

TEXAS GROUNDWATER PROTECTION COMMITTEE

LEGISLATIVE REPORT SUBCOMMITTEE

RECORD OF MEETING

Second Meeting, Fiscal Year 2024

Meeting Date: June 5, 2024

Place: Videoconference

Room: N/A

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MEETING ATTENDANCE

Subcommittee Members

Affiliation

Abiy Berehe (Chair)	Texas Commission on Environmental Quality (TCEQ)
Robert Bradley	Texas Water Development Board (TWDB)
Chris Heiligenstein	Railroad Commission of Texas (RRC)
Amy Jones (absent)	Railroad Commission of Texas (RRC Government Relations)
TJ Helton	Texas State Soil and Water Conservation Board (TSSWCB)
John Malito	University of Texas Bureau of Economic Geology (UTBEG)
David Gunn	Texas Department of Licensing and Regulation (TDLR)
Rosario Sanchez Flores (absent)	Texas A&M AgriLife Research (AgriLife Research)
Julia Stanford (absent)	Texas Alliance of Groundwater Districts (TAGD)
David Villarreal	Texas Department of Agriculture (TDA)
Eric Lawrence	Texas Department of State Health Services (TDSHS)

Agency Staff

Affiliation Program

Kelly Mills	TCEQ	Water Availability Division
Kory Talcott	TCEQ	Water Availability Division
Katie Brice	TCEQ	Water Availability Division
Al Cherepon	TCEQ	Water Availability Division
Stephanie Escobar	TCEQ	Water Availability Division
Cindy Hooper	TCEQ	Water Availability Division
Peggy Hunka	TCEQ	Water Availability Division
Kathy McCormack	TCEQ	Water Availability Division
Josh Amador	TCEQ	
Jennifer Badhwar	TWDB	
Sout Vanderwal	TDSHS	

MEETING HANDOUTS

1. [Legislative Report Subcommittee Agenda June 5, 2024](#)
2. [Recommendations to the 88th Texas Legislature SFR-047/22\)](#)

RECORD OF MEETING

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 3:04 p.m. and made preliminary meeting announcements. Subcommittee members introduced themselves.

2. DISCUSSION AND EDITING OF THE DRAFT ACTIVITIES AND RECOMMENDATIONS OF THE TEXAS GROUNDWATER PROTECTION COMMITTEE: A REPORT TO THE 89TH LEGISLATURE.

Mr. Abiy Berehe (TCEQ) announced the meeting objective is the continuation of editing the remaining part of the recommendation. Including the white papers recommendations and follow up on action items from the last meeting. Mr. Berehe makes note that in previous sessions the TGPC have decided to use white papers as one of the channels to alert lawmakers about groundwater quality concerns in the state and this year's report and future reports will include a standalone section for documenting and incorporating the work of the groundwater issues white paper recommendations and future research needs.

26.401 Legislative Findings

No changes.

26.403 Creation and Members of TGPC

No changes. TGPC membership outreach to Texas Parks and Wildlife Department (TPWD) and the General Land Office (GLO) to see if they are interested in joining the TGPC membership. Mr. Berehe (TCEQ) stated that the TPWD indicated that they were still interested in our Recommendations to the 89th Legislature and want to be included in the membership. Mr. Berehe noted that GLO previously declined membership, so they were not reached back out to.

26.405 Powers and Duties of TGPC

David Villareal (TDA) coordinated the effort for two newly approved recommendations from the Water Conservation Advisory Council (WCAC) and previous recommendations that were advocated for in the last session are deleted. These changes are reflected in the most recent recommendations draft. Mr. Villareal notes that the recommendations from the WCAC are not bolded and wanted fix the formatting to match the other sections. Mr. Berehe responded that the reason WCAC recommendations are not bolded is because it's not coming from the TGPC, but instead the WCAC is just being advocated through the TGPC.

26.406 Groundwater Contamination Information and Reports; Rules

No changes.

26.407 Protection and Enhancement Plans

No changes.

26.408 Notice of Groundwater Contamination

No changes.

II. Abandoned Water Well Plugging and Education

No changes

III. Groundwater Issues Subcommittee White Papers

Mr. Berehe (TCEQ) introduces this new section added to the 89th Legislative Report that includes four topics. Each of these recommendations are accompanied by continuing research needs and recommendations. Mr. Berehe announced that the *Children's Health and Groundwater Quality at Child Care Operations Using Private Water Wells* and the *Groundwater Quality Protection Through Monitoring* have not been approved by the TGPC under the TGPC strategy. However, white paper recommendations can be included in this report if groundwater issues are identified before a white paper is completed or approved in order to alert legislators to an emerging threat. Mr. Villareal (TDA) noted that a lot of the white paper recommendations do not have bolded recommendation summaries like other sections and requested that the formatting of white paper recommendations look uniform with the other sections. This would help share key information from the white paper recommendations to executives and other readers. Mr. Berehe suggested bolding the bullets in each of the four topics to help prioritize and summarize the main points for each topic. Mr. Kelly Mills (TCEQ) noted that all of the URL's in Section III for each of the white papers needs to be cleaned up because they are distracting. Mr. Mills also suggested creating an executive summary for each white paper to help with Mr. Villareal's briefing management tasks. Mr. Villareal agreed that an executive summary would be very helpful for submitting key points to executives for final approval. Mr. Berehe said that he will work with Scott on making Section III. look more consistent with the other sections including a bolded executive summary and key bullet points.

A. Abandoned Water Wells and the Challenges They Pose:

No comments

B. Prioritizing New Drinking Water Infrastructure:

No comments

C. Children's Health and Groundwater Quality at Child Care Operations Using Private Water Wells:

Mr. Villareal (TDA) states that this white paper is still an early draft is wondering if much of it is going to change in this recommendation. Mr. Berehe (TCEQ) mentioned that it likely won't change as they have talked to the subject matter experts and have established agreement that these are the main recommendations for this white paper. Mr. Villareal also questioned whether or not this has to be approved by the groundwater issues subcommittee and whole TGPC first before it's incorporated here. Mr. Berehe reminded him that under the current

TGPC strategy it's not required that the white paper is approved to put it into the legislative report. If the TGPC thinks it's an emerging threat, then it can be used to alert legislators before the white papers are approved. Mr. Berehe also mentioned that if the main committee decides to not include it, then that's an option too.

D. Groundwater Quality Protection Through Monitoring:

White paper is still in draft stage.

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

Early July 2024 – Send out final draft report to the subcommittee members for any comments or edits.

Before the July 2024-TGPC meeting. Report status of the final draft report to main committee. Seek tentative draft report approval and send out to member agencies and organizations for concurrence and management review. Also, seek approval for TCEQ staff to make non- substantive changes.

September 2024-Third meeting (if needed).

October 2024- seek final report approval from TGPC then send report to TCEQ Agency Communications for publication.

December 2024- distribute report to elected officials.

4. SET FUTURE MEETING DATE

Abiy Berehe (TCEQ) restated that the subcommittee may not need to meet again, but if a meeting is necessary it would be on September 18, 2024 as a video conference.

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 3:34 p.m.