



## FY26 Legislative Subcommittee Designations

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This document outlines the structures for TAGD’s FY26 legislative subcommittees. It is intended for use by TAGD’s Legislative Committee, and defines each subcommittee’s scope and possible objectives. Each subcommittee will produce a written summary (white paper, memo, or policy update) and, where appropriate, draft recommendations for consideration by the Legislative Committee. Each subcommittee will be asked to propose a timeline to complete subcommittee work.

### Subcommittee One

**Title:** Brackish Groundwater Production

**Scope:** Evaluate the existing statutory and regulatory framework governing the permitting and development of brackish groundwater in Texas, including the roles of GCDs and TWDB, and current permitting practices across districts.

**Possible Objectives:** (1) Compile and summarize current permitting approaches used by GCDs for brackish groundwater production, including how districts address water quality, aquifer separation, and potential impacts to freshwater resources; and (2) develop considerations and, where appropriate, recommendations to improve the permitting framework, including clarifications to statute, regulatory guidance, or best management practices that support both resource development and freshwater protection.

**Interim Charge Reference:** HNRC Charge 4

### Subcommittee Two

**Title:** Groundwater Management

**Scope:** Evaluate the existing groundwater management framework in Texas, with an emphasis on groundwater exports, large-scale production, and areas of the state not currently managed by GCDs, including how these factors impact aquifer management and long-term planning.

**Possible Objectives:** (1) Summarize the current groundwater management framework under Chapter 36, including the roles and authorities of GCDs and the regulatory distinctions between managed and unmanaged areas; (2) review existing approaches to groundwater export permitting, including statutory requirements, fee structures, and regulatory limitations, and identify challenges or areas of concern for districts; (3) evaluate how large-scale groundwater production projects are currently permitted and managed, including potential impacts on aquifer conditions, neighboring landowners, and DFCs; (4) assess issues associated with “white areas,” including the implications of unmanaged production on shared aquifers and the challenges this presents for regional planning and resource management; (5) review prior TAGD white papers and policy positions related to these topics and identify areas where updates, clarifications, or additional information are needed; and (6) prepare a white paper or update existing TAGD policy materials to reflect current issues, including considerations and, where appropriate, recommendations to strengthen groundwater management while maintaining local control.

**Interim Charge Reference:** HNRC Charge 2

### Subcommittee Three

**Title:** Data Center Water Use

**Scope:** Evaluate groundwater use by data centers.

**Possible Objectives:** To prepare a white paper summarizing challenges posed by data centers and develop considerations to inform interim legislative discussions.

**Interim Charge Reference:** HNRC Charge 5; SWARA Charge 1

### Subcommittee Four

**Title:** Joint Planning and DFC Achievement

**Scope:** Evaluate the status of DFC achievement by GCDs, including current methods used to monitor, evaluate, and report progress toward DFCs, and the role of data, modeling, and planning assumptions in determining achievement.

**Possible Objectives:** (1) Investigate and summarize how GCDs currently assess and track progress toward DFC achievement; (2) identify challenges, limitations, or areas of uncertainty in demonstrating DFC achievement, including issues related to data gaps, model limitations, and variability in district approaches; and (3) develop considerations and, where appropriate, model language or guidance for districts to consistently evaluate and report DFC achievement, including potential best management practices or recommendations for improving clarity and defensibility.

**Interim Charge Reference:** HNRC Charge 1 (HB 2078) and 2

### Subcommittee Five

**Title:** District Liability and Curtailment Authority

**Scope:** Evaluate existing curtailment authority under Chapter 36, including the statutory and regulatory mechanisms available to GCDs to limit or reduce groundwater production in response to aquifer conditions, drought, or other management triggers.

**Possible Objectives:** (1) Summarize current statutory provisions and district rules related to curtailment, including the circumstances under which curtailment may be imposed and how it is implemented across districts; (2) identify challenges or areas of ambiguity in existing curtailment authority; (3) evaluate how curtailment authority is applied in practice, including any constraints related to permit conditions, enforcement, or legal risk; (4) develop recommendations to improve the clarity and authority of districts to implement curtailment, including potential statutory revisions; and (5) consider the development of model rules or guidance for curtailment that could be used by districts to implement clear, consistent, and legally defensible approaches.

### Subcommittee Six

**Title:** Data, Science, & Funding

**Scope:** Evaluate the adequacy of existing data, scientific tools, and funding available to GCDs for groundwater management, permitting, and planning, including data reliability, accessibility, and consistency across districts.

**Possible Objectives:** (1) Identify data gaps impacting permitting and planning, (2) summarize current funding issues with the joint planning process; and (3) develop recommendations for consistent funding mechanisms.

**Interim Charge Reference:** HNRC Charge 1 (HJR 7 and SB 7), and 2