

**TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING**

Fourth Quarterly Meeting, Fiscal Year 2025

Meeting Date: July 9, 2025
Meeting No.: 150

Place: TCEQ Campus, Bldg F
Room: 5108

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MEETING ATTENDANCE

Committee Members

Kelly Mills	Texas Commission on Environmental Quality (TCEQ)
Natalie Ballew	Texas Water Development Board (TWDB)
Omar Valdez	Texas Department of State Health Services (DSHS)
David Villarreal	Texas Department of Agriculture (TDA)
John Foster	Texas State Soil and Water Conservation Board (TSSWCB)
Stephanie Keith	Texas Alliance of Groundwater Districts (TAGD)
Justin Thompson	Bureau of Economic Geology of The University of Texas at Austin (UTBEG)
Larry Estrada	Texas Department of Licensing and Regulation (TDLR)

Agency Staff

<u>Affiliation</u>	<u>Program</u>
Samin Aziz	TCEQ
Abiy Berehe	TCEQ
Travis Bartos	TCEQ
Heather Bounds	TSSWCB
Katie Brice	TCEQ
Alan Cherepon	TCEQ
Stephanie Escobar	TCEQ
Linzy Foster	United States Geological Survey (USGS)
Cindy Hooper	TCEQ
Peggy Hunka	TCEQ
Clay Kelley	TCEQ
Kathy McCormack	TCEQ
Chance Rushing	TCEQ
James-Eric Simon	TCEQ
Scott Underwood	TCEQ
Scout Vanderwal	DSHS
McKenna Wheeler	TCEQ
	Water Quality Planning Division (WQPD)
	Water Availability Division (WAD)
	WAD
	WAD
	WAD
	WAD
	Intergovernmental Relations Division
	WAD
	Occupational Licensing & Registration Division
	WAD
	WAD
	Program Support & Environmental Assistance Division

Interested Parties

<u>Affiliation</u>
Crystal Barrera
Jeanne Fitch
Ken Kramer
Jessica Price
Diana Nichols
City of Boerne
ExxonMobil
Children's Environmental Health Network (CEHN)
Kelly Hart & Hallman, LLP

MEETING HANDOUTS

1. Agenda for Texas Groundwater Protection Committee meeting on July 9, 2025
2. Record for Texas Groundwater Protection Committee meeting on April 9, 2025
3. Summary of Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting, June 18, 2025
4. Summary of Texas Groundwater Protection Committee (TGPC) Public Outreach and Education (POE) Subcommittee Meeting, June 18, 2025
5. *Joint Groundwater Monitoring and Contamination Report – 2024* (TCEQ SFR-56-24, May 2025),
<https://www.tceq.texas.gov/downloads/groundwater/publications/joint-groundwater-monitoring-and-contamination-report-2024-sfr-56-24.pdf>
6. TGPC GWI Subcommittee FY 2026 – 2027 *Activity Plan*
7. TGPC POE Subcommittee *Charge* update
8. TGPC Website Activity Report, April 1 – June 30, 2025
9. TCEQ Rules Update, 7/9/25
10. 2025 Water-related Conferences in Texas, July 2025

MEETING RECORD OF JULY 9, 2025

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 TGPC, called the meeting to order at approximately 1:33 PM CDT. Kelly Mills (TCEQ) then called the roll of TGPC members. The designated representative or alternate from the Railroad Commission of Texas (RRC) and Texas A&M AgriLife Research (AgriLife Research) were not present at the meeting. Kelly Mills (TCEQ) noted that this was the 150th meeting of the TGPC.

3. SUBCOMMITTEE REPORTS

Groundwater Issues

Kathy McCormack (TCEQ) reported that the Subcommittee last met via videoconference on June 18, 2025, and 13 state agencies and organizations were represented.

The Agricultural Chemicals Task Force Status Report was reviewed with the following highlights:

- Due to issues with TCEQ purchasing, new 40-ml vials for samples had yet to be received, and only one set of 43 Cooperative Monitoring samples had been analyzed by immunoassay resulting in one detect which was below the Maximum Contaminant Level (MCL). Until the vials were received, no additional samples could be collected.
- On June 3 – 4, 2025, Alan Cherepon (TCEQ) attended TCEQ’s annual Environmental Trade Fair in San Antonio and staffed the TGPC exhibit counter from which Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) grant-related information was distributed.
- On May 13 – 14, 2025, the annual U.S. Environmental Protection Agency (EPA)/States/Tribes FIFRA Spring grant meeting for Fiscal Year (FY) 2025 was held in Austin with TDA as the host. Alan Cherepon (TCEQ) provided a summary of his activities for the first half of FY 2025, but very little water quality issues were addressed by others, as this subject continued to be a lower priority for the U.S. EPA. The Fall pesticide program meeting would be hosted by the U.S. EPA in Dallas in October 2025. The 2026 Spring grant meeting would be hosted by New Mexico.

The TGPC Publications Status Report was reviewed with the following highlights:

- *Joint Groundwater Monitoring and Contamination Report – 2024* (“*Joint Report*”, SFR-056-24)
 - The 2024 *Joint Report* was published on June 2, 2025, and it was available at <https://tgpc.texas.gov/tgpc-publications/>.
- *Groundwater Assessment* (AS-465/26) for the 2026 *Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d)* (“*Texas Integrated Report*”)
 - Work on the 2026 *Groundwater Assessment* would begin in September 2025.
 - The published report would be provided to TCEQ’s Water Quality Planning Division for inclusion in the 2026 *Texas Integrated Report*.

The following current groundwater issues were discussed:

- Oil and Gas Produced Water;
- Emerging Chemical and Biological Contaminants;
- Aquifer Storage and Recovery (ASR);
- Groundwater Quality Monitoring;
- Brackish Groundwater; and,
- Evapotranspiration Networks.

As required by the GWI Subcommittee’s current *Activity Plan*

(https://tgpc.texas.gov/gwissues/activity_plans/TGPC_GWI_FY2024_2025_ActivityPlan_12Jul2023.pdf), the GWI Subcommittee *Charge* (https://tgpc.texas.gov/wp-content/themes/responsive/subcommittees/gwissues/GWI_SubComm_Charge12Jul2023.pdf) was presented for its annual review and discussion. Chris Heiligenstein (RRC) had agreed to continue as Co-Chair for the next Fiscal Year and no additional changes were suggested, so the *Charge* would remain in effect.

As required by the GWI Subcommittee’s current *Charge* (https://tgpc.texas.gov/wp-content/themes/responsive/subcommittees/gwissues/GWI_SubComm_Charge12Jul2023.pdf), a final draft of the TGPC GWI Subcommittee Fiscal Year 2026 – 2027 *Activity Plan* was reviewed and approved, and it would be presented to the TGPC for approval at their next meeting.

The next TGPC GWI Subcommittee meeting was scheduled for September 10, 2025.

Public Outreach and Education

Peggy Hunka (TCEQ) reported that the Subcommittee last met via videoconference on June 18, 2025, and six state agencies and organizations were represented.

Joel Pigg (Texas A&M AgriLife Extension Service; AgriLife Extension) reviewed the Texas Well Owner Network (TWON) training schedule. During the previous quarter, TWON staff held two four-hour events and fifteen one-hour events, and they collected 527 samples. There had been over 1,024 samples or attendees at TWON events since September 2024.

The Outreach Events Status Report was reviewed with the following highlights:

- AgriLife Extension Water Well Screening Events
 - Joel Pigg (AgriLife Extension) reported that fifteen events had been held during the previous quarter.
- TGPC Exhibit Booth
 - Peggy Hunka (TCEQ) reported that one event had been held during the previous quarter at the TCEQ Environmental Trade Fair and Conference in San Antonio on June 3 – 4, 2025, and the conference had 4,160 attendees.

The list of upcoming conferences and the drought monitor report were reviewed. The *Groundwater Educational Outreach Plan* was tabled while the Subcommittee's *Charge* was being reviewed for changes.

Changes to the Subcommittee's *Charge* were finalized and it would be presented to the TGPC for approval at their next meeting.

The POE Subcommittee discussed displaying TGPC handouts at upcoming conferences and whether other agencies would be willing to include TGPC handouts at conferences that they attended, as well as a possible Frequently Asked Question (FAQ) regarding Per- and Polyfluoroalkyl Substances (PFAS) and Perfluorooctane Sulfonate (PFOS).

The next TGPC POE Subcommittee meeting was scheduled for September 10, 2025.

4. PRESENTATION

There was no presentation at the meeting.

Presentations at TGPC meetings are 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 – 2024

Katie Brice (TCEQ) reported that the 2024 *Joint Report* was published on June 2, 2025. The next year's report would be modernized, and TGPC member input was welcome at any time.

TGPC GWI Subcommittee Fiscal Year 2026 – 2027 Activity Plan

Kathy McCormack (TCEQ) presented the TGPC GWI Subcommittee *Fiscal Year 2026 – 2027 Activity Plan*. The GWI Subcommittee *Charge* required them to develop and follow a biennial *Activity Plan*, and the update was discussed during their last three meetings. The new *Activity Plan* listed the GWI Subcommittee's accomplishments over the previous two years, as well as the white paper topics that they would be working on

during the upcoming biennium. David Villarreal (TDA) proposed, Natalie Ballew (TWDB) seconded, and all remaining TGPC members approved the TGPC GWI Subcommittee *Fiscal Year 2026 – 2027 Activity Plan*. The new *Activity Plan* would be posted on the TGPC website.

TGPC POE Subcommittee *Charge*

Peggy Hunka (TCEQ) presented an updated, streamlined TGPC POE Subcommittee *Charge*. Natalie Ballew (TWDB) proposed, Justin Thompson (UTBEG) seconded, and all remaining TGPC members approved the updated TGPC POE Subcommittee *Charge*. The updated *Charge* would be posted on the TGPC website with some non-substantive formatting changes.

Agency Legislative Roundtable Discussion – Committee Members Will Discuss Groundwater Legislation Passed by the 89th Legislature and Its Effect on Their Respective Agencies

Committee members discussed groundwater legislation passed by the 89th Legislature Regular Session and its effect on their respective agencies and organizations.

Natalie Ballew (TWDB) reported that they had tracked a number of bills affecting their agency:

- Senate Bill (SB) 7 – Oversight and financing for water infrastructure projects. New Water Supply for Texas Fund expanded to include additional projects, and a definition of brackish groundwater associated with eligibility.
- House Joint Resolution (HJR) 7 – Pending voter confirmation, constitutional amendment to dedicate sales and use tax revenue (\$1B) to Texas Water Fund through 2047.
- SB 616 – TCEQ may allow aquifer storage and recovery projects that transect the Edwards Aquifer in Williamson County east of I-35 and in Medina County. These wells could inject water into any geologic formation that underlies the Edwards Aquifer.
- SB 2885 – Allows treated reclaimed water for Class V injection wells for ASR.
- House Bill (HB) 2078 – Additional groundwater management plan requirement to include explanations of Desired Future Conditions (DFCs) and new requirement for Groundwater Conservation Districts (GCDs) to identify interim DFC values for monitoring achievement.
- HB 2080 – Added TWDB as technical resource to TCEQ GCD petition for inquiry review panel.
- SB 1583 (TWDB Legislative Priority Bill) – DFCs in management plans for petitioned DFCs or change in aquifer relevancy for joint planning.
- HB 4530 (TWDB Legislative Priority Bill; *vetoed*) – Dedication of groundwater rights in Texas Water Trust.
- HB 4896, HB 5188, and SB 2658 (*did not pass*) – Brackish bills that would have significantly altered the TWDB process for brackish groundwater production zone designations and would have exempted brackish wells from permitting.

- HB 1400 (*did not pass*) – Groundwater Science, Research, and Innovation Fund for grants to GCDs, plus a contingency rider to allocate funding.
 - Bill did not pass, but TWDB was allocated \$7.5M total for FY 2026 – 2027 (SB 1, Article IX, Section 17.25) for grants to GCDs to conduct projects and programs for groundwater research, science, and data collection that benefit local groundwater management and planning.
- Approved exceptional item requests included:
 - \$372,000 and 1 Full Time Equivalent (FTE) to support groundwater data collection and analysis;
 - \$806,000 and 1 FTE to support surface water data collection and analysis; and,
 - \$940,000 to expand TexMesonet coverage statewide.

Natalie Ballew (TWDB) added that an interim House Natural Resources Committee hearing was scheduled for July 15, 2025, where large volume groundwater export projects would be discussed. These types of projects within the Neches & Trinity Valleys GCD had been in the news recently.

John Foster (TSSWCB) left the meeting at approximately 1:52 PM CDT and was absent for the remainder of the meeting.

There was no RRC designated representative or alternate in attendance.

Omar Valdez (DSHS) reported that no recent groundwater-related bills were passed which affected his agency.

Justin Thompson (UTBEG) left the meeting at approximately 1:58 PM CDT and was absent for the remainder of the meeting.

David Villarreal (TDA) reported that no recent groundwater-related bills were passed which directly affected his agency. However, some bills passed which indirectly affected his agency:

- HB 2080 – related to TCEQ GCD petition for inquiry review panels;
- SB 1268 – related to the State Water Plan and State Flood Plan;
- SB 1145 – related to TCEQ permits for the land application of produced water; and,
- Senate Concurrent Resolution (SCR) 13 – related to Mexico’s compliance with the 1944 Water Treaty regarding water deliveries to Texas.

There was no TSSWCB designated representative or alternate in attendance at this time during the meeting.

Stephanie Keith (TAGD) reported that no recent groundwater-related bills were passed which affected her organization.

There was no AgriLife Research designated representative or alternate in attendance.

Kelly Mills (TCEQ) reported that Justin Thompson (UTBEG) had indicated prior to leaving the meeting that no recent groundwater-related bills were passed which directly affected his organization.

Larry Estrada (TDLR) reported that no recent groundwater-related bills were passed which affected his organization.

Kelly Mills (TCEQ) reported that several bills were passed which affected his agency:

- HB 4630 repealed outdated language in sections of the Texas Water Code (TWC) that required reporting on the drilling and water usage from artesian wells. However, the Act maintained key requirements statewide:
 - Artesian wells producing harmful water must be capped or controlled to prevent damage; and,
 - Any uncapped or uncontrolled artesian well that wastes water or causes surface flow is deemed a public nuisance and subject to TCEQ enforcement.
- HB 2080 updated requirements related to the review of GCDs by TCEQ. The bill would require TCEQ to amend its rules in Texas Administrative Code (TAC) Chapter 293 and would probably require TCEQ and TWDB to coordinate how TWDB will assist when asked.
- HB 5320 combined Starr County GCD and the Starr County Drainage District.
- SB 616 allowed TCEQ to authorize, through rules or permits, ASR projects that use Class V wells to inject water into underground formations beneath the Edwards Aquifer in Williamson County, east of IH-35 and in Medina County. It also clarified that TCEQ may authorize certain types of water injections into the Edwards Aquifer by permit. TCEQ must adopt rules to carry out this law by March 1, 2026.
- SB 766 amended several statutes to replace references to the previous agency name, Texas Natural Resource Conservation Commission (TNRCC), to the current TCEQ, and made it clear that any reference in statute to TNRCC was considered a reference to the TCEQ.
- SB 863 changed the Edwards Aquifer Authority Act to ban transporting any water withdrawn from the Edwards Aquifer outside the Authority's boundaries for any reason.
- SB 2885 updated the TWC §27.153 to allow TCEQ to issue authorizations to inject reclaimed water that is treated based on state standards. In addition to adding reclaimed water as a type of injection water, the bill clarified that the water must be treated to state standards rather than federal Safe Drinking Water Act (SDWA) standards required for other waters. This bill required TCEQ to adopt rules related to the water quality standards, required additional staff to review the applications that come in, and mostly impacted TCEQ's Underground Injection Control (UIC) program.
- SB 1663 updated TWC §26.408 to require TCEQ to notify private water well owners and GCDs of groundwater contamination that may impact a drinking water well as soon as possible, but no later than 30 days after learning of it. That part of the bill was similar to the existing statute. However, the bill allowed notice to be delivered not just by regular mail, but also by email, door hangers, or another effective method – this had been a long-standing recommendation in the TGPC's biannual report to the

legislature. The bill also expanded the list of who had to be notified of groundwater contamination that impacts private water wells to include all residents living within one mile of the groundwater contamination site. The bill mainly affected TCEQ's Impact Evaluation Team (IET) which considers these cases for notification; however, TGPC rules regarding the form and content of a groundwater contamination notice may also be clarified. This bill was effective on September 1, 2025.

- SB 2124 changed the publication deadline for the TGPC's annual *Joint Report* from April 1 to June 1 – this had also been a long-standing recommendation in the TGPC's biannual report to the legislature.

Kelly Mills (TCEQ) added that they had a number of exceptional item requests, and many were granted in whole or in part. From the General Appropriation Act (GAA) and the Supplemental Appropriation legislation, TCEQ would be adding 160.5 FTEs over the next two fiscal years. These new positions would help with increased permitting workloads and responsibilities, and they would also provide technical expertise as needed. Several other bills passed this session authorizing TCEQ to bring on employees to fulfill the requirements of that legislation:

- TCEQ would acquire 9 FTEs for implementation of SB 7, the big water supply and infrastructure bill because TCEQ anticipated an increase in technical permits for large water projects; and,
- The Legislature transferred the administration of land application of oil and gas produced water from RRC to TCEQ, and TCEQ was appropriated 6 FTEs to administer the program.

Set Future Meeting Date

The next TGPC quarterly meeting was scheduled for October 8, 2025, at 1:30 PM CDT as a hybrid meeting.

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

Groundwater Contamination Notice Coordination (Texas Water Code §26.408)

Katie Brice (TCEQ) reported that, since the last TGPC meeting, the TCEQ IET had met five times and reviewed five groundwater contamination cases with 24 notices subsequently being sent to potentially affected private water well owners and users.

Omar Valdez (DSHS) noted that SB 1663 seemed to update the statute to be more inclusive and asked about the definition of contamination. Cindy Hooper (TCEQ) indicated that contamination considered by the IET originates from an activity that is regulated by a TGPC member with levels above a certain standard (e.g., Maximum Contaminant Level), and it does not include naturally-occurring contamination.

TGPC Website Activity Report

Peggy Hunka (TCEQ) presented a report on the TGPC website's activity from April 1 through June 30, 2025. More than half of the 2,907 users engaged the TGPC website for longer than 10 seconds, 748 files were downloaded, and 1,014 outbound links were clicked.

Groundwater Management Areas

Stephanie Keith (TAGD) reported that Groundwater Management Areas (GMAs) continued to meet and discuss their aquifer's DFCs and model updates.

Updates on Regional Water Planning, Groundwater Availability Modeling, Brackish Groundwater Studies, and Innovative Water

Natalie Ballew (TWDB) provided the following updates:

- All Regional Water Planning Groups (RWPGs) had received TWDB comments and a socioeconomic impact analysis report for their draft 2026 Regional Water Plans, and Plans were due to the TWDB on October 20, 2025. Draft regional water planning data was available at <https://2027.texasstatewaterplan.org/>.
 - The analysis report estimated the social and economic costs of not meeting water needs identified in the regional water plans. A data dashboard and copy of the reports were available at <https://www.twdb.texas.gov/waterplanning/data/analysis/index.asp>.
- Through July 31, 2025, they were soliciting ideas for groundwater research to support TWDB brackish groundwater projects and groundwater modeling efforts.
- TWDB released the latest update of its Desalination Database (<https://www.twdb.texas.gov/innovativewater/desal/maps.asp>) which could be viewed as an interactive map (<https://www3.twdb.texas.gov/apps/waterdatainteractive/GroundwaterDataViewer/?map=desal>) or a list (<https://www3.twdb.texas.gov/apps/desal/DesalPlants.aspx>).
- TWDB had recently published Report 391, *Aquifer Storage and Recovery Report: ASR Suitability Survey for the Lower Valley Water District, El Paso County, Texas* (<https://www.twdb.texas.gov/innovativewater/asr/projects/LVWD/index.asp>), and a webinar on the report was held on June 11, 2025. Along with the Geographic Information System (GIS) data and report, the webinar slides were available on the webpage and a link to the webinar recording would be posted there once closed captioning was completed.

Nonpoint Source Pollution

There was no discussion of this topic at the meeting.

National Groundwater Information

Natalie Ballew (TWDB) noted that TWON resources were available online for affected private water well owners to assist with recovery from the massive flooding events in central Texas on July 4, 2025.

7. ANNOUNCEMENTS

Rules Update

Cindy Hooper (TCEQ) reported on current TCEQ rulemaking and non-rule projects that were of interest to the TGPC:

- 2025-008-353-OW – Leaking Water Wells Grant Program;
- 2023-139-321-OW – Land Application of Dairy Waste and Disposal of Dairy Waste in Control Facility;
- 2024-003-039-LS – Updates to Public Participation Rules to Implement Sunset Legislation; and,
- 2024-009-285-CE – Proposed Changes to 30 Texas Administrative Code (TAC) Chapter 285, On-site Sewage Facilities (OSSFs).

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

New Publications

Kelly Mills (TCEQ) noted that publication of the 2024 *Joint Report* was reported earlier in the meeting.

Upcoming Conferences

Kelly Mills (TCEQ) referred TGPC members to the conferences listed in the “2025 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) announced that Abiy Berehe (TCEQ) would be retiring at the end of July 2025, and he presented him with an appreciation plaque for his 24.5 years of service with the TCEQ supporting the TGPC.

8. PUBLIC COMMENT

There was no public comment at the meeting.

9. ADJOURN

Kelly Mills (TCEQ) adjourned the meeting at approximately 2:29 PM CDT.