

**From:** [RegionalWaterPlanning](#)  
**To:** [RegionalWaterPlanning](#)  
**Cc:** [OOP-WSP-RWP](#); [Temple McKinnon](#); [Matt Nelson](#)  
**Subject:** Task 4B Clarification: Identifying Infeasible WMSs in the 2021 RWP  
**Date:** Tuesday, January 31, 2023 3:25:19 PM

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Good afternoon,

We have received requests for clarifications regarding the [region-specific data and guidance](#) sent to all RWPGs on January 10<sup>th</sup>. This email is to further clarify the expectations regarding this task and to better focus RWPG efforts and resources on projects that may deserve the most attention.

The infeasibility review is **not** required for strategies or projects that do not require a permit or involve construction. Regions should focus their efforts and resources for this task primarily on reviewing strategies and projects in the 2021 regional plans that **that require a permit and/or involve construction** and that

- are shown to be online by the 2020 (in this case no later than January 5, 2023) or 2030 decade,
- are related to new major reservoirs, seawater desalination, direct potable reuse, brackish groundwater, aquifer storage and recovery, and out of state water transfers (see [data spreadsheets](#) provided to RWPGs on 1/10/23) and shown to be online in the nearer-term planning decades (i.e., 2020, 2030), or
- that will generally require significant resources and require significant time to implement.

Additionally, TWDB recognizes that this information may be difficult to obtain and that information for some categories of water users, such as those projects associated with county-wide water user groups that are to be implemented by private parties, may not be available and that the region may therefore not be able to determine infeasibility for some strategies or projects.

As a reminder, the statutory language behind this new requirement is:

***“Infeasible WMSs include those WMSs where proposed sponsors have not taken an affirmative vote or other action to make expenditures necessary to construct or file applications for permits required in connection with implementation of the WMS on a schedule in order for the WMS to be completed by the time the WMS is needed to address drought in the plan.”***

Please apply similar considerations of feasibility during development of the 2026 RWP. When considering strategies or projects for an online decade of 2030 in the 2026 RWP, please also consider if the same project was shown as online in the first decade of the 2021 RWP and whether affirmative steps by the sponsor are actually being taken and, consequently, whether an implementation timeline of 2030 appears reasonable.

The goal of regional water planning is to best reflect what projects and strategies are expected to be in place prior to the onset of future droughts and to proactively recognize potential water shortages in the plans, including and especially those in the near-term, so that water providers and the public may make realistic preparations for drought.

Please contact your TWDB Regional Water Planner with any questions.

Best,

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