

Public Comment Period: Water Conveyance Language Updates to Intended Use Plans

Comment period ends January 8, 2026

In response to the passing of Senate Bill 7 during the 89th legislative session, which adds Subchapter H to Chapter 6 of the Texas Water Code, the Texas Water Development Board (TWDB) is updating several funding program Intended Use Plans (IUP's) to add language regarding additional coordination and planning requirements for raw or potable water projects funded by the TWDB—specifically those involving the transportation of water across geographic areas and potential land acquisition.

For projects that include the development of infrastructure to transport available water, planning efforts now must incorporate strategies to minimize the need for exercising the power of eminent domain. This includes prioritizing the use of existing transportation and utility easements when securing an interest in real property.

These projects should also anticipate that a joint planning and coordination meeting may be required—facilitated by the TWDB—between project sponsors, governmental entities, utilities, common carriers, and other relevant stakeholders. The purpose of such meetings is to promote collaboration and reduce the necessity of exercising the power of eminent domain to obtain interest in real property by identifying opportunities to utilize existing transportation and utility easements.

The period of public review and comment on these updates **begins December 18, 2025, and ends January 8, 2026**. If you wish to present comments to the TWDB concerning the language added to the IUPs, you may use the following options:

1. Complete and submit the [Online Public Comment Form](#)
2. Email comments to Financial_Assistance@twdb.texas.gov with the subject line “Public Comment - Conveyance Language on IUPs”

The following language will be added to the IUP's:

Additional Coordination and Planning Requirements for Water Conveyance Projects

In accordance with the passing of Senate Bill 7 during the 89th Texas Legislature, which amended Chapter 6, Subchapter H of the Texas Water Code, projects involving the development of infrastructure to transport water that is made available, considerations must be included in the project planning phase to reduce the necessity of exercising the power of eminent domain to obtain interest in real property by using existing transportation and utility easements.

This is the list of IUP's to be amended:

- Drinking Water State Revolving Fund (DWSRF)
 - State Fiscal Years (SFY) 2023
 - SFY 2024
 - SFY 2025
 - SFY 2026
- Clean Water State Revolving Fund (CWSRF)
 - SFY 2023
 - SFY 2024
 - SFY 2025
 - SFY 2026
- DWSRF – Emerging Contaminants
 - SFY 2023
 - SFY 2024
 - SFY 2025
- CWSRF – Emerging Contaminants
 - SFY 2023
 - SFY 2024
 - SFY 2025
- Flood Infrastructure Fund
 - 2024-2025 cycle

To stay informed and get involved, we invite you to join our General Information [mailing list](#) and keep an eye on our website and social media channels for updates and opportunities to engage with the TWDB throughout this process.