive changes.

September 2022-Third meeting (if needed).

October 2022- seek final report approval from TGPC then send report to TCEQ Agency Communications for publication.

December 2022- distribute report to elected officials.

Leah Martinsson (TAGD) states that the LBB link referenced above discusses abandoned wells and Leah believes the real estate industry needs help with this issue. Leah suggests using some of the LBB link for wording in the report. David Gunn (TDLR) stated that they are getting requests from real estate agents looking for well reports and advice.

### **4. SET FUTURE MEETING DATE**

After a scheduling discussion, Abiy Berehe (TCEQ) announced that the next meeting would be on June 8, 2022, at 3:00 p.m.

### **5. ANNOUNCEMENTS**

There were no announcements.

### **6. PUBLIC COMMENT**

There were no public comments.

### **7. ADJOURN**

With the subcommittee's consensus, Abiy Berehe (TCEQ) adjourned the meeting at 3:50 p.m.