

APPENDIX B
LOWER COLORADO RIVER AUTHORITY
DROUGHT CONTINGENCY PLAN RULES FOR WATER SALE CONTRACTS
December 2013

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FORWARD

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 water sale contracts except those expressly excluded below, all LCRA wholesale water utility service agreements, all LCRA retail water utilities, and all irrigation operations served by LCRA. These rules do not apply to water sale contracts for uses other than municipal use that have a Maximum Annual Quantity of ten (10) acre-feet or less and a term of three (3) years or less.

1.2. Authority. These rules are promulgated in accordance with Chapters 11, 152, and 222 of the Texas Water Code; Title 30, Chapter 288 of the Texas Administrative Code; the LCRA Board policy on Water Conservation; 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. LCRA Retail Water Utilities. Utilities and their facilities owned and/or operated by LCRA to provide applicable water treatment service for or on behalf of the ultimate consumer or retail customer for compensation.

2.3. LCRA Wholesale Water Utility Service Agreements. Agreements to provide water utility service to a public water utility providing either wholesale or retail water utility service.

2.4. 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.

2.5. 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.

2.6. 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.

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

human consumption.

2.8. 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 the following minimum requirements:

- (a) **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.
- (b) **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.
- (c) **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.
- (d) **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.
- (e) **Stages.** The drought contingency plan must include a minimum of three drought or emergency response stages, providing for the implementation of measures in response to at least the following situations:
 - (1) Reduction in available water supply from LCRA after a declaration of a drought worse than the drought of record or other shortage resulting from emergency;
 - (2) Water production or distribution system limitations;
 - (3) Supply source contamination;
 - (4) System outage due to the failure or damage of major water system components (e.g., pumps).
- (f) **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 should be consistent with those in the LCRA Drought Contingency Plan.

- (g) 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:
 - (1) Curtailment of non-essential water uses. Non-essential uses can include landscape irrigation, filling of pools and fountains, or any other water uses determined by the customer to be non-essential. Any landscape watering schedule used to implement restrictions should restrict daytime outdoor water use and not allow the irrigation of landscaping to occur more than twice a week. If current customer drought contingency plan does not include these restrictions as part of a mandatory stage, customer must update the plan by January 1, 2010 to include limits on daytime irrigation and a no more than twice-weekly watering schedule.
 - (2) Utilization 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.).
- (h) 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.
- (i) Variances. The drought contingency plan must include procedures for granting variances to the plan.
- (j) Compliance with LCRA Drought Contingency Plan. The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's Drought Contingency Plan. A statement shall be included in the customer's plan that states they will comply with the LCRA Drought Contingency Plan.

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 plan 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, 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 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.

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:

- (a) A copy of the ordinance, resolution, or tariff, indicating official adoption of the drought contingency plan by the customer; and,
- (b) 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 the LCRA or the Texas Commission on Environmental Quality 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 the 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 the 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 the following minimum requirements:

- (a) **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.
- (b) **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.
- (c) **Regional Planning Group.** The drought contingency 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.
- (d) **Specific Criteria.** The drought contingency 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.
- (e) **Stages.** The drought contingency plan must include a minimum of three drought or emergency

response stages, providing for the implementation of measures in response to at least the following situations: reduction in available water supply from LCRA after declaration of a drought worse than the drought of record or other shortage resulting from emergency.

- (f) 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 should be consistent with those in the LCRA Drought Contingency Plan.
- (g) 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:
 - (1) Pro-rata curtailment of water deliveries to or diversions by wholesale water customers as provided in the Texas Water Code, section 11.039; and
 - (2) Utilization 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.).
- (h) 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 wholesale customers.
- (i) Variances. The drought contingency plan must include procedures for granting variances to the plan.
- (j) Compliance with LCRA Drought Contingency Plan. The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's Drought Contingency Plan. A statement shall be included in the customer's plan that states they will comply with the LCRA Drought Contingency Plan.

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.

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:

- (a) A copy of the ordinance, resolution, or tariff, indicating official adoption of the drought contingency plan by the customer; and,
- (b) 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 the LCRA or the Texas Commission on Environmental Quality 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 the 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 the 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 the following minimum requirements:

- (a) 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.
- (b) 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.
- (c) 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 should be consistent with those in the LCRA Drought Contingency Plan.
- (d) Stages. The drought contingency plan must include a minimum of three drought response stages, providing for the implementation of measures in response to the reduction in response to at least the following situations: reduction in available water supply from LCRA after a declaration of a drought worse than the drought of record or other shortage resulting from emergency.
 - (e) 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.
 - (f) Compliance with LCRA Drought Contingency Plan. The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's Drought Contingency Plan. A statement shall be included in the customer plan that states it will comply with the LCRA Drought Contingency Plan, 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:

- (a) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and,
- (b) 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.

5.4. Other Approved Drought Contingency Plans. A drought contingency plan prepared and approved in the last five (5) years by the LCRA and substantially meeting the requirements of these rules may be substituted for development of a drought contingency 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 the 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 the 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 the following minimum requirements:

- (a) 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.
- (b) 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 should be consistent with those in the LCRA Drought Contingency Plan.
- (c) Stages. The drought contingency plan must include a minimum of three drought or emergency response stages, providing for the implementation of measures in response to at least the following situations: reduction in available water supply from LCRA after a declaration of a drought worse than the drought of record or other shortage resulting from emergency.
- (d) 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.
- (e) Compliance with LCRA Drought Contingency Plan. The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's Drought Contingency Plan. A statement shall be included in the customer's plan that states they will comply with the LCRA Drought Contingency Plan.

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:

- (a) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and,
- (b) 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. 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 the following minimum requirements:

- (a) 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.
- (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. 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 consistent with those in the LCRA Drought Contingency Plan.
- (e) The drought contingency 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.
- (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.
- (j) Compliance with LCRA Drought Contingency Plan. The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's Drought Contingency Plan. A statement shall be included in the customer's plan that states they will comply with the LCRA Drought Contingency Plan.

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 the 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:

- (a) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and,
- (b) 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.

6.3. Other Approved Drought Contingency Plans. A drought contingency plan prepared and approved in the last five (5) years by the LCRA or the Texas Commission on Environmental Quality 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 the 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 the 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 the following minimum requirements:

- (a) **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.
- (b) **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.
- (c) **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 establish the targets, which should be consistent with those in the LCRA Drought Contingency Plan.

- (d) Stages. The drought contingency plan shall include a minimum of three drought response stages, providing for the implementation of measures in response to at least the following situations: reduction in available water supply from LCRA after a declaration of a drought worse than the drought of record or other shortage resulting from emergency.
- (e) 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. Responses measures identified for non-essential uses can include the curtailment or limitation of irrigation to roughs and fairways, filling of pools and fountains, or any other water uses determined by the customer to be non-essential.
- (f) Compliance with LCRA Drought Contingency Plan. The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's Drought Contingency Plan. A statement shall be included in the customer's plan that states they will comply with the LCRA Drought Contingency Plan.

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:

- (a) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and,
- (b) 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 the LCRA 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 the 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 the 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 the following minimum requirements:

- (a) 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.
- (b) 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 should be consistent with those in the LCRA Drought Contingency Plan.
- (c) Stages. The drought contingency plan must include a minimum of three drought response stages, providing for the implementation of measures in response to at least the following situations: the reduction in available water supply from LCRA after a declaration of a drought worse than the 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.
- (d) 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. Responses measures identified for non-essential uses can include the curtailment or limitation of irrigation to roughs and fairways (to the extent applicable), filling of pools and fountains, or any other water uses determined by the customer to be non-essential.
- (e) Compliance with LCRA Drought Contingency Plan. The customer's drought contingency plan will be used when the customer is asked to comply with LCRA's Drought Contingency Plan. A statement shall be included in the customer's plan that states they will comply with the LCRA Drought Contingency Plan.

8.2. 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.

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

- (a) A copy of the drought contingency plan, signed by manager/official designee indicating acknowledgement and acceptance of the drought contingency plan; and,
- (b) 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.

8.4. Other Approved Drought Contingency Plans. A drought contingency plan prepared and approved in the last five (5) years by the LCRA 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 the 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 the LCRA.

CHAPTER 9: OTHER WATER USE

9.0. General. A water customer for types of water uses other than those specified in these Drought Contingency Plan Rules shall adopt and implement any model drought contingency plan for its type of water use that may be developed by the LCRA. 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.

9.1. Interruptible Stored Water Other than Specific Irrigation Operations. Under LCRA's Water Management Plan, interruptible water supply to customers other than Gulf Coast, Lakeside, Garwood, and Pierce Ranch irrigation operations is curtailed when storage in Lake Buchanan or Lake Travis drops below 94 percent. No specific drought contingency measures are required for these customers.

CHAPTER 10: PLAN UPDATES AND AMENDMENTS

10.1. Drought Contingency Plan Updates. The customer shall review and update, as appropriate, 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 the LCRA's Drought Contingency Plan. Notwithstanding the previous, if applicable, the customer must update its plan by January 1, 2010 to comply with Rule 3.1(g)(1).

10.2. 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. LCRA will provide advance notice, and customer input will be solicited, for any and all such proposed amendments to these rules.

**Attachment A: LCRA Municipal Firm Water Customer Contracts
Recommended Minimum Drought Response Measures**

I. Stage 3

A. Supply Management Measures.

1. LCRA municipal firm water customers will aggressively reduce system water loss by measures such as fixing leaks, replacing old meters, and recycling line flush water, as appropriate for the utility system.
2. LCRA municipal firm water customers will actively communicate drought-related issues, including the current and projected water supply conditions, water supply restrictions and the need to conserve.

B. Demand Management Measures. Under threat of penalty, all LCRA municipal firm water customers' retail customers are required to follow these restrictions:

1. Irrigation of ornamental landscaped areas is limited to the following restrictions:
 - a. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems, except for drip irrigation, shall be limited to a no more than a ONCE weekly watering schedule as determined by the firm water customer.
 - b. Outdoor watering hours for spray irrigation will be limited to six hours a day, before 10 a.m. and after 7 p.m. on designated days as determined by the LCRA firm water customer.
2. Firm water customers must include restrictions on the following outdoor water uses:
 - a. Ornamental fountains or ponds;
 - b. Vehicle washing;
 - c. Golf course irrigation;
 - d. Use of water to clean outdoor impervious surfaces (such as driveways, etc.);
 - e. Use of water to wash buildings, houses or structures;
 - f. Dust control; and
 - g. Water waste, including failure to repair a controllable leak, and run-off from a property.
3. Wet Water Quality Ponds – water may be used to protect the liner and meet the LCRA Highland Lakes Ordinance or other applicable non-point source pollution regulation.
4. Use of water from fire hydrants shall be prohibited for landscape irrigation, filling pools, operating fountains, car washing. Water should be transported only for the purposes of firefighting or providing minimal water needed for indoor use where auxiliary sources are inadequate and 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.
5. All LCRA municipal firm water customers' wholesale treated water customers are required to develop and formally adopt drought contingency plans for their own systems in accordance with Title 30 Texas Administrative Code Sections 288.20 and 288.22. The water supply triggers and target reduction goals must be consistent with the LCRA Drought Contingency Plan (DCP). In addition, as of January 1, 2014, new wholesale customers or those renewing contracts must have a DCP that includes the recommended minimum drought measures found in Attachment A of this document. Wholesale treated

water customers must include in their wholesale water supply contracts the requirement that each successive wholesale customer develop and formally adopt a drought contingency plan consistent with the LCRA DCP.

C. Variances.

1. The LCRA municipal firm water customer may grant in writing temporary variances for existing water uses otherwise prohibited under this plan if it is determined that failure to do so would cause an emergency adversely affecting the 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 duration of 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.
2. Temporary watering variances are allowed for new landscapes that use drought-resistant landscaping or water-conserving natural turf.
3. Temporary watering variances are allowed for revegetation of disturbed areas due to construction for new development is allowed, if required by local, state or federal regulations.

D. Enforcement. The LCRA municipal firm water customer must have enforcement mechanisms in place, approved by its governing body, and actively implement enforcement.

II. Stage 4

A. Supply Management Measures. All measures in Stage 3 remain in effect.

B. Demand Management Measures. Under threat of penalty, all LCRA municipal firm water customers' retail customers are required to follow these restrictions in addition to all measures in Stage 3:

1. Irrigation of ornamental landscaped areas with hose end sprinklers and automatic irrigation, except drip irrigation, is prohibited.
2. Irrigation is allowed:
 - a. with a hand-held hose with a working on/off nozzle, bucket or drip irrigation; *and*
 - b. only between the hours of 7 a.m. and 10 a.m. or 7 p.m. and 10 p.m. one day a week, as determined by the LCRA municipal firm water customer;
3. The following outdoor water uses are prohibited except instances where the firm water customer has issued a variance to the end-user based on public health and safety:
 - a. Ornamental fountains or ponds except such features supporting aquatic life;
 - b. Vehicle washing except facilities which recycle water;
 - c. Use of water to clean outdoor impervious surfaces (such as driveways, etc.);
 - d. Use of water to wash buildings, houses or structures; and
 - e. Dust control.
4. 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.
5. The use of water to operate outside misting systems and splash pads is prohibited.

6. 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.
 7. Public/community swimming pools are allowed to fill or replenish water in order to maintain safe levels of water quality for human contact.
- C. Variiances. In addition to the provisions for variances in Stage 3, variances may be granted based on public health and safety for the outdoor uses in section II.B.3, above.
- D. Enforcement. The LCRA municipal firm water customer must have enforcement mechanisms in place, approved by its governing body, and actively implement enforcement.

**Attachment B: LCRA Irrigation Firm Water Customer Contracts
Recommended Minimum Drought Response Measures**

I. Stage 3

1. Irrigation of ornamental landscaped areas is limited to the following restrictions:
 - a. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems, except for drip irrigation, shall be limited to a no more than a once weekly watering schedule as determined by the firm water customer. Variances will not be allowed except for public health and safety.
 - b. Outdoor watering hours will be limited to a 7 a.m. to 10 a.m. and 7 p.m. to 10 p.m.
2. Ornamental fountains and ponds – prohibited except for aeration or to sustain aquatic and animal life.
3. Wet Water Quality and Amenity Ponds –may be maintained to protect liner and if allowed under the LCRA Highland Lakes Ordinance or other applicable non-point source pollution regulation.
4. Revegetation of disturbed areas due to construction for new development is allowed, but must comply with the LCRA Highland Lakes Ordinance or other applicable non-point source pollution regulation.
5. Additional measures for golf courses:
 - a. Water use on roughs and practice areas is prohibited.
 - b. Fairways can be irrigated no more than once a week, before 10 a.m. and after 7 p.m. (Fairways can be watered on multiple days, but no one area within a fairway can be watered more than one (1) time per seven days.)
 - c. Tees and greens can be watered before 10 a.m. or after 7 p.m. and hand watering is allowed on tees and greens.
 - d. 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.
 - e. Washing equipment related to golf course maintenance is allowed with a working on/off nozzle.
 - f. Discontinue washing /rinsing buildings, walls, structures, paved and other hard surfaces including sport courts.
 - g. Restaurants, bars, and other commercial food or beverage establishments are encouraged not to provide drinking water to customers unless a specific request is made.
 - h. 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.

II. Stage 4

All measures in Stage 3 remain in effect, with these additions:

1. Irrigation of ornamental landscaped areas with hose end sprinklers and automatic irrigation, except drip irrigation, is prohibited.
2. Irrigation of ornamental landscaped areas is allowed:
 - a. with a hand-held hose with a working on/off nozzle, bucket or drip irrigation; *and*

- b. only between the hours of 7 a.m. and 10 a.m. or 7 p.m. and 10 p.m. one day a week, as determined by the LCRA firm water customer;
3. Additional measures for golf courses:
- a. Fairways can be irrigated once a week between midnight and 10 a.m., *or* can be irrigated in defined Critical Areas no more than once a week between midnight and 10 a.m. (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; for Par 5s, 200 to 325 yards from the tee and 100 yards into the green.)
 - b. Tees can be irrigated twice a week between midnight and 10 a.m. and hand watering is allowed.
 - c. Greens can be irrigated before 10 a.m. or after 7 p.m. and hand watering is allowed.
 - d. Washing equipment related to golf course maintenance is allowed with a working on/off nozzle.