

TEXAS GROUNDWATER PROTECTION COMMITTEE

LEGISLATIVE REPORT SUBCOMMITTEE

RECORD OF MEETING

First Meeting, Fiscal Year 2026

Meeting Date: March 4, 2026

Place: Videoconference
Room: N/A

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MEETING ATTENDANCE

Subcommittee Members

Affiliation

Cindy Hooper (Chair)	Texas Commission on Environmental Quality (TCEQ)
Jennifer Badhwar	Texas Water Development Board (TWDB)
Chris Heiligenstein	Railroad Commission of Texas (RRC)
TJ Helton	Texas State Soil and Water Conservation Board (TSSWCB)
Justin Thompson	University of Texas Bureau of Economic Geology (UTBEG)
Chris Hooyboer	Texas Department of Licensing and Regulation (TDLR)
David Villarreal	Texas Department of Agriculture (TDA)
Omar Valdez	Texas Department of State Health Services (TDSHS)
Adam Foster (not present)	Texas Alliance of Groundwater Districts (TAGD)
Giovanni Piccinni (not present)	Texas A&M AgriLife

Agency Staff

Affiliation Program

Eric Simon	TCEQ	Water Availability Division
Scott Underwood	TCEQ	Water Availability Division
Katie Brice	TCEQ	Water Availability Division
Al Cherepon	TCEQ	Water Availability Division
April Hoh	TCEQ	Water Availability Division
Peggy Hunka	TCEQ	Water Availability Division
Kathy McCormack	TCEQ	Water Availability Division
James LaManna	TCEQ	Water Supply Division
Ben Kern	Texas Department of Licensing and Regulation (TDLR)	
Lauren Bos	Texas Water Development Board (TWDB)	

MEETING HANDOUTS

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

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 Legislative Report Subcommittee, called the meeting to order at 3:02 p.m. and made preliminary meeting announcements. Subcommittee members introduced themselves.

DISCUSS AND PROPOSE EDITS TO THE DRAFT TGPC REPORT TO THE 90TH LEGISLATURE

Cindy Hooper (TCEQ) announced that the meeting goal is to edit the section of the report called “Recommendations to the 89th Legislature.” She indicated that she would like to make any major changes today and then send a draft to the subcommittee for review. The introductory text would not be reviewed today unless someone had a comment, but members were encouraged to review it when the draft is sent back out. The first section of recommendation was the review of statute, and the subcommittee proceeded to discuss the recommendations.

26.401 Legislative Findings

The current recommendation asks the legislature to clarify the committee's intended role in groundwater, specifically whether TGPC should also address groundwater conservation and quantity. Because water quality and quantity may overlap, members felt it would help to specify which groups, such as TGPC or the Water Conservation Advisory Council (WCAC), should lead on specific issues. There was general agreement to keep this recommendation, with some members suggesting more detail and emphasis on TGPC’s role as forum where state agencies meet to talk about groundwater. Cindy stated that she would keep the recommendation and update the wording.

26.403 Creation and Members of TGPC

The subcommittee discussed keeping the recommendation to add Texas Parks and Wildlife Department (TPWD) as a TGPC member and possibly adding the General Land Office (GLO). Previously, TPWD indicated by letter that they were interested in being a part of TGPC and GLO had declined. One member asked whether any river authorities have been considered for membership, but it was brought up that river authorities typically have a localized interest in groundwater, rather than statewide as the other TGPC members. Cindy (TCEQ) stated that she would review earlier communications on these and consider asking TPWD and GLO about their interest in TGPC.

26.405 Powers and Duties of TGPC

David Villareal (TDA) informed the subcommittee that he coordinates TGPC efforts with the Water Conservation Advisory Council (WCAC). He noted that WCAC deals primarily with water quantity and conservation, although there is some crossover between quality and quantity. Clarification of this was recommended, similar to what was already discussed. David (TDA) indicated he would send the draft WCAC recommendations to the group when he receives them so they can be considered for inclusion.

GCD Research Fund

At this point, Justin (UTBEG) encouraged the subcommittee to codify and fund the new Groundwater Conservation District Research Fund. In the 89th session, the bill did not pass but funding did go through for this biennium. There was general consensus for this addition.

26.406 Groundwater Contamination Information and Reports; Rules

This section of the Water Code is related to the due date for the “Joint Report.” Cindy (TCEQ) noted that Senate Bill 2124 updated the due date from April 1st to June 1st and pointed out that the recommendation also included language that would allow the report to be published on the committee's website. Cindy stated that she will give this one some thought and possibly clarify.

26.407 Protection and Enhancement Plans

TGPC developed a state pesticide management plan; but the federal rules were not finalized, which means there is no federal regulation driving this requirement. The consensus was to keep the recommendation to replace the word “shall” with “may.”

26.408 Notice of Groundwater Contamination

Cindy (TCEQ) explained that the original recommendation requested that TCEQ be allowed to provide notices of contamination using direct means other than only first-class mail. SB 1663 passed and the statute now allows notices to be sent by first class mail, e-mail, door hanger, or other appropriate means. Cindy noted that the update appears to meet the original recommendation. Omar Valdez (DSHS) pointed out that the revised statute does not specifically use the term “direct means.” Cindy acknowledged this point and shared information regarding TCEQ’s Impact Evaluation Team, which found that the most feasible way to meet the new requirement to notify every resident within one mile is still through a direct mailer. The group paused its decision on whether to keep this part of the recommendation so these points could be considered.

Abandoned Water Well Plugging and Education

Cindy (TCEQ) mentioned that the topic of abandoned water wells has been important to TGPC for a long time and pointed out that the two current recommendations.

The first recommendation asks the legislature to provide positive incentives for landowner-initiated closure of abandoned or deteriorated water wells through the establishment of a

statewide abandoned water well plugging fund. There was consensus to keep this recommendation. There was also discussion of TDLR updating the estimated number of abandoned wells that would be plugged under such a program. Kathy McCormack (TCEQ) noted that TGPC has had a similar recommendation since its report to the 73rd legislature in 1993.

The second recommendation is to require sellers to disclose all known water wells, whether active or abandoned, before selling a property; and to notify TDLR if any abandoned wells are discovered. There was discussion regarding local disclosures that may be required in certain areas. The consensus was to keep this recommendation and see if it can be improved.

Groundwater Issues Subcommittee White Papers

The discussion moved on to the next item on the agenda, regarding recommendations from white papers that are developed by the Groundwater Issues Subcommittee. During the previous biennium, two white papers were finalized: “Children’s Health and Groundwater Quality at Child Care Operations Using Private Water Wells” and “Groundwater Quality Protection Through Monitoring.”

Before going through the possible recommendations for the recently approved white papers, Cindy (TCEQ) wanted to discuss recommendations from the white paper titled “Abandoned Water Wells and Challenges They Pose,” because the subcommittee discussed the abandoned water well issue in the previous section. The white paper recommendation from the previous report was to require county health and environmental departments and OSSF licensed professionals to notify TDLR when an abandoned water well or abandoned or deteriorated well is found during septic inspections. Cindy (TCEQ) asked what the subcommittee thought about moving this recommendation to the section called “Abandoned and Deteriorated Water Wells” rather than the white papers section. Chris (TDLR) informed the subcommittee that TDLR has held training events around the state to help OSSF inspectors learn how to identify abandoned or deteriorated wells; but was concerned that making such reporting a requirement could add a large burden on the OSSF inspectors. Cindy suggested the subcommittee think this over, maybe change the language so as not to make this a binding requirement. It was discussed as possibly being an item to include in the “earlier white papers” section and including funding for additional training as a recommendation.

In discussing the rest of the section on white papers, Cindy noted the list could probably be updated, in part because we have two new white papers with recommendations. She also noted that the previous report includes recommendations from three previously approved white papers, including funding and financial assistance related to OSSFs as well as protecting groundwater resources, and a recommendation related to aquifer storage and recovery (ASR). She noted that the subcommittee may want to look at these to see whether they should be kept as written or revised based on a more detailed review of the existing white papers. Cindy stated that she would provide links to all of the existing white papers for the subcommittee members to review. David (TDA) supported having white paper recommendations included in the report, but suggested they possibly be added as appendices. There was discussion on white paper recommendations being prepared by subject matter experts versus being approved by the state agency representatives, and how the location of white paper recommendations in this report might affect the legislature’s view of the recommendations.

Kathy (TCEQ) reminded the subcommittee of the role white papers serve in TGPC's "Groundwater Protection Strategy," and how recommendations in the papers may be included in the biennial report to the legislature. Several members discussed the desire for meaningful input.

Support of Agency Programs

The subcommittee members agreed to keep this recommendation as is and noted that it had been discussed at the meeting of TGPC's Public Outreach and Education Subcommittee earlier in the day.

Additional Discussion on Recommendations

Members discussed whether additional white papers would be needed because of current topics of interest, many of which are focused on water quantity. That brought the discussion back to the earlier recommendations about asking the legislature to clarify TGPC's responsibilities related to groundwater quality and quantity.

Omar Valdez (DSHS) asked a question regarding the earlier discussion on the GCD research fund recommendation and asked if it would include areas of the state that are not covered by a GCD. The fund as proposed would include GCD areas only, be and it was discussed that we might look into adding our support of similar funding for non-GCD areas.

DISCUSS THE COMPLETION OF THE LEGISLATIVE REPORT

With time running late, the members moved on Task 3. However, David (TDA) reminded Cindy (TCEQ) that he will send the WCAC recommendations to get the support of as many agencies as possible. There was also discussion of the need for each agency's management to approve the legislative report recommendations before they can be finalized.

SCHEDULE AND MILESTONES

Regardless of the earlier comments, Cindy (TCEQ) summarized that as previously mentioned in this meeting, there would be three subcommittee meetings held before TGPC's October meeting, which is when the main committee is expected to consider the legislative report for approval.

Following today's meeting, Cindy (TCEQ) will email draft recommendations, comments, and suggestions discussed today, and ask for feedback before the next subcommittee meeting.

PRESENTING THE DRAFT REPORT TO TGPC

The proposed timeframe for completing the report was discussed and noted that the subcommittee would most likely finalize its recommendations at the third meeting in September 2026. Then at the October 2026 TGPC meeting, the subcommittee will present the final draft report to TGPC for approval. In the event something comes up after the October TGPC meeting that requires work by our subcommittee, we could meet in December 2026 before distributing the report.

SET FUTURE MEETING DATE

Cindy Hooper (TCEQ) informed the subcommittee that the next meeting will be held on June 3, 2026, at 3:00 p.m.

ANNOUNCEMENTS

There were no announcements.

PUBLIC COMMENT

There were no public comments, although Eric Simon (TCEQ) thanked everyone for their patience and hard work as TCEQ staff had to deal with new roles and tasks, as well as a long day of subcommittee meetings.

ADJOURN

With the meeting attendance report downloaded, Cindy Hooper (TCEQ) adjourned the meeting at 4:47 p.m., followed by stopping of the meeting recording and transcription.