

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, the undersigned officer of the Board of Directors of Harris County Municipal Utility District No. 480 do hereby certify as follows:

1. The Board of Directors of Harris County Municipal Utility District No. 480 convened in regular session on August 23, 2023, at the regular meeting place outside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

- | | |
|----------------------|--------------------------|
| Josh Hawes | President |
| William "Bill" Ehler | Vice President |
| Vincente Contreras | Secretary |
| Chris Verret II | Assistant Secretary |
| April Konopka | Assistant Vice President |

and all of said persons were present, except Director(s) Konopka, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

ORDER ADOPTING AMENDED AND RESTATED DROUGHT CONTINGENCY PLAN; PROVIDING FOR IMPLEMENTATION AND ENFORCEMENT THEREOF; PROVIDING PENALTIES FOR VIOLATIONS; AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT

was introduced for the consideration of the Board. It was then duly moved and seconded that the Order be adopted; and, after due discussion, the motion, carrying with it the adoption of the Order, prevailed and carried unanimously.

2. That a true, full and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Order has been duly recorded in the Board's minutes of the meeting; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, and that the Order would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; that the meeting was open to the public as required by law; and that public notice of the time, place and subject of the meeting was given as required by Chapter 551, Texas Government Code and by Section 49.063, Texas Water Code.

SIGNED AND SEALED on the 23rd day of August, 2023.



[Signature]
Secretary, Board of Directors

ORDER ADOPTING AMENDED AND RESTATED DROUGHT CONTINGENCY PLAN; PROVIDING FOR IMPLEMENTATION AND ENFORCEMENT THEREOF; PROVIDING PENALTIES FOR VIOLATIONS; AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT

WHEREAS, the Board of Directors (the "Board") of Harris County Municipal Utility District No. 480 (the "District"), has carefully considered the current water conditions in the District and area-wide and has determined that the adoption of this Amended and Restated Drought Contingency Plan (the "Plan") by the District is necessary to ensure that an adequate supply of water is maintained; and

WHEREAS, the Board of the District also desires to provide in the Plan for the possibility of a natural disaster or equipment failure;

WHEREAS, the Board of the District has previously adopted a Drought Contingency Plan (the "Prior Plan"), and wishes to rescind the Prior Plan; and

WHEREAS, pursuant to that certain Restated Agreement for Water Service dated May 22, 2020 by and between the District and Aqua Texas, Inc. ("Aqua Texas"), Aqua Texas sells wholesale water to the District who, in turn, provides retail water services to a portion of the District's customers located in the area inside the District's boundaries as shown on **Exhibit A** (the "Aqua Texas Service Area"); and

WHEREAS, the District, through water wells and related infrastructure that it owns, operates, and maintains (the "Pine Trace System") provides retail water services to a portion of the District's customers located in the area inside the District's boundaries as shown on **Exhibit B** (the "Pine Trace Service Area"), as such service area may be amended from time to time; and

WHEREAS, the Board of Directors for the District desires to evidence its approval of this Plan and to adopt such Plan as the official policy of the District; NOW, THEREFORE,

BE IT ORDERED BY THE BOARD OF THE DISTRICT THAT:

Section 1: Approval of the Plan. The Board of the District hereby approves and adopts this Plan as set forth in this Order, and the provisions of such Plan shall be implemented immediately and enforced as a rule of the District.

Section 2: Education and Information. The District hereby institutes an educational program, to be implemented immediately, to promote the Plan by the general public which may include any of the following:

A. Publications of articles in a newspaper or newsletter of general circulation in the District's service area, providing information regarding the Plan; and

B. Direct distributions to all District residents and other users of water within the District, and all wholesale water customers of the District, if any, ("Users") explaining the Plan; and

C. Direct distributions to Users of educational and informational material regarding the Plan; and

D. Additional educational activities consisting of (i) publishing an article or articles in a local newspaper or newsletter of general circulation in the District's service area, providing tips or information on water saving techniques, or (ii) conducting an informational school program in a school attended by students within the District's service area, or (iii) conducting an educational program for Users at a public place within or accessible to residents of the District, or (iv) conducting or engaging in such other informational or educational activity designed to further the Plan as, in the discretion of the Board of Directors, may be consistent with the purposes and policies of this Plan, or (v) any combination of the foregoing.

Section 3: Coordination with Regional Water Planning Groups. The water service area of the District is located within the Region H Regional Water Planning Group and the District has provided a copy of the Plan to the Region H Regional Water Planning Group.

Section 4: The Drought Contingency Plan for the Pine Trace Service Area.

A. Public Involvement. The District has informed the public and wholesale water customers, if any, and affirmatively provided opportunity for input from the public and from wholesale water customers, if any, regarding the Plan. Such provision included notifying the public and wholesale water customers, if any, of the District's public meeting regarding the proposed Plan, notice of which was given pursuant to the Open Meetings Act.

B. Trigger Conditions. For the purpose of this Plan, the District hereby adopts the trigger conditions (the "Trigger Conditions") set forth below, which are based on a study and/or statistical analysis of the vulnerability of water sources under drought of record conditions. These Trigger Conditions are for the purpose of responding to, but not limited to, the following situations: (a) reduction in available water supply up to a repeat of the drought of record;

(b) water production or distribution system limitations; (c) supply source contamination; or (d) water system outage due to the failure or damage of major water system components (e.g., pumps). The Trigger Conditions apply solely to the wells serving the Pine Trace Service Area.

1. Stage I - Mild Drought. This condition (herein, "Mild Drought Conditions") exists when the average run time for the wells serving the Pine Trace Service Area is at or above sixteen (16) hours for three (3) consecutive days, as determined by the District's operator by monitoring the District's water production information and any other appropriate information or factors.

2. Stage II - Moderate Drought. This condition (herein, "Moderate Drought Conditions") exists when the average run time for the wells serving the Pine Trace Service Area is at or above eighteen (18) hours for three (3) consecutive days, as determined by the District's operator by monitoring the District's water production information and any other appropriate information or factors.

3. Stage III - Severe Drought. This condition (herein, "Severe Drought Conditions") exists when the average run time for the wells serving the Pine Trace Service Area is at or above twenty (20) hours for three (3) consecutive days, as determined by the District's operator by monitoring the District's water production information and any other appropriate information or factors.

C. Notice. Once one of the above Trigger Conditions has occurred, Users located within the Pine Trace Service Area will be notified that such Trigger Condition has occurred and of the Drought Response Measures (as defined below) to be taken. The process for notifying Users may include any of the following:

1. Mailing, at least 48 hours prior to the commencement of the required Drought Response Measures, a written notice to each affected User;
2. Posting of signs at the entrances to the District;
3. Posting of notices at public places in the District; and
4. Dissemination of press releases to the local news media.

5. For wholesale water customers, if any, the District operator shall contact wholesale water customers by written notice, and/or by other means, prior to commencement of the required Drought Response Measure.

Any notice issued shall contain (i) the date the Drought Response Measures will begin, (ii) the date the Drought Response Measures will terminate, if known, (iii) a list of Drought Response Measures to be implemented, and (iv) an explanation of penalties for violations of such Drought Response Measures.

D. Emergency Management Program. The District hereby establishes and adopts the following measures ("Drought Response Measures") for the respective Trigger Conditions. The Drought Response Measures related to each Trigger Condition shall automatically become effective and shall be implemented by the District when such Trigger Condition occurs. The Drought Response Measures apply solely to the Pine Trace Service Area.

1. Mild Drought. In the event of Mild Drought Conditions, the District's targeted reduction in daily water demand shall be 10% as of the date of the Trigger Condition, and the following Drought Response Measures shall be taken:

a. Users will be asked to voluntarily reduce water use and will be informed of specific steps that can be taken to reduce water use.

b. All outdoor water usage, including, but not limited to, lawn and garden watering, car washing, and window washing, shall be limited as follows:

(1) Only District residents and other users of water within the District with even-numbered addresses may use water outdoors on even-numbered days of the month and only District residents and other users of water within the District with odd-numbered addresses may use water outdoors on odd-numbered days of the month. In the event no street address exists, only District residents and other users of water within the District living on the north and west side of a street may use water outdoors on even-numbered days of the month and only District residents and other users of water within the District on the south and east side of a street may use water outdoors on odd-numbered days of the month.

(2) Outdoor water use shall be allowed only between the hours of 6:00 a.m. and 10:00 a.m. and between the hours of 6:00 p.m. and 12:00 a.m. (midnight).

2. Moderate Drought. In the event of Moderate Drought Conditions, the District's targeted reduction in daily water demand shall be 15% as of the date of the Trigger Condition, and the following Drought Response Measures shall be taken:

a. The Drought Response Measures established for Mild Drought Conditions shall continue to be implemented.

b. All outdoor water use, including, but not limited to, lawn and garden watering, car washing, and window washing, shall be limited to two (2) days per week.

c. The District shall recommend that the following public water uses by any of its Users not essential for public health and safety be curtailed:

(1) Street washing;

(2) Fire hydrant flushing; and

(3) Filling of swimming pools beyond the amount needed to ensure function operations of such pools.

d. The District's operator will initiate weekly contact with wholesale water customers, if any, to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water supplies if drought conditions worsen.

3. Severe Drought. In the event of Severe Drought Conditions, the District's targeted reduction in daily water demand shall be 20% as of the date of the Trigger Condition, and the following Drought Response Measures shall be taken:

a. The Drought Response Measures established for Mild Drought Conditions and Moderate Drought Conditions shall continue to be implemented.

b. All outdoor use of water, including but not limited to lawn and garden watering, car washing, and window washing shall be prohibited.

c. A surcharge equal to 200% of the applicable rate for all water used in excess of 10,000 gallons/month, shall be imposed on all District residents and other users of water within the District, but will not be imposed on wholesale water customers, if any.

d. The Board of the District may prohibit water use by certain industrial or commercial Users which uses are not essential to the health and safety of the community so that remaining water is available for essential health and safety related uses.

e. The Board of the District may utilize alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director of the Texas Commission on Environmental Quality as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

f. The District is authorized to ration water to District residents and other users of water within the District on a pro rata basis, and to initiate allocation of water supplies to its wholesale water customers, if any, on a pro rata basis, in accordance with Texas Water Code, Section 11.039.

E. Termination of Trigger Conditions Notification. When a Trigger Condition occurs, the District shall enforce the Drought Response Measures applicable to such Trigger Condition for a minimum of five (5) days after the last day the demand on the District's water supply facilities reaches or exceeds the limits of such Trigger Condition. After such five (5) day period, the Board authorizes the District's President or Vice President, in their discretion, to consider whether the targeted reduction in daily water demand has been met and may determine to continue any applicable Drought Response Measures for an additional five (5) day period, regardless of whether the targeted reduction has been achieved. After the expiration of ten (10) days, and assuming no other Trigger Conditions have occurred, the Drought Response Measures prescribed shall terminate (unless termination is deemed inadvisable by the District Operator and extension is approved by the District's President or Vice President) and the District shall cease implementation and enforcement of such measures. The District will notify Users of the termination of the particular Drought Response Measures and may utilize the same manner of notification used to inform Users of the occurrence of the Trigger Condition and implementation of the Drought Response Measures.

Section 5: Emergency Contingency Plan. In the event of a fire, flood, hurricane, winter storm event, lightning strike, tornado, windstorm, or any other act of God, riot, terrorist act, or any other act of civil disobedience, an interruption or reduction of water supplied by Aqua Texas or the North Harris County Regional Water Authority (the "Authority"), receipt of notice from Aqua Texas or the Authority that the Authority has implemented drought response stages pursuant to its drought contingency plan, or any other occurrence which results in the inability of the District to provide potable water to Users (or the likelihood thereof), the Board, in its discretion, may, without prior notice, invoke all or any of the Drought Response Measures set forth in this Plan as "Emergency Response Measures". The Board may establish any of the penalties set forth in the "Penalties" Section of this Order, below, for violations of the Emergency Response Measures.

Section 6: Implementation. Without limitation to specific actions stated in this Plan to be taken by the District's operator, the District's operator will administer and enforce this Plan, and will oversee and be responsible for the execution and implementation of all elements of this Plan (or, if the District employs its own peace officers pursuant to Texas Water Code §49.216, such peace officers will be responsible for enforcement of this Plan). The operator shall keep adequate records for plan verification. The District's operator shall report to the Board of the District, at meetings of the Board, regarding actions taken and which need to be taken under this Plan. Without limiting the foregoing, the District's operator shall advise the President or the Vice President of the Board as soon as reasonably practicable when a particular Trigger Condition has been reached under this Plan and when a particular drought condition no longer exists.

Section 7: Penalties. The following penalties shall apply to anyone violating the terms of this Plan or the Drought Response Measures or Emergency Response Measures adopted pursuant hereto:

- A. First Violation. Any person or entity who violates this Plan shall receive written notification of such violation, which notice shall set forth (i) the date of the violation, (ii) the nature of the violation, (iii) the Drought Response Measures then in effect, and (iv) the penalties applicable for any further violations of this Plan; provided, however, that if such person or entity has ever previously violated this Plan, the penalties set forth in Sub-Section (b) below, may, in the discretion of the Board, be imposed.
- B. Subsequent Violations.
 - 1. Disconnection for Noncompliance. If any person or entity violates any provision of this Plan more than one time

(which violation shall constitute an unauthorized use of District services and/or facilities), then in addition to any other remedies, penalties, sanctions and enforcement procedures provided for herein, the District shall have the right to terminate water service to such person or entity after notice is provided and any other applicable procedural requirements in the District's rate order are satisfied.

2. Monetary Penalties for Noncompliance. If any person or entity violates any provision of this Plan more than one time (which violation shall constitute an unauthorized use of District services and/or facilities), then, in addition to disconnection as provided in sub-subsection (B1) of this Section, the Board of the District, after providing required notice, may impose a penalty of up to \$5,000.00 for each violation of this Plan. Each day that a breach of any provision of this Plan continues shall be considered a separate violation. This penalty shall be in addition to any other legal rights and remedies of the District as may be allowed by law.

Section 8: Variances. The District may, in writing, grant a temporary variance to rationing or pro rata water allocation policies adopted pursuant to this Plan, or a temporary variance to a provision in the Plan, if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the public health, welfare, or safety and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the District. All petitions for variances shall be reviewed by the District and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) For District residents and other users of water within the District, a detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan or rationing of water adopted by the District pursuant to this Plan.

- (c) For wholesale water customers, if any, a detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.
- (d) Description of the relief requested.
- (e) Period of time for which the variance is sought.
- (f) Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (g) Other pertinent information.

Variations granted by the District shall be subject to the following conditions unless waived or modified by the District or its designee:

- (a) Variations granted shall include a timetable for compliance.
- (b) Variations granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section 9: Receiving Water from Aqua Texas and Coordination with North Harris County Regional Water Authority. The District shall consult with Aqua Texas to respond appropriately to Aqua Texas's drought contingency plan for reductions in water supply. In the event the District is notified that the North Harris County Regional Water Authority has implemented drought response stages pursuant to its drought contingency plan, the District will evaluate implementing its Drought Response Measures contained in Section 4(D) of the Plan and evaluate the need to discourage excessive use of water in an effort to reduce the use of water. The District reserves the right to, in its sole discretion, voluntarily enact any of the Drought Response Measures contained in Section 4(D) of the Plan based on action taken by the North Harris County Regional Water Authority.

Section 10: Remedies Cumulative. All rights, remedies, sanctions, penalties and enforcement procedures provided for in this Order are cumulative. In addition, the District shall have and may exercise and enforce any and all rights and remedies provided by law or in equity.

Section 11: Notice to Texas Commission on Environmental Quality. The District's operator shall notify the executive director of the Texas Commission on Environmental Quality within five (5) business days of the implementation of any mandatory provisions of this Plan.

Section 12: Wholesale Customer Contracts. If the District enters into or renews any wholesale water contracts after adoption of the Plan, said contracts shall include a provision that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, Section 11.039.

Section 13: Aqua Texas Service Area. The Board of Directors for the District has reviewed that certain User Drought Contingency Plan previously adopted by Aqua Texas (the "Aqua Texas Plan"), a copy of which is attached hereto as **Exhibit C** and incorporated herein for all purposes. The District approves and adopts the Aqua Texas Plan as such plan presently exists and as it may be amended from time to time; *provided, however,* that the Aqua Texas Plan shall apply solely for Users located within the boundaries of the Aqua Texas Service Area, and the provisions of such plan that are applicable to the District including, but not limited to, the drought reduction goals and mandatory water restrictions as stated in Section 10 of the Aqua Texas Plan, shall be implemented immediately and enforced as rules for the District. Pursuant to Section 3 of the Aqua Texas Plan, Aqua Texas is responsible for providing notice to the District prior to implementation or termination of each stage of its water restriction program; upon receipt of such notice, the District shall implement or terminate the water restriction program stage, as appropriate, according to the terms and conditions of the Aqua Texas Plan. Notwithstanding the foregoing, the District may, at its discretion, apply and enforce any measure contained within the "Penalties" Section of this Plan against violating Users located within the boundaries of the Aqua Texas Service Area.

[EXECUTION PAGE FOLLOWS]

PASSED AND APPROVED this 23rd day of August, 2023.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

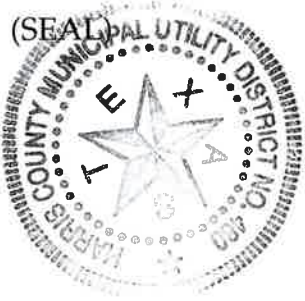



EXHIBIT A

Aqua Texas Service Area

Drought Contingency

Aqua Texas Service Area

Legend

 HC MUD 480

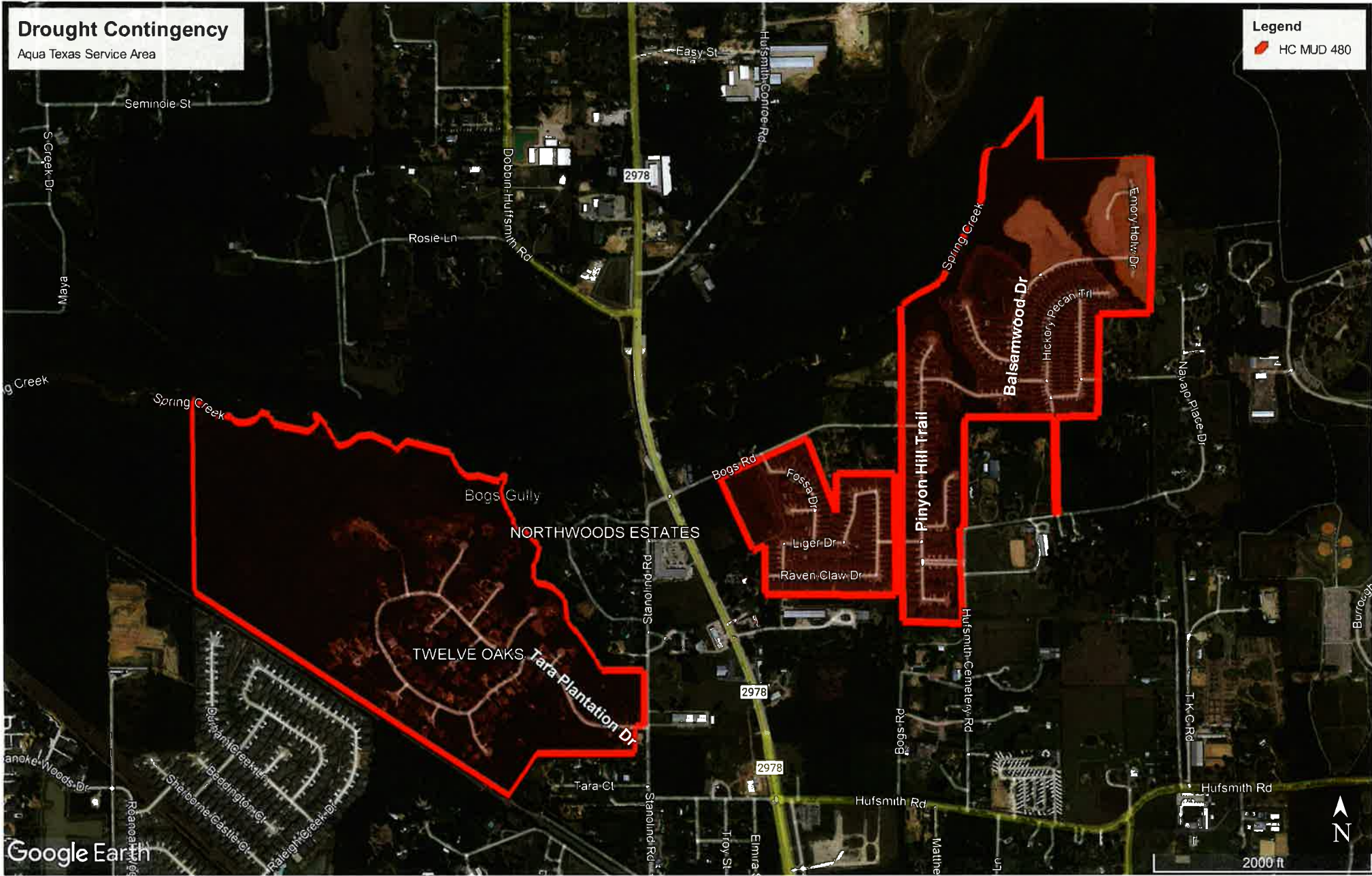


EXHIBIT B

Pine Trace Service Area

Drought Contingency

Pine Trace Village Water Plant Service Area

Legend

 HC MUD 480



EXHIBIT C

Aqua Texas Plan

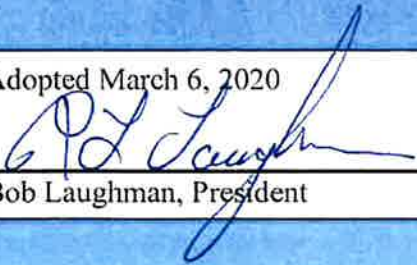
**USER DROUGHT
CONTINGENCY
PLAN**

AQUA TEXAS, INC

**Applies to all Public Water Systems Owned and
Operated by Aqua Texas, Inc.**

*Developed to Meet Requirements
Outlined in 30 TAC § 288.20 and § 288.22*

50A
Adopted March 6, 2020


Bob Laughman, President

AQUA TEXAS, INC.

USER DROUGHT CONTINGENCY PLAN (UDCP) All Public Water System Owned and Operated by Aqua Texas, Inc.

Introduction

Aqua Texas, Inc. (Aqua Texas) has developed this User Drought Contingency Plan (UDCP) to enable it to manage its water systems and water resources during drought conditions, periods of abnormally high usage, system contamination, and extended reduction in ability to supply water due to equipment failure or other emergencies in a conscientious, fair, and appropriate manner. It is not designed to punish, stigmatize, or criticize anyone about their usage of water. Its sole intent is to maintain an adequate supply of water during the various stages of drought conditions or other water supply emergencies, which may occur from time to time and to enable Aqua Texas to comply with the requirements of a court, government agency, ground water district, wholesale provider or other authority.

Aqua Texas believes that significant reductions in water usage can be achieved through voluntary efforts by customers. Implementation of voluntary water conservation measures and conscientious water use practices are encouraged at all times; however, additional water use restrictions are required in cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure.

SECTION 1 Declaration of Policy, Purpose, and Intent

Aqua Texas, in its continuing effort to maintain an adequate supply of high quality water, has prepared this User Drought Contingency Plan (UDCP or plan). In order to maintain supply, storage, and pressure or to comply with regulatory requirements, temporary restrictions may be necessary to limit non-essential water usage. This UDCP has been guided by TCEQ Requirements & Rules.

SECTION 2 Public Education

Aqua Texas will periodically provide customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the water use restrictions to be implemented in each stage. Drought plan information will be provided by:

- utility bill inserts; or,
- other direct mail notices will be provided if necessary, to provide timely information.
- Additional information will be posted on the company website under “Alerts & Outages”

SECTION 3 Notice Requirements

Written notice will be provided to each customer by mail or hand delivery prior to implementation or termination of each stage of the water restriction program. Notice will be mailed to each customer at least 72 hours prior to the start of new or modified water use restrictions. If notice is hand delivered, Aqua Texas will not enforce the provisions of the plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

1. the date restrictions will begin,
2. the circumstances that triggered the restrictions,
3. the stages of response and explanation of the restrictions to be implemented, and,
4. an explanation of the consequences for violations.

The notice when it is necessary to move to Stage III or Stage IV will inform customers that violating the restrictions on sprinklers, automatic irrigations systems or use of other unauthorized irrigation may result in installation of a flow restrictor without a prior separate written notice.

Notification to the TCEQ by telephone at (512) 239-4691, or electronic mail at PDWS@tceq.texas.gov prior to implementing Stage III and must notify in writing the Public Drinking Water Section at MC - 155, P.O. Box 13087, Austin, Texas 78711-3087 within five (5) working days of implementation including a copy of the utility's restriction notice. A status report of the restriction program is required to be filed with the TCEQ at the initiation and termination of mandatory water use restrictions (i.e., Stages III and IV).

SECTION 4 Violations of Mandatory Restrictions: Stage I, Stage II or Stage III

1. First violation:
Stage I or Stage II - The customer will be notified by written notice, hanging tag or letter, of their specific violation of required restrictions, reductions or for excessive usage. The customer will be provided a copy of the User Drought Contingency Plan.

Stage III or IV - Aqua Texas may install a flow restricting device as described below without a prior written notice for violation of restrictions on sprinklers, automatic irrigation systems or use of hoses.
2. Subsequent violations:
 - a. After the first written notice, Aqua Texas may install a flow-restricting device in the line to limit the amount of water that will pass through the meter in a 24-hour period. The flow restrictor may be left in the line for up to 60 days or until the wholesale provider or district requirements are ended. Aqua Texas may charge the customer for the actual cost of installing and removing the flow-restricting device, not to exceed \$50.00 for installation and \$50.00 for removal. The customer will be provided a copy of the User Drought Contingency Plan.
 - b. If the customer violates the required reductions/restrictions after installation of a flow restrictor, after written notice, Aqua Texas may discontinue service at the meter for up to 7 days, or until the end of the calendar month, whichever is less. The customer will be charged a \$50 reconnect fee for restoration of service. Further violations will result in disconnection and additional reconnect fees.

SECTION 5 Exemptions or Variances

Aqua Texas may grant any customer an exemption or variance from the UDCP for good cause **upon written request**. A customer who is refused an exemption or variance by Aqua Texas may appeal the denial in writing to the TCEQ. Aqua Texas will treat all customers equally concerning exemptions and variances and will not discriminate in granting exemptions and variances. No exemption or variance will be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

SECTION 6 Response Stages

Unless there is an immediate and extreme reduction in an aquifer level; water availability or production; critical system capacity; or other absolute necessity to declare an emergency or severe condition, Aqua Texas will progress sequentially from Stage I through more restrictive stages. If, after a reasonable period of time, demand is not reduced enough to alleviate the conditions that initiated restrictions or to comply with restrictions required by a court, district, government agency, wholesale provider or other authority, some outdoor water use provisions in a particular Stage may be modified or further restricted or more restrictive Stages implemented as necessary to achieve the necessary reductions. In addition to restricted watering times, maximum monthly or weekly customer usage targets may be implemented and enforced in the same manner as the restrictions listed below. Notice of any modified restrictions or of a more stringent stage will be provided to customers in accordance with Section 3. **In order to comply with the requirements of an underground district, wholesale provider or other authority, Aqua Texas may skip a less restrictive stage and immediately implement a more restrictive stage.**

VOLUNTARY CONSERVATION AWARENESS (VOLUNTARY RESTRICTIONS) – See Section 9 below

STAGE I – MANDATORY WATER RESTRICTIONS – See Chart on Page 5

STAGE II – MANDATORY WATER RESTRICTIONS – See Chart on Page 5

STAGE III – MANDATORY WATER RESTRICTIONS - CRITICAL STAGE – See Chart on Page 5

STAGE IV – MANDATORY WATER RESTRICTIONS - SEVERE STAGE – See Chart on Page 5

SECTION 7 Drought, Demand & Critical System Capacity Stage Triggers

Water System Supply Contamination or Outage: In the event of system supply contamination or system outage, Aqua Texas may immediately implement the response measures of **Stage IV**. Notification to TCEQ shall be made immediately by calling (512) 239-4691, or electronic mail at PDWS@tceq.texas.gov. The appropriate regional office shall also be notified.

If any single demand based trigger condition is met for a given restriction stage, then most restrictive stage triggered will be evaluated for implementation.

Demand Based Triggers:

<u>Trigger</u>	<u>Stage I Mandatory</u>	<u>Stage II Mandatory</u>	<u>Stage III Mandatory</u>	<u>Stage IV Mandatory</u>
Percent of water treatment capacity reached for 3 or more days in a week	75 %	85 %	90 %	95 %
Total daily demand as % of pumping capacity for 3 or more days in a week	75 %	85 %	90 %	95 %
Storage capacity	Storage Tank Level drops within 4 ft. of low level lock out 3 or more days in a week.	Storage does not refill prior to 6 pm or tank drops within 3 ft. of low level lock out 3 or more days in a week.	Low level lock out is reached more than once in a week.	Low level lock out is reached more than twice in a week.
Well Pump Runs ___ hours per day more than 3 days per week	16 hrs	18 hrs.	20 hrs.	22 hrs.

Supply or water demand management measures including, but not limited to, pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in with Texas Water Code §11.039 may be implemented by the Director of Operations as authorized in Section 12 of this plan.

Supply Based Triggers - For those systems where Aqua Texas pumps water from a ground water district or purchases water from wholesalers, the district or wholesale supplier will formally notify Aqua Texas of one or more precipitating events triggering a stage of the district or wholesaler’s drought contingency plan. Upon enactment of a stage in the district, authority or wholesaler’s drought contingency plan, Aqua Texas will correspondingly implement the same or equivalent stage in its service area. Aqua Texas can modify its plan to match the watering schedules, daily watering hours or other specific restrictions of a wholesaler, district or other authority if asked to do so. Aqua Texas will notify customers of any changes in days, hours or other provisions

prior to enforcing provisions of the plan. When Aqua Texas must self regulate to comply with ground water permit limitations, water restrictions may be enacted to ensure compliance with permit limits.

Specific triggers for systems utilizing water managed by LCRA as a source are included in Appendix B of this plan. These triggers shall supersede any other criteria listed within this plan when the criterion within Appendix B initiates a more restrictive water conservation stage.

SECTION 8 Non Drought Related Conservation Awareness

Aqua Texas will voluntarily perform the following actions during late Spring and Summer as an integral part of the UDCP when there is no declared drought or other water supply emergencies:

- Aqua Texas will operate its system under normal conditions.
- Aqua Texas will ensure that each operator has received a copy of the UDCP.
- Aqua Texas will encourage customers to follow water conservation practices at all times.
- Aqua Texas will urge customers to water lawns on the conservation awareness schedule, avoid unnecessary and excessive watering and to keep evaporative losses to a minimum.
- Aqua Texas will seek to identify and repair leaks in a timely fashion. Customers will be encouraged to notify Aqua Texas of any known or observed leaks.

SECTION 9 Water Conservation Awareness Period – Voluntary Restrictions

Goal – 5 % Reduction in usage

Aqua Texas will encourage customers to follow the voluntarily conservation awareness practices below between May and September when not already in a declared drought or mandatory water restriction period. **For systems utilizing water managed by LCRA as a source, the landscape irrigation restrictions in this section are required to be observed at all times.** Customers will be notified in writing each spring that Voluntary Restrictions are in place and encouraged to follow water conservation practices.

Voluntary Practices to Reduce Water Consumption

- Follow the suggested twice weekly schedule for lawn watering as contained in Section 10 with hose end sprinklers or automatic irrigation systems and water between the following times:

Midnight to 10:00 a.m. & 8:00 p.m. to Midnight on the designated watering day.

- Water garden, trees, flowers or other landscaped areas with handheld hose, a faucet filled bucket or watering can any day between 6:00 p.m. – 10:00 a.m. but avoid unattended hoses.
- Soaker Hoses – Anywhere except lawns 8 p.m. – 10:00 a.m. any day
- Car washing with bucket or hand-held hose with automatic shut-off.
- Draw less water for bath or reduce shower time.
- Do not let water run while shaving, dish washing, brushing teeth, etc.
- Keep pools covered if not used on a daily basis.
- Use water displacement device in toilet tank.
- Install aerators on faucets.
- Utilize water reuse where possible.
- Replacement or retrofits with ultra low flow fixtures is encouraged.
- Do not use hose to wash off driveways, sidewalks, or streets. Use a broom or blower.
- Use Commercial Car Washes that Recycle Water.

SECTION 10 MANDATORY WATER RESTRICTIONS

<u>Stage I – Mandatory Restrictions</u>	<u>Stage II – Mandatory Restrictions</u>	<u>Stage III– Mandatory Restrictions Critical Stage</u>	<u>Stage IV– Mandatory Restrictions Severe Stage</u>
Goal - 10 % Reduction	Goal - 20 % Reduction	Goal - 30 % Reduction	Goal - ≥40 % Reduction
If the triggers identified in the UDCP are met or critical system capacities are being threatened, Aqua Texas will activate Stage I . Comply with TWICE WEEKLY lawn watering schedule: DESIGNATED DAYS & HOURS ONLY	Whenever production or critical system capacity triggers are reached, Aqua Texas will activate Stage II measures of its UDCP. Comply with TWICE WEEKLY lawn watering schedule: DESIGNATED DAYS & HOURS ONLY	Whenever system failures are a concern or the possibility of outages exists, <i>Aqua Texas</i> will activate the Stage III measures of its UDCP. Comply with ONCE WEEKLY lawn watering schedule: DESIGNATED DAYS & HOURS ONLY	Whenever system failures are imminent or there are outages, <i>Aqua Texas</i> will activate the Stage IV measures of its UDCP. LAWN WATERING PROHIBITED
<p><u>Actions required of Customers</u></p> <ul style="list-style-type: none"> Continued water conservation practices and voluntary reductions in water use in general. Mandatory compliance with “Required Reductions” listed below. <p><u>Actions initiated by Aqua Texas</u></p> <ul style="list-style-type: none"> Flushing is limited to dead end mains and then only to maintain water quality. Check for and promptly fix leaks. <p><u>Required Customer Restrictions</u></p> <ul style="list-style-type: none"> Automatic Irrigation Systems WATERING SCHEDULES Midnight to 10 a.m. & 8:00 p.m. to Midnight Hose End Sprinkler– <u>Same as above</u> Handheld Hose, faucet filled bucket or watering can - Watering landscape areas allowed ANY DAY at <u>designated hours</u>. No unattended hoses. Midnight to 10:00 a.m. 7:00 p.m. to Midnight Soaker Hoses – Landscaped areas, ANY DAY from: Midnight to 10:00 a.m. 8:00 p.m. to Midnight Car washing - bucket or hand-held hose with automatic shut-off; 1 time every other week or use a commercial car wash. No washing of driveways, sidewalks, or streets. No new filling or refilling of pools but topping off of existing pools allowed. 	<p><u>Actions required of Customers</u></p> <ul style="list-style-type: none"> Continued water conservation practices and voluntary reductions in water use in general. Mandatory compliance with “Required Reductions” listed below. <p><u>Actions initiated by Aqua Texas</u></p> <ul style="list-style-type: none"> Flushing is limited to dead end mains and then only to maintain water quality. Check for and fix leaks promptly. <p><u>Required Customer Restrictions</u></p> <ul style="list-style-type: none"> Automatic Irrigation System WATERING SCHEDULES Midnight to 4:00 a.m. 8:00 p.m. to Midnight Hose End Sprinkler – Midnight to 9:00 a.m. 7:00 p.m. to Midnight Handheld Hose, faucet filled bucket or watering can - Watering landscape areas allowed ANY DAY at <u>designated hours</u>. No unattended hoses. 7:00 a.m. to 10:00 a.m. 7:00 p.m. to 10:00 p.m. Soaker Hoses – Landscaped areas, <u>no lawns, ANY DAY</u> from: Midnight to 10:00 a.m. 8:00 p.m. to Midnight No washing of <u>cars</u>, driveways, sidewalks, or streets. No new filling or refilling of pools but topping off of existing pools allowed on designated days. 	<p><u>Actions required of Customers</u></p> <ul style="list-style-type: none"> Continued water conservation practices and voluntary reductions in water use in general. Mandatory compliance with “Required Reductions” listed below. <p><u>Actions initiated by Aqua Texas</u></p> <ul style="list-style-type: none"> Flushing is limited to dead end mains and then only to maintain water quality. Check for and fix leaks promptly. <p><u>Required Customer Restrictions</u></p> <ul style="list-style-type: none"> Automatic Irrigation System WATERING SCHEDULES Midnight to 4:00 a.m. 8:00 p.m. to Midnight Hose End Sprinkler – Midnight to 9:00 a.m. 7:00 p.m. to Midnight Handheld , faucet filled bucket or watering can - Landscaped areas, pot plants & Lawns – ONLY DESIGNATED DAYS No unattended hoses. 7:00 a.m. to 9:00 a.m. 7:00 p.m. to 9:00 p.m. Soaker Hoses – FOUNDATIONS ONLY DESIGNATED DAYS 6:00 a.m. to 9:00 a.m. 7:00 p.m. to 10:00 p.m. No washing of cars, drives, streets, sidewalks. No new filling or refilling but topping off of existing pools allowed on designated days. 	<p><u>Actions required of Customers</u></p> <ul style="list-style-type: none"> Continued water conservation practices and voluntary reductions in water use in general. Mandatory compliance with “Required Reductions” listed below. <p><u>Actions initiated by Aqua Texas</u></p> <ul style="list-style-type: none"> Flushing is limited to dead end mains and then only to maintain water quality. Check for and fix leaks promptly. <p><u>Required Customer Restrictions</u></p> <ul style="list-style-type: none"> Automatic Irrigation System Prohibited at all times! Hose End Sprinklers- Prohibited at all times! Handheld Hose – Prohibited at all times! Watering Can - Landscaped areas & pot plants – ONLY DESIGNATED DAY 7:00 a.m. to 9:00 a.m. 7:00 p.m. to 9:00 p.m. Soaker Hoses – FOUNDATIONS ONLY DESIGNATED DAY 6:00 a.m. to 9:00 a.m. 7:00 p.m. to 10:00 p.m. No washing of cars, drives, streets, sidewalks. No new filling, refilling, or topping off of pools. No non-essential use, i.e., decorative fountains. Newly planted trees or shrubs ANY DAY: soaker bag or watering can.

<u>Stage I – Mandatory Restrictions</u>	<u>Stage II – Mandatory Restrictions</u>	<u>Stage III– Mandatory Restrictions Critical Stage</u>	<u>Stage IV– Mandatory Restrictions Severe Stage</u>
<u>Customer Consumption Limit:</u> Aqua Texas can establish a monthly customer consumption limit if necessary, to ensure meeting required reduction.	<u>Customer Consumption Limit:</u> Aqua Texas can establish a monthly customer consumption limit if necessary, to ensure meeting required reduction.	<u>Customer Consumption Limit:</u> Aqua Texas can establish a monthly customer consumption limit if necessary, to ensure meeting required reduction.	<u>Customer Consumption Limit:</u> Aqua Texas can establish a monthly customer consumption limit if necessary, to ensure meeting required reduction.
<u>Penalties or Consequences</u> <ul style="list-style-type: none"> Warnings for excessive consumption. Installation of flow restrictors <u>for 2nd violation</u> of Stage I Restrictions. Service cutoff & reconnection fee <u>for 3rd violation</u> of Stage I Restrictions 	<u>Penalties or Consequences</u> <ul style="list-style-type: none"> Warnings for excessive consumption. Installation of flow restrictors <u>for 2nd violation</u> of Stage II Restrictions. Service cutoff & reconnection fee <u>for 3rd violation</u> of Stage II Restrictions 	<u>Penalties or Consequences</u> <ul style="list-style-type: none"> Installation of flow restrictors <u>for 1st violation</u> of Stage III Restrictions. Service cutoff & reconnection fee <u>for 2nd violation</u> of Stage III Restrictions 	<u>Penalties or Consequences</u> <ul style="list-style-type: none"> Installation of flow restrictors <u>for 1st violation</u> of Stage IV Restrictions. Service cutoff & reconnection fee <u>for 2nd violation</u> of Stage IV Restrictions.

TWICE WEEKLY WATERING SCHEDULE

(Applicable During Conservation Awareness or Stages I or II)

House No. Ends In 2 or 9	House No. Ends In 1 or 5	House No. Ends In 6 or 7	House No. Ends In 0 or 3	House No. Ends In 4 or 8
Monday Thursday	Tuesday Friday	Wednesday Saturday	Thursday Sunday	Friday Monday

ONCE WEEKLY WATERING SCHEDULE

(Applicable During Stage III– Mandatory Restrictions)

House No. Ends In 2 or 9	House No. Ends In 1 or 5	House No. Ends In 6 or 7	House No. Ends In 0 or 3	House No. Ends In 4 or 8
Monday	Tuesday	Wednesday	Thursday	Friday

The above watering schedules may be modified from time to time based on the affected area and the numbering of addresses. This is done to more evenly distribute the number of connections permitted to water on a given day providing better control of peaking demands. This is most commonly necessary in small water systems. Other variations may be used including but not limited to named areas, street names, utilization of a different digit within the house number, etc.

SECTION 11 Criteria for Termination of Restrictions

The termination, lifting, or partial lifting of a restriction level will be evaluated on a case by case basis. Any reduction in restriction level will occur only when in the opinion of the Director of Operations, the Operations Area Manager or their designee determines conditions warrant such a change. Customers will be informed of any such change as soon as possible in a manner consistent with Section 2 of this plan.

SECTION 12 Wholesale Contract Provisions

New wholesale contracts shall include standard language requiring the customer adhere to the Aqua Texas's mandatory drought reduction goals. Aqua Texas will include a provision in every wholesale water contract

entered into or renewed after adoption of the plan, in case of shortage of water resulting from drought, the water to be distribution shall be divided in accordance with Texas Water Code §11.039.

In the event that pro rata curtailment is deemed necessary, the Director of Operations or his designee is hereby authorized to initiate allocations of water supplies in accordance with Texas Water Code §11.039.

Enforcement actions for non-compliance with either pro rata water reductions by wholesale customers will vary according to the specifics of each wholesale customer's contract.

SECTION 13 Coordination with Regional Planning Groups (RPG)

Aqua Texas, Inc. has provided a copy of this Plan to all RPGs in which it owns and operates public water systems. A copy of the transmittal letter to the planning group is provided in Appendix A.

SECTION 14 TCEQ Notification

Aqua Texas shall notify the executive director of the Texas Commission on Environmental Quality within five (5) business days of the implementation of any mandatory provisions of the Drought Contingency Plan.

SECTION 15 Public Participation

Aqua Texas has met with homeowners' associations at several water systems in the past susceptible to drought to discuss specific drought restrictions and the plan in general. Aqua Texas will continue to meet with homeowner groups and other customer associations on request to further provide opportunity for customer input. Aqua Texas shall make the plan available to any customer upon request and share its content in education materials prepared as part of but not limited to the educational activities outlined in Section 2 of this plan.

SECTION 16 Plan Review and Updates

This Plan was developed to meet the requirements in 30 TAC § 288.20 and § 288.22 to submit a Drought Contingency Plan and provide the community and water customers with essential drought contingency response information, regulations, and services. The Plan will be reviewed at minimum every five (5) years and updated as needed based on major developments in Aqua Texas's water service areas. The next scheduled plan review and update will occur in 2025.

Appendix A

RPG Notification Cover Letter

Sent to Regions: B, C, D, F, G, H, I, J, K, L, M, N & P



March 6, 2020

Regional Water Planning Group Chair:

The enclosed Drought Contingency Plan, which updates the previously adopted 2015 Drought Contingency Plan, was developed by the Aqua Texas to fulfill Texas Commission on Environmental Quality (TCEQ) requirements for retail and wholesale water providers as outlined in Texas Administrative Code Title 30, Chapter 288. It is being forwarded to TCEQ.

If you have any questions on the enclosed plan please contact me at 512-990-4400 x56101.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scot W. Foltz". The signature is stylized and fluid.

Scot W. Foltz
Aqua Texas Water
Environmental Compliance Manager

Appendix B

LCRA Drought Level Triggers Addendum

To be used for any system utilizing water from a source under the authority of LCRA.

Initiation and Termination of Response Stages

Aqua Texas Area 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, examples include direct mail, 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 Aqua Texas system(s) and customer service area utilizing water under the authority of LCRA:

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

1. STAGE 1 - Mild Water Shortage Conditions

- A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 1 Drought Response Measures when one or a combination of such triggering criteria occurs:
1. Treatment Capacity:
 - For surface water plants when total daily water demand equals or exceeds 75 percent of the total operating system treatment capacity for three consecutive days, or 85 percent on a single day; or
 2. Water Supply:
 - Combined storage of Lakes Travis and Buchanan reaches 1.4 million acre-feet in accordance with the LCRA Drought Contingency Plan for Firm Water Customers (DCP).
- B. **Requirements for termination** - Stage 1 of the plan may be rescinded when:
1. Treatment Capacity:
 - The water treatment plant capacity condition listed above as a triggering event for Stage 1 has ceased to exist for five consecutive days; or
 2. Water Supply:
 - LCRA announces that voluntary restrictions by its firm raw water customers are no longer needed in accordance with 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 a combination of such triggering criteria occurs:

1. Treatment Capacity:

- For surface water systems, when total daily water demand equals or exceeds 85 percent of the total operating system treatment capacity for three consecutive days, or 95 percent on a single day; or

2. Water Supply:

- Combined storage of Lakes Travis and Buchanan reaches 900,000 acre-feet in accordance with the LCRA DCP.

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

1. Treatment Capacity:

- The water treatment plant capacity condition listed above as a triggering event for Stage 2 has ceased to exist for five consecutive days.

2. Water Supply:

- LCRA announces that voluntary compliance to implement a utility's mandatory water restrictions are no longer needed in accordance with the LCRA DCP.

Upon termination of Stage 2, Stage 1 becomes operative.

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 a combination of such triggering criteria occurs:

1. Treatment Capacity:

- For surface water systems, when total daily water demand equals or exceeds 90 percent of the total operating system treatment capacity for three consecutive days, or 97 percent on a single day.

2. Water Supply:

- Combined storage of Lakes Travis and Buchanan reaches 750,000 acre-feet, in accordance with the LCRA DCP, **or**
- The LCRA Board declares a drought worse than the Drought of Record or other water supply emergency and orders the mandatory curtailment of firm water supplies.

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

1. Treatment Capacity:

- The water treatment plant capacity condition listed above as a triggering event for Stage 3 has ceased to exist for five consecutive days.

2. Water Supply:

- LCRA announces that mandatory water restrictions for firm water customers are no longer required in accordance with the LCRA DCP.

Upon termination of Stage 3, Stage 2 becomes operative.

4. STAGE 4- Critical Water Conditions

A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 4 Drought Response Measures when one or a combination of such triggering criteria occurs:

1. Treatment Capacity:

- For surface water systems, when total daily water demand equals or exceeds 95 percent of the total operating system treatment capacity for three consecutive days, or 97 percent on a single day.

2. Water Supply:

- Combined storage of Lakes Travis and Buchanan reaches 600,000 acre-feet, in accordance with the LCRA DCP, **or**
- The LCRA Board declares a prolonged drought worse than the Drought of Record or other water supply emergency and orders the mandatory curtailment of firm water supplies at a level more severe than in Stage 3.

B. **Requirements for termination** - Stage 4 of the Plan may be rescinded when:

1. Treatment Capacity:

- 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:

- LCRA announces that mandatory 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.

5. Emergency Water Conditions

A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 5 Drought Response Measures when one or a combination of such triggering criteria occurs:

1. Treatment Capacity:

- Major water line breaks, loss of distribution pressure, or pump system failures that cause substantial loss in its ability to provide water service.

2. Water Supply:

- Natural or man-made contamination of the water supply source; or
- Any other emergency water supply or demand conditions that the LCRA general manager or the LCRA Board determines that either constitutes a water supply emergency or is associated with a prolonged drought worse than

the Drought of Record requiring the mandatory curtailment of firm water supplies at a level more severe than in Stage 4.

B. Requirements for termination – Emergency Water Conditions may be rescinded when:

1. Treatment Capacity:

- The water treatment plant capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or

2. Water Supply:

- LCRA announces that mandatory water restrictions for firm water customers are no longer required in accordance with the LCRA DCP.

Upon termination of Stage 5, Stage 4 becomes operative.

CERTIFICATION

I, the undersigned officer of the Board of Directors of Harris County Municipal Utility District No. 480 do hereby certify that the foregoing is a true and correct copy of the Order Adopting Amended and Restated Drought Contingency Plan; Providing for Implementation and Enforcement Thereof; Providing Penalties for Violations; and Containing Other Provisions Related to the Subject approved by the Board of Directors of said District on August 23, 2023, and said rates and rules are currently in effect.

Witness my hand and seal of the District the 23rd day of August, 2023.



Secretary, Board of Directors

