ORDER ADOPTING AMENDED
WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN
September 6, 2023

Amending and Superseding the April 13, 2023 Order Adopting Amended Water Conservation and Drought Contingency Plan

THE STATE OF TEXAS §

COUNTY OF HAYS §

HAYS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 §

We the undersigned officers of the Board of Directors (the "Board") of Hays County Water Control and Improvement District No. 1 (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on September 6, 2023 within the boundaries of the District, open to the public, and the roll was called of the members of the Board, to-wit:

Daniel L. Botts	President
Paul Kelly	Vice President
Daniel B. Robison	Secretary
Bill Dally	Treasurer/Asst. Secretary
Rick Lucas	Assistant Secretary

All members of the Board were present.

Whereupon, among other business conducted by the Board, Director Botts introduced the order set out below (the "Order") and moved its adoption, which motion was seconded by Director Robison and after full discussion and the question being put to the Board of Directors, said motion was carried by the following vote:

"Aye" 5; "No" 0.

The Order thus adopted is as follows:

WHEREAS, Pursuant to Sections 11.1271, Texas Water Code, Section 288 of Title 30 of the Texas Administrative Code, the District's firm water contract with the Lower Colorado River Authority, and the District's water services agreement with the West Travis County Public Utility Agency, the Board is authorized and required to establish and enforce a water conservation plan for the District and its facilities and services;

WHEREAS, Pursuant to Section 11.1272, Texas Water Code, Section 288 of Title 30 of the Texas Administrative Code, the District's firm water contract with the Lower Colorado River

Authority, and the District's water services agreement with the West Travis County Public Utility Agency, the Board is authorized and required to establish, revise and enforce a drought contingency plan for the District and its facilities and services.

NOW THEREFORE, THE BOARD OF DIRECTORS OF HAYS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 ORDERS THAT:

1. The amended water conservation and drought contingency plan, attached hereto as **Exhibit "A"** (the "Amended WCDCP") is hereby adopted;

2. The Amended WCDCP shall become effective immediately upon execution of this Order (the "Effective Date");

3. The *Order Adopting Amended Water Conservation and Drought Contingency Plan* previously adopted by the District on April 13, 2023, shall be of no force and effect with respect to any event occurring on or after the Effective Date, and is hereby amended and superseded as of the Effective Date, and any reference to such previously adopted order, or a provision thereof, in any District rules, regulations, rate orders, policies, resolutions or other orders shall be deemed to be a reference to this Order and its provisions as of the Effective Date;

4. If any provision, section, sentence, clause, or phrase of this Order, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Order or the application to such other persons or sets of circumstances shall not be affected thereby, it being the intent of the Board in adopting this Order, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision; and

5. The Secretary of the Board is hereby directed to file a copy of this Order in the principle office of the District. This Order shall be and remain in full force and affect from and after the date of filing.

ORDERED, PASSED AND APPROVED THIS 6th day of September, 2023.

Douglas Botts, President
Board of Directors

Attest:

Daniel Robison, Secretary
Board of Directors

THE STATE OF TEXAS §

COUNTY OF HAYS §

HAYS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 §

I, the undersigned Secretary of the Board of Directors of Hays County Water Control and Improvement District No. 1 hereby certify that the attached and foregoing is a true and correct copy of an Order Adopting an Amended Water Conservation and Drought Contingency Plan, together with an excerpt from the minutes of the meeting of said Board showing adoption thereof; and the original of said Order and minutes entry are on file in the District's office.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE DISTRICT this 6th day of September, 2023.

Daniel B. Robison, Secretary

(DISTRICT SEAL)

EXHIBIT "A"

[ATTACHED]

Water Conservation and Drought Contingency Plan

For

Hays County Water Control & Improvement District No. 1

Hays County, Texas

September 2023

Table of Contents

List of Tables

Appendices

1.0 INTRODUCTION

The Hays County Water Control and Improvement District No. 1 (District) has developed and updated this Water Conservation and Drought Contingency Plan (Plan) for its utility system to effectively manage public water resources and to plan appropriate responses to drought and emergency conditions. This Plan fulfills requirements of the Texas Administrative Code, Title 30, Chapter 288, Sections 288.2, 288.20 and 288.22, regarding water conservation and drought contingency planning for municipal uses by public water suppliers. The Plan recognizes that conservation is a valuable tool in managing water and wastewater utility systems. Benefits of water conservation include: extending available water supplies; reducing the risk of shortage during periods of extreme drought; reducing water and wastewater utility operating costs; improving the reliability and quality of water utility service; reducing Customer costs for water service; reducing wastewater flows; improving the performance of wastewater treatment systems; and enhancing water quality and the environment.

1.1 Applicability of Plan and Description of District Service Area

This Plan applies to all water Customers located within the District's water service area, as shown in Appendix A, and all Customers, other persons, and properties otherwise utilizing water provided by the a District water system. The District's water system is primarily supplied by surface water. Surface water is obtained by the District pursuant to contractual rights under a firm water contract with the Lower Colorado River Authority ("LCRA"), and is treated and delivered to the District by the West Travis County Public Utility Agency ("WTCPUA"). The WTCPUA provides water treatment services at its West Travis County Water System pursuant to a water services agreement between the WTCPUA and the District. Groundwater is also used within the District for certain pond and irrigation uses and is supplied by the District's water supply well.

The District's existing water consumers consist of residential, construction, institutional, and commercial customers. As of February 2023, there were 931 single family residences in the District that were under construction or already completed and occupied. Additionally, the District serves two apartment complexes, Belterra Springs apartment complex with 76 units and The View at Belterra with 233 units.. Assuming 3.0 persons per single family home, it is estimated that the existing single family residential population is approximately 2,793. Assuming an equivalency of 0.7 living unit equivalents per unit,[1] and also assuming 3.0 persons per living unit equivalent, the District estimates 2.1 persons per unit in the Belterra Springs complex. Assuming an equivalency of 0.5 living unit equivalents per unit,[2] and also assuming 3.0 persons per living unit equivalent, the District estimates 1.5 persons per unit in The Views at Belterra complex. Consequently, for purposes of this Plan and at the time of adoption,, the population of Belterra Springs Apartments is assumed to consist of 160 people and the population of The Views at Belterra is assumed to consist of 350 people, bringing the estimated total existing residential population of the District to 3,303 people. Other existing water users in the District include an elementary school, a preparatory school, the District's administrative offices, a recreation center, and several commercial users. Water is also used for homebuilding and other miscellaneous construction projects, as necessary, within the Belterra Subdivision. Based on usage from June 2012 to May 2020, the estimated water usage per single family residence is approximately 383 gallons per day,

[1] Based upon WTCPUA conversion factor for apartment complexes with a density of 6-24 units per acre.
[2] Based upon WTCPUA conversion factor for apartment complexes with a density of 24+ units per acre.

or 128 gallons per capita per day. The average water usage for the Belterra Springs apartment complex, based on data from November 2011 to May 2020 is 12,253 gallons per day or 77 gallons per capita per day. The average water usage for The Views at Belterra apartment complex, based on data from September 2021, when the apartments were mostly occupied, to January 2023, excluding October 2021 due to an unusually low usage, is 16,369 gallons per day or 47 gallons per capita per day.

At full buildout the District's water consumers will consist of residential, commercial and other Customers. The District has been fully built out, with the exception of two commercial lots that are currently under construction and two commercial lots that are in the design phase. However, these commercial lots already have water allocated to them. Past and present estimates indicate the average daily flow required to serve the Customers of the District at build out will be 527,232 gallons per day, including a 10% loss factor. The District's current contractual water commitment of 1,221,120 gallons per day maximum daily flow for service of up to 1200 LUEs is anticipated to be sufficient to meet this demand.

1.2 Declaration of Policy, Purpose and Intent

The aspects of this Plan related to drought contingency provisions are designed to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation and fire protection. One goal of the Plan is to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions. The District adopts the following Water Conservation and Drought Contingency Plan for all Customers receiving water service from the District's system. Water uses regulated or prohibited under this Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions in violation of this Plan are deemed to constitute a waste of water and subject the offender(s) to penalties as described in this Plan.

This Plan is based on the District's prior Plan, the "Water Conservation & Drought Contingency Plan for West Travis County Public Utility Agency" adopted in September of 2022, and the most recently adopted LCRA Drought Contingency Plan. Customers were provided an opportunity for input through the District's adoption process. Any future modifications to this Plan must be made through a process that includes the opportunity for public participation.

1.3 Authorization and Implementation

This Plan, as revised and updated, was presented to and approved by the District Board. An excerpt from the meeting minutes approving this Plan is included in Appendix B. The District Manager is authorized and directed to implement the provisions of this Plan. The District Manager shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan. Further, the District Manager will act as administrator of this Plan. The District Manager will oversee the execution and implementation of the Plan and will be responsible for keeping adequate records for Plan verification.

2.0 DEFINITIONS

For the purposes of this Plan**,** the following definitions shall apply:

2.1 General Definitions

Board: means the Board of Directors of the District.

Conservation: means those practices, techniques and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water, so that a supply is conserved and made available for future or alternative uses.

Customer: means any natural person, corporation, partnership, company, trust, government agency, municipality, political subdivision, association or other public or private organization of any character receiving or using water supplied (in whole or in part) by the District. Without limiting the foregoing, the term "Customer" as used herein may include residents of the District, builders, contractors, developers, and other conservation and reclamation districts.

District: means Hays County Water Control & Improvement District No. 1

District Manager: means the person who is: (1) identified as the "Project Manager" or "Contractor Representative" (or other similar designation) in a contract between the District and a third party for operations and management services; or (2) an employee of the District designated by the Board as the District Manager. The term "District Manager" as used herein includes a designee of the District Manager.

LCRA: means the Lower Colorado River Authority.

Reclaimed Water: means treated effluent produced by a wastewater treatment plant and utilized pursuant to authorization from the TCEQ under 30 TEX. ADMIN. CODE § 210.

Treated Water: means water supplied by the District from the WTCPUA's West Travis County Water System or the District's potable water supply well.

Treated Water Customer: means any natural person, corporation, partnership, company, trust, government agency, municipality, political subdivision, association or other public or private organization of any character receiving or using Treated Water supplied (in whole or in part) by the District.

WTCPUA: means the West Travis County Public Utility Agency.

Wholesale Treated Water Customer: means any natural person, corporation, partnership, company, trust, government agency, municipality, political subdivision, association or other public or private organization of any character that for compensation supplies Treated Water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies Treated Water from the District to itself or its employees, visitors, patrons or tenants as an incident of that service or tenancy when that water is not resold or used by others.

2.2 Water Use Definitions

Aesthetic Water Use: means use of water for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Agricultural Water Use: means use of water for growth of fruit, vegetables and other crops to be used for human food, animal feed, planting seed or for the production of fibers.

Commercial Water Use: means use of water by a place of business, such as a hotel, restaurant, or office building. This does not include multi-family residences or agricultural, industrial, institutional uses.

Domestic Water Use or Residential Water Use: means use of water by an individual Customer or a household at a single-family or multi-family residence to support its domestic activity. Such use may include water for drinking, washing, cooking, irrigation of lawns, or of a family garden and/or orchard, consumption by domestic animals, and recreation including fishing, swimming and boating. Domestic Water Use includes indoor and outdoor uses. This use does not include water used to support activities for which consideration is given or received or for which the product of the activity is sold.

Industrial Water Use: means use of water in commercial processes designed to convert materials of lower value into forms having greater usability and value, including commercial fish and shellfish production and the development of power by means other than hydroelectric. This use does not include Agricultural Use.

Institutional Water Use: means use of water by an establishment dedicated to public service, such as a school, university, church, hospital, nursing home, prison or government facility. All facilities dedicated to public service are considered institutional regardless of ownership.

Landscape Irrigation Use: means use of water for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Livestock Water Use: means use of water for the open-range watering of livestock, exotic livestock, game animals or fur-bearing animals. For purposes of this definition, the terms "livestock" and "exotic livestock" are to be used as defined in §142.001 of the Agriculture Code, and the terms "game animals" and "fur-bearing animals" are to be used as defined in §63.001 and §71.001, respectively, of the Parks and Wildlife Code.

Non-Essential Water Use: means water uses that are not essential or required for the protection of public health, safety and welfare, including without limitation, the following:

(a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except as otherwise provided under this Plan;
(b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
(c) use of water to wash down any sidewalks, walkways, driveways, parking lots, streets, tennis courts, or other hard surface outdoor areas, except to the extent necessary to protect the public health, safety and welfare;
(d) use of water to wash down buildings, houses or structures for purposes other than immediate fire protection;
(e) flushing gutters or permitting water to run or accumulate in any gutter or street;
(f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;

(g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic animals;
(h) failing to repair a controllable leak(s), including but not limited to a broken irrigation or sprinkler head, leaking valve or leading faucet, within a reasonable period after having been given notice directing the repair of such leak(s); and

Agricultural Water Use and Livestock Water Use are not included in the definition of "Non-Essential Water Use."

3.0 WATER CONSERVATION PLAN

3.1 Service Area Characteristics

The District's water system provides retail water service to approximately 967commercial and residential customer accounts which represents an equivalent population of approximately 3,303 residential customers. The District's water system serves mostly single-family residential homes, although the number of multi-family, mixed-use, and commercial customers has grown significantly in the past five years. The service area consists of residential and commercial development within the boundaries of the District, which is situated between the City of Austin and the City of Dripping Springs along US Highway 290 generally bounded Nutty Brown Road to the east and Sawyer Ranch Road to the west.

The water demands in this region more than triple during the summer months due to water for outdoor irrigation purposes. With this in mind, the WTCPUA, and consequently the District, have focused its conservation and demand management measures on outdoor water use and will continue to expand this effort to meet the growing need for water in this system.

3.2 Water Conservation Goals

In accordance with Title 30, Chapter 288 of the Texas Administrative Code, this Plan must have specific, quantified goals in gallons per day per capita. As noted in Section 1.1, the estimated total existing water usage within the District for single family residences is 128 gallons per capita per day, down from 171 gallons per day per capita when the original version of this Plan was adopted in 2014. The District's previous five-year water usage goal was 160 gallons per capita per day when the original version of this Plan was adopted in 2014. The District's previous ten-year water usage goal was 155 gallons per capita per day. The District's five-year total water usage reduction goal is 5.0%, and ten-year total water usage reduction goal is an additional 2.5%. These goals will be reviewed periodically to determine if they are reasonable and feasible.

Estimated Residential Water Use within the District is 117 gallons per capita per day. Residential Water Use for single family residential units is estimated to be 128 gallons per capita per day. Residential Water Use for multifamily residential units is estimated to be 77 gallons per capita per day for Belterra Springs apartments and 47 gallons per capita per day for The Views at Belterra apartments. The District's five-year water Residential Water Use reduction goal is 5.0%, and ten-year Residential Water Use reduction goal is an additional 2.5%. These goals will be reviewed periodically to determine if they are reasonable and feasible.

The District is also in the early stages of evaluating goals and objectives for Commercial Water Use within the partially completed Belterra Village development. Based on the available data from

March 2021 to , February 2023 average Commercial Water Use has been 36,573 gallons per day. This is significantly below the contractual limitations for service to the existing Commercial Water Use connections (56,099 gallons per day) and well under the District's overall contractual commitment to the Belterra Village development, which is 91,273 gallons per day. The District estimates the anticipated overall water usage for the Belterra Village development after full build out will be 69,706 gallons per day.

In addition to reduction of usage on a per capita basis, the District seeks to limit annual unaccounted water loss to a maximum of ten percent (10%) of the Treated Water supplied to the District. The District's cumulative unaccounted water loss through February 2023 was 1.531% of Treated Water supplied to the District. The District's water loss reduction goal is 5%, which the District will continue to implement in future years.

In addition, the District has implemented a program for utilizing Reclaimed Water produced by the wastewater treatment plant shared by the District with Hays County WCID No. 2 to irrigate within right-of-ways, parks, and open space areas. This program is generally described in a report titled "*Future Treated Effluent Reuse Irrigation Disposal Evaluation*" prepared for the District on March 31st, 2011 (the "Treated Effluent Reuse Irrigation Report"), which is available from the District upon request. Development of Reclaimed Water irrigation areas has been completed, and is expected to result in further reduction of Landscape Irrigation Use of Treated Water within open space and common areas of the District and Hays County WCID No. 2.

3.3 Water Conservation Strategies and Measures

(1) Universal Automated Metering and Meter Replacement and Repair;

All consumption by Customers will be metered. Metering devices should measure with an accuracy of plus or minus 5%. A regularly scheduled maintenance program of meter repair, replacement and calibration will be performed in accordance with the following schedule:

Production (master) meters:	Test once a year
Meters larger than 1":	Test once a year
Meters 1" or smaller:	Test per manufacturer's recommendations or upon request by Customer

Zero consumption accounts will be checked to see if water is actually being used and not recorded, and meters will be checked for proper sizing.

In addition, the District has entered into agreements with a third party for the supply of automated meters and the establishment of a network and database that will allow the District and its Customers to monitor water use in "real time." This measure is expected to benefit water conservation through earlier and enhanced curtailment of higher use by Customers that would not otherwise become aware of such high use until monthly bills are received. In addition, the automated meters should assist the District and its Customers in identifying leaks earlier. The automated meter program will be implemented in 2019.

(2) Distribution System Leak Detection and Repair

The District will conduct leak detection and water audits, making appropriate repairs, in order to keep unaccounted water losses to less than 15%. Water loss audits will be performed in accordance with Texas Water Development Board rules.

(3) Plumbing Retrofit Program

State and federal laws require that homes built after 1992 have low-flow (less than 3 gallons per minute) showerheads, faucet aerators and ultra low flush (less than 1.6 gallons per flush) toilets installed. The District shall also require home builders within the District to offer ultra low-flow plumbing fixtures, including high efficiency toilets, as an option to potential home buyers.

(4) Water Pricing Incentives; Increasing Block Rates

The District has a goal of charging rates that reflect the cost of providing service in addition to sending a price signal to Customers to encourage water conservation. The District charges a volumetric rate based on the volume of water consumed on a monthly basis. These increasing block rates rise incrementally based upon the volume of water is consumed. The increasing block rate structure is understood to encourage conservation by charging Customers a higher rate for using a greater volume of water. As of the date of adoption of this Plan, the District's charges per 1,000 gallons of water consumed are as follows:

	Rate	Rate Tier
Gallonage Charge - Water (per 1,000 gallons)	$2.30	0 – 2,000 gallons metered
	$3.85	2,001 – 5,000 gallons metered
	$4.24	5,001 – 10,000 gallons metered
	$4.88	10,001 – 20,000 gallons metered
	$5.86	20,001 – 25,000 gallons metered
	$7.03	25,001 – 30,000 gallons metered
	$10.55	30,001 – 40,000 gallons metered
	$15.83	Over 40,000 gallons metered

The Board may amend or modify such charges from time to time by amendment of the District's service rate order. The District's service rate order is available on the District's website.

(5) Continuing education program on water conservation and drought contingency

The District's continuing public education and information campaign includes (a) providing water conservation packets for new retail water Customers; and (b) providing all Treated Water Customers with at least one brochure/flier on water conservation each year.

(6) Landscape Irrigation Use Restrictions

All Customers are requested comply with the District's twice per week watering schedule to reduce demand for water and promote conservation. The watering schedule is mandatory and enforced during Stage 2 or higher drought conditions. All Treated Water irrigation meters must have an accuracy of plus or minus 5.0%, and all irrigation meters are be tested and calibrated once a year. All newly

installed Treated Water irrigation systems must comply with TCEQ rules for design, installation and maintenance of landscape irrigation systems.

(7) Conservation Landscape Best Management Practices

Included in Appendix D are Conservation Landscape Best Management Practices, which the District has incorporated into its adopted rules and regulations.

4.0 OTHER CONSERVATION STRATEGIES

4.1 Additional Strategies

Additional conservation strategies include:

(a) Promoting the recycling and reuse of Reclaimed Water from the wastewater treatment plant of Hays County Water Control and Improvement District No. 1;
(b) Encouraging the use of EPA WaterSense approved fixtures and 1.28 or less gallon per flush toilets;
(c) Encouraging Customer participation in the LCRA WaterSmart rebates program;
(d) Encouraging Customer implementation of LCRA WaterSmart landscape guidelines to help homeowners and homebuilders create well-designed and water-efficient landscapes;
(e) Monitoring and evaluating water conservation measures implemented;
(f) Employing other measures as may be applicable; and
(g) Performing irrigation audits for Customers of the District upon request, at no cost to the requesting Customer.

4.2 Coordination with Regional Water Planning Group

The service area of the District is located within the Lower Colorado River Water Planning Area (Region K) of the State of Texas and the District has provided or will provide a copy of this Plan to the regional water planning group.

5.0 DROUGHT CONTINGENCY PLAN FOR TREATED WATER CUSTOMERS

The District Manager shall monitor water supply and demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each drought condition stage. Water supply conditions will be determined by the source of supply for each individual system (groundwater or surface water), system capacity, and weather conditions while demand will be measured by the peak daily demands on each system.

Public input for the District's plan will be available through public meetings of the Board. The District will also provide the public with information about the Plan at appropriate times, including the requirements of each stage, through inserts in the Customer's bills and/or through postings on the District's website.

Public notification of the initiation or termination of drought response stages may be made by a variety of methods, such as publication in local media outlets or on the District's website and/or

social media outlets, direct mail to Customers, email, automated telephone calls, signs posted at District utility office or entry to the service area and other public places, or any combination of these methods.

5.1 Permanent Water Use Restrictions

The following restrictions apply to all Customers on a year-round basis, regardless of water supply or water treatment plant production conditions. A water user must not:

(a) Fail to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;

(b) Operate an irrigation system with a broken head, a head that is fogging or misting because of excessive water pressure, or a head that is out of adjustment and the arc of the spray head is over a street or parking area.

(c) During irrigation, allow water to (1) run off a property and form a stream of water in a street for a distance of 50 feet or greater; or (2) pool in a street or parking lot to a depth greater than one-fourth (1/4) of an inch.

(d) ***Irrigate outdoors using an in-ground irrigation system or hose-end sprinkler more than twice per week or outside of scheduled days as indicated on the twice-a-week watering Schedule set forth in Appendix C.***

Moreover, any Wholesale Treated Water Customer of the District shall be contractually required to develop and formally adopt a drought contingency plan consistent with this Plan, and the water conservation and drought contingency plans of the LCRA and the WTCPUA, including a requirement that each successive wholesale customer shall develop and formally adopt a drought contingency plan consistent therewith.

5.2 Drought Stages and Drought Response Measures

The following trigger criteria shall apply to District's Treated Water Customers.

(1) Stage 1 – Mild Water Shortage

(a) Objective – The target objective for Stage 1 drought response measures is to achieve a 10% reduction in water use.

(b) Requirements for Initiation – Customers shall be required to comply with the Stage 1 Drought Response Measures of this Plan at any time when one or more of the following triggering criteria are met:

1. When the WTCPUA total daily water demand equals or exceeds: (a) 80 percent of the total design capacity of the WTCPUA water treatment plant for three (3) consecutive days; or (b) 90 percent of the total design capacity of the WTCPUA water treatment plant for a single day;

2. Source water contamination results in compromised capacity of the WTCPUA treatment and delivery systems;

3. Mechanical or electrical failure of a WTCPUA or District system component results in compromised treatment and/or delivery capacity; or

4. When LCRA initiates Stage 1 of the LCRA DCP.

(c) Requirements for Termination – Stage 1 of the Plan will be rescinded when:

1. The applicable condition listed above as a triggering event is predicted to cease for an extended period;

2. The source water contamination event or mechanical or electrical failure of a system component is resolved; or

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

(d) Stage 1 Supply Management Measures: The District will:

1. Irrigate landscaped areas owned by the District by means drip irrigation system and Reclaimed Water irrigation to the extent possible. For any other irrigation of District property, water-use restrictions prescribed for Stage 1 of the Plan shall be applied;

2. Discontinue water main and line flushing unless necessary for public health reasons; and

3. Keep Customers informed on issues regarding current and projected water supply and demand conditions.

(e) Stage 1 Demand Management Measures: Under threat of penalty as provided in this Plan, all the following water use restrictions shall apply to all Treated Water Customers.

1. Landscape Irrigation Frequency. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to the twice per week watering schedule. The current twice per week watering schedule, which may be modified from time to time by the District without amendment of this Plan, is set forth in Appendix C. *Upon a finding by the Board that target objectives are not being met notwithstanding such limitations, Landscape Irrigation Use may be further limited to the once per week watering schedule.* The current once per week watering schedule, which may be modified from time to time without amendment of this Plan, is also set forth in Appendix C.

2. Hours for Landscape Irrigation. Outdoor landscape irrigation hours will be limited to between the hours of 12:00 midnight and 10:00 a.m., and between 7:00 p.m. and 12:00 midnight on designated watering days. This prohibition does not apply to irrigation of landscaped areas by means of:

a. a hand-held hose;

b. a faucet filled bucket or watering can of five (5) gallons or less;
c. a drip irrigation system; or
d. Reclaimed Water.

3. New Landscape Installation. New landscapes may be installed, and revegetation seeding performed, only if the Customer adheres to the mandatory twice-a-week watering schedule. In the event that compliance with the twice-a-week watering schedule is not feasible, the Customer must submit and obtain approval of a variance request prior to installing the new landscape. If a variance is granted, irrigation of the new landscape or seeding may only occur in accordance with the following 30 day irrigation schedule:

   a. for the first 10 days after installation, once every day;
   b. for day 11 through 20 after installation, once every other day before 10 a.m. or after 7 p.m.; and
   c. for day 21 through 30 after installation, once every third day before 10 a.m. or after 7 p.m..

   New landscape installations and revegetation seeding are otherwise prohibited absent a variance granted by the District. Variances will not be granted for seasonal "color bed" or temporary grass installation (over seeding). If granted, a variance for a new landscape installation or revegetation project will be issued for the shortest period of time reasonably necessary to facilitate survival of the vegetation, and irrigation activities must comply with the 30 day irrigation schedule above and other applicable requirements of this Plan. If the new landscape or vegetation does not survive despite issuance of a variance, the Customer shall have no remedy against the District. A variance is not an exemption from compliance with the permanent water use restrictions under Permanent Water Restrictions of this plan. Alternatives for revegetation may be available in times of low water supply. Specific information regarding such alternatives is available in the LCRA Highland Lakes Watershed Ordinance Technical Manual (Section 3.2.8).

4. Vehicle Washing. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on the Customer's designated landscape irrigation days set forth in Appendix C, between the hours of 12:00 midnight and 10:00 a.m., and between the hours of 7:00 p.m. and 12:00 midnight. When allowed, vehicle washing shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle. Notwithstanding the foregoing, vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, vehicle washing may be exempted from these regulations if the health, safety, and welfare of the public are served by more frequent vehicle washing, such as garbage trucks and vehicles used to transport food and perishables.

5. Activities and Events. Use of water for outdoor activities or events, including without limitation car washes, water slides, parties and community or public festivals or functions, is permitted only if the water being used drains to a re-circulating device or the water is subsequently put to beneficial use (such as watering landscaping).

6. Recreational Areas. Land used for recreational activities, including without limitation parks and athletic fields, may only be used for designated or scheduled events or

activities. Unnecessary foot traffic must be discouraged. Watering and irrigation of recreational areas must comply with all Stage 1 demand management measures unless a variance is granted.

The foregoing restrictions do not apply if the recreational area utilizes an alternate water supply as its only irrigation source, such as Reclaimed Water, rainwater or groundwater from a well not owned by the District. However, if such alternative sources are used in combination with water provided by the District, the owner will work with the District to reduce the use of water supplied by the District to a level consistent with the target objective for Stage 1. In all cases, the owner of a recreational area must adopt and implement a drought contingency plan that is approved by the District, the WTPUA and/or the LCRA, as applicable.

7. Restaurants. All restaurants are encouraged to serve water to their patrons only upon request.

8. Non-Essential Water Uses. Absent issuance of a variance by the District, the following Non-Essential Water Uses are restricted or prohibited as follows:

   a. washing down of any sidewalks, walkways, driveways, parking lots, streets, tennis courts, or other impervious outdoor surfaces, except to the extent immediately necessary to protect the public health, safety and welfare;
   b. washing down buildings, houses or structures for purposes other than immediate fire protection or for surface preparation of maintenance work;
   c. using water for dust control, except to the extent necessary to protect the public health, safety and welfare or as permitted as part of a construction plan approved by a governmental entity; and
   d. flushing gutters or allowing a substantial amount of water to run off a property or accumulate in any gutter, street, or parking lot to a depth greater than one-fourth of an inch.

(2) Stage 2 – Moderate Water Shortage (Additional Mandatory Measures)

(a) Objective – The target objective for Stage 2 is to achieve a 20% reduction in water use.

(b) Requirements for Initiation – Customers shall be required to comply with the Stage 2 Drought Response Measures of this Plan when one or more of the following triggering criteria are met:

1. When the WTCPUA total daily water demand equals or exceeds: (a) 85 percent of the total design capacity of the WTCPUA water treatment plant for three (3) consecutive days; or (b) 95 percent of the total design capacity of the WTCPUA water treatment plant for a single day; or (c) the total design capacity of the WTCPUA raw water transmission main for three consecutive days;

2. Source water contamination results in compromised capacity of the WTCPUA treatment and delivery systems;

3. Mechanical or electrical failure of a WTCPUA or District system component results in compromised treatment and/or delivery capacity;

4. Target reduction for the Stage 1 demand management measures is not achieved; or

5. When LCRA initiates Stage 2 of the LCRA DCP.

(c) Requirements for Termination – Stage 2 of the Plan may be rescinded when:

1. The applicable condition listed above as a triggering event is predicted to cease for an extended period; or

2. The source water contamination event or mechanical or electrical failure of a system component is resolved.

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

(d) Additional Stage 2 Supply Management Measures – In addition to measures implemented in preceding stages of the Plan, the District will:

1. Evaluate water control options to limit water to critical use for protection of the public health, safety and welfare (including maintenance of treatment quality) and explore alternative water supply options;

2. Prioritize projects to reduce system water loss such as repairing leaks, replacing old meters, and recycling line flush water, as appropriate for the District's system; and

3. Communicate to Customers regarding drought-related issues, including the current and projected water supply conditions, water supply restrictions and the need to conserve.

(e) Additional Stage 2 Demand Management Measures – Under threat of penalty as provided in this Plan, all Treated Water Customers are required to comply with the following, in addition to all requirements applicable to Stage 1 that are not in conflict with the requirements of Stage 2:

1. Landscape Irrigation Frequency. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to the twice per week watering schedule and all other requirements of Stage 2, unless a more stringent requirement applies in Stage 3 (e.g. hours for irrigation). *Upon a finding by the Board that target objectives are not being met notwithstanding such limitations, Landscape Irrigation Use may be further limited to the once per week watering schedule.*

2. Hours for Landscape Irrigation. Outdoor landscape irrigation hours will be limited to times between midnight and 6 a.m. on designated days. This limitation does not apply to irrigation of landscaped areas if it is by means of (a) hand-held hose; or (b) faucet-filled bucket or water can of five (5) gallons or less.

3. New Landscape Installation Generally Prohibited. No new landscapes may be installed unless the new landscape will be installed without a variance to the mandatory watering schedule. No variances will be approved.

4. Vehicle Washing Prohibited. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle **is prohibited**. Notwithstanding the foregoing, vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, vehicle washing may be exempted from these regulations if the health, safety, and welfare of the public are served by the vehicle washing, such as garbage trucks and vehicles used to transport food and perishables.

5. Pools and Splash Pads. Use of water to replenish to maintenance level is permitted. Use of water to fill any new or existing indoor or outdoor swimming pools, wading pools, or hot tubs is **prohibited** absent a variance granted by the District on a case by case basis. If granted, a variance shall allow filling on designated watering days during the designated watering hours only. Draining a pool is permitted only if water is drained directly to a pervious surface or onto a surface where water will be transmitted directly to a pervious surface and: (a) draining is necessary after rain to lower the pool to maintenance level; (b) draining is necessary to repair, maintain or replace equipment or components that constitute a hazard; or (c) draining is necessary to repair a leak.

   Refilling of public or community swimming pools is permitted only if the pool has been drained for repairs, maintenance or replacement as outlined in this Section. Operation of splash pads shall be limited to dates and times approved by the District.

6. Outdoor Water Features. Operation of any outside water features, including without limitation ornamental fountains or outdoor misting systems is prohibited except where the feature is designed and consistently maintained to support aquatic life or maintain water quality. The District may require proof of such design and consistent maintenance.

7. 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 require proof of specific design documentation regarding a pond and the intended purpose.

8. Hydrants. Use of water from designated hydrants for construction purposes will be allowed only under special permit from the District. All construction use must be metered, and usage may be restricted in the District's discretion. .

9. Activities and Events. Use of water for outdoor activities or events, including without limitation car washes, water slides, parties and community or public festivals or functions, is **prohibited**.

10. Recreational Areas. Land used for recreational activities, including without limitation parks and athletic fields, may 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.

    The foregoing restrictions do not apply if the recreational area utilizes an alternate water supply as its only irrigation source, such as Reclaimed Water, rainwater or groundwater from a well not owned by the District. However, if such alternative sources are used in combination with water provided by the District, the owner will work with the District to reduce the use of water supplied by the District to a level consistent with the target

objective for Stage 2. In all cases, the owner of a recreational area must adopt and implement a drought contingency plan that is approved by the District, the WTPUA and/or the LCRA, as applicable.

11. Additional Curtailment. In the event that Stage 2 remains in effect for more than 6 months and the target objectives for Stage 2 remain unmet, the District Manager may present to the Board a curtailment plan developed by the District Manager and other District Representatives for consideration at a duly noticed meeting of the Board. Upon approval by the Board, the District may curtail or terminate Treated Water service to Customers for the uses and in accordance with the following prioritization. The plan shall take into consideration the amount of water diverted for each use, the potential conservation benefits expected to be realized through curtailment for the use, and the minimum amount of water necessary to support each use.

    Water Use Prioritization (Items Listed from Lowest Priority to Highest Priority):

    a. Aesthetic Water Use;
    b. Non-Essential Water Use;
    c. Landscape Irrigation Use;
    d. Agricultural Water Use;
    e. Industrial Water Use;
    f. Commercial Water Use (other than Landscape Irrigation Use);
    g. Livestock Water Use; and
    h. Domestic Water Use (other than Landscape Irrigation Use).

    Notwithstanding the foregoing, the District Manager shall promptly implement any curtailment or termination requirements imposed by the TCEQ, LCRA or WTCPUA to the extent mandated by contract or regulation, or as otherwise necessary.

Upon termination of Stage 2, Stage 1 becomes operative.

(3) Stage 3 – Severe Water Shortage (Additional Mandatory Measures)

(a) Objective – The target objective for Stage 3 is to achieve a minimum 30% reduction in daily water demand.

(b) Requirements for Initiation – Customers shall be required to comply with the Stage 2 Drought Response Measures of this Plan when one or more of the following triggering criteria are met:

1. When the WTCPUA total daily water demand equals or exceeds: (a) 90 percent of the total design capacity of the WTCPUA water treatment plant for three (3) consecutive days; or (b) 100 percent of the total design capacity of the WTCPUA water treatment plant for a single day;

2. Source water contamination results in compromised capacity of the WTCPUA treatment and delivery systems;

3. Mechanical or electrical failure of a WTCPUA or District system component results in compromised treatment and/or delivery capacity;
4. Target reduction for the Stage 2 demand management measures is not achieved; or

5. When LCRA initiates Stage 3 of the LCRA DCP.

(c) Requirements for Termination – Stage 3 of the Plan may be rescinded when:

1. The applicable condition listed above as a triggering event is predicted to cease for an extended period; or

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

(d) Additional Stage 3 Supply Management Measures – In addition to measures implemented in preceding stages of the Plan, the District will:

1. Evaluate water control options to limit water to critical use for protection of the public health, safety and welfare (including maintenance of treatment quality) and explore alternative water supply options;

2. Prioritize projects to reduce system water loss such as repairing leaks, replacing old meters, and recycling line flush water, as appropriate for the utility system; and

3. Communicate to Customers regarding drought-related issues, including the current and projected water supply conditions, water supply restrictions and the need to conserve.

(e) Additional Stage 3 Demand Management Measures – Under threat of penalty as provided in this Plan, all Treated Water Customers are required to comply with the following, in addition to all requirements applicable to Stage 2 that are not in conflict with the requirements of Stage 3:

1. Landscape Irrigation Limitations. All irrigation of landscaped areas is limited to the **once per week** watering schedule during the hours between between 12:00 midnight and 6 a.m on designated days. No new landscapes may be installed, and no variances will be approved.

2. Hydrants. Use of water from hydrants shall be limited to firefighting activities and activities necessary to maintain the public health, safety and welfare only. Use of water from designated hydrants for construction purposes *may* be allowed under special permit from the District. All construction use must be metered.

3. Recreational Areas. Use of water for the irrigation of land used for recreational activities, including without limitation parks and athletic fields, is **prohibited** unless solely from an alternative source such as Reclaimed Water, rainwater or groundwater.

4. Non-Essential Water Uses Prohibited. Absent issuance of a variance by the District to maintain the public health, safety and welfare, all Non-Essential Water Uses are prohibited.

5. New and Increased Service Limitations. 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 absent approval by the Board.

6. Additional Measures. Such additional restrictions, prohibitions and measures as may be adopted by written order of the Board at a public meeting of the Board.

Upon termination of Stage 3, Stage 2 becomes operative.

(4) Stage 4 – Emergency Water Shortage Conditions (Additional Mandatory Measures)

(a) Objectives – The target objectives for Stage 4 drought response measures are to reduce water demand as determined by the Board, or in the absence of such a determination, to improve supply or reduce demand in a manner necessary to address the conditions or criteria triggering Stage 4.

(b) Requirements for Initiation – Customers shall be required to comply with the Stage 4 Drought Response Measures of this Plan when one or more of the following triggering criteria are met:

1. When major line breaks, loss of distribution pressure, or pump system failures cause substantial loss in ability to provide water service;

2. When natural or man-made contamination of the water supply occurs; or

3. Any other emergency water supply or demand conditions that the LCRA, the WTCPUA, the Hays Trinity Groundwater Conservation District (as applicable to the District's groundwater use only) or the District Manager determines to constitute a water supply emergency more severe than that contemplated herein or in the triggers contained in the LCRA Water Management Plan.

(c) Requirements for Termination – Stage 4 of the Plan may be rescinded:

1. When the LCRA, the WTCPUA or the District announces that Stage 4 Drought Response Measures have been lifted; or

2. Upon action by the Board.

(d) Additional Stage 4 Supply Management Measures – Such measures as are necessary to address the condition shall be taken as determined by the District Manager or the Board.

(e) Additional Stage 4 Demand Management Measures – Under threat of penalty as provided in this Plan, all Treated Water Customers are required to comply with the following, in addition to all requirements applicable to Stage 2 and Stage 3 that are not in conflict with the requirements of Stage 4:

1. Landscape Irrigation Prohibited. Irrigation of landscaped areas is prohibited.

2. Fire Hydrants. Use of water from fire hydrants shall be limited to firefighting and

activities necessary to maintain public health, safety, and welfare only.

3. New and Increased Services Prohibited. 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 absent waiver of this requirement by the Board.

4. Additional Measures. Additional measures may be added as needed.

Upon termination of Stage 4, the stage of this Plan in effect absent the emergency becomes operative.

(5) Stage 5 – Critical Water Shortage Conditions

Any other emergency water supply or demand conditions that the LCRA, the WTCPUA, the Hays Trinity Groundwater Conservation District (as applicable to the District's groundwater use only) or the District determines to constitute a water supply emergency, or is associated with a prolonged drought worse than the drought of record, may require additional mandatory curtailment of water supplies at a level more severe than in Stages 1 through 4. Curtailment requirements under Stage 5 will be effective immediately upon announcement, subject to confirmation or modification by resolution of the District's Board passed at a regular, special, or emergency meeting at which members of the public are allowed to participate.

(6) Drought Stages and Drought Response Measures for Groundwater Sources

The District operates a groundwater well in accordance with a permit issued by the Hays Trinity Groundwater Conservation District ("HTGCD"). With respect to use of water from District groundwater sources, the drought stage shall be determined by reference to the drought stage in effect as declared by the HTGCD, and the District will curtail use in accordance with the applicable requirements of the HTGCD.

(7) Compliance with Other Requirements

This plan is intended to comply with all requirements of the water conservation and drought contingency plans of the LCRA, the WTCPUA, the Hays Trinity Groundwater Conservation District (as applicable to the District's groundwater use only) and all requirements of the TCEQ. To the extent of any conflicts between this Plan and either of the foregoing plans or a requirement of the TCEQ, or in the event of any future modifications to the LCRA or the WTCPUA plans or requirements of the TCEQ, the District Manager is authorized to issue such written notifications or guidance as are necessary and appropriate to effectuate compliance with the LCRA and WTCPUA plans and/or TCEQ requirements.

5.3 Drought Response Monitoring and Public Notification

The District Manager shall monitor water supply and demand conditions on a daily basis, and in accordance with the triggering criteria set forth in Section 5.2. of the Plan, shall determine that a mild, moderate, severe, emergency or critical condition exists and shall implement measures set forth in Section 5.2 upon notice and/or publication as provided in this Plan. The drought response measures are

to be taken when the Board, District Manager or designee of the District Manager make a determination of the Stage.

The District will periodically provide information about the drought contingency portions of this Plan, including (1) the conditions under which each stage of the Plan is to be initiated or terminated, and (2) the drought response measures to be implemented in each stage. This information will be provided by various means depending on the audience including articles in the local print media, special materials mailed to Customers, District social media posts and posting on the District's website.

5.4 Enforcement

The District has established enforcement mechanisms in place, approved by the Board, and will actively pursue enforcement actions. Such enforcement mechanisms include periodic inspection by the District Manager, documentation of violations by witnesses, and imposition of fines for violation. The following enforcement provisions, shall apply to all Treated Water Customers:

(a) No person shall knowingly or intentionally allow the use of water from the District's water 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 pursuant to action taken by the District Manager, or his/her designee, in accordance with provisions of this Plan.

(b) Any person who violates this Plan shall be subject to the following surcharges and conditions on service:

1. following the first documented violation, the violator shall be given a notice of violation specifying the type of violation and the date and time the violation was observed, and shall be assessed a surcharge in the amount of $200.00;

2. following the second documented violation, the violator shall be given a notice of violation and shall be assessed a surcharge in the amount of $200.00;

3. following the third documented violation, the violator shall be given a notice of violation and shall be assessed a surcharge in the amount of $700.00; and

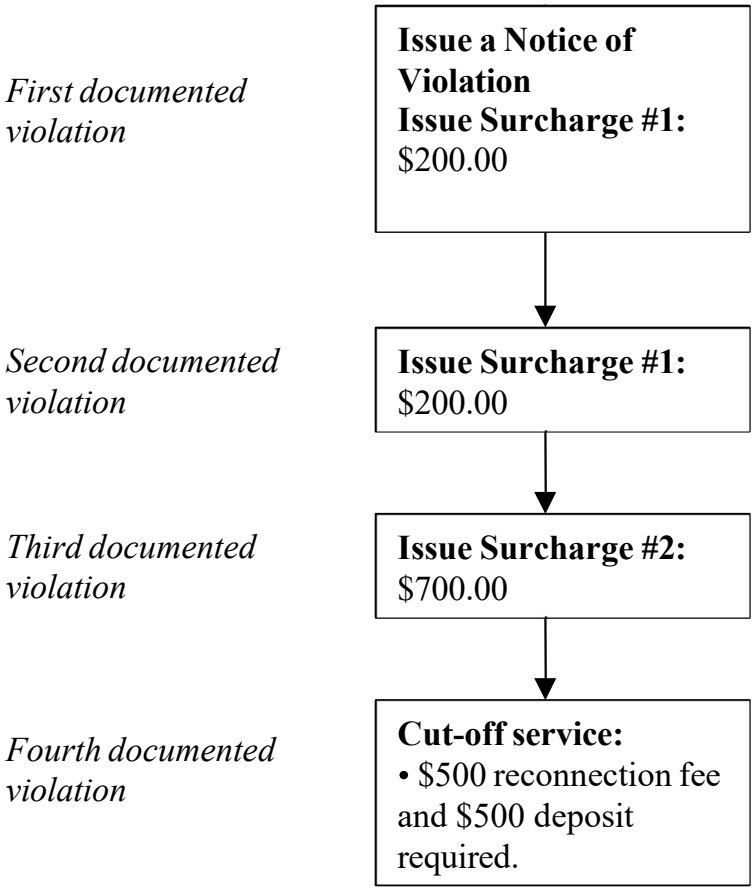
4. following the fourth documented violation, the District Manager, or his/her designee, shall, upon due notice to the Customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at $500.00, and any other costs incurred by the District in discontinuing service, and any outstanding charges including late payment fees or penalties. In addition, suitable assurance in the amount of a deposit of $500.00 must be given to the District Manager, or his/her designee, that the same action shall not be repeated while the Plan is in effect. The District Manager, or his/her designee, may apply the deposit to any surcharges or penalties subsequently assessed against a Customer under this Plan. The deposit, if any, shall be returned to the Customer at the time of the Customer's vacation of the premises and voluntary disconnection from the District's water system.

(c) Compliance with this Plan may also be sought through injunctive relief in district court.

(d) Each day that one or more of the provisions in this Plan is violated shall constitute a separate violation. Any person, including a person classified as a Treated Water Customer of the District water system, 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 or she did not commit the violation. Parents shall be presumed to be responsible for violations of the minor child, but any such parent may be excused if he or she proves that he or she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

The following Table 5.4 depicts a diagram of the drought response enforcement process.

Table 5.4 – DCP Response Enforcement Process – Each violation must be witnessed by a district Representative. District Representative will record the type of violation and the time and date of violation.



Notes:
• Repeat violations are tallied only for the mandatory restriction period in effect (i.e., customer would start with clean slate if a new restriction period - separate in time - is declared).

5.5 Variances

(a) Types of Variances. The following variances, excepting a Customer from compliance with this Plan, may be available. No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

1. The District 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.

2. Temporary watering variances may be allowed: (a) to establish new landscapes that use drought-resistant landscaping or water-conserving natural turf; or (b) for revegetation of disturbed areas due to construction for new development initiated prior to the applicable stage of the Plan, if required by local, state or federal regulations. Such temporary watering variances shall terminate thirty (30) days following issuance by the District.

3. The District may grant in writing variances as permitted by the WTCPUA or LCRA.

4. The Board may grant in writing other variances on a case-by-case basis in consideration of the amount and source of the proposed water use, the nature and significance of the proposed water use, the availability of alternative sources, the expected impact on water supply and system demand, and any other circumstances the Board determines to be relevant.

(b) Variance Requests. Persons requesting a variance 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 Manager, or his/her designee, and shall include the following:

1. Name and address of the petitioner(s).
2. Purpose of water use.
3. Specific provision(s) of the Plan from which the petitioner is requesting relief.
4. 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.
5. Description of the relief requested.
6. Period of time for which the variance is sought.
7. 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.
8. Other pertinent information (i.e., estimated amount of water use, duration of water use, etc.).

(c) Conditions of Variances. Variances granted by the District shall be subject to the following conditions, unless waived or modified by the District Manager, or his/her designee: (1) variances granted shall include a timetable for compliance; and (2) variances granted shall expire when the applicable stage of the Plan is no longer in effect, except that any conditions the petitioner has failed to satisfy shall remain effective until satisfied. The District may impose such other conditions as are necessary or appropriate in connection with any variance granted.

6.0 ADDITIONAL PROVISIONS

6.1 Serverability

It is hereby declared to be the intention of District Board that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, as the same would not have been enacted by District Board without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

6.2 Plan Review and Updates

This Plan was developed to fulfill requirements of the Texas Administrative Code Subchapter B, Section 288, to prepare a water conservation and drought contingency plan and provide community and water Customers with essential water conservation and drought contingency response information, regulations, and services. As future systems are acquired by District, supplemental appendices will be added with baseline utility, population, water use, emergency management and drought contingency information specific to that utility system. In addition, the Plan will be reviewed at a minimum of every five (5) years and updated based on other developments in District's water service area.

6.3 Notifications

The Water Conservation and Drought Contingency Plan will be submitted to the LCRA and the WTCPUA. The LCRA provides raw water to the WTCPUA for treatment and delivery to the District, and the LCRA is recognized as a regional planner for water use within the District's boundary. The LCRA and the TCEQ will be notified in the event that mandatory provisions of this Plan are implemented.

6.4 Wholesale Users

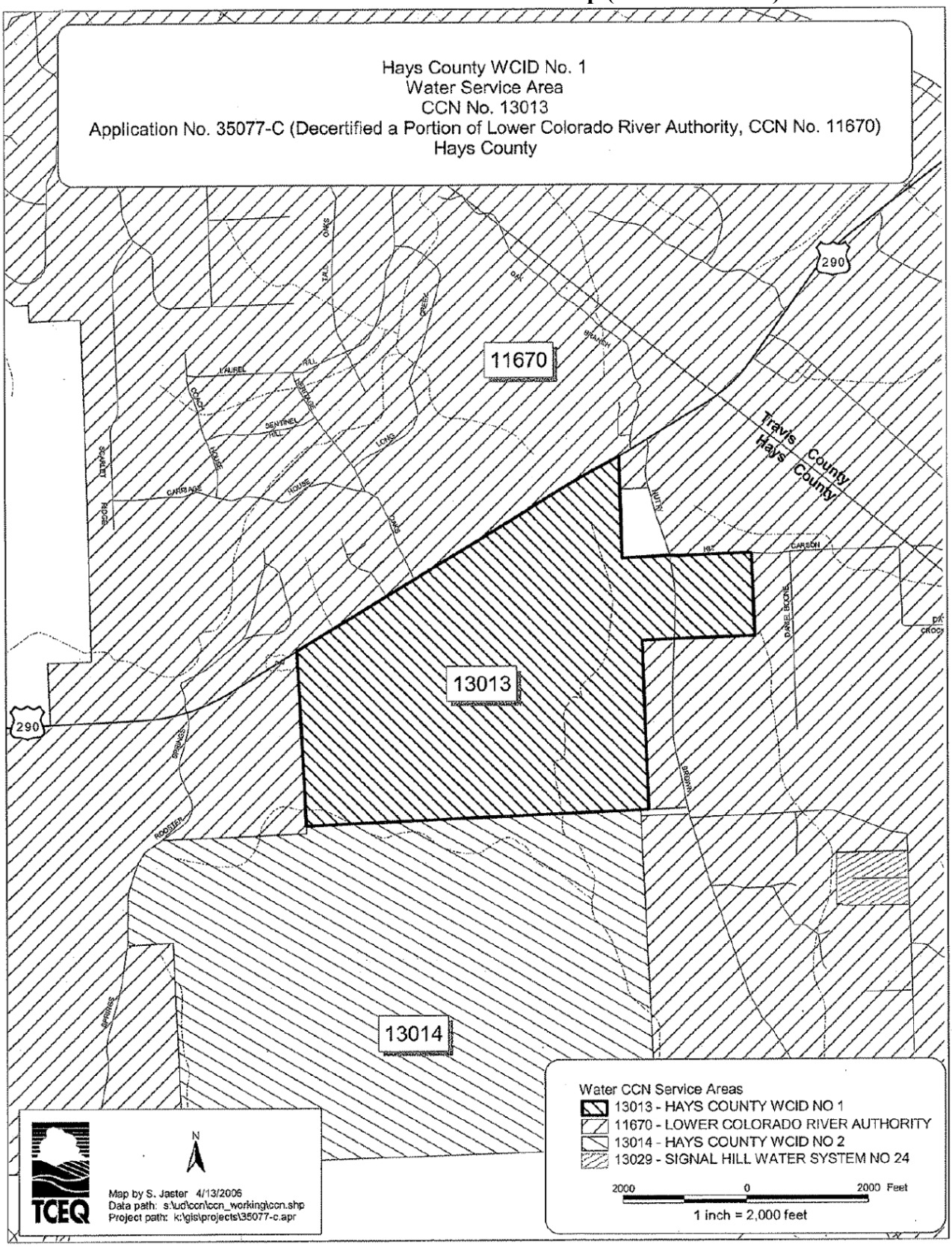
Wholesale Treated Water Customers of the District, if any, shall be required to develop and formally adopt drought contingency plans for their own systems in accordance with Title 30 Texas Administrative Code Sections 288.20 and 288.22, and consistent with this Plan and drought contingency plans of the LCRA and WTCPUA. The water supply triggers and target reduction objectives must be consistent with this Plan and the drought contingency plans of the LCRA and WTCPUA.

6.5 Drought Surcharge

In order to offset the impact of lost revenues resulting from extended periods of implementing water conservation and/or drought contingency measures and/or due to implementation of curtailments imposed by the LCRA, the Board of the District may assess a Drought Surcharge as established in the District's service rate order, as may be amended from time to time.

****

Appendix A
District Water Utilities Service Area Map (CCN No. 13013)



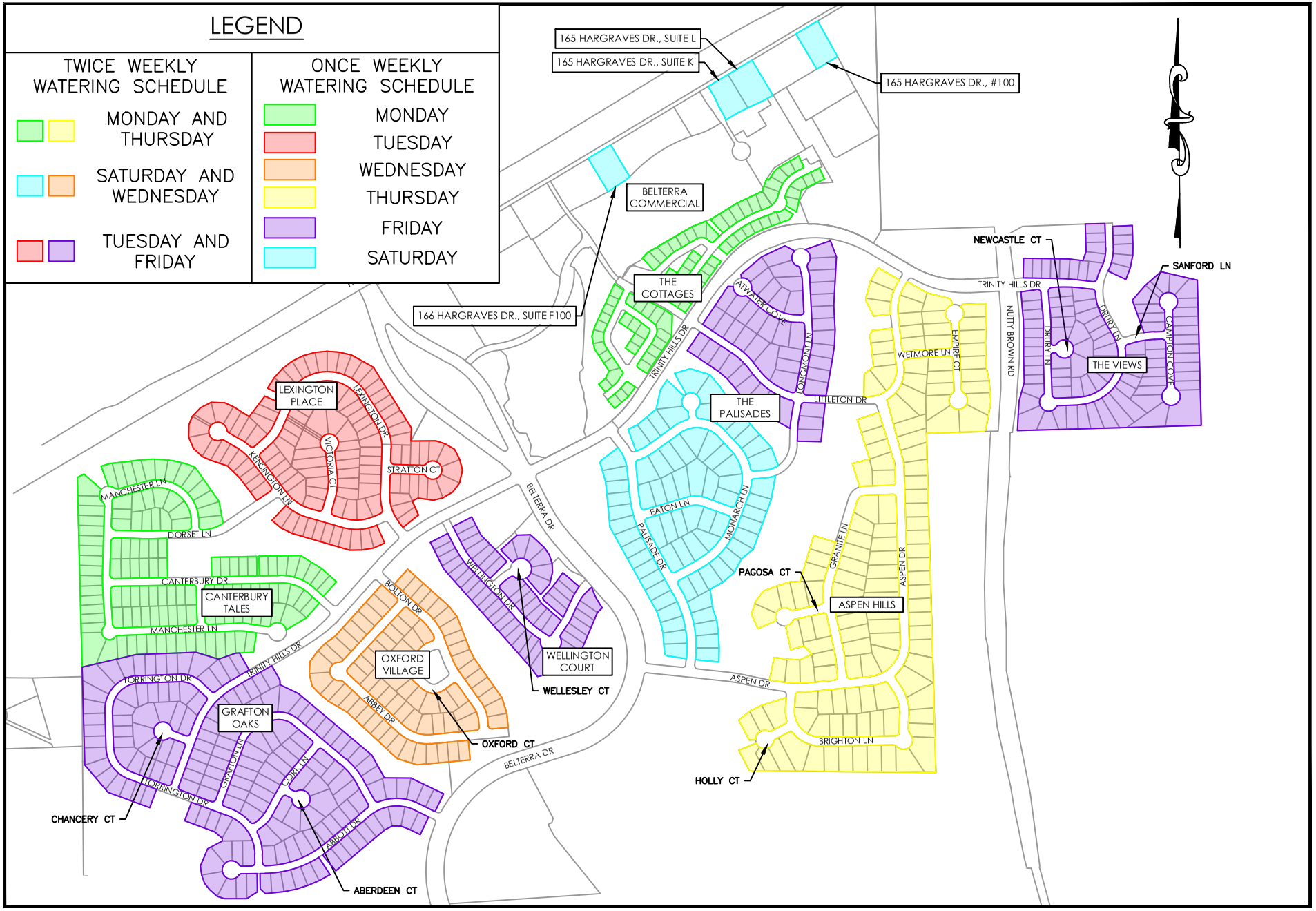
Appendix B
District Board of Directors Meeting Minutes Approving Plan

[ATTACHED]

Appendix C
District Adopted Watering Schedules

[ATTACHED]

HAYS COUNTY WCID NO. 1 RESIDENTIAL WATER SCHEDULE



Appendix D
Conservation Landscape Best Management Practices

Lower Colorado River Authority
Conservation Landscape Best Management Practices
(For Use in Ordinances or Restrictive Covenants)
01/27/09

Irrigation System Specifications:

1. All newly installed irrigation systems, must be installed in accordance with state law, Title 2 Texas Water Code, Chapter 34 and Title 30 Texas Administrative Code, Chapter 344 rules, as regulated and enforced by the Texas Commission on Environmental Quality.

2. Landscape irrigation systems shall not be mandatory.

3. Landscape irrigation systems shall be designed by a licensed irrigator unless the homeowner is physically installing the system.

4. Irrigation systems shall be in accordance with TCEQ Chapter 344 requirements.

5. Irrigation systems shall be designed with:

   a. an isolation valve between the water meter and the backflow prevention device;

   b. a master valve installed on the discharge side of the backflow prevention device;

   c. separate zones based on plant material type, microclimate factors, topographic features, soil conditions, hydrological requirements, and with all emission devices at the same precipitation rate;

   d. sprinkler heads spaced for head-to-head coverage, or heads spaced according to manufacturer's recommendations and adjusted for prevailing winds;

   e. a benchmark distribution uniformity percentage of 0.6 or higher;

   f. no run-off, with no direct over spray onto non-irrigated areas;

   g. pop-up spray heads and rotors set back at least 4 inches from impervious surfaces;

   h. no above-ground spray irrigation in landscapes that are less than 48 inches;

   i. a rain or moisture shut-off device or other technology;

j. depth coverage of piping in accordance with the manufacturer's specifications (if unspecified, the piping must be installed to provide minimum depth coverage of six inches of select backfill, between the top of the pipe and the natural grade of the topsoil);

k. underground electrical wiring must be listed by Underwriters Laboratories as acceptable for underground burial, sized according to the manufacturer's recommendation, and include waterproof wire splices;

l. emission devices installed to operate at the minimum and not above the maximum sprinkler head pressure as published by the manufacturer for the nozzle and head spacing that is used; and

m. a controller capable of dual or multiple programming, with at least several start times for each irrigation program, a water budgeting feature and programmable to irrigate with a frequency of every one to ten days, or by day of week.

6. An irrigator must present the irrigation system owner with an irrigation plan drawn to scale that includes, at a minimum, the following information:

a. the irrigator's seal, signature, and date of signing;

b. all major physical features and the boundaries of the areas to be watered;

c. a North arrow and legend;

d. the zone flow measurement for each zone;

e. location and type of controller and sensor;

f. location, type and size of water meter, backflow prevention, water emission device, valve, pressure regulation component, main line and lateral piping;

g. the scale used;

h. the design pressure;

i. monthly irrigation schedule for the plant establishment period (first three months); and

j. the water utility recommended watering schedule (no more than twice per week), including seasonal adjustments, in a format that can be posted by the controller box;

7. Spray irrigation for each home/business shall be limited to 2.5 times the foundation footprint, with a 12,000 sq foot maximum. The footprint may include both the house and the garage, but not the driveway or patio.

8. Irrigation systems for entryways and common areas shall incorporate design and conservation features applicable to lots within the subdivision. Drip irrigation in common areas will be used where feasible.

Irrigation System Maintenance Specifications:

1. The developer, builder and/or homeowner association shall follow and educate homeowners on the water utility recommended watering schedule both at residences and in common areas, as follows:

June, July, August and September--½ inch of water twice per week
March, April, May and October--½ inch of water once per week
November through February—turn off irrigation system

2. Irrigation systems in common areas shall be monitored once per month, and any repairs will be made in a timely manner;

3. Watering of common areas and residential landscapes shall be limited to the recommended time of day watering schedule of the water utility (no watering between 10:00 AM and 7:00 PM) unless irrigation of Reclaimed Water during the day is necessary to meet regulatory requirements.

Soil Specifications:

1. All irrigated and newly planted turf areas will have a minimum settled soil depth of 4 inches:

   a. builders and owners will import soil if needed to achieve sufficient soil depth;

   b. soil in these areas may be either native soil from the site or imported, improved soil;

   c. improved soil shall have a minimum organic content of 5% or will be an amended mix of no less than twenty percent compost blended with sand and loam (caliche shall not be considered as soil);

   d. undisturbed, non-irrigated natural areas are exempt from these requirements.

2. In new development:

   a. native soil shall be stockpiled and reused on site;

   b. topsoil that is added to the site shall be incorporated in a 2 to 3 inch scarified transition layer to improve drainage.

Planting Specifications:

1. Builders shall offer homeowner a conservation landscape option such as the LCRA Hill Country landscape Option (HCLO) that includes only plants selected from native and adapted plant list approved by the LCRA. Turf that is used as part of this option shall have summer dormancy capabilities. General specifications of the HCLO and other programs, and the WaterWise plant list, is available from the LCRA.

2. New developments shall have an example of a conservation landscape, including appropriate soil depth, plant choice, plant spacing and efficient irrigation system at a minimum of one model home and/or at a community/amenity center

3. Invasive plants listed in this document shall not be used.

4. In new homes, no more than fifty percent of the landscape may be planted in turf.

Landscape Chemical Use Specifications:

1. Landscape companies providing maintenance on all common areas and individual landscapes must only use integrated pest management (IPM) to minimize exposure of storm water runoff to chemicals (fertilizers, herbicides and pesticides). IPM techniques shall include the following steps:

   a. accurately identify pest or disease problem before considering treatment;

   b. explore cultural or mechanical controls (i.e. modification of irrigation, pruning, etc);

   c. look for biological control options (i.e. predatory insects for pest control, Bt for caterpillar control, etc);

   d. consider chemical control only if other options fail;

   e. utilize least-toxic and targeted chemical controls;

   f. baits are preferable to broad-spectrum chemical application;

   g. follow instructions on chemical labels exactly; and

   h. perform periodic monitoring for early detection of potential problems.

2. Landscape companies providing maintenance on all common areas and individual landscapes shall use the following fertilizer practices:

   a. fertilization of turf areas shall not be required;

   b. in turf areas that are to be fertilized, natural or certified organic fertilizers with less than 4% phosphorus shall be used;

   c. fertilizer shall be applied at a rate of ½ pound of nitrogen per 1000 square feet, not to exceed a total of one pound of nitrogen per 1000 square feet per year.

3. Builders or property managers must present guidelines for IPM plans and fertilizer practices meeting the deed restriction requirements to home buyers at the time of closing. These guidelines shall also be included in HOA or POA landscape maintenance contracts.

List of Invasive Plants Not Acceptable for Use

The following list comes from the August 2004 edition of the Grow Green Guide to Native and Adapted Landscape Plants, previously published at http://www.ci.austin.tx.us/growgreen. The list is no longer published at said website address.

Trees to Avoid	
Chinaberry	*Melia azedarach*
Chinese Parasol Tree	*Firmiana simplex*
Chinese Pistache	*Pistacia chinensis*
Chinese Tallow	*Sapium sebiferum*
Mimosa (non-native)	*Albizzia julibrissin*
Paper Mulberry	*Broussonetia papyrifera*
Salt Cedar	*Tamarisk spp.*
Tree of Heaven	*Ailanthus altissima*
Vitex	*Vitex agnus-castus*
White Mulberry	*Morus alba*

Shrubs to Avoid	
Chinese Photinia	*Photinia spp.*
Common Privet	*Ligustrum sinense, L. vulgare*
Japanese Ligustrum	*Ligustrum lucidum*
Nandina (berrying varieties)	*Nandina domestica*
Pyracantha	*Pyracantha spp.*
Russian Olive	*Elaeagnus angustifolia*
Wax Leaf Ligustrum	*Ligustrum japonicum*

Vines to Avoid	
Cat's Claw Vine	*Macfadyena unguis-cati*
English Ivy	*Hedera helix*
Japanese Honeysuckle	*Lonicera japonica*
Kudzu	*Pueraria lobata*
Vinca	*Vinca major, V. Minor*
Wisteria (non-native)	*Wisteria sinensis, W. floribunda*

Other Plants to Avoid	
Elephant Ear	*Alocasia spp., Colocasia spp.*
Giant Cane	*Arundo donax*
Holly Fern	*Cyrtomium falcatum*
Running Bamboo	*Phyllostachys aurea*