

Drought Contingency Plan For Municipal Water Use

For

City of Dripping Springs

Water Customer Name

Prepared By:

Burgess & Niple, Inc.
235 Ledge Stone Dr.
Austin, Texas 78737

May 2025

Table of Contents

1.0	Declaration of Policy, Purpose and Intent.....	3
2.0	Authorization.....	3
3.0	Public Education.....	3
4.0	Coordination with Regional Planning Groups.....	3
5.0	Notice Requirements.....	4
6.0	Permanent Water Use Restrictions.....	4
7.0	Initiation and Termination of Response Stages.....	4
7.1	Triggering Criteria for Initiation and Termination of Drought Response Stages.....	5
8.0	Drought Response Measures.....	8
8.1	Targets for Water-Use Reductions.....	8
8.2	Retail Customers Measures.....	8
8.3	Wholesale Treated Customers.....	16
9.0	Enforcement.....	17
9.1	Enforcement Provisions.....	17
9.2	Variances.....	17
9.3	Plan Updates.....	18
	Appendix A – Mandatory Watering Schedules.....	19
	Appendix B – Enforcement Provisions for Municipalities.....	21
	Appendix C – Drought Response Retail Enforcement Process for Municipalities.....	23
	Appendix D – Authorization to Implement and Approve Drought Contingency Plans...	24

DROUGHT CONTINGENCY PLAN FOR MUNICIPAL WATER USE

1.0 Declaration of Policy, Purpose and Intent

The Lower Colorado River Authority (LCRA) provides contracts to firm customers for water supply. In cases of drought, periods of abnormally high usage or system contamination, or extended reduction in ability to supply water due to equipment failure, LCRA may require water customers to institute temporary restrictions to limit nonessential water usage. This Drought Contingency Plan (Plan) is designed to protect the available water supply and protect the integrity of water supply facilities, with regard for domestic water use, sanitation and fire protection during these periods or other water supply emergencies.

Water uses regulated or prohibited under this Plan are considered nonessential and continuation of such uses during times of water shortage or other emergency water supply conditions is deemed to constitute a waste of water.

2.0 Authorization

The designated manager or official of City of Dripping Springs 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. The designated manager or official of City of Dripping Springs shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan. This authorization was designated as part of the plan's approval by the City of Dripping Springs governing board (*See Appendix G*).

3.0 Public Education

The designated manager or official of City of Dripping Springs will periodically provide its employees, members, and the public with information about this Plan, including the importance of the Plan, information about the conditions under which each stage of the Plan is to be initiated, processes used to reduce water use, and impending or current drought conditions.

4.0 Coordination with Regional Planning Groups

City of Dripping Springs has provided a copy of this Plan to the Lower Colorado Regional Planning Group (Region K) by sending a copy to administrative@regionk.org.

5.0 Notice Requirements

City of Dripping Springs shall notify the executive director of the Texas Commission on Environmental Quality and LCRA General Manager in writing within five (5) business days of the implementation of any mandatory provisions of the Drought Contingency Plan.

6.0 Permanent Water Use Restrictions

The following restrictions apply to all City of Dripping Springs water utility system(s) on a year-round basis, regardless of water supply or water treatment plant production conditions. According to the restrictions, a water user **must not**:

- 1) Irrigate outdoors using an in-ground irrigation systems or hose-end sprinklers more than twice per week or outside scheduled days and times as indicated in Appendix A.
- 2) Fail to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet.
- 3) Operate an irrigation system:
 - with a broken head;
 - with a head that is out of adjustment and the arc of the spray head is over a street or parking area;
 - with a head that is fogging or misting because of excessive water pressure; or
 - Except between 6 a.m. to 10 a.m. and 7 p.m. to 10 p.m.
- 4) During irrigation, allow water:
 - to run off a property and form a stream of water in a street for a distance of 50 feet or greater; or
 - to pool in a street or parking lot to a depth greater than one-quarter of an inch.

7.0 Initiation and Termination of Response Stages

The City of Dripping Springs's designated manager or official shall monitor water supply and demand conditions on a regular basis and shall determine when conditions warrant initiation and termination of each stage of this Plan in accordance with LCRA's Water Management Plan. Water supply conditions will be determined by the source of supply, system capacity and weather conditions. Water demand will be measured by the peak daily demands on the system.

Public notification of the initiation or termination of drought response stages shall be by a variety of ways (e.g., bill inserts, email, automated telephone calls, signs posted at entry points to the service area, social media posts, website content or a combination of these methods).

The following triggering criteria shall apply to City of Dripping Springs's water utility system(s) and customer service area.

7.1 Triggering Criteria for Initiation and Termination of Drought Response Stages

- **Drought Contingency Plan Stage 1 - Mild Water Shortage Conditions**

A. **Requirements for initiation** - Customers shall be requested to adhere to the Stage 1 Drought Response Measures when one or more these criteria occur:

1. When total daily water demand equals or exceeds
 - i. 80 percent of the total design capacity of the water treatment plant for three consecutive days; or
 - ii. 90 percent of the total design capacity of the water treatment plant for a single day;
2. Source water contamination results in comprised capacity of the treatment and delivery systems;
3. mechanical or electrical failure of a system component results in compromised treatment and/or delivery capacity.
4. the combined storage of lakes Travis and Buchanan below 1.1 million acre-feet; or
5. the LCRA initiates Stage 1 of its DCP

B. **Requirements for termination** - Stage 1 of the plan may be rescinded when:

1. When water treatment plant capacity condition listed above as a triggering event are predicted to cease for an extended period;
2. The source water contamination event or mechanical or electrical failure of system component is resolved;
3. The combined storage of lakes Travis and Buchanan increases above 1.2 million acre-feet; or
4. LCRA announces that curtailment of water supplies to firm water customers is no longer required under the drought contingency measures of the LCRA DCP.

(2) **STAGE 2 - Moderate Water Shortage Conditions (Mandatory Measures)**

A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 2 Drought Response Measures when one or more of these criteria occur:

1. When total daily water demand equals or exceeds:
 - i. 85 percent of the total design capacity of the water treatment plant for three consecutive days; or
 - ii. 95 percent of the total design capacity of the water treatment plant for a single day;
2. Source water contamination results in comprised capacity of the treatment and delivery systems;
3. mechanical or electrical failure of a system component results in compromised treatment and/or delivery capacity.
4. target reduction for the Stage 1 demand management measures is not

achieved;

5. the combined storage of lakes Travis and Buchanan below 900,000 acre-feet; or

6. the LCRA initiates Stage 2 of its DCP

B. Requirements for termination - Stage 2 of the Plan may be rescinded when:

1. The water treatment plant capacity condition listed above as a triggering event is predicted to cease for an extended period;
2. The source water contamination event or mechanical or electrical failure of system component is resolved;
3. The combined storage of lakes Travis and Buchanan increases above 1.1 million acre-feet; or
4. LCRA announces that curtailment of water supplies to firm water customers is no longer required under the drought contingency measures of the LCRA DCP.

Upon termination of Stage 2, Stage 1 becomes operative unless the criteria for terminating Stage 1 is also met.

(3) STAGE 3 - Severe Water Shortage Conditions (Mandatory Measures)

A. Requirements for initiation - Customers shall be required to adhere to the Stage 3 Drought Response Measures when one or more of these criteria occur:

1. When the total daily water demand equals or exceeds:
 - i. 90 percent of the total design capacity of the water treatment plant for three consecutive days; or
 - ii. 100 percent of the total design capacity of the water treatment plant for a single day;
2. Source water contamination results in comprised capacity of the treatment and delivery systems;
3. mechanical or electrical failure of a system component results in compromised treatment and/or delivery capacity.
4. target reduction for the Stage 2 demand management measures is not achieved;
5. the combined storage of lakes Travis and Buchanan below 750,000 acre-feet; or
6. the LCRA initiates Stage 3 of its DCP

B. Requirements for termination - Stage 3 of the Plan may be rescinded when:

1. The water treatment plant capacity condition listed above as a triggering event is predicted to cease for an extended period;
2. The combined storage of lakes Travis and Buchanan increases above 825,000 acre-feet; or

3. LCRA announces that curtailment of water supplies to firm water customers is no longer required under the drought contingency measures of the LCRA DCP.

Upon termination of Stage 3, Stage 2 becomes operative unless the criteria for terminating Stage 2 is also met.

(4) STAGE 4- Emergency Conditions

- A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 4 Drought Response Measures when one or more of these criteria occur:
 - a) Major water line breaks, loss of distribution pressure or pump system failures that cause substantial loss in the ability to provide water service.
 - b) Contamination of the water supply source;
 - c) Any other emergency water supply or demand conditions that the City of Dripping Springs determines to constitute a water supply emergency; or
 - d. The LCRA Board of Directors declares a Drought Worse than Drought of Record or other water supply emergency and orders the mandatory curtailment of firm water supplies.

Upon declaration of Stage 4- Emergency Water Conditions, water use restrictions outlined in Stage 4 Emergency Response Measures shall immediately apply and be in effect until lifted by the City of Dripping Springs.

- B. **Requirements for termination** - Stage 4 of the Plan may be rescinded when:
 1. Treatment Capacity:
 4. The water treatment plant capacity condition listed above as a triggering event for Stage 4 has ceased to exist for five consecutive days; or
 2. Water Supply:
 5. LCRA announces that mandatory Stage 4 water restrictions for firm water customers are no longer required in accordance with the LCRA DCP.

Upon termination of Stage 4, Stage 3 becomes operative unless the criteria for terminating Stage 3 is also met.

8.0 Drought Response Measures

8.1 Targets for Water-Use Reductions

(1) STAGE 1 - Mild Water Shortage Conditions (Mandatory Measures)

System Capacity Reduction Target: Limit daily water demand to no more than 80% capacity for three consecutive days or 90% for one day.

Water Supply Reduction Target: Achieve a 10% reduction in water use.

(2) STAGE 2 - Moderate Water Shortage Conditions (Mandatory Measures)

System Capacity Reduction Target: Limit daily water demand to no more than 85% capacity for three consecutive days or 95% for one day.

Water Supply Reduction Target: Achieve a 20% reduction in water use.

(3) STAGE 3 - Severe Water Shortage Conditions (Mandatory Measures)

System Capacity Reduction Target: Limit daily water demand to no more than 90% capacity for three consecutive days or 100% for one day.

Water Supply Reduction Target: Achieve a 30% reduction in water use.

(4) STAGE 4 - Emergency Shortage Conditions (Mandatory Measures)

System Capacity Reduction Target: Limit daily water demand to no more than 90% capacity for three consecutive days or 100% for one day.

Water Supply Reduction Target: As determined by the City of Dripping Springs..

8.2 Residential and Retail Customers Measures

See Sections 28.06.082-83 in the City of Dripping Springs Landscape Ordinance No. 2024-11 for additional requirements for irrigation and drought conditions.

(1) STAGE 1 - Mild Water Shortage Conditions

A. Supply Management Measures:

1. City of Dripping Springs will apply water-use restrictions prescribed for Stage 1 of the Plan to facilities for which Stage 1 has been declared..

2. City of Dripping Springs discontinue water main and line flushing unless necessary for public health reasons.
3. City of Dripping Springs will keep customers informed about issues regarding current and projected water supply and demand conditions.

B. Demand Management Measures:

1. Irrigation of Landscaped Areas:

- a. New landscapes may be installed and revegetation seeding performed under these specific criteria:
 - i. The mandatory twice weekly watering schedule is adhered to.
 - ii. If a deviation from the twice weekly schedule is required, that a completed variance form for new landscapes has been submitted to the City of Dripping Springs and has been approved prior to the installation of the landscape or revegetation seed application
 - iii. Irrigation of the new landscape or application follows the schedule identified in the new landscape variance:
 1. Once a day for the first 10 days after installation
 2. Once every other day from 6 a.m. to 10 a.m. and 7 p.m. to 10 p.m. for days 11 through 20 after installation
 3. Once every third day 6 a.m. to 10 a.m. and 7 p.m. to 10 p.m. for day 21 through 30 after installation
 - iv. Alternatives to revegetation may be available in times of low water supply. Specific information regarding such alternatives is available in the LCRA Highland Lakes Watershed Ordinance Technical Manual (sec 3.2.8)
 - v. Variances for new landscapes and revegetation will be issued for the shortest period necessary to reasonably assure the landscapes survival. A variance is not an exemption from compliance with the permanent water use restrictions under *Permanent Water Restrictions* of this plan other than schedule. Variances will not be granted for season “color bed” or temporary grass installation (over seeding).

2. Vehicle Washing:

- a. Use of water to wash any motor vehicle, such as a motorbike, boat, trailer, or airplane is prohibited except on designated watering days between the hours of 6 a.m. to 10 a.m. and 7 p.m. to 10 p.m. Such activity, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle. A vehicle may be washed any time at a commercial car wash facility or commercial service station. Further, this activity is exempt from these regulations if the health, safety, and welfare of the public are served by washing the vehicle, such as a truck used to collect garbage or used to transport food and perishables.

3. Events:

- a. Events involving the use of water such as: car washes, festivals, parties, water slides, and other activities involving the use of water are permitted, if the water being used drains to a re-circulating device, or is used for a beneficial purpose such as watering landscape to prevent water waste.

4. Restaurants:

- a. All restaurants are encouraged to serve water to their patrons only upon request.

5. Recreational Areas (Includes Parks and Athletic Fields):

- a. The areas can only be used for designated or scheduled events or activities. Unnecessary foot traffic must be discouraged. Watering must follow irrigation of landscaped areas schedule. A variance can be applied for if necessary.

6. Water Waste:

- a. The following uses of water are prohibited at all times during periods in which restrictions have gone into effect unless a variance has been approved:
 - i. Washing sidewalks, walkways, driveways, parking lots, street, tennis courts, and other impervious outdoor surfaces; except for immediate health and safety
 - ii. Washing buildings, houses, or structures with a pressure washer or garden hose is prohibited for aesthetic purposes but permitting for surface preparation of maintenance work to be performed
 - iii. Controlling dust, unless there is a demonstrated need to do so for reasons of public health and safety, or as part of a construction plan approved by a governmental entity
 - iv. Flushing gutters or allowing a substantial amount of water to run off a property and accumulate in a gutter, street, or parking lot to a depth greater than one-fourth of an inch.

(2) STAGE 2 - Moderate Water Shortage Conditions (Mandatory Measures)

C. Supply Management Measures:

- 1. Apply all water-use restrictions prescribed for Stage 2 of the Plan for City of Dripping Springs's utility-owned facilities and properties.
- 2. City of Dripping Springs will explore ways to reduce system water loss by measures such as fixing leaks, replacing old meters and recycling line flush water, as appropriate.

3. City of Dripping Springs will explore ways to increase use of recycled wastewater to reduce irrigation of public parks with potable water, as appropriate.
4. City of Dripping Springs will actively share drought-related information, including current and projected water supply conditions, water supply restrictions and the need to conserve to its retail customers, including publicly posting notice of entering or exiting Stage 2 on City of Dripping Springs's website.
5. City of Dripping Springs's will actively enforce the irrigation watering restrictions.

D. Demand Management Measures:

Under threat of penalty, the following water-use restrictions shall apply to all retail water customers:

7. Irrigation of Landscaped Areas:

- a. Irrigation of landscaped areas with hose-end sprinklers or automatic or manual irrigation systems shall be limited to no more than ONCE weekly as determined by City of Dripping Springs. Irrigation of commercial landscapes and recreational areas (including public parks) may apply for a variance but must still develop a schedule where no part of the landscape is watered more than once per week. (*See Appendix A - City of Dripping Springs Water System - Mandatory Watering Schedule.*)
- b. Outdoor watering hours will be limited to **7 hours** per day from 6 a.m. to 10 a.m. and 7 p.m. to 10 p.m. on designated days as determined by City of Dripping Springs (see watering schedule in Appendix A). This prohibition does not apply to irrigation of landscaped areas if it is by means of:
 - i. a hand-held hose with a positive shut-off device; or
 - ii. a faucet-filled bucket or watering can of 5 gallons or less.
- i. c. New landscapes may only be installed if they do not require a variance to the mandatory watering schedule. No variances will be approved.

8. Vehicle Washing:

Use of water to wash any motor vehicle, such as a motorbike, boat, trailer or airplane, is prohibited. A vehicle may be washed anytime at a commercial car wash facility or commercial service station. This activity is exempt from these regulations if the health, safety and welfare of the public are served by washing the vehicle, such as a truck used to collect garbage or used to transport food and perishables.

9. Pools:

- a. Filling of all new and existing swimming pools, hot tubs, wading pools, is prohibited, unless application for variance is approved on a case by case basis. Replenishing to maintenance level is permitted. Draining is permitted only onto pervious surfaces or onto a surface where water will be transmitted directly to a pervious surface, and only if:
 - i. Draining excess water from pool due to rain in order to lower water to maintenance level;
 - ii. Repairing, maintaining or replacing pool components that have become hazardous; or
 - iii. Repair of a pool leak.
- b. Refilling of public/community swimming pools permitted only if pool has been drained for repairs, maintenance, or replacement as outlined in items above.

10. Outside Water Features:

- a. Operation of outside water features, such as, but not limited to, fountains or outdoor misting systems, is prohibited, except where such features are designed and consistently maintained to sustain aquatic life or maintain water quality. The City of Dripping Springs may require proof of such design and consistent maintenance.

11. Ponds:

Ponds used for aesthetic, amenity and/or storm water purposes may maintain water levels only as necessary to preserve the integrity of the liner and operating system. City of Dripping Springs may request specific design documentation regarding a pond and the intended purpose.

12. Golf Courses:

Golf courses receiving any amount of treated water from a City of Dripping Springs utility must either develop a drought contingency plan that meets the minimum water reduction target set for Stage 2 or adopt the LCRA sample golf course drought contingency plan.

13. Events:

Events involving the use of water such as: car washes, festivals, parties, water slides and other activities involving the use of water are prohibited.

14. Recreational Areas (includes municipal parks and common areas)

Irrigation of recreational areas with potable water must follow the seven-hour weekly irrigation schedule, and watering of recreational areas should be prioritized by frequency of use. Unnecessary foot traffic should be discouraged. Watering using an auxiliary source such as recycled water is exempt from these restrictions.

15. Athletic fields

Watering should follow a no more than once-per-week schedule per irrigated area unless the athletic fields are actively used for organized sports practice, competition or exhibition events when irrigation outside of the standard weekly schedule is necessary to protect the health and safety of the players, staff or officials present for the athletic event.

- a) All ornamental landscape areas around facilities with athletic fields shall follow general landscape irrigation restrictions.
- b) A variance must be filed with the City of Dripping Springs for watering outside of the once per week irrigation schedule stated in Appendix A.

(3) STAGE 3 - Severe Water Shortage Conditions (Mandatory Measures)

A. Supply Management Measures:

- 1. City of Dripping Springs 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. City of Dripping Springs will actively share drought-related information, including the current and projected water supply conditions, water supply restrictions and the need to conserve to its retail customers including publicly posting notice of entering or exiting Stage 3 on City of Dripping Springs's website.
- 3. In addition to measures implemented in the preceding stages of the plan, City of Dripping Springs will explore additional emergency water supply options.

B. Demand Management Measures: Under threat of penalty, all retail customers are required to further reduce nonessential water uses as follows. All requirements of Stage 2 shall remain in effect during Stage 3, with the following modifications and additions.

1. Irrigation of Landscaped Areas:

- a. Irrigation of landscaped areas with hose-end sprinklers or in-ground irrigation systems shall be limited to no more than **4 hours**, between the hours of 6 a.m. and 10 a.m., once weekly according to the Stage 2 designated days. (*See Appendix A - City of Dripping Springs Water System - Mandatory Watering Schedule.*) No irrigation with in-ground irrigation systems is allowed from November through February.

- b. Outdoor watering hours for hand watering will be limited to between 6 a.m. and 10 a.m. on designated days as determined by [Water Customer Name] (see *watering schedule in Appendix A*). The allowed methods of irrigation of landscaped areas are:
 - i. a hand-held hose;
 - ii. a faucet-filled bucket or watering can of 5 gallons or less;
 - iii. a soaker hose; or
 - iv. tree gator watering bags.
- c. New landscapes irrigated with spray irrigation are prohibited. New irrigated turf grass is prohibited. The City of Dripping Springs may issue new landscape variances for planting beds installed with drought-tolerant or native plants specified in the Grown Green Plant Guide as having low or very low water needs (<http://austintexas.gov/departments/grow-green/plant-guide>) and irrigated with point source drip irrigation or hand-held hose. .

2. Fire Hydrants:

Use of water from fire hydrants shall be limited to firefighting and activities necessary to maintain public health, safety and welfare. Use of water from designated fire hydrants for construction purposes may be allowed under special conditions and will require a meter; a variance application must be submitted and approved before a hydrant meter will be provided.

3. Outside Water Features:

- a) Operation of ornamental fountains is prohibited.
- b) Operation of outside water features, is only allowed when such features are used for aeration necessary to sustain aquatic life or maintain water quality. (This provision includes fountains associated with aesthetic ponds and swimming pools.)
- c)

4. Recreational areas (includes municipal parks and common areas):

Irrigation of recreational areas with potable water must follow the four-hour weekly irrigation schedule, and watering of recreational areas should be prioritized by frequency of use. Unnecessary foot traffic should be discouraged. Watering using an auxiliary source such as recycled water is exempt from these restrictions.

5. Athletic fields:

A variance including a map of active play areas that must be irrigated with automatic sprinkler systems for sports practice and competition must be filed with the City of Dripping Springs if irrigation falls outside of the normal

watering schedule listed in Appendix A. The irrigation must be necessary to protect the health and safety of the players, staff, and officials present for athletic events.

- a) All ornamental landscape areas around facilities with athletic fields shall follow general landscape irrigation restrictions.
- b) All athletic fields that are not actively used for sports practice and competition shall follow general landscape irrigation restrictions.

(4) STAGE 4 – Emergency Shortage Conditions

Under threat of penalty for violation, all retail customers are required to reduce non-essential water uses during an emergency. All requirements of stages 1 through 3 are also in effect during Stage 4, with the following modifications and additions:

- A. Irrigation of any ornamental landscaped areas is prohibited. The use of hose-end sprinklers and automatic irrigation systems, including drip irrigation, are prohibited except as provided under item B below.
- B. Irrigation of foundations, trees and vegetable gardens is allowed with a hand-held hose with a working on/off nozzle, bucket, drip irrigation or soaker hoses irrigation only for **four hours** between the hours of 6 a.m. and 10 a.m. one day per week on the designated outdoor water use day as determined by City of Dripping Springs.
- C. Watering of athletic fields is allowed only with a variance filed with the City of Dripping Springs and must follow a no more than once-per-week schedule for no more than 4 hours per irrigated areas. The irrigated athletic fields must be actively in use for organized sports practice, competition or exhibition events to protect the health and safety of the players, staff or officials present for the athletic event..
- D. Use of water from fire hydrants shall be limited to firefighting and activities necessary to maintain public health, safety, and welfare only.
- E. No application for new, additional, expanded, or larger water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be allowed or approved..
- F. Golf courses receiving any amount of treated water from a City of Dripping Springs utility must either develop a drought contingency plan in accordance with City of Dripping Springs Drought Contingency Plan and implement its Stage 4 mandatory restrictions in conjunction with the water provider or adopt the LCRA sample golf course drought contingency plan.
- G. Additional measures may be added as needed.

Upon declaration of Stage 4, water use restrictions outlined in Stage 3 shall immediately apply.

8.3 Wholesale Treated Customers

All City of Dripping Springs 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 DCP. In addition, the measures of this plan must be at least as stringent as the drought response measures required by City of Dripping Springs for its retail customers. 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.

(1) STAGE 1 - Mild Water Shortage Conditions

The City of Dripping Springs will keep wholesale treated water customers informed about demand and current and projected water supply conditions. The City of Dripping Springs will initiate discussions with wholesale treated water customers about potential curtailment and the implementation of mandatory measures to reduce water usage by 10%.

(2) STAGE 2 - Moderate Water Shortage Conditions (Mandatory Measures)

The City of Dripping Springs will contact its wholesale treated water customers to initiate additional mandatory measures to control water demand and to ensure capacity for emergency response requirements. Additional mandatory measures will include the curtailment of water use by a minimum of 20% in accordance with the wholesale treated water customer's own drought contingency plan.

(3) STAGE 3 - Severe Water Shortage Conditions (Mandatory Measures)

City of Dripping Springs will contact its wholesale treated water customers to initiate additional mandatory measures to control water demand and to ensure capacity for emergency response requirements. Additional mandatory measures will include the curtailment of water use by a minimum of 30% in accordance with the wholesale treated water customer's drought contingency plan.

(4) STAGE 4 - Emergency Water Conditions

The City of Dripping Springs will contact its wholesale treated water customers to initiate additional mandatory measures to control water demand and to ensure capacity for emergency response requirements. Additional mandatory measures will include the curtailment of non-essential water uses in accordance with the wholesale treated water customer's own drought contingency plan.

In addition, if the Stage 4 triggering criteria is based on a water supply shortage, LCRA will initiate the curtailment of water provided to wholesale treated water customers on a pro rata basis. The wholesale treated water customer's monthly allocation of water shall be based on a percentage of the customer's baseline water use. The percentage will be determined by the LCRA Board and may be adjusted as conditions warrant.

9.0 Enforcement

9.1 Enforcement Provisions

The following enforcement provisions shall apply to all City of Dripping Springs water customers:

- ☒ *Appendix B – Enforcement Provisions for Municipalities*
- ☐ *Appendix C – Enforcement Provisions for Water Districts*
- ☐ *Appendix D – Enforcement Provisions for Water Supply Corporations and Investor-Owned Utilities*

9.2 Variances

- A. The City of Dripping Springs or it's designee may grant variances:
 - i. From specific applications of the outdoor water schedule, providing that the variances do not increase the time allowed for watering but rather alter the schedule for water; and,
 - ii. Allowing the use of alternative water sources that do not increase demand on potable water sources for outdoor use. Variance requests may be submitted to Water Customer Services and need not meet the requirements of subsection (2) below.
 - B. Exemption from specific applications of the outdoor water schedule, providing that the variances do not increase the time allowed for watering but rather alter the schedule for watering.
 - C. Allowing the use of alternative water sources (i.e., groundwater, reclaimed wastewater) that do not increase demand on potable water sources for outdoor use. Variance requests may be submitted to staff and need not meet the requirements of subsection below.
- (2) The general manager, or his designee, 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 public health, sanitation or fire protection, and if one or more of the following conditions are met:
- A. Compliance with this plan cannot be accomplished during the duration of the time the plan is in effect; or
 - B. Alternative methods can be implemented that will achieve the same level of reduction in water use.
- (3) Persons requesting a variance from the provisions of this plan shall file a petition for variance with City of Dripping Springs any time the plan or a particular drought response stage is in effect. The general manager or his designee will review petitions for variances. The petitions shall include the following:

6. Name and address of the petitioner;
 7. Purpose of water use;
 8. Specific provision of the plan from which the petitioner is requesting relief;
 9. Detailed statement as to how the specific provision of the plan adversely affects the petitioner or what damage or harm the petitioner or others will sustain if petitioner complies with this plan;
 10. Description of the relief requested;
 11. Period of time for which the variance is sought;
 12. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this plan and the compliance date; and
 13. Other pertinent information.
- (4) Variances granted by City of Dripping Springs shall be subject to the following conditions, unless waived or modified by the general manager, or his designee:
- A. Variances granted shall include a timetable for compliance.
 - B. Variances granted shall expire when the plan, or its requirements, is no longer in effect, unless the petitioner has failed to meet specified requirements.
- (5) No variance shall be retroactive or otherwise excuse any violation occurring before the variance was issued.

9.3 Plan Updates

The plan will be reviewed and updated as needed to meet both TCEQ and LCRA drought contingency plan rules.

Appendix A – Mandatory Watering Schedules

Permanent mandatory watering schedule

City of Dripping Springs

Irrigate outdoors using automatic or manual irrigation systems or hose-end sprinklers no more than **TWICE per week** for up to **14 hours** and only during scheduled days and times as indicated below:

Residential

Addresses ending:

0,1,2,3	Monday and Thursday
4,5,6	Tuesday and Friday
7,8,9	Wednesday and Saturday

Commercial (including large landscapes such as HOA common areas and public schools)
Tuesdays and Fridays

Watering Hours

6 a.m. to 10 a.m. and 7 p.m. to 10 p.m.

Stage 1 mandatory watering schedule

City of Dripping Springs

Irrigation of Landscapes Areas:

Residential

Addresses ending:

0,1,2,3	Monday and Thursday
4,5,6	Tuesday and Friday
7,8,9	Wednesday and Saturday

Commercial (including large landscapes such as HOA common areas)
Tuesdays
and Fridays

Watering Hours

6 a.m. to 10 a.m. and 7 p.m. to 10 p.m. This prohibition does not apply to irrigation of landscapes areas if it is by means of:

- i. Hand-held hose; or
- ii. Faucet-filled bucket or water can of five gallons or less.

Stage 2 mandatory watering schedule

City of Dripping Springs

Irrigate outdoors no more than **ONCE per week** for up to 7 **hours** and only during scheduled days and times as indicated below.

Residential

Addresses ending:

- 1,3 Monday
- 2,4 Tuesday
- 5,7 Wednesday
- 6,8 Thursday
- 9,0 Friday

Commercial (including large landscapes such as HOA common areas and public schools)

Saturday

Watering Hours

6 a.m. to 10 a.m. and 7 p.m. to 10 p.m. This prohibition does not apply to irrigation of landscapes areas if it by means of:

- i. Hand-held; or
- ii. Faucet-filled bucket or water can of five gallons or less

Stage 3 mandatory watering schedule

City of Dripping Springs

Irrigate outdoors no more than **ONCE per WEEK** for up to **four hours** from 6 a.m. to 10 a.m. during the same designated days as Stage 2. No irrigation with in-ground irrigation systems is allowed from November through February.

Outdoor watering hours for hand watering will be limited to between 6 a.m. and 10 a.m. on the same designated days that apply to watering with hose-end sprinklers or irrigation systems. The allowed methods of hand watering landscaped areas are:

- i. Hand-held hose
- ii. Faucet-filled bucket or water can of five gallons or less
- iii. Soaker house
- iv. Tree gator watering bags

Appendix B – Enforcement Provisions for Municipalities

Enforcement for Retail Customers

The following enforcement provisions shall apply to all City of Dripping Springs retail water customers:

- (1) No person shall knowingly or intentionally use or allow the use of water from a City of Dripping Springs for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time.
- (2) Any person who violates this Plan shall be subject to the following fines, penalties and/or conditions of service:
 - A. Following the first documented violation, the violator shall be given a notice specifying the type of violation, the date and time it was observed, and fines and restrictions on service that may result from additional violations.
 - B. Following the second documented violation, the violator shall:
 1. *[option 1]* be criminally responsible for the violation of this Plan, punishable by a fine of \$500 *[not to exceed \$500]*;
 - C. Following the third documented violation, the violator shall:
 1. *[option 1]* be criminally responsible for the violation of this Plan, punishable by a fine of \$1,000
 - D. Following the fourth documented violation, City of Dripping Springs shall, upon due notice to the customer, discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge, hereby established at \$500, and any outstanding charges including late payment fees or penalties. In addition, suitable assurance in the amount of a deposit of \$500 must be given to City of Dripping Springs so that the same action shall not be repeated while the plan is in effect. City of Dripping Springs may apply the deposit to any surcharges or penalties subsequently assessed under this plan against a customer. The deposit, if any, shall be returned to the customer at the time of the customer's voluntary disconnection from the utility system.
- (3) Each day that one or more of the provisions in this Plan is violated shall constitute a separate violation. Any person, including one classified as a water customer of City of Dripping Springs, in apparent control of the property where a violation occurs or originates, shall be presumed to be the violator. Any such persons, however, shall have the right to show that they did not commit the violation. (*See enforcement process diagram in Appendix E - Drought Response Retail Enforcement Process for Municipalities.*)

- (4) The designated manager or official of City of Dripping Springs shall have the power to enforce the provisions of this Plan.
- (5) The municipal court shall have the power to issue to the designated manager or official of City of Dripping Springs administrative search warrants, or other process allowed by law, where necessary to aid in enforcing this Plan.
- (6) Judicial enforcement of fines and penalties issued pursuant to this Plan may be sought through a municipal court, district court or small claims court having jurisdiction over the matter.
- (7) Compliance with this Plan also may be sought through injunctive relief in state district court.

Enforcement for Wholesale Customers

Wholesale treated water customers shall provide City of Dripping Springs with an order, ordinance or resolution to demonstrate adequate enforcement provisions for the wholesale customer's drought contingency plan.

In addition, wholesale treated water customers that fail to comply with the drought contingency measures in this Plan may be subject to the following civil penalties, in addition to any other remedies available to City of Dripping Springs by law or under the terms of the wholesale water contracts.

Penalties for wholesale treated water customers:

First documented violation: Written notice of violation

Second documented violation: Penalty fee up to \$2,000 [*not to exceed \$10,000*]

Third documented violation: Penalty fee up to \$10,000 [*not to exceed \$10,000*]

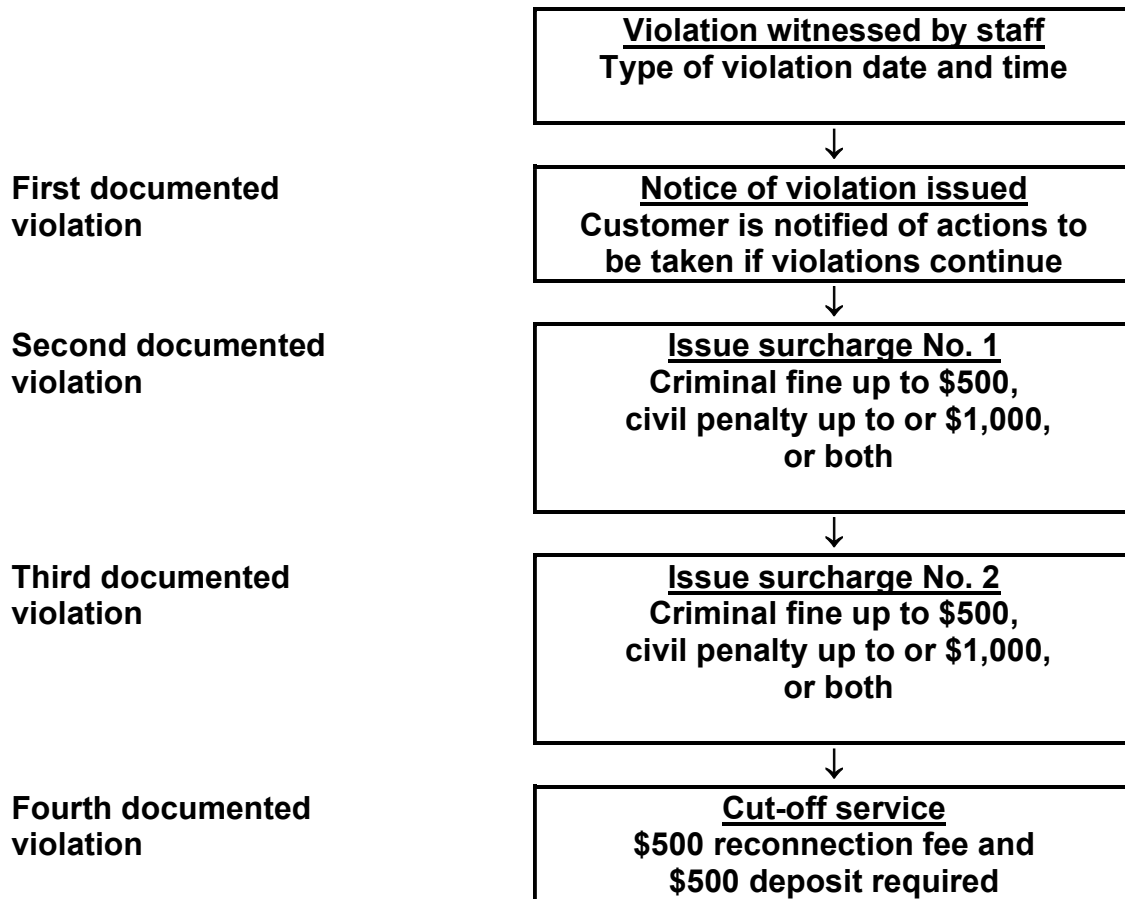
Legal Authority applicable to Municipalities in Regard to Drought Contingency Plan Enforcement

Please note that the following list is not intended to be exhaustive, and statutes listed below may not apply to all municipalities. Citations below may change following the publication date of this DCP template. Each municipality is encouraged to consult with legal counsel in regard to enforcement of drought contingency plans and specific enforcement authority available to each municipality.

Texas Local Government Code sec. 552.001
Texas Local Government Code Chapter 54

Texas Government Code Chapter 29

Appendix C – Drought Response Retail Enforcement Process for Municipalities



Appendix D – Authorization to Implement and Approve Drought Contingency Plans