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**Senna Hills MUD**

**Amended Drought Contingency Plan**

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Prepared for:

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## **1.0 Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and/or to protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, Senna Hills MUD (the “District”) adopts the following Drought Contingency Plan (the “Plan”).

## **2.0 Authorization**

The designated manager or official of the District 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 the District 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 District’s Governing Board.

## **3.0 Public Education**

The designated manager or official of the District will periodically provide its employees, members, and the general 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 and Wholesale Water Supplier**

The water service area of the District is located within Region K – Lower Colorado River Authority (“LCRA”) and the District has provided a copy of the Plan to Region K – LCRA. The District will comply with the LCRA Drought Contingency Plan and the requirements of the West Travis County PUA (the “WTCPUA”), the provider of wholesale water to the District, by adopting and enforcing the District’s Drought Contingency Plan.

## **5.0 Notice Requirements**

The District shall notify the executive director of the Texas Commission on Environmental Quality and the 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 of the District's water utility system 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) Fail to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;
- (2) Operate an irrigation system with:
  - a broken head;
  - a head that is out of adjustment and the arc of the spray head is over a street or parking area; or
  - a head that is fogging or misting because of excessive water pressure.
- (3) 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.
- (4) Irrigate outdoors using an in-ground irrigation system or hose-end sprinkler more than twice per week or outside of scheduled days and times as indicated below:

### **Residential**

Addresses ending in 0,1,2,3: Monday and Thursday.

Addresses ending in 4,5,6: Tuesday and Friday

Addresses ending in 7,8,9: Wednesday and Saturday

No outdoor watering allowed on Sundays

### **Commercial** (including large landscapes such as HOA common areas)

Tuesdays and Fridays

No outdoor watering allowed on Sundays

### **Watering Hours:**

Midnight to 10 a.m. and 7 p.m. to midnight

## 7.0 Initiation and Termination of Response Stages

The District'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 and the WTCPUA's Drought Contingency 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. Examples include: website postings, bill inserts, e-mail and automated telephone calls, signs posted at entry points to the service area or a combination of these methods.

The following triggering criteria shall apply to Senna Hills MUD's water utility system(s) and customer service area:

### ***7.1 Triggering Criteria for Initiation and Termination of Drought Response Stages***

#### **(1) STAGE 1 - Mild Water Shortage**

- A. **Requirements for initiation** - Customers are required to adhere to the stage 1 drought response measures unless Stage 2 Drought Measures are initiated.
- B. **Requirements for termination** – Stage 1 of the plan may be rescinded when the WTCPUA and LCRA rescind the stage 1 drought declaration.

#### **(2) STAGE 2 - Moderate Water Shortage**

- A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 2 Drought Response Measures when the WTCPUA or LCRA declares a Stage 2 Drought.
- B. **Requirements for termination** - Stage 2 of the Plan may be rescinded when the WTCPUA and LCRA rescind the Stage 2 Drought Declaration.

*Upon termination of Stage 2, Stage 1 becomes operative as applicable at that time.*

#### **(3) STAGE 3 - Severe Water Shortage**

- A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 3 Drought Response Measures when the WTCPUA or the LCRA declares a Stage 3 Drought.

- B. **Requirements for termination** - Stage 3 of the Plan may be rescinded when the WTCPUA and LCRA rescind the Stage 3 Drought Declaration.

*Upon termination of Stage 3, Stage 2 becomes operative, as applicable at that time.*

#### **STAGE 4 - Emergency Water Shortage**

- A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 4 Drought Response Measures when the WTCPUA or LCRA declares a Stage 4 Drought.
- B. **Requirements for termination** - Stage 4 of the Plan may be rescinded when the WTCPUA and LCRA rescind the Stage 4 Drought Declaration.

*Upon termination of Stage 4, Stage 3 becomes operative, as applicable at that time.*

## **8.0 Drought Response Measures**

The District shall monitor reports of water supply and demand conditions and, in accordance with the triggering criteria set forth in Section 7.1 of the District's Drought Contingency Plan, shall determine that a mild, moderate, severe, or emergency condition exists and shall implement the following measures. Drought response measures are grouped into a category for retail customers and a category for wholesale treated water customers.

### ***8.1 Targets for Water-Use Reductions***

**(1) STAGE 1 - Mild Water Shortage**

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

**(2) STAGE 2 - Moderate Water Shortage**

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

**(3) STAGE 3 - Severe Water Shortage**

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

**(4) STAGE 4 – Emergency Water Shortage**

Water Supply Reduction Target: As determined by the WTCPUA and LCRA.

**8.2 Retail Customers Measures****(1) STAGE 1 - Mild Water Shortage**

- A. Supply Management Measures: The District will review system operations and identify ways to improve system efficiency and accountability.
- B. Demand Management Measures:

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

- Provide consumer information and materials on water conservation measures and practices to retail customers.
- Customers must comply with the Permanent Water Use Restrictions in this plan.

**Additional restrictions**

- New landscapes may be installed, and re-vegetation seeding performed under these specific criteria -
  - The mandatory twice weekly watering schedule is adhered to;
  - If a deviation from the twice weekly schedule is required, that a completed variance form for new landscapes has been submitted to the District and has been approved prior to the installation of the landscape, or re-vegetation seed application; and
  - Irrigation of the new landscape, or application follows the schedule identified in the new landscape variance:
    - once a day for the first 10 days after installation;
    - once every other day before 10AM and after 7PM for days 11 through 20 after installation
    - once every third day before 10AM and after 7PM for day 21 through 30 after installation.
- Vehicle Washing:
  - 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 midnight and 10 a.m. and between 7 p.m. and midnight. 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.

- **Water Waste:**

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:

- Washing sidewalks, walkways, driveways, parking lots, street, tennis courts, and other impervious outdoor surfaces; except for immediate health and safety;
- Washing buildings, houses or structures with a pressure washer or garden hose is prohibited for aesthetic purposes but permitted for surface preparation of maintenance work to be performed;
- 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;
- 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**

### **A. Supply Management Measures:**

1. Apply all water-use restrictions prescribed for Stage 2 of the Plan for the District's utility owned facilities and properties;
2. Discontinue water main and line flushing unless necessary for public health reasons; and
3. Keep customers informed about issues regarding current and projected water supply and demand conditions.

### **B. Demand Management Measures:**

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



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

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 once per week. *See Appendix A - Senna Hills MUD Water System - Watering Schedules.*
- b. Outdoor watering hours will be limited to 7PM through 10PM and 6AM through 10AM. This prohibition does not apply to irrigation of landscaped areas if it is by means of:
  - a. a hand-held hose; or
  - b. a faucet-filled bucket or watering can of five gallons or less.
- c. New landscapes may only be installed if they do not require a variance to the mandatory watering schedule. No variances will be approved.
- d. No irrigation with in-ground systems is allowed from November through February

2. 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 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. Pools:

- a. Filling of all new and existing swimming pools, hot tubs, wading pools, shall be discouraged and shall require a variance. 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;
  - iii. Backwashing the pool filter; or
  - iv. Repair of a pool leak.

b. Refilling of HOA or public/community swimming pools permitted only if pool has been drained for repairs, maintenance, or replacement as outlined in items above.

4. Outside Water Features:

Operation of outside water features, such as, but not limited to, fountains, splash pad type fountains or outdoor misting systems, is prohibited, except where such features are used to sustain aquatic life or maintain water quality. (This provision includes fountains associated with aesthetic ponds and swimming pools).

5. Ponds:

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

6. Events:

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

7. 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 requires a meter; a variance application must be submitted with an explanation of the special conditions, before a hydrant meter will be provided.

8. Recreational areas (includes parks and athletic fields):

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 obtained if watering cannot be completed on the designated schedule.

9. Water Waste:

The following non-essential uses of water are prohibited at all times during periods in which restrictions have gone into effect:

- a. Washing sidewalks, walkways, driveways, parking lots, street, tennis courts, and other impervious surfaces is prohibited except for immediate health and safety;
- b. Washing buildings, houses or structures with a pressure washer or garden hose is prohibited for aesthetic purposes but allowable for surface preparation of maintenance work to be performed;
- c. 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 is prohibited except for immediate health and safety; and
- d. Controlling dust is prohibited, 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.

**(3) STAGE 3 - Severe Water Shortage**

- A. Supply Management Measures: In addition to measures implemented in the preceding stages of the plan, affected District water utility systems will explore additional emergency water supply options.
- B. Demand Management Measures:  
Water Supply Reduction Target: Achieve a 30% reduction in water use.

Under threat of penalty, all retail customers are required to further reduce non-essential 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:

Outdoor watering hours will be limited to between 6AM and 10AM on designated days. See Appendix A for designated days. This prohibition applies to irrigation of landscaped areas with hand-held hoses, faucet-filled hand-held buckets, hose-end sprinklers, or watering cans of five gallons or less.

New landscapes may only be installed if they do not require a variance. No variances will be approved.

No irrigation with in-ground irrigation systems is allowed from November through February.

2. Vehicle Washing:

Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited. A vehicle can be washed at any time at a commercial car wash facility or commercial service station that recycles its water. 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. Pools:

a. Filling of all new and existing swimming pools, hot tubs, wading pools is prohibited. 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;
- iii. Backwashing the pool filter; or
- iv. Repair of a pool leak.

b. Refilling of HOA or public/community swimming pools permitted only if pool has been drained for repairs, maintenance, or replacement as outlined in items above.

4. 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.

5. Recreational areas (includes parks and athletic fields):

The areas can only be used for designated or scheduled events or activities. Unnecessary foot traffic must be discouraged. Watering is prohibited except with a hand-held hose.

**(5) STAGE 4– Emergency Water Shortage**

Under threat of penalty for violation, all retail customers are required to eliminate nonessential water uses during an emergency. This includes, but is not limited to the following measures:

- A. Irrigation of landscaped areas is prohibited. This prohibition does not apply to irrigation of landscaped areas using reclaimed water.
- B. Use of water from fire hydrants shall be limited to firefighting and activities necessary to maintain public health, safety, and welfare only.
- C. No applications 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.

*Upon declaration of Stage 4 - Emergency Water Shortage, water use restrictions outlined in Stage 4 Emergency Response Measures shall immediately apply.*

## **9.0 Enforcement**

### ***9.1 Enforcement Provisions***

Appendices B and C contain the enforcement provisions applicable to all District MUD water customers.

### ***9.2 Variances***

- (1) Senna Hills MUD staff may grant variances:
  - A. 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; and
  - B. Allowing the use of alternative water sources (i.e., ground water, 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 (2) 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 the 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 the District 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:
  - Name and address of the petitioner
  - Purpose of water use
  - Specific provision of the Plan from which the petitioner is requesting relief.
  - 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
  - Description of the relief requested
  - Period of time for which the variance is sought
  - 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
  - Other pertinent information
- (4) Variances granted by the District 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, WTCPUA, and LCRA drought contingency plan rules.

## **10**    **Appendices**

**Appendix A – Watering Schedules (Note: The watering schedules in this Appendix A apply only to users of potable (drinking water) and do not apply to irrigation using reclaimed water (treated effluent)).**

*[THIS SECTION HAS INTENTIONALLY BEEN LEFT BLANK]*

***Appendix A – Watering Schedules***

***Permanent Watering Restrictions, Stage 1***

Irrigate outdoors using an in-ground irrigation system or hose-end sprinkler no more than **TWICE per week** and only during scheduled days and times as indicated below:

**Residential**

Monday & Thursday – Addresses ending in 0, 1, 2, 3

Tuesday & Friday – Addresses ending in 4, 5, 6

Wednesday & Saturday – Addresses ending in 7, 8, 9

**\*\*NO OUTDOOR WATERING ALLOWED ON SUNDAYS**

**Commercial** (including large landscapes such as HOA common areas) Tuesday & Friday

**\*\*NO OUTDOOR WATERING ALLOWED ON SUNDAYS**

**Watering Hours:**

Midnight to 10AM and 7PM to midnight

***Stage 2***

Irrigate outdoors using an in-ground irrigation system or hose-end sprinkler no more than **ONCE per week** and only during scheduled days and times as indicated below:

**Residential**

Monday 1, 3

Tuesday 2, 4

Wednesday 5, 7

Thursday 6, 8

Friday 9,0

**Commercial** (including large landscapes such as HOA common areas) Saturday

**Watering Hours:**

6AM through 10AM and 7PM through 10PM

***Stage 3***

Stage 2 watering days except watering hours are 6AM through 10AM



## ***Appendix B – Enforcement Provisions***

### **Enforcement for Retail Customers**

The following enforcement provisions shall apply to all District water customers:

- (1) No person shall knowingly or intentionally allow the use of water from a District water utility system 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 surcharges and conditions of service:
  - A. Following the first documented violation, the violator shall be given a notice specifying the type of violation and the date and time it was observed; and surcharges and restrictions on service that may result from additional violations; however, in the case of significant violations, as determined by the District and including filling a swimming pool during a drought stage when such use is prohibited, no such notice shall be given, and the violator will be sent the notice described in 2B below and assessed the surcharges described below. In those cases, the first documented violation shall be treated as a second documented violation.
  - B. Following the second documented violation, the violator shall be sent a notice of violation in one or more of the following methods: by First Class mail, by e-mail, or by door tag, and shall be assessed a surcharge of \$500.00. This amount increases to an amount up to \$2,000 if operating under Stages 3 or 4 of the Plan.
  - C. Following the third documented violation, the violator shall be sent a notice of violation in one or more of the following methods: by First Class mail, by e-mail, or by door tag, and shall be assessed a surcharge of \$750.00. This amount increases to an amount up to \$10,000 if operating under Stages 3 or 4 of the Plan.
  - D. Following the fourth documented violation, the District 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, as established in the District's Rate Order, as amended from time to time, and any outstanding charges including late payment fees or penalties. In addition, suitable assurance must be given to the District so that the same action shall not be repeated while

the plan is in effect. The District 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.

E. Compliance with this Plan also may be sought through injunctive relief in district court.

(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 the District, in apparent control of the property where a violation occurs or originates, shall be presumed to be the violator. Any such person, however, shall have the right to show that he/she did not commit the violation. *See enforcement process diagram in Appendix C - Drought Response Retail Enforcement Process.*

#### **Legal Authority applicable to Water Districts 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 Water Districts. Citations below may change following the publication date of this Drought Contingency Plan Model. Each Water District is encouraged to consult with legal counsel in regard to enforcement of drought contingency plans and specific enforcement authority available to each Water District.*

Texas Water Code sec. 49.004

Texas Water Code sec. 49.212

Texas Water Code sec. 51.122

Texas Water Code sec. 54.205

Texas Water Code sec. 65.205

***Appendix C – Drought Response Retail Enforcement Process***

