

Appendix A

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Regulatory Citation	Summary of Requirement	Location(s) in Regional Plan and/or Commentary
Guidance Principles		
31 TAC §358.3		
358.3 (1)	The state water plan shall provide for the preparation for and response to drought conditions.	Chapters 2, 3, 5, 7
(2)	The RWP and SWP shall serve as water supply plans under drought of record conditions.	Chapters 2, 3, 5, 7
(3)	Consideration shall be given to the construction and improvement of surface water resources and the application of principles that result in voluntary redistribution of water resources.	Chapter 5
(4)	RWP shall provide for the orderly development, management, and conservation of water resources and preparation for and response to drought conditions so that sufficient water will be available at a reasonable cost to satisfy a reasonable projected use of water to ensure public health, safety, and welfare; further economic development; and protect the agricultural and natural resources of the affected regional water planning areas and the state.	Chapters 5 and 6
(5)	RWP shall include identification of those policies and action that may be needed to meet Texas' water supply needs and prepare for and respond to drought conditions.	Chapters 5 and 7
(6)	RWPG decision-making shall be open to and accountable to the public with decisions based on accurate, objective and reliable information with full dissemination of planning results except for those matters made confidential by law.	Chapter 10
(7)	The RWPG shall establish terms of participation in water planning efforts that shall be equitable and shall not unduly hinder participation.	Chapter 10
(8)	Consideration of the effect of policies or water management strategies on the public interest of the state, water supply, and those entities involved in providing this supply throughout the entire state.	Chapter 8
(9)	Consideration of all water management strategies the regional water plan determines to be potentially feasible when developing plans to meet future water needs and to respond to drought so that cost effective water management strategies which are consistent with long-term protection of the state's water resources, agricultural resources, and natural resources are considered and approved.	Chapters 5 and 6
(10)	Consideration of opportunities that encourage and result in voluntary transfers of water resources, including but not limited to regional water banks, sales, leases, options, subordination agreements, and financing agreements.	Chapter 5
(11)	Consideration of a balance of economic, social, aesthetic, and ecological viability.	Appendix F (Potentially Feasible WMSs); Appendix G (WMS Strategy Evaluation)
(12)	For regional water planning areas without approved regional water plans or water providers for which revised plans are not developed through the regional water planning process, the use of information from the adopted state water plan and other completed studies that are sufficient for water planning shall represent the water supply plan for that area or water provider.	N/A
(13)	All surface waters are held in trust by the state, their use is subject to rights granted and administered by the Commission, and the use of surface water is governed by the prior appropriation doctrine, unless adjudicated otherwise.	Chapter 3
(14)	Existing water rights, water contracts, and option agreements shall be protected. However, potential amendments of water rights, contracts and agreements may be considered and evaluated. Any amendments will require the eventual consent of the owner.	Chapters 3 and 5
(15)	The production and use of groundwater in Texas is governed by the rule of capture doctrine unless and to the extent that such production and use is regulated by a groundwater conservation district as codified by the legislature at Texas Water Code §36.002 (relating to Ownership of Groundwater).	Chapter 3
(16)	Consideration of recommendations of river and stream segments of unique ecological value to the legislature for potential protection.	Chapter 8
(17)	Consideration of recommendation of sites of unique value for the construction of reservoirs to the legislature for potential protection.	Chapter 8
(18)	Consideration of water planning and management activities of local, regional, state, and federal agencies, along with existing local, regional, and state water plans and information and existing state and federal programs and goals.	Chapters 1 and 5
(19)	Designated water quality and related water uses as shown in the state water quality management plan shall be improved or maintained.	Chapter 6
(20)	Coordination of water planning and management activities of RWPGs to identify common needs and issues and achieve efficient use of water supplies, including the Board and other relevant RWPGs, working together to identify common needs, issues, and challenges while working together to resolve conflicts in a fair, equitable, and efficient manner.	Entire RWP

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(21)	The water management strategies identified in approved RWPs to meet needs shall be described in sufficient detail to allow a state agency making a financial or regulatory decision to determine if a proposed action before the state agency is consistent with an approved RWP.	Chapter 5; Appendix F (Potentially Feasible WMSs); Appendix G (WMS Strategy Evaluation); Appendix I (Water Conservation Savings); Appendix J (Updated Quantification of Impacts of Marvin Nichols)
(22)	The evaluation of water management strategies shall use environmental information in accordance with the Commission's adopted environmental flow standards under 30 TAC Chapter 298 (relating to Environmental Flow Standards for Surface Water) where applicable or, in basins where standards are not available or have not been adopted, information from existing site-specific studies or state consensus environmental planning criteria.	Chapter 5; Evaluation of strategies involving new reservoir include environmental flow standards as appropriate
(23)	Consideration of environmental water needs including instream flows and bay and estuary inflows, including adjustments by the RWPGs to water management strategies to provide for environmental water needs including instream flows and bay and estuary needs. Consideration shall be consistent with the Commission's adopted environmental flow standards under 30 TAC Chapter 298 in basins where standards have been adopted.	Chapter 5; Evaluation of strategies involving new reservoir include environmental flow standards as appropriate
(24)	Planning shall be consistent with all laws applicable to water use for the state and regional water planning area.	Entire RWP
(25)	The inclusion of ongoing water development projects that have been permitted by the Commission or a predecessor agency.	Chapter 5
(26)	Specific recommendations of water management strategies shall be based upon identification, analysis, and comparison of all water management strategies the RWPG determines to be potentially feasible so that the cost effective water management strategies which are environmentally sensitive are considered and adopted unless the RWPG demonstrates that adoption of such strategies is not appropriate. To determine cost-effectiveness, the RWPGs will use the process described in §357.34(d)(3)(A) of this title (relating to Identification and Evaluation of Potentially Feasible Water Management Strategies) and, to determine environmental sensitivity, the RWPGs shall use the process described in §357.34(d)(3)(B) of this title.	Chapter 5
(27)	RWPGs shall conduct their planning to achieve efficient use of existing water supplies, explore opportunities for and the benefits of developing regional water supply facilities or providing regional management of water facilities, coordinate the actions of local and regional water resource management agencies, provide substantial involvement by the public in the decision-making process, and provide full dissemination of planning results.	Chapters 5 and 10
(28)	RWPGs must consider existing regional water planning efforts when developing their plans.	Chapters 1, 5, and 10
Chapter One Description of the Regional Water Planning Area		
31 TAC §357.30		
RWPGs shall describe their regional water planning area including the following:		
357.3 (1)	Social and economic aspects of a region such as information on current population, economic activity and economic sectors heavily dependent on water resources	Section 1.1
(2)	Current water use and major water demand centers	Section 1.3
(3)	Current groundwater, surface water, and reuse supplies including major springs that are important for water supply or protection of natural resources	Section 1.4
(4)	Major Water Providers (MWP)	Section 1.5
(5)	Agricultural and natural resources	Section 1.10
(6)	Identified water quality problems	Section 1.12.2
(7)	Identified threats to agricultural and natural resources due to water quantity problems or water quality problems related to water supply	Section 1.12
(8)	Summary of existing local and regional water plans	Section 1.6
(9)	The identified historic drought(s) of record within the planning area	Section 1.7 and Chapter 7
(10)	Current preparations for drought within the RWPA	Section 1.7 and Chapter 7

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Regulatory Citation	Summary of Requirement	Location(s) in Regional Plan and/or Commentary
(11)	Information compiled by the Board from water loss audits (see also Texas Administrative Code §358.6)	Section 1.9; Appendix B (Water Audit Data)
(12)	An identification of each threat to agricultural and natural resources and a discussion of how that threat will be addressed or affected by the water management strategies evaluated in the plan.	Section 1.10, Chapter 6, Appendix J
Chapter Two Projected Non-Municipal, Municipal and Population Water Demands 31 TAC §357.31		
357.31 (a)	RWPs shall present projected population and Water Demands by WUG as defined in §357.10 of this title (relating to Definitions and Acronyms). If a WUG lies in one or more counties or RWPA or river basins, data shall be reported for each river basin, RWPA, and county split.	Sections 2.2 and 2.3, Chapter 2 Attachments 1-4, Appendix D (DB22 Reports)
(b)	RWPs shall present projected Water Demands associated with MWPs by category of water use, including municipal, manufacturing, irrigation, steam electric power generation, mining, and livestock for the RWPA.	Chapter 2 Attachments 5
(c)	RWPs shall evaluate the current contractual obligations of WUGs and WWP to supply water in addition to any demands projected for the WUG or WWP. Information regarding obligations to supply water to other users must also be incorporated into the water supply analysis in §357.32 of this title (relating to Water Supply Analysis) in order to determine net existing water supplies available for each WUG's own use. The evaluation of contractual obligations under this subsection is limited to determining the amount of water secured by the contract and the duration of the contract.	Chapter 3 - Where a seller/buyer relationships existed, calculations of existing supplies for each buyer considered and evaluated the contractual obligations of the seller.
(d)	Municipal demands shall be adjusted to reflect water savings due to plumbing fixture requirements identified in the Texas Health and Safety Code, Chapter 372. RWPGs shall report how changes in plumbing fixtures would affect projected municipal Water Demands using projections with plumbing code savings provided by the Board or by methods approved by the EA.	Section 2.3.1
(e)	Source of population and Water Demands. In developing RWPs, RWPGs shall use:	
(e) (1)	Population and water demand projections developed by the EA that will be contained in the next state water plan and adopted by the Board after consultation with the RWPGs, Commission, Texas Department of Agriculture, and the Texas Parks and Wildlife Department.	Sections 2.2 and 2.3
(e) (2)	RWPGs may request revisions of Board adopted population or Water Demand projections if the request demonstrates that population or Water Demand projections no longer represents a reasonable estimate of anticipated conditions based on changed conditions and or new information. Before requesting a revision to population and Water Demand projections, the RWPG shall discuss the proposed revisions at a public meeting for which notice has been posted in accordance with §357.21(c) of this title (relating to Notice and Public Participation). The RWPG shall summarize public comments received on the proposed request for projection revisions. The EA shall consult with the requesting RWPG and respond to their request within 45 days after receipt of a request from an RWPG for revision of population or Water Demand projections.	Sections 2.2.1 and 2.3.1; Appendix C (Adjustments to Projections)
(f)	Population and Water Demand projections shall be presented for each Planning Decade for WUGs and MWPs.	Sections 2.2 and 2.3; Chapter 2 Attachments 1-5
Chapter Three Water Supply Analysis 31 TAC §357.32		
357.32 (a)	RWPGs shall evaluate:	
(a) (1)	Source water availability during drought of record conditions.	Chapter 3, Appendix E
(a) (2)	Existing water supplies that are legally and physically available to WUGs and wholesale water suppliers within the RWPA for use during the drought of record.	Sections 3.4, 3.5, 3.6; Appendix D (DB22 Reports); Appendix E (Existing Supply Available)
(b)	Consider surface water and groundwater data from the state water plan, existing water rights, contracts and option agreements relating to water rights, other planning and water supply studies, and analysis of water supplies existing in and available to the RWPA during drought of record conditions	Sections 3.1, 3.2, 3.3; Appendix E (Existing Supply Available)

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(c)	For surface water supply analyses, RWPGs shall use most current Water Availability Models from the Commission to evaluate the adequacy of surface water supplies. As the default approach for evaluating existing supplies, RWPGs shall assume full utilization of existing water rights and no return flows when using Water Availability Models. RWPGs may use better, more representative, water availability modeling assumptions or better site-specific information with written approval from the EA. Information available from the Commission shall be incorporated by RWPGs unless better site-specific information is available and approved in writing by the EA.	Chapter 3; Appendix E (Existing Supply Available)
(c) (1)	Evaluation of existing stored surface water available during Drought of Record conditions shall be based on Firm Yield. The analysis may be based on justified operational procedures other than Firm Yield. The EA shall consider a written request from an RWPG to use procedures other than Firm Yield.	Section 3.2; Appendix E (Existing Supply Available)
(c) (2)	Evaluation of existing run of river surface water available for municipal WUGs during Drought of Record conditions shall be based on the minimum monthly diversion amounts that are available 100 percent of the time, if those run of river supplies are the only supply for the municipal WUG.	Section 3.2; Appendix E (Existing Supply Available)
(d)	Use modeled available groundwater volumes for groundwater availability, as issued by the Board, and incorporate such information in its RWP unless no modeled available groundwater volumes are provided.	Section 3.3
(e)	Evaluate the existing water supplies for each WUG and WWP	Sections 3.5 and 3.6
(f)	Water supplies based on contracted agreements will be based on the terms of the contract, which may be assumed to renew upon contract termination if the contract contemplates renewal or extensions.	3.5, 3.6, Where a seller/buyer relationships existed, calculations of existing supplies for each buyer considered and evaluated the contractual obligations of the seller.
(g)	Evaluation results shall be reported by WUG in accordance with §357.31(a) of this title (relating to Projected Population and Water Demands) and WWPs in accordance with §357.31(b) of this title	Appendix D (DB22 Reports); Appendix E (Existing Supply Available)
Chapter Four Identification of Water Needs		
31 TAC §357.33		
357.33 (a)	RWPs shall include comparisons of existing water supplies and projected Water Demands to identify Water Needs.	Section 4.1
(b)	RWPGs shall compare projected Water Demands, developed in accordance with §357.31 of this title (relating to Projected Population and Water Demands), with existing water supplies available to WUGs and WWPs in a planning area, as developed in accordance with §357.32 of this title (relating to Water Supply Analysis), to determine whether WUGs will experience water surpluses or needs for additional supplies. Results shall be reported for WUGs by categories of use including municipal, manufacturing, irrigation, steam electric, mining, and livestock watering for each county or portion of a county in an RWPA. Results shall be reported for WWPs by categories of use including municipal, manufacturing, irrigation, steam electric, mining, and livestock watering for the RWPA.	Section 4.2, Section 4.3, Figure 4.2, Appendix D (DB22 Reports)
(c)	The social and economic impacts of not meeting water needs will be evaluated by RWPGs and reported for each RWPA.	Chapter 6
(d)	Results of evaluations will be reported by WUG in accordance with §357.31(a) of this title and WWPs in accordance with §357.31(b) of this title.	Section 4.2, Section 4.3, Section 5D, Section 5E, Appendix D (DB22 Reports)
(e)	RWPGs shall perform a secondary water needs analysis for all WUGs and WWPs for which conservation WMSs or direct Reuse WMSs are recommended. This secondary water needs analysis shall calculate the Water Needs that would remain after assuming all recommended conservation and direct Reuse WMSs are fully implemented. The resulting secondarywater needs volumes shall be presented in the RWP by WUG and MWP and decade.	Section 4.5, Appendix D (DB22 Reports)

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Regulatory Citation	Summary of Requirement	Location(s) in Regional Plan and/or Commentary
Chapter Five Identification and Evaluation of Potentially Feasible Water Management Strategies		
31 TAC §357.34		
357.34 (a)	RWPGs shall identify and evaluate potentially feasible WMSs and the WMSPs required to implement those strategies for all WUGs and WWP with identified Water Needs.	All of Chapter 5; Appendix F (Potentially Feasible WMSs); Appendix G (WMS Strategy Evaluation)
(b)	RWPGs shall identify potentially feasible WMSs to meet water supply needs identified in §357.33 of this title (relating to Needs Analysis: Comparison of Water Supplies and Demands) in accordance with the process in §357.12(b) of this title (relating to General Regional Water Planning Group Responsibilities and Procedures). Strategies shall be developed for WUGs and WWPs. The strategies shall meet new water supply obligations necessary to implement recommended WMSs of WWPs and WUGs. RWPGs shall plan for water supply during Drought of Record conditions. In developing RWPs, RWPGs shall provide WMSs to be used during a Drought of Record.	All of Chapter 5; Appendix F (Potentially Feasible WMSs); Appendix G (WMS Strategy Evaluation)
(c)	Potential Feasible Water Management Strategies should include, but are not limited to:	
(c) (1)	Expanded use of existing supplies including system optimization and conjunctive use of water resources, reallocation of reservoir storage to new uses, voluntary redistribution of water resources including contracts, water marketing, regional water banks, sales, leases, options, subordination agreements, and financing agreements, subordination of existing water rights through voluntary agreements, enhancements of yields of existing sources, and improvement of water quality including control of naturally occurring chlorides.	Section 5C
(c) (2)	New supply development including construction and improvement of surface water and groundwater resources, brush control, precipitation enhancement, seawater desalination, brackish groundwater desalination, water supply that could be made available by cancellation of water rights based on data provided by the Commission, rainwater harvesting, and aquifer storage and recovery.	Section 5A, Section 5B, Section 5C
(c) (3)	Conservation and drought management measures including demand management.	Section 5B
(c) (4)	Reuse of wastewater.	Section 5B
(c) (5)	Interbasin transfers of surface water.	Section 5A, Section 5B, Section 5C
(c) (6)	Emergency transfers of surface water including a determination of the part of each water right for non-municipal use in the RWPA that may be transferred without causing unreasonable damage to the property of the non-municipal water rights holder in accordance with Texas Water Code §11.139 (relating to Emergency Authorizations).	Section 5A, Section 5B, Section 5C
(d)	All recommended WMSs and WMSPs that are entered into the State Water Planning Database and prioritized by RWPGs shall be designed to reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or develop, deliver or treat additional water supply volumes to WUGs or WWPs in at least one planning decade such that additional water is available during Drought of Record conditions. Any other RWPG recommendations regarding permit modifications, operational changes, and/or other infrastructure that are not designed to reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or develop, deliver or treat additional water supply volumes to WUGs or WWPs in at least one Planning Decade such that additional water is available during Drought of Record conditions shall be indicated as such and presented separately in the RWP and shall not be eligible for funding from the State Water Implementation Fund for Texas.	Section 5C; Appendix F (Potentially Feasible WMSs); Appendix G (Water Management Strategy Evaluation)
(e)	Evaluations of potentially feasible WMSs and associated WMSPs shall include the following analyses:	
(e) (1)	For the purpose of evaluating potentially feasible WMSs, the Commission's most current Water Availability Model with assumptions of no return flows and full utilization of senior water rights, is to be used. Alternative assumptions may be used with written approval from the EA who shall consider a written request from an RWPG to use assumptions other than no return flows and full utilization of senior water rights.	Appendix E (Water Supply Available)
(e) (2)	An equitable comparison between and consistent evaluation and application of all water management strategies the RWPGs determine to be potentially feasible for each water supply need.	Appendix G (Water Management Strategy Evaluation)
(e) (3) (A)	A quantitative reporting of the net quantity, reliability, and cost of water delivered and treated for the end user's requirements during drought of record conditions, taking into account and reporting anticipated strategy water losses, incorporating factors used calculating infrastructure debt payments and may include present costs and discounted present value costs. Costs do not include distribution of water within a WUG after treatment.	Appendix G (Water Management Strategy Evaluation); Appendix H (Cost Estimates)

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(e) (3) (B)	A quantitative reporting of the environmental factors including effects on environmental water needs, wildlife habitat, cultural resources, and effect of upstream development on bays, estuaries, and arms of the Gulf of Mexico. Evaluations of effects on environmental flows shall include consideration of the Commission's adopted environmental flow standards under 30 Texas Administrative Code Chapter 298 (relating to Environmental Flow Standards for Surface Water). If environmental flow standards have not been established, then environmental information from existing site-specific studies, or in the absence of such information, state environmental planning criteria adopted by the Board for inclusion in the State Water Plan after coordinating with staff of the Commission and the Texas Parks and Wildlife Department to ensure that WMSs are adjusted to provide for environmental water needs including instream flows and bays and estuaries inflows.	Appendix G (Water Management Strategy Evaluation); Appendix H (Cost Estimates); Appendix J (2020 Quantitative Analysis of the Impact of Marvin Nichols Reservoir)
(e) (3) (C)	A quantitative reporting of the impacts to agricultural resources.	Appendix G (Water Management Strategy Evaluation); Appendix J (2020 Quantitative Analysis of the Impact of Marvin Nichols Reservoir); Chapter 6
(e) (4)	Discussion of the plan's impact on other water resources of the state including other water management strategies and groundwater and surface water interrelationships.	Section 6.2.3
(e) (5)	Discussion of each threat to agricultural or natural resources identified pursuant to §357.30(7) of this title (relating to Description of the Regional Water Planning Area) including how that threat will be addressed or affected by the water management strategies evaluated	Section 6.4
(e) (6)	If applicable, consideration and discussion of the provisions in Texas Water Code §11.085(k)(1) for interbasin transfers of surface water. At minimum, this consideration will include a summation of water needs in the basin of origin and in the receiving basin.	Section 6.2.5; Table 6.2
(e) (7)	Consideration of third-party social and economic impacts resulting from voluntary redistributions of water including analysis of third-party impacts of moving water from rural and agricultural areas.	Section 6.2
(e) (8)	A description of the major impacts of recommended water management strategies on key parameters of water quality identified by RWPGs as important to the use of a water resource and comparing conditions with the recommended water management strategies to current conditions using best available data.	Section 6.1; Appendix K (Key Water Quality Parameters)
(e) (9)	Consideration of water pipelines and other facilities that are currently used for water conveyance as described in §357.22(a)(3) of this title (relating to General Considerations for Development of Regional Water Plans).	Section 1.9; Appendix B (Water Audit Data); Section 5B.3, Table 5B.4
(e) (10)	Other factors as deemed relevant by the RWPG including recreational impacts.	Section 6.1.1; Section 6.2.2
(f)	RWPGs shall evaluate and present potentially feasible WMSs and WMSPs with sufficient specificity to allow state agencies to make financial or regulatory decisions to determine consistency of the proposed action before the state agency with an approved RWP.	Section 5C; Appendix F (Potentially Feasible WMSs); Appendix G (Water Management Strategy Evaluation); Appendix H (Cost Estimates)
(g)	If an RWPG does not recommend aquifer storage and recovery strategies, seawater desalination strategies, or brackish groundwater desalination strategies it must document the reason(s) in the RWP.	Chapter 5A; Chapter 5C
(h)	In instances where an RWPG has determined there are significant identified Water Needs in the RWPA, the RWP shall include an assessment of the potential for aquifer storage and recovery to meet those Water Needs. Each RWPG shall define the threshold to determine whether it has significant identified Water Needs. Each RWP shall include, at a minimum, a description of the methodology used to determine the threshold of significant needs. If a specific assessment is conducted, the assessment may be based on information from existing studies and shall include minimum parameters as defined in contract guidance.	Chapter 5A; Section 5A.1.6
(i)	Conservation, Drought Management Measures, and Drought Contingency Plans shall be considered by RWPGs when developing the regional plans, particularly during the process of identifying, evaluating, and recommending WMSs. RWPGs shall incorporate water conservation planning and drought contingency planning in the RWPA.	Chapter 5B; Chapter 7

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(i)(1)	Drought Management Measures including water demand management. RWPGs shall consider Drought Management Measures for each need identified in §357.33 of this title and shall include such measures for each user group to which Texas Water Code §11.1272 (relating to Drought Contingency Plans for Certain Applicants and Water Right Holders) applies. Impacts of the Drought Management Measures on Water Needs must be consistent with guidance provided by the Commission in its administrative rules implementing Texas Water Code §11.1272. If an RWPG does not adopt a drought management strategy for a need it must document the reason in the RWP. Nothing in this paragraph shall be construed as limiting the use of voluntary arrangements by water users to forgo water usage during drought periods.	Section 7.6
(i)(2)	Water conservation practices. RWPGs must consider water conservation practices, including potentially applicable best management practices, for each identified Water Need.	Chapter 5B; Appendix I (Water Conservation Savings)
(i)(2)(A)	RWPGs shall include water conservation practices for each user group to which Texas Water Code §11.1271 and §13.146 (relating to Water Conservation Plans) apply. The impact of these water conservation practices on Water Needs must be consistent with requirements in appropriate Commission administrative rules related to Texas Water Code §11.1271 and §13.146.	Chapter 5B; Appendix I (Water Conservation Savings)
(i)(2)(B)	RWPGs shall consider water conservation practices for each WUG beyond the minimum requirements of subparagraph (A) of this paragraph, whether or not the WUG is subject to Texas Water Code §11.1271 and §13.146. If RWPGs do not adopt a Water Conservation Strategy to meet an identified need, they shall document the reason in the RWP.	Chapter 5B; Appendix I (Water Conservation Savings)
(i)(2)(C)	For each WUG or WWP that is to obtain water from a proposed interbasin transfer to which Texas Water Code §11.085 (relating to Interbasin Transfers) applies, RWPGs shall include a Water Conservation Strategy, pursuant to Texas Water Code §11.085(l), that will result in the highest practicable level of water conservation and efficiency achievable. For these strategies, RWPGs shall determine and report projected water use savings in gallons per capita per day based on its determination of the highest practicable level of water conservation and efficiency achievable. RWPGs shall develop conservation strategies based on this determination. In preparing this evaluation, RWPGs shall seek the input of WUGs and WWPs as to what is the highest practicable level of conservation and efficiency achievable, in their opinion, and take that input into consideration. RWPGs shall develop water conservation strategies consistent with guidance provided by the Commission in its administrative rules that implement Texas Water Code §11.085. When developing water conservation strategies, the RWPGs must consider potentially applicable best management practices. Strategy evaluation in accordance with this section shall include a quantitative description of the quantity, cost, and reliability of the water estimated to be conserved under the highest practicable level of water conservation and efficiency achievable.	Section 5B.5; Appendix I (Water Conservation Savings) using TWDB "Water Conservation Best Management Practices"
(i)(2)(D)	RWPGs shall consider strategies to address any issues identified in the information compiled by the Board from the water loss audits performed by Retail Public Utilities pursuant to §358.6 of this title (relating to Water Loss Audits).	Chapter 5B; Appendix I (Water Conservation Savings), Section 1.7 (Water Loss Control Program)
(i)(3)	RWPGs shall recommend Gallons Per Capita Per Day goal(s) for each municipal WUG or specified groupings of municipal WUGs. Goals must be recommended for each planning decade and may be a specific goal or a range of values. At a minimum, the RWPGs shall include Gallons Per Capita Per Day goals based on drought conditions to align with guidance principles in §358.3 of this title (relating to Guidance Principles).	Chapter 5B; Appendix I
(j)	RWPGs shall include a subchapter consolidating the RWPG's recommendations regarding water conservation. RWPGs shall include in the RWPGs model Water Conservation Plans pursuant to Texas Water Code §11.1271.	Chapter 5B; Section 5B.7, with links to model plans for Municipal, Irrigation, Manufacturing, and Steam Electric
31 TAC §357.35		
357.35 (a)	RWPGs shall recommend WMSs and the WMSPs required to implement those WMSs to be used during a Drought of Record based on the potentially feasible WMSs evaluated under §357.34 of this title (relating to Identification and Evaluation of Potentially Feasible Water Management Strategies and Water Management Strategy Projects).	All of Chapter 5; Appendix F (Potentially Feasible WMSs); Appendix G (WMS Strategy Evaluation)

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(b)	RWPGs shall recommend specific WMSs and WMSPs based upon the identification, analysis, and comparison of WMSs by the RWPG that the RWPG determines are potentially feasible so that the cost effective WMSs that are environmentally sensitive are considered and adopted unless an RWPG demonstrates that adoption of such WMSs is inappropriate. To determine cost-effectiveness and environmental sensitivity, RWPGs shall follow processes described in §357.34 of this title. The RWP may include Alternative WMSs evaluated by the processes described in §357.34 of this title.	All of Chapter 5; Appendix F (Potentially Feasible WMSs); Appendix G (WMS Strategy Evaluation); Appendix H (Cost Estimates)
(c)	Strategies will be selected by the RWPGs so that cost effective water management strategies, which are consistent with long-term protection of the state's water resources, agricultural resources, and natural resources are adopted.	All of Chapter 5; Chapter 6; Appendix F (Potentially Feasible WMSs); Appendix G (WMS Strategy Evaluation); Appendix H (Cost Estimates)
(d)	RWPGs shall identify and recommend WMSs for all WUGs and WWP with identified Water Needs and that meet all Water Needs during the Drought of Record except in cases where:	
(d) (1)	no WMS is feasible. In such cases, RWPGs must explain why no WMSs are feasible; or	Section 6.5.1
(d) (2)	a Political Subdivision that provides water supply other than water supply corporations, counties, or river authorities explicitly does not participate in the regional water planning process for needs located within its boundaries or extraterritorial jurisdiction.	NA
(e)	Specific recommendations of water management strategies to meet an identified need will not be shown as meeting a need for a political subdivision if the political subdivision in question objects to inclusion of the strategy for the political subdivision and specifies its reasons for such objection. This does not prevent the inclusion of the strategy to meet other needs.	NA
(f)	Recommended strategies shall protect existing water rights, water contracts, and option agreements, but may consider potential amendments of water rights, contracts and agreements, which would require the eventual consent of the owner.	Chapter 3; Appendix E (Water Supply Available)
(g)	RWPGs shall report the following:	
(g) (1)	Recommended WMSs, recommended WMSPs, and the associated results of all the potentially feasible WMS evaluations by WUG and MWP. If a WUG lies in one or more counties or RWPA or river basins, data shall be reported for each river basin, RWPA, and county.	Chapter 5; Appendices D, F, G, H
(g) (2)	Calculated planning management supply factors for each WUG and MWP included in the RWP assuming all recommended WMSs are implemented. This calculation shall be based on the sum of: the total existing water supplies, plus all water supplies from recommended WMSs for each entity; divided by that entity's total projected Water Demand, within the Planning Decade. The resulting calculated management supply factor shall be presented in the plan by entity and decade for every WUG and MWP. Calculating planning management supply factors is for reporting purposes only.	Appendix D (DB22 Reports)
(g) (3)	Fully evaluated Alternative WMSs and associated WMSPs included in the adopted RWP shall be presented together in one place in the RWP.	Chapter 5C, 5D, 5E; Appendices F, G, H
Chapter Six Impacts of Regional Water Plan and Consistency with Protection of Water Resources, Agricultural Resources, and Natural		
31 TAC §357.40		
357.40(a)	RWPs shall include a quantitative description of the socioeconomic impacts of not meeting the identified Water Needs pursuant to §357.33(c) of this title (relating to Needs Analysis: Comparison of Water Supplies and Demands).	Section 6.5.2, Appendix L (Socio-Economic Impacts)
(b)	RWPs shall include a description of the impacts of the RWP regarding:	
(b) (1)	Agricultural resources pursuant to §357.34(e)(3)(C) of this title (relating to Identification and Evaluation of Potentially Feasible Water Management Strategies);	Section 6.2.1
(b) (2)	Other water resources of the state including other WMSs and groundwater and surface water interrelationships pursuant to §357.34(e)(4) of this title;	Section 6.2.3
(b) (3)	Threats to agricultural and natural resources identified pursuant to §357.34(e)(5) of this title;	Chapter 6; Section 6.4.3
(b) (4)	Third-party social and economic impacts resulting from voluntary redistributions of water including analysis of third-party impacts of moving water from rural and agricultural areas pursuant to §357.34(e)(7) of this title;	Section 6.2
(b) (5)	Major impacts of recommended WMSs on key parameters of water quality pursuant to §357.34(e)(8) of this title; and	Section 6.1; Appendix K (Key Water Quality Parameters)
(b) (6)	Effects on navigation	
(c)	RWPs shall include a summary of the identified Water Needs that remain unmet by the RWP.	Section 6.5.1

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Regulatory Citation	Summary of Requirement	Location(s) in Regional Plan and/or Commentary
31 TAC §357.41		
357.41	RWPGs shall describe how RWPs are consistent with the long-term protection of the state's water resources, agricultural resources, and natural resources as embodied in the guidance principles in §358.3(4) and (8) of this title (relating to Guidance Principles).	Section 6.4
Chapter Seven Drought Response Information, Activities, and Recommendations		
31 TAC §357.42		
357.42 (a)	RWPGs shall consolidate and present information on current and planned preparations for, and responses to, drought conditions in the region including, but not limited to, drought of record conditions based on the following subsections.	Section 7.1; Section 7.2; Appendix M (Summary of Drought Responses)
(b)	RWPGs shall conduct an overall assessment of current preparations for drought within the RWPA including a description of how water suppliers in the RWPA identify and respond to the onset of drought. This may include information from local drought contingency plans.	Section 7.1; Section 7.2; Appendix M (Summary of Drought Responses)
(b) (1)	A description of how water suppliers in the RWPA identify and respond to the onset of drought; and	Chapter 7
(b) (2)	Identification of unnecessary or counterproductive variations in drought response strategies among water suppliers that may confuse the public or impede drought response efforts. At a minimum, RWPGs shall review and summarize drought response efforts for neighboring communities including the differences in the implementation of outdoor watering restrictions.	Chapter 7
(c)	RWPGs shall develop drought response recommendations regarding the management of existing groundwater and surface water sources in the RWPA designated in accordance with §357.32 of this title (relating to Water Supply Analysis), including:	
(c) (1)	Factors specific to each source of water supply to be considered in determining whether to initiate a drought response for each water source including specific recommended drought response triggers (See also §357.32 of Regional Planning Guidelines)	Section 7.1; Section 7.2; Appendix M (Summary of Drought Responses)
(c) (2)	Actions to be taken as part of the drought response by the manager of each water source and the entities relying on each source, including the number of drought stages; and	Section 7.1; Section 7.2; Appendix M (Summary of Drought Responses)
(c) (3)	Triggers and actions developed in paragraphs (1) and (2) of this subsection may consider existing triggers and actions associated with existing drought contingency plans.	Section 7.5
(d)	RWPGs shall collect information on existing major water infrastructure facilities that may be used for interconnections in event of an emergency shortage of water. In accordance with Texas Water Code §16.053(r), this information is CONFIDENTIAL INFORMATION and cannot be disseminated to the public. The associated information is to be collected by a subgroup of RWPG members in a closed meeting and submitted separately to the EA in accordance with guidance to be provided by EA.	Section 7.3; Section 7.4
(e)	RWPGs shall provide general descriptions of local drought contingency plans that involve making emergency connections between water systems or WWP systems that do not include locations or descriptions of facilities that are disallowed under subsection (d) of this section.	Section 7.3; Section 7.4
(f)	RWPGs may designate recommended and alternative drought management water management strategies and other recommended drought measures in the RWP including:	
(f) (1)	List and description of the recommended drought management water management strategies and associated WUGs and WWPs, if any, that are recommended by the RWPG. Information to include associated triggers to initiate each of the recommended drought management water management strategies	N/A
(f) (2)	List and description of alternative drought management water management strategies and associated WUGs and WWPs, if any, that are included in the plan. Information to include associated triggers to initiate each of the alternative drought management water management strategies	N/A
(f) (3)	List of all potentially feasible drought management water management strategies that were considered or evaluated by the RWPG but not recommended; and	N/A
(f) (4)	List and summary of any other recommended drought management measures, if any, that are included in the RWP, including associated triggers if applicable	N/A

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Regulatory Citation	Summary of Requirement	Location(s) in Regional Plan and/or Commentary
(g)	The RWPGs shall evaluate potential emergency responses to local drought conditions or loss of existing water supplies; the evaluation shall include identification of potential alternative water sources that may be considered for temporary emergency use by WUGs and WWPs in the event that the Existing Water Supply sources become temporarily unavailable to the WUGs and WWPs due to unforeseeable hydrologic conditions such as emergency water right curtailment, unanticipated loss of reservoir conservation storage, or other localized drought impacts. RWPGs shall evaluate, at a minimum, municipal WUGs that:	
(g) (1)	have existing populations less than 7,500;	Section 7.3; Appendix M (Summary of Drought Responses)
(g) (2)	rely on a sole source for its water supply regardless of whether the water is provided by a WWP; and	
(g) (3)	all County-Other WUGs.	
(h)	RWPGs shall consider any relevant recommendations from the Drought Preparedness Council.	Section 7.7.1
(i)	RWPGs shall make drought preparation and response recommendations regarding:	
(i) (1)	Development of, content contained within, and implementation of local drought contingency plans required by the Commission	Section 7.5; Section 7.7.2
(i) (2)	Current drought management preparations in the RWPA including:	
(i) (2) (A)	drought response triggers; and	Section 7.5
(i) (2) (B)	responses to drought conditions;	Section 7.5
(i) (3)	The Drought Preparedness Council and the State Drought Preparedness Plan; and	Section 7.5
(i) (4)	Any other general recommendations regarding drought management in the region or state	Section 7.5
(j)	The RWPGs shall develop region-specific model Drought Contingency Plans.	Section 7.5.4
Chapter Eight Policy Recommendations and Unique Sites		
31 TAC §357.43		
357.43 (a)	The RWPGs shall contain any regulatory, administrative, or legislative recommendations developed by the RWPGs	Section 8.4
(b)	Ecologically Unique River and Stream Segments. RWPGs may include in adopted RWPG recommendations for all or parts of river and stream segments of unique ecological value located within the RWPA by preparing a recommendation package consisting of a physical description giving the location of the stream segment, maps, and photographs of the stream segment and a site characterization of the stream segment documented by supporting literature and data. The recommendation package shall address each of the criteria for designation of river and stream segments of ecological value found in this subsection. The RWPG shall forward the recommendation package to the Texas Parks and Wildlife Department and allow the Texas Parks and Wildlife Department 30 days for its written evaluation of the recommendation. The adopted RWP shall include, if available, Texas Parks and Wildlife Department's written evaluation of each river and stream segment recommended as a river or stream segment of unique ecological value.	Section 8.2
(b) (1)	An RWPG may recommend a river or stream segment as being of unique ecological value based upon the criteria set forth in §358.2 of this title (relating to Definitions)	Section 8.2
(b) (2)	For every river and stream segment that has been designated as a unique river or stream segment by the legislature, during a session that ends not less than one year before the required date of submittal of an adopted RWP to the Board, or recommended as a unique river or stream segment in the RWP, the RWPG shall assess the impact of the plan on these segments. The assessment shall be a quantitative analysis of the impact of the plan on the flows important to the river or stream segment, as determined by the RWPG, comparing current conditions to conditions with implementation of all recommended water management strategies. The assessment shall also describe the impact of the plan on the unique features cited in the region's recommendation of that segment	Chapter 6, Section 8.2
(c)	Unique Sites for Reservoir Construction. An RWPG may recommend sites of unique value for construction of reservoirs by including descriptions of the sites, reasons for the unique designation and expected beneficiaries of the water supply to be developed at the site. The criteria at §358.2 of this title shall be used to determine if a site is unique for reservoir construction.	Section 8.3
(d)	Any other recommendations that the RWPG believes are needed and desirable to achieve the stated goals of state and regional water planning including to facilitate the orderly development, management, and conservation of water resources and prepare for and respond to drought conditions.	Section 8.4
(e)	RWPGs may develop information as to the potential impacts of any proposed changes in law prior to or after changes are enacted.	Section 8.4

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Regulatory Citation	Summary of Requirement	Location(s) in Regional Plan and/or Commentary
(f)	RWPGs should consider making legislative recommendations to facilitate more voluntary water transfers in the region.	Section 8.4
Chapter Nine Infrastructure Financing Report		
357.44	RWPGs shall assess and quantitatively report on how individual local governments, regional authorities, and other Political Subdivisions in their RWPA propose to finance recommended WMSs and associated WMSPs. The assessment shall also describe what role the RWPG proposes for the state in financing recommended WMSs and associated WMSPs, including proposed increases in the level of state participation in funding for regional projects to meet needs beyond the reasonable financing capability of local governments, regional authorities, and other political subdivisions involved in building water infrastructure.	Chapter 9
Chapter Ten Public Participation and Plan Adoption		
31 TAC §357.21		
357.21 (a)	Each RWPG and any committee or subcommittee of an RWPG are subject to Chapters 551 and 552, Government Code. A copy of all materials presented or discussed at an open meeting shall be made available for public inspection prior to and following the meetings and shall meet the additional notice requirements when specifically referenced as required under other subsections. In addition to the notice requirements of Chapter 551, Government Code, the following requirements apply to RWPGs.	Section 10.4
(b-e)	All public notices required by the TWDB by the RWPG shall comply with 31 TAC §357.21 and shall meet the requirements specified therein.	Section 10.4
31 TAC §357.50		
357.5 (a)	Submit their adopted RWPs to the Board every five years on a date to be disseminated by the EA, as modified by subsection (e)(2) of this section, for approval and inclusion in the state water plan.	Entire final RWP Document; cover/transmittal letter
(b)	Prior to the adoption of the RWP, the RWPGs shall submit concurrently to the EA and the public an IPP. The IPP submitted to the EA must be in the electronic and paper format specified by the EA. Each RWPG must certify that the IPP is complete and adopted by the RWPG. In the instance of a recommended WMS proposed to be supplied from a different RWPA, the RWPG recommending such strategy shall submit, concurrently with the submission of the IPP to the EA, a copy of the IPP, or a letter identifying the WMS in the other region along with an internet link to the IPP, to the RWPG associated with the location of such strategy.	Entire IPP Document; cover/transmittal letter
(c)	The RWPGs shall distribute the IPP in accordance with §357.21(d)(4) of this title (relating to Notice and Public Participation).	Section 10.4
(d)	Within 60 days of the submission of IPPs to the EA, the RWPGs shall submit to the EA, and the other affected RWPG, in writing, the identification of potential Interregional Conflicts by:	
(d) (1)	identifying the specific recommended WMS from another RWPG's IPP;	
(d) (2)	providing a statement of why the RWPG considers there to be an Interregional Conflict; and	
(d) (3)	providing any other information available to the RWPG that is relevant to the Board's decision.	No Interregional Conflict declared in the 2021 Region C water plan
(e)	The RWPGs shall seek to resolve conflicts with other RWPGs and shall promptly and actively participate in any Board sponsored efforts to resolve Interregional Conflicts.	Section 10.7
(f)	The RWPGs shall solicit, and consider the following comments when adopting an RWP:	
(f) (1)	the EA's written comments, which shall be provided to the RWPG within 120 days of receipt of the IPP;	
(f) (2)	written comments received from any federal agency or Texas state agency, which the RWPGs shall accept after the first public hearing notice is published pursuant to §357.21(d) of this title until at least 90 days after the public hearing is held pursuant to §357.21(d) of this title; and	
(f) (3)	any written or oral comments received from the public after the first public hearing notice is published pursuant to §357.21(d) of this title until at least 60 days after the public hearing is held pursuant to §357.21(d) of this title.	Comments will be solicited after the April 13, 2020 Public Hearing and addressed in the Final Plan.
(f) (4)	The RWPGs shall revise their IPPs to incorporate negotiated resolutions or Board resolutions of any Interregional Conflicts into their final adopted RWPs.	
(f) (5)	In the event that the Board has not resolved an Interregional Conflict sufficiently early to allow an involved RWPG to modify and adopt its final RWP by the statutory deadline, all RWPGs involved in the conflict shall proceed with adoption of their RWP by excluding the relevant recommended WMS and all language relevant to the conflict and include language in the RWP explaining the unresolved Interregional Conflict and acknowledging that the RWPG may be required to revise or amend its RWP in accordance with a negotiated or Board resolution of an Interregional Conflict.	No Interregional Conflict declared in the 2021 Region C water plan

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Regulatory Citation	Summary of Requirement	Location(s) in Regional Plan and/or Commentary
(g)	Submittal of RWPs. RWPGs shall submit the IPP and the adopted RWPs and amendments to approved RWPs to the EA in conformance with this section.	
(g) (1)	RWPs shall include:	
(g) (1) (A)	The technical report and data prepared in accordance with this chapter and the EA's specifications;	All final RWP chapters and appendices
(g) (1) (B)	An executive summary that documents key RWP findings and recommendations; and	Executive Summary
(g) (1) (C)	Summaries of all written and oral comments received pursuant to subsection (f) of this section, with a response by the RWPG explaining how the plan was revised or why changes were not warranted in response to written comments received under subsection (f) of this section.	Appendix Q
(g) (2)	RWPGs shall submit RWPs to the EA according to the following schedule:	
(g) (2) (A)	IPPs are due every five years on a date disseminated by the EA unless an extension is approved, in writing, by the EA.	IPP submitted prior to March 3, 2020 IPP deadline
(g) (2) (B)	Prior to submission of the IPP, the RWPGs shall upload the data, metadata and all other relevant digital information supporting the plan to the Board's State Water Planning Database. All changes and corrections to this information must be entered into the Board's State Water Planning Database prior to submittal of a final adopted plan.	All metadata and digital information uploaded prior to the March 3, 2020 IPP deadline.
(g) (2) (C)	The RWPG shall transfer copies of all data, models, and reports generated by the planning process and used in developing the RWP to the EA. To the maximum extent possible, data shall be transferred in digital form according to specifications provided by the EA. One copy of all reports prepared by the RWPG shall be provided in digital format according to specifications provided by the EA. All digital mapping shall use a geographic information system according to specifications provided by the EA. The EA shall seek the input from the State Geographic Information Officer regarding specifications mentioned in this section.	All data, models, and reports submitted with the IPP submittal.
(g) (2) (D)	Adopted RWPs are due to the EA every five years on a date disseminated by the EA unless, at the discretion of the EA, a time extension is granted consistent with the timelines in Texas Water Code §16.053(i).	Final RWP submitted prior to November 5, 2020 deadline
(g) (2) (E)	Once approved by the Board, RWPs shall be made available on the Board website.	
(h)	Upon receipt of an RWP adopted by the RWPG, the Board shall consider approval of such plan based on the following criteria:	
(h) (1)	verified adoption of the RWP by the RWPG; and	
(h) (2)	verified incorporation of any negotiated resolution or Board resolution of any Interregional Conflicts, or in the event that an Interregional Conflict is not yet resolved, verified exclusion of the relevant recommended WMS and all language relevant to the conflict.	No Interregional Conflict declared in the 2021 Region C water plan
(i)	Approval of RWPs by the Board. The Board may approve an RWP only after it has determined that the RWP complies with statute and rules.	
(j)	The Board shall consider approval of an RWP that includes unmet municipal Water Needs provided that the RWPG includes adequate justification, including that the RWP:	
(j) (1)	documents that the RWPG considered all potentially feasible WMSs, including Drought Management WMSs and contains an explanation why additional conservation and/or Drought Management WMSs were not recommended to address the need;	NA. There are no unmet municipal needs.
(j) (2)	describes how, in the event of a repeat of the Drought of Record, the municipal WUGs associated with the unmet need shall ensure the public health, safety, and welfare in each Planning Decade that has an unmet need; and	
(j) (3)	explains whether there may be occasion, prior to development of the next IPP, to amend the RWP to address all or a portion of the unmet need.	
(k)	Board Adoption of State Water Plan. RWPs approved by the Board pursuant to this chapter shall be incorporated into the State Water Plan as outlined in §358.4 of this title (relating to Guidelines).	
Chapter Eleven Implementation and Comparison to the Previous Regional Water Plan		
31 TAC §357.45		
357.45 (a)	RWPGs shall describe the level of implementation of previously recommended WMSs and associated impediments to implementation in accordance with guidance provided by the board. Information on the progress of implementation of all WMSs that were recommended in the previous RWP, including conservation and Drought Management WMSs; and the implementation of WMSPs that have affected progress in meeting the state's future water needs.	Appendix P (Water Management Strategy Implementation Survey)
(b)	RWPGs shall assess the progress of the RWPA in encouraging cooperation between WUGs for the purpose of achieving economies of scale and otherwise incentivizing WMSs that benefit the entire RWPA. This assessment of regionalization shall include:	

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Regulatory Citation	Summary of Requirement	Location(s) in Regional Plan and/or Commentary
(b) (1)	The number of recommended WMSs in the previously adopted and current RWP that serve more than one WUG;	Chapter 11; Appendix D
(b) (2)	The number of recommended WMSs in the previously adopted RWP that serve more than one WUG and have been implemented since the previously adopted RWP; and.	Chapter 11; Appendix D
(b) (3)	A description of efforts the RWPG has made to encourage WMSs and WMSPs that serve more than one WUG, and that benefit the entire region	Section 11.3
(c)	RWPGs shall provide a brief summary of how the RWP differs from the previously adopted RWP with regards to:	
(c) (1)	Water Demand projections;	Section 11.2.1
(c) (2)	Drought of Record and hydrologic and modeling assumptions used in planning for the region;	Section 11.2.2
(c) (3)	Groundwater and surface water Availability, Existing Water Supplies, and identified Water Needs for WUGs and WWP; and	Section 11.2.3, Section 11.2.4, and Section 11.2.5
(c) (4)	Recommended and Alternative WMSs and WMSPs.	Tables 11.1, 11.2, 11.7, 11.8

