

TEXAS GROUNDWATER PROTECTION COMMITTEE

LEGISLATIVE REPORT SUBCOMMITTEE

RECORD OF MEETING

Second Meeting, Fiscal Year 2026

Meeting Date: June 3, 2026

Place: Videoconference

Room: N/A

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MEETING ATTENDANCE

<u>Subcommittee Members</u>	<u>Affiliation</u>	
Cindy Hooper (Chair)	Texas Commission on Environmental Quality (TCEQ)	
Robert Bradley	Texas Water Development Board (TWDB)	
Chris Heiligenstein	Railroad Commission of Texas (RRC)	
Omar Valdez	Texas Department of State Health Services (DSHS)	
David Villarreal	Texas Department of Agriculture (TDA)	
Giovanni Piccinni	Texas A&M AgriLife Research (AgriLife Research)	
Justin Thompson	Bureau of Economic Geology of The University of Texas at Austin (UTBEG)	
Chris Hooyboer	Texas Department of Licensing and Regulation (TDLR)	
<u>Agency Staff</u>	<u>Affiliation</u>	<u>Program</u>
Jennifer Badhwar	TWDB	
Katie Brice	TCEQ	Water Availability Division
Jennifer Delgado	RRC	
Stephanie Escobar	TCEQ	Water Availability Division
Sarah Findley	TCEQ	Water Availability Division
Dan Hannah	TCEQ	Water Availability Division
April Hoh	TCEQ	Water Availability Division
Peggy Hunka	TCEQ	Water Availability Division
Kathy McCormack	TCEQ	Water Availability Division
Pecos McDonald	TDLR	
Eric Simon	TCEQ	Water Availability Division
Scott Underwood	TCEQ	Water Availability Division

MEETING HANDOUTS

1. TGPC Legislative Report Subcommittee Meeting Agenda, June 3, 2026
2. TGPC Legislative Report Subcommittee Meeting Minutes, March 4, 2026
3. [Activities and Recommendations of the Texas Groundwater Protection Committee – Report to the 89th Legislature](#)
4. Timeline to finalize report for 90th Legislature.

RECORD OF MEETING

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 video conference at no cost.

CALL TO ORDER AND INTRODUCTIONS

Cindy Hooper (TCEQ), Chair of the TGPC Legislative Report Subcommittee, called the meeting to order at 3:02 p.m. CDT and made preliminary meeting announcements. Subcommittee members introduced themselves. The representatives from the Texas State Soil and Water Conservation Board (TSSWCB) and Texas Alliance of Groundwater Districts (TAGD) were not present at the meeting.

DISCUSS AND EDIT THE DRAFT ACTIVITIES AND RECOMMENDATIONS OF THE TGPC: A REPORT TO THE 90TH LEGISLATURE

Cindy Hooper (TCEQ) introduced agenda item three and noted that a clean copy of the draft report, including TCEQ edits, had been distributed to the subcommittee members by email the previous week. She explained that the meeting would focus on reviewing each recommendation, discussing the organization of the report, and making any necessary edits to the proposed recommendations. She noted that the recommendations should reflect the views of the majority of the subcommittee members and might not represent the positions of every participating organization.

26.401 (Legislative Findings) and 26.405 (Powers and Duties of Committee)

The subcommittee discussed the first section, review of statute. Cindy Hooper (TCEQ) said she combined the discussion about Sections 26.401 and 26.405 because they cover related topics.

David Villareal (TDA) asked that the draft report reflect that when the legislature created TGPC, there was not a separate legislatively created body that dealt with water or groundwater conservation, and that the legislature later created the Water Conservation Advisory Council (WCAC) to address water conservation. Justin Thompson (UTBEG) requested that the report include a statement that groundwater quality and groundwater quantity are often related. There was a general agreement to include a statement, and Cindy Hooper (TCEQ) stated she would develop a draft for subcommittee review.

Cindy Hooper (TCEQ) asked that anyone with specific ideas on the language send their changes by close of business on Friday, June 12, 2026. She also noted that recommendations were numbered in the draft to more easily reference.

26.403 Creation and Members of TGPC

The subcommittee discussed the recommendation to add Texas Parks and Wildlife Department (TPWD) to the TGPC. The recommendation was based on previous legislation that did not pass. Cindy Hooper (TCEQ) said that she found no clear indication that the General Land Office

(GLO) wanted to join TGPC and asked whether they should be added without an established relationship or a known desire of GLO to join TGPC. The subcommittee agreed to keep the recommendation as written.

26.406 Groundwater Contamination Information and Reports; Rules

The subcommittee agreed to remove the discussion that the 89th Legislature changed the publication date for the *Joint Report*, as had appeared in previous reports.

26.407 Protection and Enhancement Plans

The group agreed to keep this recommendation, which had appeared in previous reports.

26.408 Notice of Groundwater Contamination

The subcommittee discussed how the Legislature's changes differed from the recommendation that had been made in previous reports. There were no objections to removing this section. Omar Valdez (DSHS) said that his concern regarding all residents receiving direct notification had been addressed.

Abandoned Water Well Plugging and Education

Cindy Hooper (TCEQ) explained that the recommendations from the abandoned water wells white paper were added to the main recommendations section under the abandoned water wells heading.

The subcommittee agreed to keep Recommendation 5 (establish a statewide fund to help plug abandoned water wells) and Recommendation 7 (require county environmental health departments and licensed On-site Sewage Facility (OSSF) professionals to notify TDLR when they encounter an abandoned or deteriorated water well during a septic inspection).

The subcommittee also agreed to revise Recommendation 6, regarding abandoned or deteriorated water wells identified during real estate transactions. Members discussed new Texas Real Estate Commission rules requiring a standard property sale disclosure form. The referenced form includes information about groundwater, including water wells. As a result, the subcommittee agreed to remove the first part of Recommendation 6 and to keep the second part, which would require notification to TDLR if and when an abandoned water well was identified through the real estate disclosure process.

GCD Research Fund

The members discussed the new recommendation supporting funding for Groundwater Conservation District (GCD) research activities. Justin Thompson (UTBEG) noted that in the last legislative session, House Bill 1400 did not pass, but funds were included in the Appropriations Act for TWDB. Omar Valdez (DSHS) suggested replacing the words "certain programs" with "relevant programs....". Robert Bradley (TWDB) stated that he and Natalie Ballew (TWDB) would provide updates for this section.

Support of Agency Programs

The subcommittee agreed to keep the existing recommendation.

Support of WCAC Recommendations

Cindy Hooper (TCEQ) told the subcommittee that she moved the WCAC recommendations discussion to a new section of the report, and that this section included one draft WCAC recommendation from the handout provided by David Villareal (TDA). This recommendation was the same as one included in the previous TGPC legislative report. David Villareal (TDA) agreed with this approach, noting that the other WCAC recommendations were less related to groundwater quality issues.

David Villareal (TDA) also supported numbering this recommendation as we did the recommendations that were just discussed, Cindy Hooper (TCEQ) agreed to make that edit, and she added that if WCAC developed a new recommendation and finalized it before the next subcommittee meeting, the subcommittee could consider including it.

White Paper Recommendations

The subcommittee discussed how to address recommendations originating from TGPC white papers. Members expressed differing views on whether the recommendations should be included as an appendix for informational purposes (without specific endorsements) or separately as recommendations to the Legislature. One member supported having the white paper recommendations in an appendix, while another noted it could discourage subject matter experts from volunteering to author white papers. The differing perspectives were acknowledged and the subcommittee agreed to consider the best way to address white papers in the report. This topic was revisited later in the meeting.

Members disagreed with adding the word “potential” before “white paper recommendations,” so it was removed from the draft.

Other White Paper Recommendations

The subcommittee moved on to three white paper recommendations regarding Aquifer Storage and Recovery (ASR) projects. Members discussed whether all or only a portion of white paper recommendation 11 fell within the purview of TGPC. They considered edits that would end the sentence after the phrase “acquire new data” and remove the phrase “and advance the implementation of ASR projects in Texas.”

The subcommittee then discussed white paper recommendation 12, including whether it was materially different from number 11. Members suggested removing the portion of white paper recommendation 12 that was already required by statute and focusing instead on geochemical interactions between recovered water and components of distribution systems.

Cindy Hooper (TCEQ) agreed to clarify white paper recommendations 11 and 12. She also stated that white paper recommendation 10 was moved to the top of the ASR section because requiring monitoring wells appears to be the most important recommendation.

Cindy Hooper (TCEQ) then reviewed the headings for the remaining white paper recommendations. She noted that there was a suggestion to include each white paper’s full title rather than just its general topic, so that change was made.

The subcommittee discussed recommendations regarding groundwater quality at Child Care Operations (CCOs). Omar Valdez (DSHS) expressed concern about recommending specific requirements to a single agency, noting that responsibilities might be shared among multiple agencies. No changes were made to the language at this time.

The next topic was the white paper on groundwater quality protection through monitoring. The recommendation to require an updated statewide groundwater quality report was included because the most recent one was published in 1989. Justin Thompson (UTBEG) suggested that the recommendation be revised to request the funding necessary to prepare the report, and there were no objections.

The subcommittee then discussed the white paper about OSSFs which had also been included in the previous report. No changes were made to the draft.

Members also discussed a recommendation from a white paper about protecting private water wells during floods. The recommendation called for financial assistance to help citizens obtain laboratory analyses and retrofit older water wells to better protect groundwater.

The subcommittee then revisited ASR projects, including edits to the previously proposed language. There were no additional comments on this item.

After discussing the specific white paper recommendations, the subcommittee further considered how white paper recommendations should be addressed in the legislative report. Members discussed how to handle situations where one or more members objected to a portion of the legislative report. Cindy Hooper (TCEQ) reminded the subcommittee that the goal was to reach consensus. She explained that during the voting process a member could identify the portion of the report to which they objected, and that the objection would be noted in both the meeting recording and the meeting minutes.

Kathy McCormack (TCEQ) noted that there had been at least two occasions when a TGPC member objected to one or more items in the legislative report, but they approved publication of the overall report. In those cases, the member stated the objection during the meeting, and the objection was documented in both the meeting recording and the meeting minutes.

Eric Simon (TCEQ) acknowledged that the subcommittee needed a consistent process for resolving differing opinions. He emphasized that the white paper recommendations were based on substantial scientific work and stated that, at this time, he did not believe they should be moved to an appendix without careful consideration.

DISCUSS THE COMPLETION OF THE LEGISLATIVE REPORT AND PRESENTATION OF THE REPORT TO THE TGPC

Schedule and Milestones

Presenting the Draft Report to TGPC

Cindy Hooper (TGPC) introduced item number four in the agenda. She said that she would produce a new list without track changes and asked the members to send her any edits by Friday,

June 12, 2026. Following the July TGPC meeting, Cindy Hooper (TCEQ) would send the draft report, including a list of recommendations, back to the subcommittee to discuss with their management, and she requested a response by August 31, 2026, from each subcommittee member regarding their management's feedback.

The next meeting would be spent going through any lingering issues or questions and then voting on the draft legislative report to be presented to the TGPC in October 2026 for publication approval and subsequent delivery to the legislature. A December 2026 subcommittee meeting was unlikely, but available if there were any additional issues to work out.

David Villarreal (TDA) asked at what point the draft recommendations could be presented to the WCAC, and it was agreed that this should wait until the recommendations were finalized.

SET FUTURE MEETING DATE

Cindy Hooper (TCEQ) informed the members that the next subcommittee meeting would be held on September 16, 2026, at 3:00 p.m. CDT.

ANNOUNCEMENTS

Robert Bradley (TWDB) informed the subcommittee that the draft State Water Plan had recommendations to the legislature, including one for a statewide well-numbering system. He indicated that the system could be good for the TGPC, although he was not advocating the addition of it to this particular report. He also mentioned that Natalie Ballew (TWDB) might share it with the TGPC.

Justin Thompson (UTBEG) announced a project that they were doing for TWDB to obtain better information on exempt, non-permitted, non-metered wells to help support the water planning process. As part of the study, UTBEG was conducting a statewide survey of groundwater well owners. He provided the URL for the study in the online meeting Chat and asked for assistance with spreading the word about the survey. He indicated that the survey questions asked for simple, limited information regarding the wells, and he had flyers and other information to provide if anyone would like additional information. He added that the survey was anonymous and would not affect the permitting or regulation of a well.

PUBLIC COMMENT

There were no public comments.

ADJOURN

Cindy Hooper (TCEQ) adjourned the meeting at 4:49 p.m. CDT.