Model Drought Contingency Plans

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Drought Contingency Plan for [Public Water Supplier]

Date

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Drought Contingency Plan for [Public Water Supplier]

1. Objectives

This drought contingency plan (the Plan) is intended for use by [municipal water supplier]. The plan includes all current TCEQ requirements for a drought contingency plan.

This drought contingency plan serves to:

- Conserve available water supplies during times of drought and emergency.
- Minimize adverse impacts of water supply shortages.
- Minimize the adverse impacts of emergency water supply conditions.
- Preserve public health, welfare, and safety.

2. Texas Commission on Environmental Quality Rules

The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code.

3. Provisions to Inform the Public and Opportunity for Public Input

[Public water supplier] will give customers the opportunity to provide public input into the preparation of the plan by one of the following methods:

- Holding a public meeting.
- Providing written notice of the proposed plan and the opportunity to comment on the plan by newspaper or posted notice.
- Provide a copy of the Plan on their website

4. Public Education

[Public water supplier] will notify the public about the drought contingency plan, including changes in Stage and drought measures to be implemented, by one or more of the following methods:

- Prepare a description of the Plan and make it available to customers at appropriate locations.
- Include utility bill inserts that detail the Plan
- Provide radio announcements that inform customers of stages to be initiated or terminated and drought measures to be taken

- Include an ad in a newspaper of general circulation to inform customers of stages to be initiated or terminated and drought measures to be taken
- Provide a copy of the Plan on their website

5. Coordination with the Regional F Water Planning Group

This drought contingency plan will be sent to the Chair of the Region F Water Planning Group in order to ensure consistency with the Region F Water Plan. If any changes are made to the drought contingency plan, a copy of the newly adopted plan will be sent to the Regional Water Planning Group.

6. Initiation and Termination of Drought Response Stages

The designated official will order the implementation of a drought response stage when one or more of the trigger conditions for that stage exist. Official designees may also order the termination of a drought response stage when the termination criteria are met or at their own discretion.

If any mandatory provisions have been implemented or terminated, the water supplier is required to notify the Executive Director of the TCEQ within 5 business days.

7. Goals for Reduction in Water Use

TCEQ requires that each public water supplier develop specific quantifiable targets for water use reduction for each stage of the drought contingency plan. These goals are outlined below.

[To be developed by each supplier. An example is provided.]

- Stage 1, Mild
    - 0 to 2 percent reduction in use that would have occurred in the absence of drought contingency measures.
- Stage 2, Moderate
    - 2 to 6 percent reduction in use that would have occurred in the absence of drought contingency measures
- Stage 3, Severe
    - 6 to 10 percent reduction in use that would have occurred in the absence of drought contingency measures
- Stage 4, Emergency
    - 10 to 14 percent reduction in use that would have occurred in the absence of drought contingency measures

8. Drought and Emergency Response Stages

Stage 1, Mild

Trigger Conditions for Stage 1, Mild

- A wholesale water supplier that provides all or part of [public water supplier]'s supply has initiated Stage 1, Mild
- [To be otherwise completed by public water supplier]
    - Potential triggers are:
        - When [public water supplier]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
        - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.
        - When the water level in [public water supplier]'s well(s) is equal or less than [number] feet above/below mean sea level.
        - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Stage 1 will end when the circumstances that caused the initiation of Stage 1 no longer exist.

Goals for Use Reduction and Actions Available Under Stage 1, Mild

[Public water supplier] will reduce water use by [goal]. [Public water supplier] may order the implementation of any of the strategies listed below in order to decrease water use:

- Request mandatory reductions in water use.
- Review the problems that caused the initiation of Stage 1.
- Intensify leak detection and repair efforts

Stage 2, Moderate

Trigger Conditions for Stage 2, Moderate

- A wholesale water supplier that provides all or part of [public water supplier]'s supply has initiated Stage 2, Moderate
- [To be otherwise completed by public water supplier]
    - Potential triggers are:
        - When [public water supplier]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
        - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.

        - When the water level in [public water supplier]'s well(s) is equal or less than [number] feet above/below mean sea level.
        - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Stage 2 will end when the circumstances that caused the initiation of Stage 2 no longer exist.

Goals for Use Reduction and Actions Available Under Stage 2, Moderate
[Public water supplier] will reduce water use by [goal]. [Public water supplier] may order the implementation of any of the strategies listed below in order to decrease water use:

- Request mandatory reductions in water use.
- Halt non-essential city government use
- Review the problems that caused the initiation of Stage 2.
- Intensify leak detection and repair efforts
- Limit outdoor watering to a specific number of days

Stage 3, Severe

Trigger Conditions for Stage 3, Severe

- A wholesale water supplier that provides all or part of [public water supplier]'s supply has initiated Stage 3, Severe
- [To be otherwise completed by public water supplier]
    - Potential triggers are:
        - When [public water supplier]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
        - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.
        - When the water level in [public water supplier]'s well(s) is equal or less than [number] feet above/below mean sea level.
        - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Stage 3 will end when the circumstances that caused the initiation of Stage 3 no longer exist.

Goals for Use Reduction and Actions Available Under Stage 3, Severe
[Public water supplier] will reduce water use by [goal]. [Public water supplier] may order the implementation of any of the strategies listed below in order to decrease water use:

- Require mandatory reductions in water use
- Halt non-essential city government use
- Review the problems that caused the initiation of Stage 3.
- Intensify leak detection and repair efforts
- Limit outdoor watering to specific number of days.
- Create and implement a landscape ordinance.

Stage 4, Emergency

Trigger Conditions for Stage 4, Emergency

- A wholesale water supplier that provides all or part of [public water supplier]'s supply has initiated Stage 4, Emergency
- [To be otherwise completed by public water supplier]
    - Potential triggers are:
        - When [public water supplier]'s demand exceeds the amount that can be delivered to customers.
        - When [public water supplier]'s source becomes contaminated
        - [Public water supplier]'s system is unable to deliver water due to the failure or damage of major water system components.

Stage 4 will end when the circumstances that caused the initiation of Stage 4 no longer exist.

Goals for Use Reduction and Actions Available Under Stage 4, Emergency

[Public water supplier] will reduce water use by [goal]. [Public water supplier] may order the implementation of any of the strategies listed below in order to decrease water use:

- Require mandatory reductions in water use
- Halt non-essential city government use
- Review the problems that caused the initiation of Stage 4.
- Intensify leak detection and repair efforts
- Create and implement a landscape ordinance.
- Prohibit washing of vehicles except as necessary for health, sanitation, or safety reasons.
- Prohibit commercial and residential landscape watering
- Prohibit golf course watering except for greens and tee boxes
- Prohibit filling of private pools.
- Initiate a rate surcharge for all water use over [amount in gallons per month].

9. Penalty for Violation of Water Use Restriction

Mandatory restrictions are required by TCEQ regulation to have a penalty. These restrictions will be strictly enforced with the following penalties:

- Potential penalties
    - Written warning that they have violated the mandatory water use restriction.
    - Issue a citation. Minimum and maximum fines are established by ordinance.
    - Discontinue water service to the user.

10. Variances

[Public water supplier] will provide opportunities for variances under this plan. Variances will be submitted in writing to [public water supplier] for review and approval.

11. Wholesale Customers

Any water supplier that receives all or a portion of their water supply from the [public water supplier] shall consult with the supplier and shall include in their drought plan appropriate provisions for responding to reduction in water supply.

12. Review and Update of Drought Contingency Plan

This drought contingency plan will be updated at least every 5 years as required by TCEQ regulations.

Appendix A
List of References

APPENDIX A

List of References

Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.20, downloaded from http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288, December 2014.

Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.21, downloaded from http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288, December 2014.

Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.22, downloaded from http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288, December 2014.

Appendix B
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

APPENDIX B
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

Texas Administrative Code

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288 WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER B DROUGHT CONTINGENCY PLANS
RULE §288.20 Drought Contingency Plans for Municipal Uses by Public Water Suppliers

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

(i) reduction in available water supply up to a repeat of the drought of record;

(ii) water production or distribution system limitations;

(iii) supply source contamination; or

(iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(i) curtailment of non-essential water uses; and

(ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.

(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

Source Note: The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384

Model Drought Contingency Plan for [Irrigation District]

Date

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Drought Contingency Plan for [Irrigation District]

1. Objectives

This drought contingency plan is intended for use by [irrigation district]. The plan includes all current TCEQ requirements for a drought contingency plan.

This drought contingency plan serves to:

- Conserve available water supplies during times of drought and emergency.
- Minimize adverse impacts of water supply shortages.
- Minimize the adverse impacts of emergency water supply conditions.

2. Texas Commission on Environmental Quality Rules

The TCEQ rules governing development of drought contingency plans for irrigation districts are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.21 of the Texas Administrative Code.

3. Provisions to Inform the Public and Opportunity for Public Input

[Irrigation district] will give customers the opportunity to provide public input into the preparation of the plan by one of the following methods:

- Holding a public meeting.
- Providing written notice of the proposed plan and the opportunity to comment on the plan by newspaper or posted notice.

4. Coordination with the Region F Water Planning Group

This drought contingency plan will be sent to the Chair of the Region F Water Planning Group in order to ensure consistency with the Region F Water Plan.

5. Initiation and Termination of Drought Response Stages

Official designees order the implementation of a drought response stage when one or more of the trigger conditions for that stage are met. Official designees may also order the termination of a drought response stage when the termination criteria are met or at their own discretion. The official designee for the [irrigation district] is:

Name
Title
Contact Information

If any mandatory provisions have been implemented or terminated, [irrigation district] is required to notify the Executive Director of the TCEQ within 5 business days.

6. Goals for Reduction in Water Use

TCEQ requires that each irrigation water user develop specific, quantifiable targets for water use reduction for each stage of the drought contingency plan. [Entity]'s targets are independently developed and given below.

7. Drought and Emergency Response Stages

Stage 1, Mild

Trigger Conditions for Stage 1, Mild

- A wholesale water supplier that provides all or part of an irrigation user's supply has initiated Stage 1, Mild
- *[Select appropriate other triggers]*
    - When [irrigation district]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
    - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.
    - When the water level in [irrigation district]'s well(s) is equal or less than [number] feet above/below mean sea level.
    - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Goals for Use Reduction and Actions Available Under Stage 1, Mild

[Entity]'s will reduce water use by [goal]. Irrigation water suppliers may order the implementation of any of the strategies listed below in order to reduce water use:

- Request mandatory reductions in water use.
- Review the problems that caused the initiation of Stage 1.

Stage 1 is intended to raise awareness of potential drought problems. Stage 1 will end when the circumstances that caused the initiation of Stage 1 no longer exist.

Stage 2, Moderate

Trigger Conditions for Stage 2, Moderate

- A wholesale water supplier that provides all or part of an irrigation user's supply has initiated Stage 2, Moderate
- *[Select appropriate other triggers]*

- When [irrigation district]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
- When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.
- When the water level in [irrigation district]'s well(s) is equal or less than [number] feet above/below mean sea level.
- When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Goals for Use Reduction and Actions Available Under Stage 2, Moderate
[Entity]'s will reduce water use by [goal]. Irrigation water suppliers may order the implementation of any of the strategies listed below in order to reduce water use:

- Request mandatory reductions in water use.
- Review the problems that caused the initiation of Stage 2.
- Intensify leak detection and repair efforts.
- Other.

Stage 2 will end when the circumstances that caused the initiation of Stage 2 no longer exist.

Stage 3, Severe

Trigger Conditions for Stage 3, Severe

- A wholesale water supplier that provides all or part of an irrigation user's supply has initiated Stage 3, Severe
- *[Select appropriate other triggers]*
  - When [irrigation district]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
  - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.
  - When the water level in [irrigation district]'s well(s) is equal or less than [number] feet above/below mean sea level.
  - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Goals for Use Reduction and Actions Available Under Stage 3, Severe
[Entity]'s will reduce water use by [goal]. Irrigation water suppliers may order the implementation of any of the strategies listed below in order to reduce water use:

- Request mandatory reductions in water use.
- Review the problems that caused the initiation of Stage 3.
- Intensify leak detection and repair efforts.
- Implement mandatory watering days and/or times.

- Other.

Stage 3 will end when the circumstances that caused the initiation of Stage 3 no longer exist.

Stage 4, Emergency

Trigger Conditions for Stage 4, Emergency

- A wholesale water supplier that provides all or part of an irrigation user's supply has initiated Stage 4, Emergency
- *[Select appropriate other triggers]*
    - When [irrigation district]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
    - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.
    - When the water level in [irrigation district]'s well(s) is equal or less than [number] feet above/below mean sea level.
    - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Goals for Use Reduction and Actions Available Under Stage 4, Emergency

[Entity]'s will reduce water use by [goal]. Irrigation water suppliers may order the implementation of any of the strategies listed below in order to reduce water use:

- Review the problems that caused the initiation of Stage 4.
- Intensify leak detection and repair efforts.
- Implement mandatory watering days and/or times.
- Implement mandatory reductions in water deliveries.
- Other.

Stage 4 will end when the circumstances that caused the initiation of Stage 4 no longer exist.

8. Allocation of Irrigation Supplies

In accordance with TWC Section 11.03, "If a shortage of water in a water supply results from drought (sic), accident, or other cause, the water to be distributed shall be divided among all customers pro rata, according to the amount each may be entitled to, so that preference is given to no one and everyone suffers alike."

In all drought situations, the [Entity] will make a daily public announcement of the water situation and request conservation practices to meet the situation. The [Entity] will monitor its total system and reserves on a daily basis and will monitor all customer activities, practices and reserves on a daily basis by:

- Daily meter readings to verify consumption.
- Visually inspecting areas of customer compliance, especially large users and wasteful practices.
- Confer with customers to evaluate effectiveness of activities to improve water conservation and to decrease water consumption.
- Keep daily inventory of water sales and water supply at the [Entity].
- Implement water management measures during each stage of the Plan, including, but not limited to, the pro rata curtailment of water deliveries as provided in Texas Water Code § 11.039; and utilization of alternative water sources with the prior approval of the TCEQ executive director, as appropriate.
- Include provisions in every new or renewed water supply contract, including contract extensions, that in case of a shortage of water resulting from drought or water emergency, the water to be distributed in accordance with Texas Water Code § 11.039.
- Include procedures for the enforcement of any mandatory water use restrictions.

The [Entity] shall be empowered, at his discretion, at the appropriate time, to cause a proportional reduction of water available to each customer in accordance with Pro Rata Curtailment of water use provided in Texas Water Code § 11.039, and based on any other conditions, physical, mechanical, or otherwise. The customer may appeal this decision to the [Entity] during periods of forced conservation measures by the [Entity]. The customer may appeal the decision of the [Entity] to the TCEQ.

The [Entity] may decide not to order the implementation of a drought contingency and water emergency response stage even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs.

Likewise, the [Entity] may decide not to order the termination of a drought contingency and water emergency response stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought contingency and water emergency response stage.

9. Penalty for Violation of Water Use Restriction

Mandatory water use restrictions are implemented in Stages [1, 2, 3, or 4]. These restrictions will be strictly enforced with the following penalties:

- Potential penalties include:

- Written warning that they have violated the mandatory water use restriction.
- Issue a citation. Minimum and maximum fines are established by ordinance or other order.
- Discontinue water service to the user.

10. Review and Update of Drought Contingency Plan

This drought contingency plan will be updated at least every 5 years as required by TCEQ regulations.

Appendix C
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

APPENDIX C
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

Texas Administrative Code

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288 WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER B DROUGHT CONTINGENCY PLANS
RULE §288.21 Drought Contingency Plans for Irrigation Use

(a) A drought contingency plan for an irrigation use, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans for irrigation water suppliers must include policies and procedures for the equitable and efficient allocation of water on a pro rata basis during times of shortage in accordance with Texas Water Code, §11.039. Such plans shall include the following elements as a minimum.

(A) Preparation of the plan shall include provisions to actively inform and to affirmatively provide opportunity for users of water from the irrigation system to provide input into the preparation of the plan and to remain informed of the plan. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the water users and providing written notice to the water users concerning the proposed plan and meeting.

(B) The drought contingency plan must document coordination with the regional water planning groups to ensure consistency with the appropriate approved regional water plans.

(C) The drought contingency plan must include water supply criteria and other considerations for determining when to initiate or terminate water allocation procedures, accompanied by an explanation of the rationale or basis for such triggering criteria.

(D) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(E) The drought contingency plan must include methods for determining the allocation of irrigation supplies to individual users.

(F) The drought contingency plan must include a description of the information to be monitored by the water supplier and the procedures to be followed for the initiation or termination of water allocation policies.

(G) The drought contingency plan must include procedures for use accounting during the implementation of water allocation policies.

(H) The drought contingency plan must include policies and procedures, if any, for the transfer of water allocations among individual users within the water supply system or to users outside the water supply system.

(I) The drought contingency plan must include procedures for the enforcement of water allocation policies, including specification of penalties for violations of such policies and for wasteful or excessive use of water.

(2) Wholesale water customers. Any irrigation water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan, appropriate provisions for responding to reductions in that water supply.

(3) Protection of public water supplies. Any irrigation water supplier that also provides or delivers water to a public water supplier(s) shall consult with that public water supplier(s) and shall include in the plan, mutually agreeable and appropriate provisions to ensure an uninterrupted supply of water necessary for essential uses relating to public health and safety. Nothing in this provision shall be construed as requiring the irrigation water supplier to transfer irrigation water supplies to non-irrigation use on a compulsory basis or without just compensation.

(b) Irrigation water users shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as adoption or revision of the regional water plan.

Source Note: The provisions of this §288.21 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384

Drought Contingency Plan for [Wholesale Water Supplier]

Date

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APPENDICES

Drought Contingency Plan for [Wholesale Water Supplier]

1. Objectives

This drought contingency plan (the Plan) is intended for use by [wholesale water supplier]. The plan includes all current TCEQ requirements for a drought contingency plan.

This drought contingency plan serves to:

- Conserve available water supplies during times of drought and emergency.
- Minimize adverse impacts of water supply shortages.
- Minimize the adverse impacts of emergency water supply conditions.
- Preserve public health, welfare, and safety.

2. Texas Commission on Environmental Quality Rules

The TCEQ rules governing development of drought contingency plans for wholesale water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.22 of the Texas Administrative Code.

3. Provisions to Inform the Public and Opportunity for Public Input

[Wholesale water supplier] will give the public and wholesale customers the opportunity to provide public input into the preparation of the plan by one of the following methods:

- Holding a public meeting.
- Providing written notice of the proposed plan and the opportunity to comment on the plan by newspaper or posted notice.
- Provide a copy of the Plan on their website.

4. Coordination with the Regional F Water Planning Group

This drought contingency plan will be sent to the Chair of the Region F Water Planning Group in order to ensure consistency with the Region F Water Plan. If any changes are made to the drought contingency plan, a copy of the newly adopted plan will be sent to the Regional Water Planning Group.

5. Initiation and Termination of Drought Response Stages

The designated official will order the implementation of a drought response stage when one or more of the trigger conditions for that stage exist. Official designees may also

order the termination of a drought response stage when the termination criteria are met or at their own discretion.

Wholesale customers must be notified regarding the initiation or termination of drought response stages. The designated official will utilize the appropriate channels to ensure that all customers are made aware of the drought response situation.

If any mandatory provisions have been implemented or terminated, the water supplier is required to notify the Executive Director of the TCEQ within 5 business days.

6. Goals for Reduction in Water Use

TCEQ requires that each wholesale water supplier develop specific quantifiable targets for water use reduction for each stage of the drought contingency plan. These goals are outlined below.

[To be developed by each supplier. An example is provided.]

- Stage 1, Mild
    - 0 to 2 percent reduction in use that would have occurred in the absence of drought contingency measures.
- Stage 2, Moderate
    - 2 to 6 percent reduction in use that would have occurred in the absence of drought contingency measures
- Stage 3, Severe
    - 6 to 10 percent reduction in use that would have occurred in the absence of drought contingency measures
- Stage 4, Emergency
    - 10 to 14 percent reduction in use that would have occurred in the absence of drought contingency measures

7. Drought and Emergency Response Stages

Stage 1, Mild

Trigger Conditions for Stage 1, Mild

- [To be otherwise completed by wholesale water supplier]
    - Potential triggers are:
        - When [wholesale water supplier]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
        - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.

        - When the water level in [wholesale water supplier]'s well(s) is equal or less than [number] feet above/below mean sea level.
        - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Stage 1 will end when the circumstances that caused the initiation of Stage 1 no longer exist.

Goals for Use Reduction and Actions Available Under Stage 1, Mild
[Wholesale water supplier] will reduce water use by [goal]. [Wholesale water supplier] may order the implementation of any of the strategies listed below in order to decrease water use:

- Request pro-rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code §11.039
- Utilization of approved alternative water sources
- Review the problems that caused the initiation of Stage 1.

Stage 2, Moderate

Trigger Conditions for Stage 2, Moderate

- [To be otherwise completed by wholesale water supplier]
    - Potential triggers are:
        - When [wholesale water supplier]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
        - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.
        - When the water level in [wholesale water supplier]'s well(s) is equal or less than [number] feet above/below mean sea level.
        - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Stage 2 will end when the circumstances that caused the initiation of Stage 2 no longer exist.

Goals for Use Reduction and Actions Available Under Stage 2, Moderate
[Wholesale water supplier] will reduce water use by [goal]. [Wholesale water supplier] may order the implementation of any of the strategies listed below in order to decrease water use:

- Request pro-rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code §11.039
- Utilization of approved alternative water sources

- Review the problems that caused the initiation of Stage 2.

Stage 3, Severe

Trigger Conditions for Stage 3, Severe

- [To be otherwise completed by wholesale water supplier]
    - Potential triggers are:
        - When [wholesale water supplier]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
        - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.
        - When the water level in [wholesale water supplier]'s well(s) is equal or less than [number] feet above/below mean sea level.
        - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

Stage 3 will end when the circumstances that caused the initiation of Stage 3 no longer exist.

Goals for Use Reduction and Actions Available Under Stage 3, Severe

[Wholesale water supplier] will reduce water use by [goal]. [Wholesale water supplier] may order the implementation of any of the strategies listed below in order to decrease water use:

- Request pro-rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code §11.039
- Utilization of approved alternative water sources
- Limit outdoor watering to specific number of days.

Stage 4, Emergency

Trigger Conditions for Stage 4, Emergency

- [To be otherwise completed by wholesale water supplier]
    - Potential triggers are:
        - When [wholesale water supplier]'s demand exceeds the amount that can be delivered to customers.
        - When [wholesale water supplier]'s source becomes contaminated
        - [Wholesale water supplier]'s system is unable to deliver water due to the failure or damage of major water system components.

Stage 4 will end when the circumstances that caused the initiation of Stage 4 no longer exist.

Goals for Use Reduction and Actions Available Under Stage 4, Emergency
[Wholesale water supplier] will reduce water use by [goal]. [Wholesale water supplier] may order the implementation of any of the strategies listed below in order to decrease water use:

- Request pro-rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code §11.039
- Utilization of approved alternative water sources
- Review the problems that caused the initiation of Stage 4.
- Initiate a rate surcharge for all water use over [amount in gallons per month].

8. Penalty for Violation of Water Use Restriction

Mandatory restrictions are required by TCEQ regulation to have a penalty. These restrictions will be strictly enforced with the following penalties:

- Potential penalties
    - Written warning that they have violated the mandatory water use restriction.
    - Liquidated damages.
    - Water rate surcharges.
    - Discontinue water service to the customer.

9. Wholesale Water Contract Provision

The [wholesale water supplier] must include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code §11.039.

10. Variances

[Wholesale water supplier] will provide opportunities for variances under this plan. Variances will be submitted in writing to [wholesale water supplier] for review and approval.

11. Review and Update of Drought Contingency Plan

This drought contingency plan will be updated at least every 5 years as required by TCEQ regulations.

Appendix D
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

APPENDIX D
Texas Commission on Environmental Quality Rules on Drought Contingency Plans

Texas Administrative Code

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288 WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER B DROUGHT CONTINGENCY PLANS
RULE §288.22 Drought Contingency Plans for Wholesale Water Suppliers

(a) A drought contingency plan for a wholesale water supplier must include the following minimum elements.

(1) Preparation of the plan shall include provisions to actively inform the public and to affirmatively provide opportunity for user input in the preparation of the plan and for informing wholesale customers about the plan. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(2) The drought contingency plan must document coordination with the regional water planning groups for the service area of the wholesale public water supplier to ensure consistency with the appropriate approved regional water plans.

(3) The drought contingency plan must include a description of the information to be monitored by the water supplier and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(4) The drought contingency plan must include a minimum of three drought or emergency response stages providing for the implementation of measures in response to water supply conditions during a repeat of the drought-of-record.

(5) The drought contingency plan must include the procedures to be followed for the initiation or termination of drought response stages, including procedures for notification of wholesale customers regarding the initiation or termination of drought response stages.

(6) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this paragraph are not enforceable.

(7) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(A) pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code, §11.039; and

(B) utilization of alternative water sources with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use

of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(8) The drought contingency plan must include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

(9) The drought contingency plan must include procedures for granting variances to the plan.

(10) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions including specification of penalties (e.g., liquidated damages, water rate surcharges, discontinuation of service) for violations of such restrictions.

(b) The wholesale public water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The wholesale public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as adoption or revision of the regional water plan.

Source Note: The provisions of this §288.22 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384.