



UPPER TRINITY REGIONAL
WATER DISTRICT
Drought Contingency Plan
Updated February 8, 2024



UPPER TRINITY REGIONAL WATER DISTRICT

Drought Contingency Plan *Updated May 2024*

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SECTION 1

Introduction and Objectives

The purpose of this Drought Contingency Plan (the “Plan”) is to provide drought contingency measures for Upper Trinity Regional Water District (“UTRWD”) as required by the Texas Commission on Environmental Quality (“TCEQ”). Such contingency measures may be needed during drought conditions, during an emergency and when water use approaches the Regional Treated Water System (“System”) supply or the capacity of treatment and delivery facilities. Examples of drought or emergency conditions include low levels of water supply lakes, unusually high water demands, unforeseen equipment / System failure or contamination of the water supply source.

Upper Trinity was created in 1989 by the Texas Legislature to provide treated water service on a wholesale basis to towns, cities, and other water providers. Currently, Upper Trinity provides wholesale treated water service to eighteen members and customers (serving twenty-four communities) in Denton and Collin Counties (herein “Customers”). The overall objective of this Plan is:

- To help assure reliability of water service to Customers;
- To conserve the available water supply in times of drought and emergency;
- To maintain adequate water supplies for domestic use, sanitation, and fire protection;
- To protect and preserve public health, welfare, and safety;
- To minimize the adverse impacts of water supply shortages; and
- To minimize the adverse impacts of emergency conditions affecting water supply.

Upper Trinity developed its original plans for Water Conservation and for Drought Contingency in May 1993, later amended in 2005, 2012, 2016, and 2019. This update of the 2019 Drought Contingency Plan has been coordinated with a suggested model drought contingency plan prepared by Upper Trinity for Customers offering retail service; and, is consistent with the latest TCEQ requirements outlined below.

SECTION 2

Applicable Rules of Texas Commission on Environmental Quality

TCEQ rules governing development of drought contingency plans for Wholesale Water Suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, and Rule 288.22 of the Texas Administrative Code, as amended. A copy of these rules is contained in Appendix A. The rules define a drought contingency plan as **“A strategy or a combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies”**.

Minimum Drought Contingency Plan Requirements

The minimum requirements contained in the Texas Administrative Code for drought contingency plans are covered in this Plan as follows:

Rule	Subject	Section
288.22(a)(1)	Informing the Public & Providing Opportunity For Input	Section 3
288.22(a)(2)	Coordination with the Regional Water Planning Group	Section 10
288.22(a)(3)	Criteria for Initiation & Termination of Stages	Section 6
288.22(a)(4)	Drought and/or Emergency Response Stages	Section 6
288.22(a)(5)	Procedures for Initiation & Termination of Drought Stages	Section 6
288.22(a)(6)	Targets to be Achieved During Drought	Section 6
288.22(a)(7)	Water Supply & Demand Mgm’t Measures for Each Stage	Section 6
288.22(a)(8)	Wholesale Contracts Requiring Water Distribution According to Texas Water Code §11.039	Section 7
288.22(a)(9)	Procedures for Granting Variances	Section 8
288.22(a)(10)	Procedures for Enforcement of Mandatory Restrictions	Section 9
288.22(b)	Notification of Implementation of Mandatory Measures	Section 6
288.22(c)	Review & Update of Plan	Section 11

SECTION 3

Public Involvement

Upper Trinity previously provided opportunity for public input in the development of its updated drought contingency plan by the following means:

- Provided written notice of the draft plan and the opportunity for the public to comment prior to adoption.
- Met with Upper Trinity Customers to discuss the draft plan.
- Provided a copy of the draft plan to anyone requesting a copy.
- Held a public meeting at a time and location convenient to the public and provided written notice to the public concerning the draft plan and meeting.

SECTION 4

Provisions for Public Education and Information

Upper Trinity will provide public information about the Plan at least annually by any of the following means:

- Prepare bulletins / newsletters to Upper Trinity Customers about the Plan;
- Make the Plan and its requirements available on Upper Trinity's website;
- Include information regarding water conservation on Upper Trinity's website, and as part of its bulletins / newsletters, public service announcements, and media reports; and,
- Notify local organizations, schools, and civic groups that Upper Trinity staff members are available to make presentations on the Plan (usually in conjunction with presentations on water conservation programs).

SECTION 5

Authorization

The Executive Director or official designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety and welfare, and to comply with applicable regulations or contractual requirements. Except as otherwise provided in the Plan, the Executive Director or official designee shall have the authority to initiate, to enforce and to terminate the measures provided herein for a drought or other water supply emergency. (The authority to implement and enforce the Plan is established in Resolution No. 2024 - 01), as provided in Appendix B.

SECTION 6

Drought Contingency Response Stages

6.1 Initiation of Drought Response

The Executive Director or official designee may order the implementation of a drought response stage or water emergency for a portion or all of the treated water system when one or more of the trigger conditions for that stage is met as provided in this Plan. The following actions will be taken when a drought response stage is initiated:

- The public will be notified through local media, the Upper Trinity web site, and other appropriate methods as described in Section 4 above;
- Upper Trinity's Customers will be notified by telephone with a follow-up letter, e-mail, or fax to confirm implementation of any drought response stage and to provide relevant details; and
- **Upper Trinity will also notify the Executive Director of the TCEQ within five (5) business days.**

The Executive Director or official designee may decide not to order the implementation of a drought response stage or water emergency even though one or more trigger criteria for the stages are met. Various factors can be taken into account when making a decision about such stages, including circumstances unique to Upper Trinity, the time of the year, weather conditions, the anticipation of replenished water supplies, use of an alternate water resource, or the anticipation that additional facilities will become available on a timely basis to meet needs. The reason for such decision should be documented for the record.

Customers are required to notify the public if a drought response stage or water emergency is initiated and provide information regarding Water Use Restrictions (Section 6.3) on the Customer's website and utility bill at a minimum. Customers are encouraged to provide information by other means, such as social media, email, portable traffic control signs, etc. Failure to notify the public on a regular, consistent basis, and to enforce the applicable Water Use Restrictions may result in enforcement by Upper Trinity as provided in Section 9.

Retail customers using groundwater or non-potable water for irrigation are required to provide proper signage on the site where irrigation occurs to indicate the source of water.

6.2 Termination of a Drought Response Stages

The Executive Director or official designee may order the termination of a drought response stage or water emergency for a portion or all of the treated water system when the conditions for termination are met as provided herein. The following actions will be taken when a drought response stage is terminated:

- The public will be notified through local media, the Upper Trinity web site, and other appropriate methods as described in Section 4 above;

- Upper Trinity’s Customers will be notified by telephone with a follow-up letter, e-mail, or fax to confirm the particular drought response stage has been terminated, and
- **Upper Trinity will also notify the Executive Director of the TCEQ within five (5) business days.**

The Executive Director or official designee may decide not to order the termination of a drought response stage or water emergency even though the conditions for termination of the stage are met. Various factors could influence such a decision about whether to end a specific stage, including circumstances unique to Upper Trinity, the time of the year, weather conditions, and conditions within the local water distribution system or anticipation of other relevant factors that warrant continuation of measures for the drought stage. The reason for such decision should be documented for the record.

6.3 Drought and Emergency Response Stages

Stage 1 – Water Watch

Requirements for Initiation

The following are key conditions, any one of which may trigger this stage:

- The total raw water supply in the water supply lakes available to Upper Trinity has dropped below 75% (25% depleted) during the time period from April 1 to October 31; or
- The total raw water supply in the water supply lakes available to Upper Trinity has dropped below 80% (20% depleted) during the time period from November 1 to March 31; or
- Dallas Water Utilities has initiated Stage 1 and given notice to Upper Trinity; or
- Water demand has reached or exceeded 80% of delivery capacity for three consecutive days; or
- Water demand is approaching a level that will cause a reduced delivery capacity for all or part of the transmission system, as determined by Upper Trinity; or
- The Executive Director, with the concurrence of the Upper Trinity Board of Directors, finds that conditions warrant the declaration of Stage 1.

Goal

Stage 1 is intended to raise public awareness of potential drought and water emergency problems. The goal for water use reduction under Stage 1 is five percent (5%) of total daily water use that otherwise would have occurred in the absence of drought contingency measures. If

circumstances warrant, the Executive Director can set a goal for greater or lesser water use reduction.

Water Use Restrictions for Reducing Demand

Specific measures to be implemented during the stage will be determined by the Executive Director or official designee. The Executive Director or official designee may also take other actions not listed, if deemed necessary.

- Request Customers to initiate Stage 1 in their drought contingency plans;
- Outdoor irrigation is limited to no more than two-days-per-week and is mandatory under this Water Watch stage for automatic irrigation systems and hose-end sprinklers. Irrigation of landscaped areas and building foundations is permitted at any time if it is by means of a hand-held hose, drip irrigation or soaker hose systems. Each Customer is responsible for implementing, communicating, and enforcing its respective watering schedule for retail customers.
- No outdoor watering with automatic irrigation systems and hose-end sprinklers can occur from 10:00 a.m. to 6:00 p.m. Irrigation of landscaped areas and building foundations is permitted at any time if it is by means of a hand-held hose, drip irrigation or soaker hose systems.
- Customers must require a written variance or permit for the establishment of new sod and other landscape plants by all retail customers. Said variance or permit may allow for watering more than two days per week for up to 30 days to establish new plant material. After 30 days, the controller must be reprogrammed to only water no more than two days per week. Watering must be done in a manner that does not result in wasted water.
- Restrict washing of any motor vehicle, motorbike, boat, trailer, airplane or other vehicle to the use of a hand-held bucket or a hand-held hose equipped with a positive shut-off nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash facility or commercial service station. Companies with an automated on-site vehicle washing facility may wash its vehicles at any time.
- All users are encouraged to reduce the frequency of draining and refilling swimming pools. Customers are encouraged to require the owner or owner's representative to apply for a scheduled date to fill any pool in excess of 10,000 gallons capacity to ensure the Customer has sufficient water storage.
- Encourage retail customers to avoid waste during recreational use (water used for leisure and entertainment purposes) from faucets, hoses or hydrants.
- Request voluntary reductions in water use by the public and by Customers.

- Increase public education efforts on ways to reduce water use.
- Review the problems that caused the initiation of Stage 1.
- Review operational conditions and capabilities and intensify efforts on leak detection and repair.
- Except where water is supplied from treated wastewater effluent, reduce internal water use by Upper Trinity by use of one or more of the following means:
 - For landscaped areas, restrict irrigation to two-days-per-week landscape watering schedule;
 - No hosing off paved areas, buildings, windows or other hard surfaces;
 - No vehicle washing except on the premises of a commercial car wash or equivalent facility;
 - No filling or refilling of ornamental fountains and ponds.
- Initiate appropriate elements of City of Dallas measures if conditions related to raw water supply from Dallas are triggered.

Termination

Stage 1 may be terminated when the circumstances that caused the initiation of Stage 1 no longer prevail.

Stage 2 – Water Warning

Requirements for Initiation

The following are key conditions, any one of which may trigger Stage 2:

- The total raw water supply in the water supply lakes available to Upper Trinity has dropped below 60% (40% depleted) during the time period from April 1 to October 31; or
- The total raw water supply in the water supply lakes available to Upper Trinity has dropped below 65% (35% depleted) during the time period from November 1 to March 31; or
- Dallas Water Utilities has initiated Stage 2 and given notice to Upper Trinity; or
- Water demand has reached or exceeded 85% of delivery capacity for three consecutive days; or
- Water demand has reached a level that is causing a reduced delivery capacity for all or part of the transmission system, as determined by Upper Trinity; or

- The transmission system is unable to deliver water at normal rates due to failure of, or damage to, major water system components; or
- A significant deterioration in the quality of a water supply, being affected by a natural or man-made source; or
- The Executive Director, with the concurrence of the Upper Trinity Board of Directors, finds that conditions warrant the declaration of Stage 2.

Goal

The goal for water use reduction under Stage 2 is ten percent (10%) of the total daily water use that otherwise would have occurred in the absence of drought contingency measures. If circumstances warrant, the Executive Director can set a goal for greater or lesser water use reduction.

Water Use Restrictions for Demand Reduction

Specific measures to be implemented during this stage will be determined by the Executive Director or official designee. The Executive Director or official designee may also take other actions not listed, if deemed necessary. All requirements of Stage 1 shall remain in effect during this Stage 2, plus the following incremental or new measures.

- Notify Customers to initiate water demand reductions in accordance with contract obligations and request initiation of Stage 2 in their drought contingency plans. Mandatory reduction measures include:
- Outdoor irrigation is limited to no more than one day per week and is mandatory under this Water Warning stage for automatic irrigation systems and hose-end sprinklers. This includes irrigation of landscaped areas with automatic irrigation systems and hose-end sprinklers. No outdoor watering with automatic irrigation systems and hose-end sprinklers can occur from 10:00 a.m. to 6:00 p.m. Irrigation of landscaped areas and building foundations is permitted for a maximum of two hours on any day if it is by means of a hand-held hose, drip irrigation or soaker hose systems.
- The establishment of new sod and other landscaping plants is prohibited.
- Prohibit recreational water use (water used for leisure and entertainment purposes) including use of faucets or hoses in such a manner that creates runoff or other wastes.
- Prohibit the operation of ornamental fountains or ponds that use potable water except where supporting aquatic life or water quality.
- Prohibit the filling, draining, and refilling of existing swimming pools, wading pools, Jacuzzis and hot tubs except to maintain structural integrity, proper operation and

maintenance or to alleviate a public safety risk. Existing pools may add water to replace losses from normal use and evaporation. Permitting of new swimming pools, wading pools, Jacuzzis and hot tubs is prohibited. If a permit for a new swimming pool, wading pool, Jacuzzi and hot tub was received prior to implementation of Stage 2, owner may fill with water no more than one time, if necessary, to prevent structural damage.

- Further accelerate public education efforts on ways to reduce water use.
- Except where water is supplied from treated wastewater effluent, reduce internal water use by Upper Trinity by use of one or more of the following means:
 - For landscaped areas, restrict irrigation to one-day-per-week landscape watering schedule;
 - No hosing off paved areas, buildings, windows or other hard surfaces;
 - No vehicle washing except on the premises of a commercial car wash or equivalent facility;
 - No filling or refilling of ornamental fountains and ponds.
- High alert for leak detection and repair activities on transmission facilities.
- Initiate engineering studies to evaluate alternative actions if conditions worsen.

Termination

Stage 2 may terminate when the circumstances that caused the initiation of Stage 2 no longer prevail. Upon termination of Stage 2, Stage 1 will remain in effect, unless otherwise announced by Upper Trinity.

Stage 3 – Water Emergency

Requirements for Initiation

The following are key conditions, any one of which may trigger Stage 3:

- The total raw water supply in the water supply lakes available to Upper Trinity has dropped below 45% (55% depleted) during the time period from April 1 to October 31; or
- The total raw water supply in the water supply lakes available to Upper Trinity has dropped below 50% (50% depleted) during the time period from November 1 to March 31; or
- Dallas Water Utilities has initiated Stage 3 and given notice to Upper Trinity; or
- Water demand has reached or exceeded 90% of delivery capacity for three consecutive days; or

- Water demand exceeds the delivery capacity for all or part of the transmission system, as determined by Upper Trinity; or
- The transmission system is unable to deliver water in adequate quantities due to failure of, or damage to, major water system components; or
- Interruption of one or more water supply sources; or
- Natural or man-made contamination of an Upper Trinity water supply source(s) that threatens water availability; or
- The Executive Director, with the concurrence of the Upper Trinity Board of Directors, finds that conditions warrant the declaration of Stage 3.

Goal

The goal for water use reduction under Stage 3 is twenty percent (20%) of the total daily water use that otherwise would have occurred in the absence of drought contingency measures. If circumstances warrant, the Executive Director can set a goal for greater or lesser water use reduction.

Water Use Restrictions for Reducing Demand

Specific measures to be implemented during this stage will be determined by the Executive Director or official designee. The Executive Director or official designee may also take other actions not listed, if deemed necessary. All requirements of Stages 1 and 2 shall remain in effect during this Stage 3, plus the following incremental or new measures:

- Notify Customers to initiate water demand reductions in accordance with contract obligations and request initiation of Stage 3 in their drought contingency plans. Mandatory reduction measures include:
 - Non-essential water use by Customer substantially restricted same as retail customer;
 - Step up enforcement activities;
 - Implement a rate surcharge on retail usage.
- Outdoor irrigation is prohibited. Irrigation of trees and building foundations is permitted one day per week and for a maximum of two hours between 6:00 p.m. and 10:00 a.m. if it is by means of a hand-held hose, drip irrigation or soaker hose systems.
- Use of water to wash any motor vehicle, motorbike, boat, trailer or other vehicle not occurring on the premises of a commercial vehicle wash facility or commercial service stations is prohibited. Further, such washing may be exempt from these requirements if the health, safety and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and commercial vehicles used to transport food and perishables.

- Hosing and washing of paved areas, buildings, structures, windows or other surfaces is prohibited except by variance and performed by a professional service using high efficiency equipment.
- Prohibit operation of splash pads.
- Landscape watering of parks, golf courses, and athletic fields with potable water is prohibited. Exception for golf course greens and tee boxes which may only be hand watered as needed. Landscape watering is allowed for parks, golf courses, and athletic fields using non-potable water or groundwater between 6 p.m. and 10 a.m. Variances may be granted by the water provider under special circumstances.
- No restrictions on commercial nurseries, construction (except for planting and establishing sod and other landscape plants which is prohibited), patio misters, and for dust abatement.
- Prohibit non-essential internal water use by Upper Trinity, except where water is supplied from treated wastewater effluent. Implement a rate surcharge on retail usage. (**Guidance:** *For example, implement a rate surcharge of twenty percent (20%) for all water use over the adopted rates. The surcharge could apply to usage in excess of 10,000 gallons per month for all customers.*)
- Step-up enforcement activities.
- Implement alternative water supply strategies if available.

Termination

Stage 3 may terminate when the circumstances that caused the initiation of Stage 3 no longer prevail. Upon termination of Stage 3, Stage 2 will remain in effect, unless otherwise provided by Upper Trinity.

SECTION 7

Procedure for Curtailment of Water Supplies

Any curtailment or rationing of water supply to Customers by Upper Trinity shall be administered in accordance with wholesale service contracts, and with Texas Water Code Section 11.039, which provisions are as follows:

Sec. 11.039. DISTRIBUTION OF WATER DURING SHORTAGE. (a) If a shortage of water in a water supply not covered by a water conservation plan prepared in compliance with Texas Commission on Environmental Quality or Texas Water Development Board rules results

from drought, accident, or other cause, the water to be distributed shall be divided among all customers pro rata, according to the amount each may be entitled to, so that preference is given to no one and everyone suffers alike.

- (b) If a shortage of water in a water supply covered by a water conservation plan prepared in compliance with Texas Natural Resource Conservation Commission or Texas Water Development Board rules results from drought, accident, or other cause, the person, association of persons, or corporation owning or controlling the water shall divide the water to be distributed among all customers pro rata, according to:
- (1) the amount of water to which each customer may be entitled; or,
 - (2) the amount of water to which each customer may be entitled, less the amount of water the customer would have saved if the customer had operated its water system in compliance with the water conservation plan.
- (c) Nothing in Subsection (a) or (b) precludes the person, association of persons, or corporation owning or controlling the water from supplying water to a person who has a prior vested right to the water under the laws of this state.

In addition, every wholesale water supply contract entered into or renewed after adoption of this Plan, including contract extensions, shall include a provision that water will be distributed in the same manner as provided above during a water shortage resulting from a drought or water emergency.

SECTION 8

Variances

The Executive Director or the official designee may grant temporary variances for existing water uses otherwise prohibited under this Plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person requesting the variance;
- Compliance with this Plan cannot be accomplished due to technical or other limitations, and;
- Alternative methods that achieve the same level of reduction in water use can be implemented.

Variances may be granted or denied at the discretion of the Executive Director or the official designee. However, no variances shall be granted, except for extreme case, during Stage 3. All petitions for variances should be in writing and should include the following information:

- Name and address of the owner and a licensed Texas irrigator responsible for the variance;
- Purpose of water use;
- Specific provisions from which relief is requested;
- Detailed statement of the adverse effect of the provision from which relief is requested;
- Description of the relief requested including a proposed irrigation plan;
- Monthly report verifying the goal reductions;
- Period of time for which the variance is sought;
- On-call personnel with contact information for 24-hour a day repair response within one hour of notice;
- Alternative measures that will be taken to reduce water use, and
- Other pertinent information.

SECTION 9

Enforcement

Mandatory water use restrictions will be imposed in Stages 1, 2 and 3 of the Plan. Upper Trinity water contracts include provisions requiring Customers to adopt and enforce drought contingency plans within their retail service area. These contracts also contain provisions for water supply limitations and the control of available water supply and deliverability. Non-compliance by Customers to enforce the listed Water Use Restriction Measures for Stages 1, 2, or 3 may result in mandatory water use restrictions, implementation of a drought surcharge, or water allocations by Upper Trinity through Customer rate-of-flow controllers even to the point of discontinuation of service, if necessary.

SECTION 10

Coordination with the Regional Water Planning Group and Others

Upper Trinity will forward the resolution adopting this Plan, along with a copy of said Plan to the Chair of the Region C Water Planning Group. Appendix C includes a copy of the letter sent to

the Chair of the Region C Water Planning Group. In addition, copies of the adopted Plan will be sent to the Executive Director of TCEQ and the Executive Administrator of TWDB.

SECTION 11

Review and Update of Drought Contingency Plan

As required by TCEQ rules, Upper Trinity will review this Plan every five years. The Plan will be updated as appropriate based on new or updated information. Should the Plan be revised during any five-year period, an amended plan must be submitted to TCEQ within 90 days of being adopted.

APPENDICES

- | | |
|------------|--|
| Appendix A | TCEQ Minimum Requirements of a Drought Contingency Plan – Subchapter B, Rule 288.20 |
| Appendix B | Copy of Resolution Adopted by UTRWD Board of Directors Implementing the Drought Contingency Plan |
| Appendix C | Coordination with Regional Planning Group |

APPENDIX A
TCEQ Minimum Requirements of a
Drought Contingency Plan for Wholesale Water Suppliers
(Subchapter B, Rule §288.22)
Effective October 7, 2004

- (a) A drought contingency plan for a wholesale water supplier must include the following minimum elements.
- (1) Preparation of the plan shall include provisions to actively inform the public and to affirmatively provide opportunity for user input in the preparation of the plan and for informing wholesale customers about the plan. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.
 - (2) The drought contingency plan must document coordination with the regional water planning groups for the service area of the wholesale public water supplier to ensure consistency with the appropriate approved regional water plans.
 - (3) The drought contingency plan must include a description of the information to be monitored by the water supplier and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.
 - (4) The drought contingency plan must include a minimum of three drought or emergency response stages providing for the implementation of measures in response to water supply conditions during a repeat of the drought-of-record.
 - (5) The drought contingency plan must include the procedures to be followed for the initiation or termination of drought response stages, including procedures for notification of wholesale customers regarding the initiation or termination of drought response stages.
 - (6) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this paragraph are not enforceable.
 - (7) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:
 - (A) pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code, §11.039; and

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

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

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

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

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

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

APPENDIX B
Copy of Resolution Adopted by UTRWD Board of Directors



RESOLUTION

RESOLUTION # 2024 – 01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE UPPER TRINITY REGIONAL WATER DISTRICT (“THE DISTRICT”) ADOPTING UPDATED WATER CONSERVATION AND DROUGHT CONTINGENCY PLANS FOR THE DISTRICT.

WHEREAS, the District’s Board of Directors previously adopted its Water Conservation Plan and Drought Contingency Plan in April 2019; and,

WHEREAS, the Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.5 and Subchapter B, Rule 288.22 governs the development of water conservation and drought contingency plans for wholesale water suppliers and requires wholesale public water suppliers, like the District, to include certain basic provisions in said plans; and,

WHEREAS, the Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 and Subchapter B, Rule 288.20 requires that the District’s water conservation plans and drought contingency plans be reviewed and updated, at least, every five years; and,

WHEREAS, the District desires to update its current water conservation plan and drought contingency plan based on current knowledge and practices, as well as to require a year-round two-day per week maximum for outdoor watering with an automatic irrigation system; and,

WHEREAS, the updated water conservation plan and drought contingency plan shall hereinafter be referred to as the “2024 Plans”; and,

WHEREAS, the 2024 Plans must be approved by the District’s Board of Directors prior to submission to the Texas Commission on Environmental Quality (“TCEQ”) and the Texas Water Development Board (“TWDB”); and,

WHEREAS, the District’s Treated Water Customers and the Water Conservation Work Group have provided input on the 2024 Plans; and,

WHEREAS, the District’s Water Conservation Committee has also reviewed and recommends adoption of the 2024 Plans.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UPPER TRINITY REGIONAL WATER DISTRICT:

SECTION 1. That the 2024 Water Conservation Plan and Drought Contingency Plan as recommended by the Water Conservation Committee and reviewed by the Treated Water Customers and the Water Conservation Work Group are hereby adopted.

SECTION 2. That the Executive Director is hereby directed to implement and enforce the 2024 Plans as adopted.

SECTION 3. That the Executive Director is hereby directed to include provisions in any new contract for wholesale water services and any renewed or extended contract with a Customer after the adoption hereof requiring said Customer to adopt similar water conservation and drought contingency strategies as outlined in the 2024 Plans and providing for enforcement thereof.

SECTION 4. That the Executive Director is authorized to submit the 2024 Plans to TCEQ and TWDB for review and approval and to make reasonable changes thereto if requested by either agency.

SECTION 5. That this Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED THIS 1ST DAY OF FEBRUARY 2024.

Recommended:



Larry N. Patterson, Executive Director

Executed:



Clay M. Riggs, President

Attest:



Allen L. McCracken, II, Secretary



APPENDIX C
Coordination with Regional Planning Group



April 9, 2024

Mr. Kevin Ward, Chair
Region C Water Planning Group
PO Box 60
Arlington, TX 76004

Re: Updated Water Conservation and Drought Contingency Plans

Dear Mr. Ward,

In accordance with 30 TAC §288.30, enclosed is a copy of Upper Trinity Regional Water District's ("Upper Trinity") 2024 Water Conservation Plan and Drought Contingency Plan. The Board of Directors of Upper Trinity adopted the updated plans on February 8, 2024. The updated Water Conservation Plan includes a permanent and mandatory two-day-per-week outdoor watering schedule and new 5-year and 10-year water use goals. The updated Drought Contingency Plan includes new measures for Upper Trinity and its Customers to effectively manage outdoor watering during times of drought.

Thank you for your assistance in this matter. Should you have any questions or need further information, please feel free to contact me or Jason Pierce, Manager of Governmental Affairs and Communications, at 972-219-1228.

Sincerely,

A handwritten signature in blue ink that reads "Larry N. Patterson".

Larry N. Patterson
Executive Director

Encl: 1. Upper Trinity's 2024 Water Conservation Plan
2. Upper Trinity's 2024 Drought Contingency Plan

C: Jason Pierce, Manager of Governmental Affairs and Communications, UTRWD