APPENDIX B

LOWER COLORADO RIVER AUTHORITY
DROUGHT CONTINGENCY PLAN RULES FOR WATER SALE CONTRACTS
DRAFT – FOR PLANNED BOARD CONSIDERATION
FEBRUARY 2027 ~~APRIL 2024~~

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FOREWORD

The Lower Colorado River Authority (LCRA) was created by the Texas Legislature in 1934 as a conservation and reclamation district. One of LCRA's primary responsibilities is to conserve and protect the soil and water resources of the Colorado River basin within LCRA's statutory district. The LCRA Board policy on Water Conservation directs LCRA staff and management to exercise leadership in promoting and, where appropriate, requiring the conservation of ground and surface waters within LCRA's water service area.

The drought contingency rules are promulgated pursuant to LCRA policy and in compliance with the requirements of Texas Administrative Code, Title 30, Environmental Quality, Chapter 288, Subchapter B: Drought Contingency Plans.

CHAPTER 1:
PURPOSE AND AUTHORITY

1.1. Purpose The purpose of these rules is to extend existing surface and groundwater supplies through conservation and beneficial reuse and to help assure an adequate supply of clean water within the LCRA water service area. These rules apply to all LCRA firm water sale contracts except those expressly excluded below. Customers that fail to comply with these rules are subject to enforcement as specified in Section 10. These rules do not apply to water sale contracts for uses other than municipal use that have a Maximum Annual Quantity (MAQ) of ten (10) acre-feet per year or less and a term of three (3) years or less, to domestic use contracts of ten (10) acre-feet per year or less, or to landscape, irrigation and recreation contracts with a MAQ of up to 30 acre-feet per year to the extent those customers are covered by a drought contingency plan.

1.2. Authority These rules are promulgated in accordance with Chapters 11 and 152 of the Texas Water Code; Chapter 8503 of the Texas Special District Local Laws Code; Title 30, Chapter 288 of the Texas Administrative Code; LCRA Board Policy 501 – Water Resources; and the LCRA Water Management Plan.

CHAPTER 2: DEFINITIONS

Terms used in these Drought Contingency Plan Rules shall have the same meaning as the terms defined in LCRA's Water Contract Rules. Additional terms are defined as follows:

2.1. LCRA Water Management Plan A plan required in specific water rights held by LCRA and approved by the TCEQ that defines LCRA's reservoir operations, water management program, and policies under those water rights.

2.2. Municipal Per Capita Water Use The sum total of water diverted into a water supply system for residential, commercial, public and institutional uses divided by actual population served.

2.3. Municipal Use in Gallons Per Capita Per Day The total average daily amount of water diverted or pumped for treatment for potable use by a public water supply system. The calculation is made by dividing the water diverted or pumped for treatment for potable use by population served. Direct reuse volumes shall be credited against total diversion volumes for the purpose of calculating gallons per capita per day for targets and goals.

2.4. Ornamental Landscaping Irrigated turfgrass and other landscaping that is not regularly used for: active and programmed recreational purposes such as sports fields, golf course areas used directly for sport (greens, tees, fairways, and practice areas); ~~areas used for~~ food production; compliance with a locally-adopted fire protection code; ~~maintaining cemeteries~~ cemetery maintenance; ~~maintaining the integrity of~~ foundation~~s~~ maintenance; or ~~preserving~~ tree~~s~~ preservation.

2.5. Ornamental Turf Grass Irrigated turf grass that is not regularly used for active and programmed recreational purposes such as sports fields, golf course areas used directly for sport (greens, tees, fairways, and practice areas), cemetery maintenance, and foundation maintenance.

2.6 Reference Year The most recent dry year for which there is a full and accurate record of water use not restricted by drought contingency plan implementation as defined in LCRA's pro rata curtailment rules for firm water customers.

2.7. Regional Water Planning Group Group created and supported by the Texas Water Development Board consisting of regional and local leaders of different backgrounds and various social, environmental and economic interests responsible for developing and adopting a regional water plan for its planning area.

2.8. Retail Public Water Supplier An individual or entity that supplies water to the public for human consumption.

2.9. Wholesale Public Water Supplier An individual or entity that for compensation supplies water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants as an incident of that employee service or tenancy when that water is not resold to or used by others, or an individual or entity that conveys water to another individual or entity but does not own the right to the water which is conveyed, whether or not for a delivery fee.

CHAPTER 3:
MUNICIPAL WATER USE BY RETAIL PUBLIC WATER SUPPLIERS

3.1. Minimum Requirements All LCRA customers with water sale contracts for this type of use shall develop, adopt and update in accordance with these rules a drought contingency plan that shall include at least the following minimum requirements:

1) **Public Involvement** Provision shall be made to actively inform the public and affirmatively provide opportunity for public input into the preparation of the retail public water supplier's drought contingency 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 drought contingency plan and meeting.
2) **Public Education** Provision shall be made for a program of continuing public education and information. This information should include basic information about water conservation, effective conservation strategies, as well as information relating to drought, drought restrictions and other related issues.
3) **Regional Planning Group.** The plan must document coordination with the regional planning groups for the service area of the customer to ensure consistency with the appropriate approved regional water plans.
4) **Specific Criteria.** The drought contingency plan must include a description of the

information to be monitored by the water supplier and the specific criteria, including supply-side and demand-side criteria, for the initiation and termination of drought response stages, accompanied by an explanation of the rationale for such triggering criteria. By no later than May, 1, 2029, customer must adopt a drought contingency plan that includes a trigger for implementation of Stage 1 by no later than May 1, 2029 if combined storage in lakes Buchanan and Travis falls below 1.45 million acre-feet and interruptible agricultural supply to customers in Gulf Coast, Lakeside and Pierce Ranch is cut off under LCRA's Water Management Plan. Termination of the updated Stage 1 will occur at 1.6 million acre-feet beginning on May 1, 2029.

5) **Stages.** The drought contingency plan must include a minimum of four drought or emergency response stages, providing for the implementation of measures in response to at least the following situations:
   1) Drought response stages corresponding to LCRA's Drought Contingency Plan for Firm Water Customers.
   2) Reduction in available water supply from LCRA after a declaration of a Drought Worse than Drought of Record by the LCRA Board of Directors or other shortage resulting from emergency;
   3) Water production or distribution system limitations;
   4) Supply source contamination; and
   5) System outage due to the failure or damage of major water system components (e.g., pumps).

6) **Specific Goals.** The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. Until mandatory curtailment is implemented by LCRA, implementation of measures to achieve these targets will be encouraged so as to further extend the supply available during drought. The customer shall establish the targets, which must be at least as stringent as ~~consistent with~~ those in the LCRA Drought Contingency Plan for Firm Water Customers (DCP). Reduction targets will be compared with the current Reference Year use. However, for purposes of drought response stages prior to pro rata curtailment, if the Reference Year occurs after the implementation of a permanent once-per-week watering schedule, for at least two years following the permanent implementation, the reduction targets may be evaluated as if once-per-week watering had not been implemented in the Reference Year.

7) **Water Supply or Water Demand Management Measures.** The drought contingency plan must include specific water supply or water demand management measures to be implemented during each stage of the drought contingency plan including, but not limited to, the following:
   a) Curtailment of non-essential water uses. Non-essential uses can include ornamental landscape irrigation, filling of pools and fountains, or any other water uses determined by the customer to be non-essential. In accordance with Stage 4 of the LCRA DCP, prohibition on irrigation of ornamental turfgrass and prohibition on the use of automatic sprinkler irrigation systems and hose-end sprinklers must be included as measures to curtail non-essential water use.
   b) Landscape watering schedules. The drought contingency plan must have a landscape watering schedule that restricts daytime outdoor water use and does not allow the irrigation of ornamental landscaping by automatic spray irrigation to

occur more than ~~twice~~ once a week on a permanent year-round basis beginning no later than the earlier of March 1, 2031 or when combined storage of Lakes Buchanan and Travis falls below 900,000 acre-feet. Prior to that, the irrigation of ornamental landscaping by automatic spray irrigation is limited to no more than twice per week. If Stage 1 is initiated after May 1, 2029, a once-per-week landscape watering schedule for ornamental landscaping by automatic spray irrigation will be in effect during Stage 1. Drip irrigation and hose-end sprinkler irrigation may not have a permanent watering schedule of more than twice per week. The plan must include a no more than once-per-week watering schedule limited to no more than 10 hours per week for automatic spray, drip or hose-end sprinkler irrigation of ~~for~~ ornamental landscaping that is implemented at or before the initiation of Stage 2 of the LCRA DCP, a watering schedule limited to no more than 6 hours per week for all automatic spray, drip or hose-end sprinkler irrigation of ornamental landscaping that is implemented at or before the initiation of Stage 3 of the LCRA DCP and eliminating operation of ornamental fountains in Stage 3. Landscape irrigated for fire code compliance, foundation maintenance and tree preservation is not exempt from watering schedules in Stages 1-3. In Stage 4, the plan may allow irrigation of areas not defined as ornamental landscaping only with hand-held hoses with a working on/off nozzle, bucket, drip irrigation or soaker hoses used to water foundations for no more than 6 hours one day per week.

c) Use of alternative water sources and/or alternative delivery mechanisms with the prior approval of TCEQ or other appropriate governing body with jurisdiction (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable water, etc.).

d) Additional measures. In preparing the plan, customer shall consider inclusion of LCRA-recommended measures for various stages, including those included in relevant template DCPs.

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

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

10) **Compliance with LCRA Drought Contingency Plan for Firm Water Customers.** The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's DCP. A statement shall be included in customers' plan that states they will comply with the LCRA DCP.

3.2. Recommended Minimum Drought Contingency Measures Under Pro Rata Curtailment.

Recommended minimum drought contingency measures to implement under pro rata curtailment are found in Attachment A of these Rules.

3.3. Notification to LCRA and TCEQ.

The customer shall notify the LCRA General Manager and the TCEQ Executive Director in writing within five (5) business days of the implementation of any mandatory provisions of its drought contingency plan.

3.4. Wholesale Customer Requirement. Customers shall include a provision in their drought contingency plans that every wholesale water supply contract entered into, extended or renewed after official adoption of the customer's drought contingency plan shall require each successive wholesale customer to develop and implement a drought contingency plan using the applicable elements in these Rules. If the customer's wholesale customer intends to resell the water, the contract between the initial supplier and wholesale customer must provide that the contract for the resale of the water must have drought contingency plan requirements so that each successive customer in the resale of the water will be required to implement measures in accordance with these Rules. Any retail public water supplier that receives all or a portion of its water supply from a customer shall consult with the customer and shall include in its drought contingency plan appropriate provisions for responding to reductions in that water supply. In the event the customer provides water to a retail public water supplier, if the retail public water supplier obtained less than 25 percent of its water supply in the prior calendar year from the Colorado River basin, demand measures in Section 3.1(g) that would restrict outdoor watering in Stages 2 and 3 are recommended, rather than required in the retail public water supplier's drought contingency plan.

3.5. Implementation and Enforcement. The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions, including specification of enforcement mechanisms (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions. A means of implementation and enforcement shall be evidenced by:

1) A copy of the ordinance, resolution or tariff, indicating official adoption of the drought contingency plan by the customer; and,
2) An employee or entity must be designated to oversee implementation of this plan.

In a shortage of water not covered by the LCRA Water Management Plan or other conservation plan approved by TCEQ applicable to LCRA's firm water supply, a water sale contract customer who fails to implement its applicable drought contingency plan is subject to curtailment of firm water supply by LCRA based on the customer's pro rata share less the amount of water the customer would have saved if the customer had operated its water system in compliance with the drought contingency plan.

3.6. Other Approved Drought Contingency Plans. A drought contingency plan prepared and approved in the last five (5) years by LCRA or TCEQ and substantially meeting the requirements of these rules may be substituted for development of a plan to meet the LCRA rules. A determination that other approved drought contingency plans substantially meet the requirements of these rules shall be at the sole discretion of LCRA. If a water customer fails to develop, adopt, or update its drought contingency plan, then the customer shall adopt and implement any template drought contingency plan for this type of water use that may be developed by LCRA.

CHAPTER 4:
MUNICIPAL USE BY WHOLESALE PUBLIC WATER SUPPLIERS

4.1. Minimum Requirements. All LCRA customers with water sale contracts for this type of use shall develop, adopt and update in accordance with these rules a drought contingency plan that shall include at least the following minimum requirements:

1) **Public Involvement.** Provision shall be made to actively inform the public and affirmatively provide opportunity for public input into the preparation of the drought contingency 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 drought contingency plan and meeting.
2) **Public Education.** Provision shall be made for a program of continuing public education and information. This information should include basic information about water conservation, as well as information relating to drought, drought restrictions and other related issues.
3) **Regional Planning Group.** The plan must document coordination with the regional planning groups for the service area of the customer to ensure consistency with the appropriate approved regional water plans.
4) **Specific Criteria.** The plan must include a description of the information to be monitored by the wholesale public water supplier, and the specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale for such triggering criteria. By no later than May 1, 2029, customer must adopt a drought contingency plan that includes a trigger for implementation of Stage 1 by no later than May 1, 2029, if combined storage in lakes Buchanan and Travis falls below 1.45 million acre-feet and interruptible agricultural supply to customers in Gulf Coast, Lakeside and Pierce Ranch is cut off under LCRA's Water Management Plan. Termination of the updated Stage 1 will occur at 1.6 million acre-feet beginning on May 1, 2029.
5) **Stages.** The plan must include a minimum of four drought or emergency response stages, providing for the implementation of measures in response to at least the following situations: drought response stages corresponding to LCRA DCP, reduction in available water supply from LCRA after declaration of a Drought Worse than Drought of Record by the LCRA Board or other shortage resulting from emergency.
6) **Specific Goals.** The plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. Until mandatory curtailment is implemented by LCRA, implementation of measures to achieve these targets will be encouraged, so as to further extend the supply available during drought. The customer shall include targets in the plan that are at least as stringent as ~~consistent with~~ those in the LCRA DCP. Reduction targets will be compared with the current Reference Year use. However, for purposes of drought response stages prior to pro rata curtailment, if the Reference Year occurs after the implementation of a permanent once-per-week watering schedule, for at least two years following the permanent implementation, the reduction targets may be evaluated as if once-per-week watering had not been implemented in the Reference Year.

7) **Water Supply or Water Demand Management Measures.** The plan must include specific water supply or water demand management measures to be implemented during each stage of the drought contingency plan including, but not limited to:
    a) **Pro-rata curtailment** of water deliveries to or diversions by wholesale water customers as provided in the Texas Water Code, section 11.039; and
    b) Use of **alternative water sources** and/or alternative delivery mechanisms with the prior approval of the TCEQ or other appropriate governing body with jurisdiction (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable water, etc.).
    c) **Minimum requirements**. All measures listed in Section 3.1 (7).
8) **Notification Procedures.** The plan must include procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of wholesale customers.
9) **Variances.** The plan must include procedures for granting variances to the plan.
10) **Compliance with LCRA Drought Contingency Plan for Firm Water Customers.** A statement shall be included in the customer's plan that states they will comply with the LCRA DCP.

4.2. Recommended Minimum Drought Contingency Measures Under Pro Rata Curtailment. Recommended minimum drought contingency measures to implement under pro rata curtailment are found in Attachment A of these Rules.

4.3. Notification to LCRA and TCEQ. The customer shall notify the LCRA General Manager and the TCEQ Executive Director in writing within five (5) business days of the implementation of any mandatory provisions of its drought contingency plan.

4.4. Wholesale Customer Requirement. Customers shall include a requirement that, for every wholesale water supply contract entered into, extended, or renewed after official adoption of the customer's drought contingency plan, each successive wholesale customer shall be required to develop and implement a drought contingency plan using the applicable elements in these Rules. If the customer's wholesale customer intends to resell the water, then the contract between the initial supplier and wholesale customer must provide that the contract for the resale of the water must have drought contingency plan requirements so that each successive customer in the resale of the water will be required to implement measures in accordance with these Rules. Any retail or wholesale public water supplier that receives all or a portion of its water supply from another wholesale public 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. In the event the customer provides water to a retail public water supplier, if the retail public water supplier obtained less than 25 percent of its water supply in the prior calendar year from the Colorado River basin, demand measures in Section 3.1 (7) that would restrict outdoor watering in Stages 2 and 3 are recommended, rather than required in the retail public water supplier's drought contingency plan.

4.5. Implementation and Enforcement. The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions, including specification of enforcement mechanisms (e.g., fines, water rate surcharges, discontinuation of service), for

violations of such restrictions. A means of implementation and enforcement shall be evidenced by:

1) A copy of the ordinance, resolution or tariff, indicating official adoption of the drought contingency plan by the customer; and,
2) An employee or entity must be designated to oversee implementation of this plan.

In a shortage of water not covered by the LCRA Water Management Plan or other conservation plan approved by TCEQ applicable to LCRA's firm water supply, a water sale contract customer who fails to implement its applicable drought contingency plan is subject to curtailment of firm water supply by LCRA based on the customer's pro rata share less the amount of water the customer would have saved if the customer had operated its water system in compliance with the drought contingency plan.

4.6. Other Approved Drought Contingency Plans. A drought contingency plan prepared and approved in the last five (5) years by LCRA or TCEQ and substantially meeting the requirements of these rules may be substituted for development of a plan to meet the LCRA rules. A determination that other approved drought contingency plans substantially meet the requirements of these rules shall be at the sole discretion of LCRA. If a water customer fails to develop, adopt, or update its drought contingency plan, then the customer shall adopt and implement any model drought contingency plan for this type of water use that may be developed by LCRA.

CHAPTER 5: INDUSTRIAL OR MINING USE

5.1. Minimum Requirements. All LCRA customers with water contracts for this type of use shall develop, adopt and update in accordance with these rules a drought contingency plan that shall include at least the following minimum requirements:

1) **Education Program**. Provision shall be made for a continuous employee education and information program. Information should include the importance of the drought contingency plan, plan processes to reduce non-essential water use and impending or current drought conditions.
2) **Initiation and Termination of Drought Response Stages, with rationale.** The manager or official designated in the drought contingency plan will order the implementation and termination of drought response stages based on triggering criteria for the initiation and termination of drought response stages. By no later than May, 1, 2029, customer must adopt a drought contingency plan that includes a trigger for implementation of Stage 1 by no later than May 1, 2029, if combined storage in lakes Buchanan and Travis falls below 1.45 million acre-feet and interruptible agricultural supply to customers in Gulf Coast, Lakeside and Pierce Ranch is cut off under LCRA's Water Management Plan. Termination of the updated Stage 1 will occur at 1.6 million acre-feet beginning on May 1, 2029.
3) **Specific and Quantified Targets.** The plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. Until

mandatory curtailment is implemented by LCRA, implementation of measures to achieve these targets will be encouraged so as to further extend the supply available during drought. The customer shall include targets in the plan that are at least as stringent as ~~consistent with~~ those in the LCRA DCP. Reduction targets will be compared with the current Reference Year use.

4) **Stages.** The plan must include a minimum of four drought response stages, providing for the implementation of measures in response to the reduction in response to at least the following situations: drought response stages corresponding to LCRA DCP, reduction in available water supply from LCRA after a declaration of a Drought Worse than Drought of Record or other shortage resulting from emergency.
5) **Response Measures.** Response measures should be those that reduce and/or eliminate non-essential water uses or water waste and reduce water demand. The measures employed for each response stage should be directly related to the severity of the supply conditions and to specific targets for each stage. These measures should reflect consideration of staff-recommended measures for drought contingency plans and must include reduction of water use for ornamental landscaping, if relevant, consistent with the municipal and irrigation sections of these rules.
6) **Compliance with LCRA Drought Contingency Plan for Firm Water Customers.** Customers drought contingency plans will be used when customers are asked to comply with LCRA's DCP. A statement shall be included in each customers' plan stating the customer will comply with the LCRA DCP, which is incorporated in LCRA's Water Management Plan.

5.2. Notification to LCRA. The customer shall notify the LCRA General Manager in writing within five (5) business days of the implementation of any mandatory provisions of its drought contingency plan.

5.3. Implementation. The drought contingency plan must include a means of implementation of the drought contingency plan which shall be evidenced by:

1) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and
2) An employee or entity must be designated to oversee implementation of the plan.

In a shortage of water not covered by the LCRA Water Management Plan or other conservation plan approved by TCEQ applicable to LCRA's firm water supply, a water contract customer that fails to implement its applicable drought contingency plan is subject to curtailment of firm water supply by LCRA based on the customer's pro rata share less the amount of water the customer would have saved if the customer had operated its water system in compliance with the drought contingency plan.

5.4. Other Approved Drought Contingency Plans. A drought contingency plan prepared and approved in the last five (5) years by LCRA and substantially meeting the requirements of these rules may be substituted for development of a drought contingency plan to meet LCRA rules. A determination that other approved drought contingency plans substantially meet the requirements of these rules shall be at the sole discretion of LCRA. If a water customer fails to develop, adopt or update its drought contingency plan, the customer shall adopt and implement

any model drought contingency plan for this type of water use that may be developed by LCRA.

CHAPTER 6:
AGRICULTURAL USE

6.1. Agriculture Water Users other than Customers within Agricultural Irrigation Divisions.

6.1.1. Minimum Requirements. All LCRA customers with water sale contracts for this type of use shall develop, adopt, and update in accordance with these rules a drought contingency plan that shall include, at least the following minimum requirements:

1) **Initiation and Termination of Drought Response Stages, with rationale.** The owner, manager, or official designee will order the implementation and termination of drought response stages based on triggering criteria for each of the drought response stages.
2) **Specific and Quantified Targets.** The plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. Until mandatory curtailment is implemented by LCRA, implementation of measures to achieve these targets will be encouraged so as to further extend the supply available during drought. The customer shall include targets in the plan that are at least as stringent as ~~consistent with~~ those in the LCRA DCP. Reduction targets will be compared with the current Reference Year use.
3) **Stages.** The plan must include a minimum of four drought or emergency response stages, providing for the implementation of measures in response to at least the following situations: drought response stages corresponding to LCRA DCP, reduction in available water supply from LCRA after a declaration of a Drought Worse than Drought of Record or other shortage resulting from emergency.
4) **Response Measures.** Response measures should be those that reduce and/or eliminate non-essential water uses or water waste and will reduce water demand. The measures employed for each response stage should be directly related to the severity of the supply conditions and to specific targets for each stage.
5) **Compliance with LCRA Drought Contingency Plan for Firm Water Customers.** Customers drought contingency plans will be used when customers are asked to comply with LCRA's DCP. A statement shall be included in each customer's plan stating states it will comply with the LCRA DCP.

6.1.2. Notification to LCRA. The customer shall notify the LCRA General Manager within five (5) business days of the implementation of any mandatory provisions of its drought contingency plan.

6.1.3. Implementation. A means of implementation of the drought contingency plan which shall be evidenced by:

1) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and,
2) An employee or entity must be designated to oversee implementation of this plan.

In a shortage of water not covered by the LCRA Water Management Plan or other conservation plan approved by TCEQ applicable to LCRA's firm water supply, a water contract customer who fails to implement its applicable drought contingency plan is subject to curtailment of firm water supply by LCRA based on the customer's pro rata share less the amount of water the customer would have saved if the customer had operated its water system in compliance with the drought contingency plan.

6.2. Agriculture Water Suppliers/Irrigation Divisions.

6.2.1. Minimum Requirements. In addition to the requirements of section 6.1.1, all LCRA customers that supply agricultural water to end users use shall develop, adopt and update in accordance with these rules a drought contingency plan that shall include the following minimum requirements:

1) **Public Involvement.** Preparation of the drought contingency 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 drought contingency plan and to remain informed of the drought contingency 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 drought contingency plan and meeting.
2) **Regional Planning Group.** The plan must document coordination with the regional water planning groups to ensure consistency with the appropriate approved regional water plans.
3) **Specific Criteria.** The 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.
4) **Specific and Quantified Targets.** The plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. Until mandatory curtailment is implemented by LCRA's Water Management Plan, implementation of measures to achieve these targets will be encouraged so as to further extend the supply available during drought. The customer shall include targets in the plan that are consistent with those in the LCRA DCP.
5) **Allocation of Water Supplies**. The plan must include methods for determining the allocation of agricultural water supplies to individual users in times of shortage in accordance with Texas Water Code §11.039.
6) 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.
7) **Accounting Procedures.** The plan must include procedures for use accounting during the implementation of water allocation policies.
8) **Transfer of Water Allocations.** The 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.
9) **Enforcement Procedures.** 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.

10) **Compliance with LCRA Drought Contingency Plan for Firm Water Customers.** The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's DCP. A statement shall be included in the customer's plan that states they will comply with the LCRA DCP.

6.2.2. Wholesale Water Customers. Any water supplier that receives all or a portion of its water from the customer shall consult with that customer and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

6.2.3. Protection of Public Water Supplies. Any agricultural 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 drought contingency 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 agricultural water supplier to transfer agricultural water supplies to non-agricultural use on a compulsory basis or without just compensation.

6.2.4. Notification to LCRA and TCEQ. The customer shall notify the LCRA General Manager and the TCEQ Executive Director in writing within five (5) business days of the implementation of any mandatory provisions of the drought contingency plan.

6.2.5. Implementation and Enforcement. The drought contingency plan must include a means of implementation and enforcement that shall be evidenced by:

1) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and,
2) An employee or entity must be designated to oversee implementation of this plan.

In a shortage of water not covered by the LCRA Water Management Plan or other conservation plan approved by TCEQ applicable to LCRA's firm water supply, a water contract customer that fails to implement its applicable drought contingency plan is subject to curtailment of firm water supply by LCRA based on the customer's pro rata share less the amount of water the customer would have saved if the customer had operated its water system in compliance with the drought contingency plan.

6.3. Other Approved Drought Contingency Plans. A drought contingency plan prepared and approved in the last five (5) years by LCRA or TCEQ and substantially meeting the requirements of these rules may be substituted for development of a plan to meet LCRA rules. A determination that other approved drought contingency plans substantially meet the requirements of these rules shall be at the sole discretion of LCRA. If a water customer fails to develop, adopt, or update its drought contingency plan, then the customer shall adopt and implement any model drought contingency plan for this type of water use that may be developed by LCRA.

CHAPTER 7:
IRRIGATION OR GOLF COURSE USE

7.1. Minimum Requirements. The requirements of this section shall apply to any water contract from LCRA for water that irrigates a golf course regardless of whether such contract is based on municipal, irrigation or recreational use. All LCRA customers with water contracts for these types of uses shall develop, adopt, and update in accordance with these rules a drought contingency plan that shall include, at least the following minimum requirements:

1) **Public Education.** Provision shall be made for a program of continuing education of employees, members of the facility and general public, where applicable. Information should include the importance of the drought contingency plan and plan processes to reduce non-essential water use and impending or current drought conditions.
2) **Initiation and Termination of Drought Response Stages, with rationale.** The manager or official designated in the drought contingency plan will order the implementation and termination of Drought Response Stages based on triggering criteria for the initiation and termination of drought response stages. By no later than May, 1, 2029, customer must adopt a drought contingency plan that includes a trigger for implementation of Stage 1 by no later than May 1, 2029 if combined storage in lakes Buchanan and Travis falls below 1.45 million acre-feet and interruptible agricultural supply to customers in Gulf Coast, Lakeside and Pierce Ranch is cut off under LCRA's Water Management Plan. Termination of the updated Stage 1 will occur at 1.6 million acre-feet beginning on May 1, 2029.
3) **Specific and Qualified Targets.** The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. Until mandatory curtailment is implemented by LCRA, implementation of these measures to achieve these targets will be encouraged so as to further extend the supply available during drought. The customer shall include targets in the plan that are at least as stringent as those in the LCRA DCP. Reduction targets will be compared with the current Reference Year use. However, for purposes of drought response stages prior to pro rata curtailment, if the Reference Year occurs after the implementation of a permanent once-per-week watering schedule, for at least two years following the permanent implementation, the reduction targets may be evaluated as if once-per-week watering had not been implemented in the Reference Year.
4) **Stages.** The drought contingency plan shall include a minimum of four drought response stages, providing for the implementation of measures in response to at least the following situations: drought response stages corresponding to LCRA DCP, reduction in available water supply from LCRA after a declaration of a Drought Worse than Drought of Record or other shortage resulting from emergency.
5) **Response Measures.** Response measures for each stage should be those that reduce and/or eliminate non-essential water uses or water waste and will reduce water demand. The measures employed for each response stage should be directly related to the severity of the supply conditions and to specific targets for each stage. The drought contingency plan must have a watering schedule specific to ornamental landscaping that restricts daytime outdoor water use and does not allow irrigation of ornamental landscaping by automatic spray irrigation to occur more than once per week on a

permanent year-round basis beginning no later than the earlier of March 2031 or when combined storage in lakes Buchanan and Travis falls below 900,000 acre-feet. Prior to that, the irrigation of ornamental landscaping by automatic spray irrigation is limited to no more than twice per week. If Stage 1 is initiated after May 1, 2029, a once-per-week landscape watering schedule for ornamental landscaping by automatic spray irrigation will be in effect during Stage 1. Drip irrigation and hose-end sprinkler irrigation may not have a permanent watering schedule for ornamental landscaping of more than twice per week. In accordance with Stage 2 of LCRA's DCP, response measures identified for non-essential uses must include curtailment of irrigation to roughs, a no more than once per week watering schedule for ornamental landscaping, and may include limitation of any other water uses determined by the customer to be non-essential. In accordance with Stage 3 of LCRA's DCP, responses measures identified for non-essential uses must include a prohibition on establishing new turf grass on golf course roughs, a variance from LCRA to establish new turf grass on in-play areas, limitation of irrigation to fairways and practice areas and eliminating operation of ornamental fountains. These measures should reflect consideration of staff recommended measures for drought contingency plans. In accordance with Stage 4 of LCRA's DCP, response measures identified for non-essential uses must include a prohibition on irrigation of ornamental turfgrass and a prohibition on installing any new turf grass on golf courses.

6) **Compliance with LCRA Drought Contingency Plan for Firm Water Customers.** The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's DCP. A statement shall be included in the customer's plan that states they will comply with the LCRA DCP.

7.2. Recommended Minimum Drought Contingency Measures Under Pro Rata Curtailment. Recommended minimum drought contingency measures to implement under pro rata curtailment are found in Attachment B of these Rules.

7.3. Notification to LCRA. The customer shall notify the LCRA General Manager in writing within five (5) business days of the implementation of any mandatory provisions of its drought contingency plan.

7.4. Implementation. The drought contingency plan shall include a means of implementation of the drought contingency plan, which shall be evidenced by:

1) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and,
2) An employee or entity must be designated to oversee implementation of this plan.

In a shortage of water not covered by the LCRA Water Management Plan or other conservation plan approved by TCEQ applicable to LCRA's firm water supply, a water contract customer who fails to implement its applicable drought contingency plan is subject to curtailment of firm water supply by LCRA based on the customer's pro rata share less the amount of water the customer would have saved if the customer had operated its water system in compliance with the drought contingency plan.

7.5. Other Approved Drought Contingency Plans. A drought contingency plan prepared

and approved in the last five (5) years by LCRA and substantially meeting the requirements of these rules may be substituted for development of a plan to meet LCRA rules. A determination that other approved drought contingency plans substantially meet the requirements of these rules shall be at the sole discretion of LCRA. If a water sale customer fails to develop, adopt or update its drought contingency plan, then the customer shall adopt and implement any model drought contingency plan for these types of water use, as applicable, that may be developed by LCRA.

CHAPTER 8: RECREATIONAL WATER USE

8.1. Minimum Requirements. All LCRA customers with water sale contracts for this type of use shall develop, adopt and update in accordance with these rules a drought contingency plan that shall include, at least the following minimum requirements:

1) **Initiation and Termination of Drought Response Stages, with rationale.** The manager or official designated in the drought contingency plan will order the implementation and termination of drought response stages based on triggering criteria for the initiation and termination of drought response stages. By no later than May, 1, 2029, customer must adopt a drought contingency plan that includes a trigger for implementation of Stage 1 by no later than May 1, 2029 if combined storage in lakes Buchanan and Travis falls below 1.45 million acre-feet and interruptible agricultural supply to customers in Gulf Coast, Lakeside and Pierce Ranch is cut off under LCRA's Water Management Plan. Termination of the updated Stage 1 will occur at 1.6 million acre-feet beginning on May 1, 2029.
2) **Specific and Quantified Targets.** The plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. Until mandatory curtailment is implemented by LCRA, implementation of measures to achieve these targets will be encouraged so as to further extend the supply available during drought. The customer shall establish the targets, which should be at least as stringent as ~~consistent with~~ those in the LCRA DCP. Reduction targets will be compared with current Reference Year use. However, for purposes of drought response stages prior to pro rata curtailment, if the Reference Year occurs after the implementation of a permanent once-per-week watering schedule, for at least two years following the permanent implementation, the reduction targets may be evaluated as if once-per-week watering had not been implemented in the Reference Year.
3) **Stages.** The plan must include a minimum of four drought response stages, providing for the implementation of measures in response to at least the following situations: drought response stages corresponding to LCRA DCP, the reduction in available water supply from LCRA after a declaration of a Drought Worse than Drought of Record or other shortage resulting from emergency. Other situations requiring response measures could include a reduction in available customer supply storage or a system outage due to failure of water system components.
4) **Response Measures.** Response measures for each stage should be those that reduce and/or eliminate non-essential water uses or water waste and will reduce water demand. The measures employed for each response stage should be directly related to the severity of the supply conditions and to specific targets for each stage. The drought

contingency plan must have a landscape watering schedule that restricts daytime outdoor water use and does not allow the irrigation of ornamental landscaping by automatic spray irrigation to occur more than once per week on a permanent year-round basis beginning no later than the earlier of March 1, 2031 or when combined storage of lakes Buchanan and Travis falls below 900,000 acre-feet. Prior to that, the irrigation of ornamental landscaping by automatic spray irrigation is limited to no more than twice per week. If Stage 1 is initiated after May 1, 2029, a once-per-week landscape watering schedule for ornamental landscaping by automatic spray irrigation will be in effect during Stage 1. Drip irrigation and hose-end sprinkler irrigation may not have a permanent watering schedule of more than twice per week. In accordance with Stage 2 of LCRA's DCP, response measures identified for non-essential uses must include a no more than once per week watering schedule for ornamental landscaping, and may include limitation of any other water uses determined by the customer to be non-essential. In accordance with Stage 3 of LCRA's DCP, responses measures identified for non-essential uses must include a watering schedule limited to no more than 6 hours per week for ornamental landscaping, eliminating operation of ornamental fountains, and should reflect consideration of staff recommended measures for drought contingency plans. In accordance with Stage 4 of LCRA's DCP, response measures identified for non-essential uses must include a prohibition on irrigation of ornamental turfgrass, and can include the curtailment or limitation of filling of pools and fountains or any other water uses determined by the customer to be non-essential.

5) **Compliance with LCRA Drought Contingency Plan for Firm Water Customers.** The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's DCP. A statement shall be included in the customer's plan that states they will comply with the LCRA DCP.

8.2. Recommended Minimum Drought Contingency Measures Under Pro Rata Curtailment. Recommended minimum drought contingency measures to implement under pro rata curtailment are found in Attachment B of these Rules.

8.3. Notification to LCRA. The customer shall notify the LCRA General Manager in writing within five (5) business days of the implementation of any mandatory provisions of its drought contingency plan.

8.4. Implementation. The plan shall include a means of implementation of the drought contingency plan which shall be evidenced by:

1) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and,
2) An employee or entity must be designated to oversee implementation of this plan.

In a shortage of water not covered by the LCRA Water Management Plan or other conservation plan approved by TCEQ applicable to LCRA's firm water supply, a water contract customer who fails to implement its applicable drought contingency plan is subject to curtailment of firm water supply by LCRA based on the customer's pro rata share less the amount of water the customer would have saved if the customer had operated its water system in compliance with the drought contingency plan.

8.5. Other Approved Drought Contingency Plans. A drought contingency plan prepared and approved in the last five (5) years by LCRA and substantially meeting the requirements of these rules may be substituted for development of a plan to meet LCRA rules. A determination that other approved drought contingency plans substantially meet the requirements of these rules shall be at the sole discretion of LCRA. If a water sale customer fails to develop, adopt or update its drought contingency plan, then the customer shall adopt and implement any model drought contingency plan for this type of water use that may be developed by LCRA.

CHAPTER 9: OTHER WATER USE

9.0. General. A water customer for types of water uses other than those specified in these rules shall adopt and implement a model drought contingency plan for its type of water use developed by LCRA. Response measures should be those that reduce and/or eliminate non-essential water uses or water waste and reduce water demand. The measures employed for each response stage should be directly related to the severity of the supply conditions and to specific targets for each stage. These measures should reflect consideration of staff-recommended measures for drought contingency plans and must include reduction of water use for ornamental landscaping, if relevant, consistent with the municipal and irrigation sections of these rules. In a shortage of water not covered by the LCRA Water Management Plan or other conservation plan approved by TCEQ applicable to LCRA's firm water supply, a water contract customer that fails to implement its applicable drought contingency plan is subject to curtailment of firm water supply by LCRA based on the customer's pro rata share less the amount of water the customer would have saved if the customer had operated its water system in compliance with the drought contingency plan.

CHAPTER 10: ENFORCEMENT

10.0. General. Customers are subject to any enforcement provisions contained in their contract, including surcharges, and the Water Contract Rules. In addition to surcharges that may be imposed through the customer's contract and/or the Water Contract Rules, a customer who fails to adopt and implement water demand management measures or response measures as required by these Drought Contingency Plan Rules is also subject to penalties set forth below and may be subject to civil suit to collect such penalties and obtain injunctive relief:

1) First documented violation: Written notice of violation;
2) Second documented violation: Penalty of up to $2,000;
3) Third and subsequent violation: Penalty of up to $10,000;
4) Each day the violation is observed is considered a separate violation.

CHAPTER 11:
PLAN UPDATES AND AMENDMENTS

11.1. Drought Contingency Plan Updates. The customer shall review and update its drought contingency plan every five (5) years, based on new or updated information, such as the adoption or revision of the regional water plan or as necessary to comply with revisions and amendments to these rules or LCRA's Drought Contingency Plan for Firm Water Customers.

11.2. Amendment to Rules. LCRA may, from time to time, amend these rules. Any amendments to these rules that occurred after the customer's plan was adopted shall be included in the updated plan within 60 days. LCRA will provide advance notice, and customer input will be solicited, for any and all such proposed amendments to these rules.

Attachment A: Recommended Minimum Drought Response Measures for LCRA Municipal Firm Water Customers in Stage 4

1) **Supply Management Measures.**
    a) LCRA municipal firm water customers will work to reduce system water loss by measures such as fixing leaks, replacing old meters, and recycling line flush water, as appropriate for the utility system.
    b) LCRA municipal firm water customers will actively share drought-related information with their customers, including the current and projected water supply conditions, water supply restrictions and the need to conserve.
2) **Demand Management Measures.**
    a) Recommended measures for customers to implement and enforce prior to or during this stage include irrigation of ornamental landscaped areas is limited as follows:
        i) Irrigation of turf landscaped areas with hose-end sprinklers and automatic spray and drip irrigation systems is prohibited.
        ii) Outdoor watering hours for irrigation will be limited to six hours a day, between the hours of 7 a.m. and 10 a.m. or 7 p.m. and 10 p.m. one day a week
    b) Water waste, including failure to repair a controllable leak, and runoff from a property is prohibited. Additionally, the following outdoor water uses are prohibited except in instances where the firm water customer has issued a variance to the end-user based on public health and safety:
        i) Ornamental fountains or ponds;
        ii) Vehicle washing except facilities that recycle water;
        iii) Use of water to clean outdoor impervious surfaces such as driveways, etc.;
        iv) Use of water to wash buildings, houses or structures; and
        v) Dust control.
    c) Only under a written request and approval by the municipal firm water customer or LCRA may water be used for wet water quality ponds to protect the liner and meet the LCRA Highland Lakes Watershed Ordinance or other applicable non-point source pollution regulations.
    d) Irrigation of athletic fields is allowed if the field is used for organized sports practice, competition, or exhibition events and the irrigation is necessary to protect the health and safety of the players, staff, or officials present for the athletic event.
        i) The firm water customer must issue a variance specifying in-play areas actively used for a specific timeframe.
    e) The use of water to operate outside misting systems, ornamental fountains and splash pads is prohibited.
    f) The filling or replenishing of water to single-family residential swimming pools is only allowed if the pool is covered with a pool cover when not in use.
    g) Public/community swimming pools are allowed to fill or replenish water in order to maintain safe levels of water quality for human contact and should be covered

when not in use.

h) Use of water from fire hydrants shall be prohibited for ornamental landscape irrigation, filling pools, operating fountains or car washing. Water should be transported only for the purposes of firefighting, providing minimal water needed for indoor use where auxiliary sources are inadequate, for activities necessary to maintain public health, safety and welfare or for construction use. Transport of water other than for firefighting requires a variance and a meter.

3) **Variances.**

a) An LCRA municipal firm water customer may grant temporary variances in writing for existing water uses otherwise prohibited under this plan if it determines that failure to do so would cause an emergency adversely affecting public health, sanitation, or fire protection, and if one or more of the following conditions are met: 1) compliance with this plan cannot be accomplished during the time the plan is in effect; or 2) alternative methods can be implemented that will achieve the same level of reduction in water use.

b) Temporary watering variances are not allowed for new landscapes.

Attachment B: Recommended Stage 4 Drought Response Measurers for LCRA Irrigation, Golf Course and Recreational Firm Water Customers

1) Irrigation of ornamental landscaped areas must comply with the following restrictions:
    a) Irrigation of landscaped areas with hose-end sprinklers or automatic spray irrigation systems is prohibited, except for drip irrigation, tree bubblers, soaker hoses or hand-held hoses with a working on/off nozzle used to irrigate non-turf landscaping.
    b) Variances will not be allowed except for public health and safety.
    c) Outdoor watering hours will be limited to a maximum of 6 hours per week, between the hours of 7 p.m. and 7 a.m. as determined by the firm water customer.
2) The use of water for ornamental fountains and ponds is prohibited except for aeration or to sustain aquatic and animal life.
3) Only under a written request and approval by the municipal firm water customer or LCRA may water be used for wet water quality and amenity ponds to protect the liner and meet the LCRA Highland Lakes Watershed Ordinance or other applicable non-point source pollution regulation.
    a) Additional measures for golf courses:
        i) Water use on roughs and practice areas is prohibited.
        ii) Fairways may be irrigated no more than once a week between midnight and 6 a.m. in defined Critical Areas. Critical Areas are defined as follows: for Par 3s, no irrigation except tees, greens and greens surrounds; for Par 4s, 180 yards and into the green; and for Par 5s, 200 to 325 yards from the tee and 100 yards into the green.
        iii) Tees can be irrigated twice a week between midnight and 10 a.m. Hand watering is allowed.
        iv) Greens can be irrigated before 10 a.m. or after 7 p.m. and hand watering is allowed.
        v) Irrigation ponds that are part of the overall irrigation system can be maintained at a level for irrigation operational needs as well as to protect the liner.
        vi) Washing equipment related to golf course maintenance is allowed with a working on/off nozzle.
        vii) Washing/rinsing buildings, walls, structures, paved and other hard surfaces including sport courts is prohibited.
        viii) Restaurants, bars and other commercial food or beverage establishments may not provide drinking water to customers unless specifically requested. Establishments also must post drought-related messaging.
        ix) Golf courses and any other irrigation customer with staff must conduct an ongoing education program for employees regarding drought restrictions and ways to conserve. Signage will be available to the public regarding how water is used and conserved.