

DROUGHT CONTINGENCY PLAN

Mustang Special Utility District

May 2013

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Drought Contingency Plan for Mustang Special Utility District (SUD)

May 2013

SECTION 1

Introduction and Objectives

The purpose of this Drought Contingency Plan (the “Plan”) is to provide for drought contingency measures for Mustang SUD 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.

This update of the Plan is consistent with TCEQ’s model drought contingency plan and the latest requirements outlined below.

Mustang SUD uses the following source(s) of water: groundwater pumped plus treated surface water supplied by UTRWD. The total combined amount from these sources is normally sufficient to provide water for residential and commercial customers and to maintain adequate reserve quantities and pressure from storage facilities to meet emergency and firefighting demands.

Drought is a frequent and inevitable factor in the climate of Texas. Therefore, it is vital to plan for the effect that droughts will have on the use, allocation and conservation of water in the region. Drought contingency planning is one critical element of a water supplier’s effort to reduce peak water demands and extend water supplies. The following are the central objectives of this Plan:

- Help assure reliability of water service to retail customers;
- Conserve the available water supply in times of drought and emergency;
- Maintain adequate water supplies for domestic use, sanitation and fire protection (If available);
- Protect and preserve public health, welfare and safety;
- Minimize the adverse impacts of water supply shortages and
- Minimize the adverse impacts of emergency conditions affecting water supply.

SECTION 2

Applicable Rules of Texas Commission on Environmental Quality

TCEQ rules governing the development of drought contingency plans for Municipal Uses by Public Water Suppliers, such as Mustang SUD, are contained in Title 30, Part 1, Chapter 288, Subchapter B and Rule 288.20 of the Texas Administrative Code (“TAC”). 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 TAC for drought contingency plans are covered in this Plan as follows:

Rule	Subject	Section
288.20(a)(1)(A)	Informing the Public & Providing Opportunity For Input	Section 3
288.20(a)(1)(B)	Provisions for Continuing Public Education & Information	Section 4
288.20(a)(1)(C)	Coordination with the Regional Water Planning Group	Section 10
288.20(a)(1)(D)	Criteria for Initiation Monitoring & Termination of Stages	Section 7
288.20(a)(1)(E)	Drought and Emergency Response Stages	Section 7
288.20(a)(1)(F)	Targets to be Achieved During Drought	Section 7
288.20(a)(1)(G)	Water Supply & Demand Mgm't Measures for Each Stage	Section 7
288.20(a)(1)(H)	Procedures for Initiation & Termination of Drought Stages	Section 7
288.20(a)(1)(I)	Procedures for Granting Variances	Section 8
288.20(a)(1)(J)	Procedures for Enforcement of Mandatory Restrictions	Section 9
288.20(a)(2)	Drought Plans for Privately-Owned Utilities	Section 12
288.20(a)(3)	Consultation with Wholesale Suppliers	Section 7
288.20(b)	Notification of Implementation of Mandatory Measures	Section 7
288.20(c)	Review & Update of Plan	Section 11

Also included in this Plan are statements of authorization (Section 5) and application (Section 6).

SECTION 3

Public Involvement

Mustang SUD previously provided opportunity for public input in the development of this Plan by the following means:

- Made the draft Plan available on the Mustang SUD’s website;
- Provided a copy of the draft Plan to anyone requesting a copy and
- Held a public meeting at a time and location convenient to the public and provided written notice to the public concerning the meeting.

SECTION 4

Provisions for Continuing Public Education and Information

Mustang SUD will provide public information about the Plan at least annually, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by any of the following means (*add to this list and adapt as needed*):

- Prepare bulletins / newsletters describing the Plan and make said bulletins / newsletters available in utility bills, public facilities or other appropriate places;
- Make the Plan and its requirements available on the Mustang SUD website;

When provisions of the Plan are activated or when a drought response stage changes, Mustang SUD will notify the public of the relevant issues, the appropriate drought response stage and the specific actions required of the public. When mandatory provisions of the Plan are implemented, TCEQ shall be notified within five (5) business days. The information will also be publicized on the Mustang SUD website. Billing inserts may also be used as appropriate means of disseminating information to the public.

SECTION 5

Authorization

The General Manager, 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 General Manager, 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.

SECTION 6

Application

The provisions of this Plan shall apply to all persons, customers and property utilizing water provided by Mustang SUD. The terms “person” and “customer” as used in the Plan include individuals, corporations, institutions, partnerships, associations and all other legal entities.

SECTION 7

Drought Contingency Plan - - Emergency Response Stages

The General Manager, or official designee, may order the initiation or termination of a drought response stage or water emergency when one or more of the trigger conditions for that stage is met as provided in this Section. The triggering criteria described below are based on the ability of Mustang SUD to deliver treated water to its customers and / or the ability of UTRWD to deliver treated water to Mustang SUD. Water supply and / or demand conditions are monitored by both Mustang SUD and UTRWD on a regular basis to determine when conditions warrant initiation or termination of a drought response stage.

7.1 Initiation of Drought Response Stages

The following actions will be taken when a drought response stage is initiated:

- The public will be notified through the Mustang SUD website and other appropriate methods as described in Section 3 above;

- Mustang SUD may notify UTRWD 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
- **When any mandatory provisions of the Plan are implemented, Mustang SUD will notify the Executive Director of the TCEQ within five (5) business days.**

When specific drought response stages are announced by UTRWD or other trigger conditions not announced by UTRWD, the General Manager, or official designee, may implement contingency measures based on local conditions affecting Mustang SUD; or for good cause 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 are taken into account when making a decision about such stages, including circumstances unique to Mustang SUD, the time of 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.

7.2 Termination of Drought Response Stages

The following actions will be taken when a drought response stage is terminated:

- The public will be notified through the Mustang SUD website and other appropriate methods as described in Section 3 above;
- Mustang SUD may notify UTRWD by telephone, with a follow-up letter, e-mail or fax to confirm the particular drought response stage has been terminated, and;
- **When any mandatory provisions of the Plan are terminated, Mustang SUD will notify the Executive Director of the TCEQ within five (5) business days.**

The General Manager, 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 Mustang SUD, the time of year, weather conditions, conditions within the local water distribution system or anticipation of other relevant factors that warrant continuation of measures for the drought stage.

7.3 Drought and Emergency Response Stages

A. Stage 1 – Water Wise

Requirements for Initiation

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

- UTRWD has announced Stage 1 – Water Wise, which may be a result of:
 - The total raw water supply in water supply lakes available to UTRWD has dropped below 65% (35% depleted); or
 - Dallas Water Utilities (a source of raw water to UTRWD) has initiated Stage 1 and given notice to UTRWD; or

- UTRWD, with concurrence of the Board of Directors, finds that conditions warrant the declaration of Stage 1; or
- Water demand has reached or exceeded [80%] of delivery capacity for four consecutive days; or
- Water demand is **approaching** a level that will cause a reduced delivery capacity for all or part of the distribution system, as determined by Mustang SUD or
- The water supply system has a **significant limitation** due to failure of or damage to important water system components.

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 one percent (1%) of total daily water use that otherwise would have occurred in the absence of drought contingency measures.

Water Use Restrictions for Reducing Demand

Under this stage, customers will be requested to conserve water through mandatory and voluntary measures, and to comply with restrictions on certain non-essential water use as provided below. Specific measures to be implemented during the stage will be determined by the Mustang SUD's General Manager, or official designee. The General Manager, or official designee, may also take other actions not listed, if deemed necessary.

- Require reduction of water use through maximum 2-days-per-week landscape irrigation schedule. This provision as identified in Mustang SUD's Water Conservation Plan is mandatory under this Water Wise 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.
- Require reduction of water use through time-of-day landscape irrigation schedule. This provision as identified in Mustang SUD's Water Conservation Plan is mandatory under this Water Wise stage. No outdoor watering with automatic irrigation systems and hose-end sprinklers can occur from 10:00 a.m. to 6:00 p.m. Customers with street addresses ending in even numbers (0,2,4,6,8) may irrigate on Sunday and Thursday. Customers with street addresses ending in odd numbers (1,3,5,7,9) may irrigate on Saturday and Wednesday. 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.
- Encourage reduction in frequency of washing or rinsing of vehicles and recommend use of bucket / container, hand-held hose with positive shut-off valve or commercial car wash.
- Encourage reduction in frequency of draining and refilling swimming pools.
- Encourage retail customers to avoid waste during recreational use (water used for leisure and entertainment purposes) from faucets, hoses or hydrants.
- Increase public education efforts on ways to reduce water use.

- Review internal operational conditions and capabilities by Mustang SUD.
- Be alert to internal non-essential water use by Mustang SUD.

Termination

Stage 1 may terminate when UTRWD terminates its Stage 1 condition or when the circumstances that caused the initiation of Stage 1 – Water Wise no longer prevail, or at the discretion of Mustang SUD.

B. Stage 2 – Water Watch

Requirements for Initiation

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

- UTRWD has initiated Stage 2 – Water Watch, which may be a result of:
 - The total raw water supply in water supply lakes available to UTRWD has dropped below 55% (45% depleted); or
 - Dallas Water Utilities has initiated Stage 2 and given notice to UTRWD; or
 - UTRWD, with concurrence of the Board of Directors, finds that conditions warrant the declaration of Stage 2; 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 distribution system, as determined by Mustang SUD; or
- The water supply 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.

Goal

The goal for water use reduction under Stage 2 is a five percent (5%) reduction in the use that would otherwise have occurred in the absence of drought contingency measures.

Water Use Restrictions for Reducing Demand

Under this stage, customers will be requested to continue all voluntary measures, plus adhere to the following mandatory measures to conserve water and to comply with restrictions on certain non-essential water uses as provided below. Specific measures to be implemented during this stage will be determined by the General Manager, or official designee. The General Manager, 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:

- Require reduction of water use through maximum 2-days-per-week landscape irrigation schedule. This includes irrigation of landscaped areas with automatic irrigation systems

and hose-end sprinklers. Customers with street addresses ending in even numbers (0,2,4,6,8) may irrigate on Sunday and Thursday. Customers with street addresses ending in odd numbers (1,3,5,7,9) may irrigate on Saturday and Wednesday. 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.

- Require reduction of water use through time-of-day landscape irrigation schedule. No outdoor watering 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.
- 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.
- Restrict washing any motor vehicle, motorbike, boat, etc. to the use of a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle, except on the premises of a commercial car wash.
- Prohibit hosing off paved areas, buildings, windows or other hard surfaces. Normal window washing is okay.
- Encourage further reduction in draining and filling of swimming pools.
- Further accelerate public education efforts on ways to reduce water use.
- Reduce internal water use by Mustang SUD.
- Encourage retail customers to wait until the current drought or water emergency situation has passed before establishing new landscaping.
- Require reduction of water use through day-of-week landscape watering schedule for parks and golf courses.
- Announce enforcement efforts and penalties for noncompliance. Enforcement to be primarily based on complaints being received.

Termination

Stage 2 may terminate when UTRWD terminates its Stage 2 condition or when the circumstances that caused the initiation of Stage 2 no longer prevail, or at Mustang SUD's discretion. Upon termination of Stage 2, Stage 1 – Water Wise will remain in effect unless otherwise announced by Mustang SUD.

C. Stage 3 – Water Warning

Requirements for Initiation

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

- UTRWD has initiated Stage 3 – Water Warning, which may be a result of:
 - The total raw water supply in water supply lakes available to UTRWD has dropped below 45% (55% depleted); or
 - Dallas Water Utilities has initiated Stage 3 and given notice to UTRWD; or
 - UTRWD, with concurrence of the Board of Directors, finds that conditions warrant the declaration of Stage 3; or
- Water demand has reached or exceeded [90%] of delivery capacity for two consecutive days; or
- Water demand **exceeds** the delivery capacity for all or part of the distribution system, as determined by Mustang SUD; or
- Water supply 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 source(s).
- Natural or man-made contamination of the water supply source that **threatens water availability**.

Goal

The goal for water use reduction under Stage 3 is a reduction of fifteen percent (15%) in the use that would otherwise have occurred in the absence of drought contingency measures.

Water Use Restrictions for Reducing Demand

Customers will comply with the requirements and mandatory restrictions on non-essential and other water uses as provided below. Specific measures to be implemented during this stage will be determined by the General Manager, or official designee. The General Manager, or official designee, may also take other actions not listed, if deemed necessary. All requirements of Stage 1 and Stage 2 shall remain in effect during this Stage 3, plus the following incremental or new measures:

- Require reduction of water use through maximum 1-day-per-week landscape irrigation schedule. Irrigation by means of automatic irrigation systems and hose-end sprinklers can occur between 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 12:00 midnight. Customers with street addresses ending in even numbers (0,2,4,6,8) may irrigate on Sunday. Customers with street addresses ending in odd numbers (1,3,5,7,9) may irrigate on Saturday. Irrigation of landscaped areas and building foundations is permitted between 6:00 p.m. and 6:00 a.m. if it is by means of a hand-held hose, drip irrigation or soaker hose systems.

- Restrict vehicle washing to commercial car wash facilities. Such vehicle washing shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 12:00 midnight, unless the commercial facility has a wash water recycling system.
- Prohibit the filling, refilling or adding of water to swimming pools, wading pools, hot tubs, spas and ornamental ponds.
- Prohibit non-essential internal water use by Mustang SUD.
- Restrict watering of nursery plant stock to the designated off-peak hours applicable to residential customers.
- Implement a rate surcharge on retail usage.
- Step-up enforcement activities.
- Implement utilization of alternative water sources if available.

Termination

Stage 3 may terminate when UTRWD terminates its Stage 3 condition or when the circumstances that caused the initiation of Stage 3 no longer prevail, or at Mustang SUD's discretion. Upon termination of Stage 3, Stage 2 – Water Watch will be initiated, unless otherwise announced by Mustang SUD.

D. Stage 4 – Emergency

Requirements for Initiation

The following are key conditions, any one of which may trigger Stage 4:

- UTRWD has initiated Stage 4 – Emergency, which may be a result of:
 - The total raw water supply in water supply lakes available to UTRWD has dropped below 30% (70% depleted); or
 - Dallas Water Utilities has initiated Stage 4 and given notice to UTRWD; or
 - UTRWD, with concurrence of the Board of Directors, finds that conditions warrant the declaration of Stage 4; or
- Water demand has reached or exceeded [98%] of delivery capacity for one day; or
- Water supply system is **unable to deliver** adequate quantities of water due to failure or damage of major water system components; or
- **Interruption** of one or more water supply sources(s) or
- Natural or man-made **contamination** of the water supply available to Mustang SUD.

Goal

The goal for water use reduction under Stage 4 is twenty-five percent (25%) in the use that would have occurred in the absence of drought contingency measures. If circumstances

warrant, the General Manager, or official designee, may set a goal for further water use reduction.

Water Use Restrictions for Reducing Demand

Specific actions taken during this stage, including water allocation, according to the actual circumstances, will be determined by General Manager, or official designee. All requirements of Stages 1, 2 and 3 shall remain in effect during Stage 4 plus the following additional measures:

During Emergency Conditions, the governing body of Mustang SUD may modify, amend or extend any provisions of this Plan as warranted by the conditions and circumstances.

- Prohibit irrigation of landscaped areas. Foundations and trees may be watered for 2 hours per day with hand-held hose, bucket or drip irrigation / soaker hose.
- Prohibit vehicle washing except as necessary for health, sanitation or safety reasons.
- Prohibit non-essential internal water use by Mustang SUD.
- Increase the rate surcharge applicable to retail customers.
- Implement utilization of alternative water sources if available.

Termination

Stage 4 may terminate when UTRWD terminates its Stage 4 condition or when the circumstances that caused the initiation of Stage 4 no longer prevail, or at Mustang SUD's discretion. Upon termination of Stage 4, Stage 3 – Water Watch will remain in effect unless otherwise announced by Mustang SUD.

SECTION 8

Variances

The General Manager, or 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 General Manager, or official designee. However, no variances shall be granted under any circumstance if Mustang SUD is in Stage 4 – Water Emergency. 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 are imposed in Stages 1, 2, 3 or 4 of the Plan. These mandatory water use restrictions will be enforced by any combination of warnings, reconnection fees, suspension of service, monetary penalties, citations and fees as follows and authorized by the governing body:

- On the first violation, customers will be notified by telephone, email, sign or a door-hanger that they have violated the mandatory water use restriction;
- On the second violation, the Mustang SUD may request the resident to disconnect its irrigation system; or, if the resident doesn't comply with said request, the Mustang SUD may disconnect said irrigation system. In addition, Mustang SUD may post notification of violation with reconnection fees and possible monetary penalties;
- On the third violation, the Mustang SUD will disconnect water service and post notification of violation with reconnection fees, fines and / or citations;
- The Mustang SUD maintains the right, at any violation level, to disconnect irrigation systems and / or total water services to a customer with reconnection fees and possible monetary penalties authorized by action of the governing body and
- The General Manager or official designee may implement any provision of the enforcement process of this Plan.
- Any police officer having jurisdiction may issue a citation for any violation.

SECTION 10

Coordination with Regional Water Planning Group, UTRWD and Others

Mustang SUD has coordinated with the Region C Water Planning Group and UTRWD to ensure consistency with the approved regional water plan and UTRWD's drought contingency plan. After adoption, Mustang SUD may send the final ordinance(s) or resolution(s) and the Plan to UTRWD.

SECTION 11

Review and Update of Drought Contingency Plan

As required by TCEQ rules, Mustang SUD will review and update this Plan every five years. The Plan will be updated as appropriate based on new or updated information, such as the adoption or revision of the regional water plan, or based on new or updated information related to Mustang SUD's service area, population, water supply, transmission system - - The next revision of the drought contingency plan must be prepared, adopted and submitted to TCEQ's Executive Director not later than June 30, 2018. Any revised Plan must be submitted to TCEQ within 90 days of adoption by the community water system.

SECTION 12

Drought Contingency Plans For Privately-Owned Water Utilities

Any privately-owned or independent water utilities that are located within the service area of Mustang SUD shall prepare a drought contingency plan in accordance with TCEQ requirements contained in the TAC, Title 30, Part 1, Chapter 288, Subchapter B and Rule 288.20, and incorporate such plan into their tariff.

