

# **Model Drought Contingency Plan for [Irrigation District]**

**Date**

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# Drought Contingency Plan for [Irrigation District]

## 1. Objectives

This drought contingency plan is intended for use by *[Irrigation District]*. The plan includes all current TCEQ requirements for a drought contingency plan.

This drought contingency plan serves to:

- Conserve available water supplies during times of drought and emergency.
- Minimize adverse impacts of water supply shortages.
- Minimize the adverse impacts of emergency water supply conditions.

## 2. Texas Commission on Environmental Quality Rules

The TCEQ rules governing development of drought contingency plans for irrigation districts are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.21 of the Texas Administrative Code.

## 3. Provisions to Inform the Public and Opportunity for Public Input

*[Irrigation District]* will give customers the opportunity to provide public input into the preparation of the plan by one of the following methods:

- Holding a public meeting.
- Providing written notice of the proposed plan and the opportunity to comment on the plan by newspaper or posted notice.

## 4. Coordination with the Panhandle Water Planning Group

This drought contingency plan will be sent to the Chair of the Panhandle Water Planning Group in order to ensure consistency with the Panhandle Water Plan.

## 5. Initiation and Termination of Drought Response Stages

Official designees order the implementation of a drought response stage when one or more of the trigger conditions for that stage are met or at their own discretion. Official designees may also order the termination of a drought response stage when the termination criteria are met or at their own discretion. The official designee for the *[Irrigation District]* is:

Name  
Title  
Contact Information

If any mandatory provisions have been implemented or terminated, *[Irrigation District]* is required to notify the Executive Director of the TCEQ within 5 business days.

## **6. Goals for Reduction in Water Use**

TCEQ requires that each irrigation water user develop specific, quantifiable targets for water use reduction for each stage of the drought contingency plan. *[Entity]*'s targets are independently developed and given below.

## **7. Drought and Emergency Response Stages**

### **Stage 1, Mild**

#### *Trigger Conditions for Stage 1, Mild*

- A wholesale water supplier that provides all or part of an irrigation user's supply has initiated Stage 1, Mild
- *[Select appropriate other triggers]*
  - When *[Irrigation District]*'s available water supply is equal or less than *[amount in ac-ft, percent of storage, etc.]*.
  - When total daily demand equals *[number]* million gallons for *[number]* consecutive days or *[number]* million gallons on a single day.
  - When the water level in *[Irrigation District]*'s well(s) is equal or less than *[number]* feet above/below mean sea level.
  - When flows in the *[name of river or stream segment]* are equal to or less than *[number]* cubic feet per second.

#### *Goals for Use Reduction and Actions Available Under Stage 1, Mild*

*[Entity]* will reduce water use by *[goal]*. Irrigation water suppliers may order the implementation of any of the strategies listed below in order to reduce water use:

- Request mandatory reductions in water use.
- Review the problems that caused the initiation of Stage 1.

Stage 1 is intended to raise awareness of potential drought problems. Stage 1 will end when the circumstances that caused the initiation of Stage 1 no longer exist, or at the discretion of *[Irrigation District]*.

### **Stage 2, Moderate**

#### *Trigger Conditions for Stage 2, Moderate*

- A wholesale water supplier that provides all or part of an irrigation user's supply has initiated Stage 2, Moderate
- *[Select appropriate other triggers]*

- When *[Irrigation District]*'s available water supply is equal or less than *[amount in ac-ft, percent of storage, etc.]*.
- When total daily demand equals *[number]* million gallons for *[number]* consecutive days or *[number]* million gallons on a single day.
- When the water level in *[Irrigation District]*'s well(s) is equal or less than *[number]* feet above/below mean sea level.
- When flows in the *[name of river or stream segment]* are equal to or less than *[number]* cubic feet per second.

*Goals for Use Reduction and Actions Available Under Stage 2, Moderate*

*[Entity]* will reduce water use by *[goal]*. Irrigation water suppliers may order the implementation of any of the strategies listed below in order to reduce water use:

- Request mandatory reductions in water use.
- Review the problems that caused the initiation of Stage 2.
- Intensify leak detection and repair efforts.
- *[Other]*.

Stage 2 will end when the circumstances that caused the initiation of Stage 2 no longer exist, or at the discretion of *[Irrigation District]*.

### **Stage 3, Severe**

*Trigger Conditions for Stage 3, Severe*

- A wholesale water supplier that provides all or part of an irrigation user's supply has initiated Stage 3, Severe
- *[Select appropriate other triggers]*
  - When *[Irrigation District]*'s available water supply is equal or less than *[amount in ac-ft, percent of storage, etc.]*.
  - When total daily demand equals *[number]* million gallons for *[number]* consecutive days or *[number]* million gallons on a single day.
  - When the water level in *[Irrigation District]*'s well(s) is equal or less than *[number]* feet above/below mean sea level.
  - When flows in the *[name of river or stream segment]* are equal to or less than *[number]* cubic feet per second.

*Goals for Use Reduction and Actions Available Under Stage 3, Severe*

*[Entity]* will reduce water use by *[goal]*. Irrigation water suppliers may order the implementation of any of the strategies listed below in order to reduce water use:

- Request mandatory reductions in water use.
- Review the problems that caused the initiation of Stage 3.
- Intensify leak detection and repair efforts.
- Implement mandatory watering days and/or times.

- [Other].

Stage 3 will end when the circumstances that caused the initiation of Stage 3 no longer exist, or at the discretion of [Irrigation District].

#### **Stage 4, Emergency**

##### *Trigger Conditions for Stage 4, Emergency*

- A wholesale water supplier that provides all or part of an irrigation user's supply has initiated Stage 4, Emergency
- [Select appropriate other triggers]
  - When [Irrigation District]'s available water supply is equal or less than [amount in ac-ft, percent of storage, etc.].
  - When total daily demand equals [number] million gallons for [number] consecutive days or [number] million gallons on a single day.
  - When the water level in [Irrigation District]'s well(s) is equal or less than [number] feet above/below mean sea level.
  - When flows in the [name of river or stream segment] are equal to or less than [number] cubic feet per second.

##### *Goals for Use Reduction and Actions Available Under Stage 4, Emergency*

[Entity] will reduce water use by [goal]. Irrigation water suppliers may order the implementation of any of the strategies listed below in order to reduce water use:

- Review the problems that caused the initiation of Stage 4.
- Intensify leak detection and repair efforts.
- Implement mandatory watering days and/or times.
- Implement mandatory reductions in water deliveries.
- [Other].

Stage 4 will end when the circumstances that caused the initiation of Stage 4 no longer exist, or at the discretion of [Irrigation District].

#### **8. Allocation of Irrigation Supplies**

In accordance with TWC Section 11.03, "If a shortage of water in a water supply results from drought (sic), accident, or other cause, the water to be distributed shall be divided among all customers pro rata, according to the amount each may be entitled to, so that preference is given to no one and everyone suffers alike."

In all drought situations, the [Entity] will make a weekly public announcement of the water situation and request conservation practices to meet the situation. The [Entity] will monitor its total system and reserves on a daily basis and will monitor all customer activities, practices and reserves on a daily basis by:

- Daily meter readings to verify consumption.
- Visually inspecting areas of customer compliance, especially large users and wasteful practices.
- Confer with customers to evaluate effectiveness of activities to improve water conservation and to decrease water consumption.
- Keep daily inventory of water sales and water supply at the *[Entity]*.
- Implement water management measures during each stage of the Plan, including, but not limited to, the pro rata curtailment of water deliveries as provided in Texas Water Code § 11.039; and utilization of alternative water sources with the prior approval of the TCEQ executive director, as appropriate.
- Include provisions in every new or renewed water supply contract, including contract extensions, that in case of a shortage of water resulting from drought or water emergency, the water to be distributed in accordance with Texas Water Code § 11.039.
- Include procedures for the enforcement of any mandatory water use restrictions.

The *[Entity]* shall be empowered, at his/her discretion, at the appropriate time, to cause a proportional reduction of water available to each customer in accordance with Pro Rata Curtailment of water use provided in Texas Water Code § 11.039, and based on any other conditions, physical, mechanical, or otherwise. The customer may appeal this decision to the *[Entity]* during periods of forced conservation measures by the *[Entity]*. The customer may appeal the decision of the *[Entity]* to the TCEQ.

The *[Entity]* may decide not to order the implementation of a drought contingency and water emergency response stage even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs.

Likewise, the *[Entity]* may decide not to order the termination of a drought contingency and water emergency response stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought contingency and water emergency response stage.

## **9. Penalty for Violation of Water Use Restriction**

Mandatory water use restrictions are implemented in Stages *[1, 2, 3, or 4]*. These restrictions will be strictly enforced with the following penalties:

- Potential penalties include:

- Written warning that they have violated the mandatory water use restriction.
- Issue a citation. Minimum and maximum fines are established by ordinance or other order.
- Discontinue water service to the user.

**10. Review and Update of Drought Contingency Plan**

This drought contingency plan will be updated at least every 5 years as required by TCEQ regulations.

**Appendix A**  
**Texas Commission on Environmental Quality Rules on Drought Contingency Plans**

## APPENDIX A

### Texas Commission on Environmental Quality Rules on Drought Contingency Plans

#### Texas Administrative Code

TITLE 30 ENVIRONMENTAL QUALITY  
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
CHAPTER 288 WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS,  
GUIDELINES AND REQUIREMENTS  
SUBCHAPTER B DROUGHT CONTINGENCY PLANS  
RULE §288.21 Drought Contingency Plans for Irrigation Use

(a) A drought contingency plan for an irrigation use, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans for irrigation water suppliers must include policies and procedures for the equitable and efficient allocation of water on a pro rata basis during times of shortage in accordance with Texas Water Code, §11.039. Such plans shall include the following elements as a minimum.

(A) Preparation of the plan shall include provisions to actively inform and to affirmatively provide opportunity for users of water from the irrigation system to provide input into the preparation of the plan and to remain informed of the plan. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the water users and providing written notice to the water users concerning the proposed plan and meeting.

(B) The drought contingency plan must document coordination with the regional water planning groups to ensure consistency with the appropriate approved regional water plans.

(C) The drought contingency plan must include water supply criteria and other considerations for determining when to initiate or terminate water allocation procedures, accompanied by an explanation of the rationale or basis for such triggering criteria.

(D) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(E) The drought contingency plan must include methods for determining the allocation of irrigation supplies to individual users.

(F) The drought contingency plan must include a description of the information to be monitored by the water supplier and the procedures to be followed for the initiation or termination of water allocation policies.

(G) The drought contingency plan must include procedures for use accounting during the implementation of water allocation policies.

(H) The drought contingency plan must include policies and procedures, if any, for the transfer of water allocations among individual users within the water supply system or to users outside the water supply system.

(I) The drought contingency plan must include procedures for the enforcement of water allocation policies, including specification of penalties for violations of such policies and for wasteful or excessive use of water.

(2) Wholesale water customers. Any irrigation water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan, appropriate provisions for responding to reductions in that water supply.

(3) Protection of public water supplies. Any irrigation water supplier that also provides or delivers water to a public water supplier(s) shall consult with that public water supplier(s) and shall include in the plan, mutually agreeable and appropriate provisions to ensure an uninterrupted supply of water necessary for essential uses relating to public health and safety. Nothing in this provision shall be construed as requiring the irrigation water supplier to transfer irrigation water supplies to non-irrigation use on a compulsory basis or without just compensation.

(b) Irrigation water users shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as adoption or revision of the regional water plan.

**Source Note:** The provisions of this §288.21 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384