



**City of Arlington  
101 W Abram St  
Arlington, Texas 76010**

# Drought Contingency & Emergency Water Management Plan

May 2019

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# Drought Contingency and Emergency Water Management Plan

May 2019

## 1. INTRODUCTION AND OBJECTIVES

The purpose of this Drought Contingency and Emergency Water Management Plan (subsequently referred to as the Plan) is as follows:

- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions.

## 2. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The Texas Commission on Environmental Quality (TCEQ) rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code, which is included in Appendix B. For the purpose of these rules, a drought contingency plan is defined as, “a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages.”

### Minimum Requirements

TCEQ’s minimum requirements for drought contingency plans are addressed in the following subsections of this report:

- 288.20(a)(1)(A) – Provisions to Inform the Public and Provide Opportunity for Public Input – Section 4.1
- 288.20(a)(1)(B) – Provisions for Continuing Public Education and Information – Section 4.2
- 288.20(a)(1)(C) – Coordination with the Regional Water Planning Group – Section 8
- 288.20(a)(1)(D) – Criteria for Initiation and Termination of Drought Stages – Section 4.3
- 288.20(a)(1)(E) – Drought Stages and Emergency Water Management Actions – Sections 4.4 and 5.2
- 288.20(a)(1)(F) – Quantified Water Use Reduction Targets During Periods of Water Shortage and Drought – Section 4.4
- 288.20(a)(1)(G) – Water Supply and Demand Management Measures for Each Stage – Section 4.4

- 288.20(a)(1)(H) – Procedures for Initiation and Termination of Drought Stages – Section 4.3
- 288.20(a)(1)(I) – Procedures for Granting Variances – Section 6
- 288.20(a)(1)(J) – Procedures for Enforcement of Mandatory Restrictions – Section 7
- 288.20(a)(3) – Consultation with Wholesale Supplier – Sections 4.3 and 4.4
- 288.20(b) – Notification of Implementation of Mandatory Measures – Sections 4.3 and 5.1
- 288.20(c) – Review and Update of Plan – Section 9

### **3. WATER SYSTEM PROFILE**

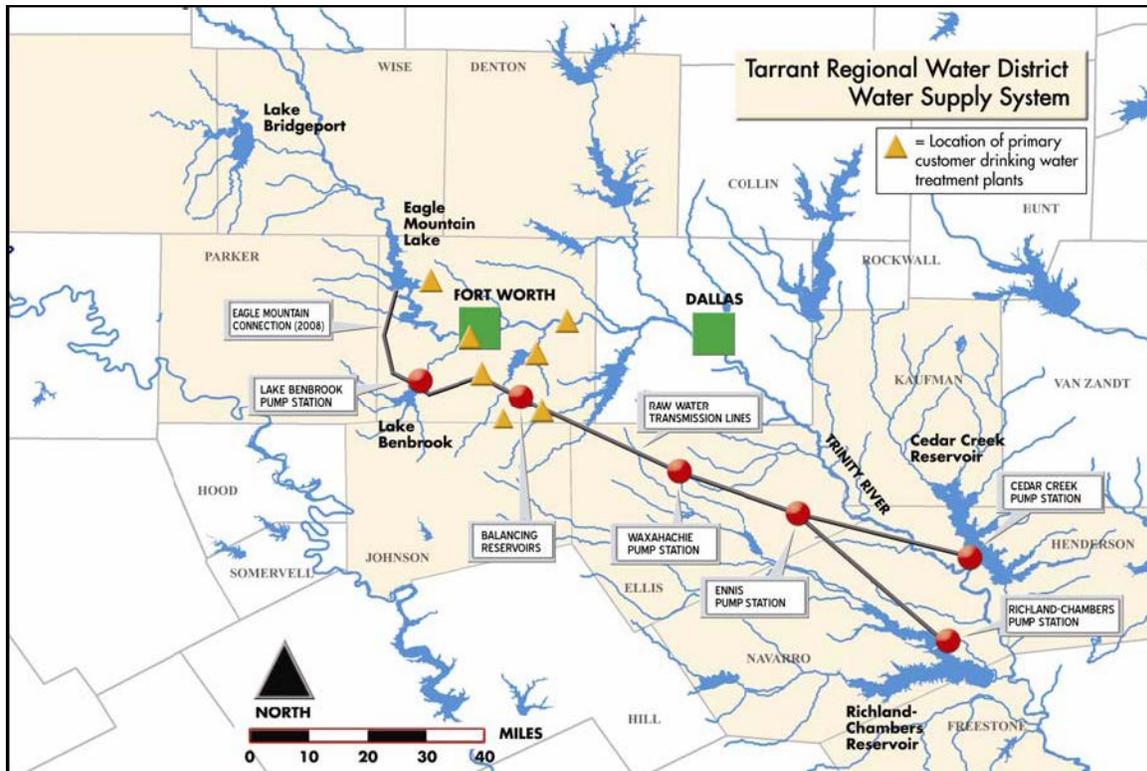
The City of Arlington served over 368,647 residents in 2013 and is expected to grow to over 428,000 by the year 2060. This population is currently served by two water treatment plants: The Pierce-Burch Plant, built in 1957, and the John F. Kubala Plant, built in 1989. The City of Arlington Water Utilities Department is charged with the operations of these plants and the associated potable water distribution system.

The City of Arlington completed construction of Lake Arlington in 1957. It is located on Village Creek in Tarrant County. Lake Arlington has a yield of approximately 6,000 acre-feet per year and supplies water to the City of Arlington, the Trinity River Authority's Tarrant County Water Project and Exelon Handley Power Plant. However, Lake Arlington's yield is not adequate to meet the needs of these customers and is supplemented with raw water purchased under a wholesale water contract with the Tarrant Regional Water District (TRWD).

Water purchased from TRWD is pumped from the Cedar Creek and Richland Chambers Reservoirs, which are located approximately 75 miles southeast of Arlington. The raw water is pumped through 72-inch and 90-inch pipelines from the two TRWD reservoirs and is delivered to the John F. Kubala Water Treatment Plant and/or discharged into Village Creek, which flows into Lake Arlington. In addition, the TRWD has the ability to deliver water stored in Benbrook Reservoir in southwest Tarrant County to the Kubala Plant and into Lake Arlington. Diversions are made from Lake Arlington to supply the Pierce-Burch Water Treatment Plant.

The supply from the East Texas reservoir system consists of a combination of pumpage from Richland Chambers Reservoir and Cedar Creek Reservoir. The two reservoirs are operated in parallel with consideration taken to use a larger amount of water from Richland Chambers Reservoir to minimize energy required to pump the water and produce a raw water blend that is more efficiently treated. In addition, the pumping capacity of the Richland Chambers pipeline is greater; therefore, the majority of the

pumpage will normally be taken from Richland Chambers Reservoir. The following exhibit shows the raw water supply system operated by the TRWD.



The City of Arlington is one of four primary wholesale customers of TRWD and is the second largest wholesale water customer. The ratepayers of Arlington contribute approximately 23% of the TRWD annual system financing requirements.

#### 4. DROUGHT CONTINGENCY PLAN

##### 4.1 Provisions to Inform the Public and Opportunity for Public Input

Arlington will provide opportunity for public input in the development of this drought contingency plan by the following means:

- Making the draft plan available on the City of Arlington web site ([www.arlingtontx.gov](http://www.arlingtontx.gov))
- Providing the draft plan to anyone requesting a copy
- Holding a public meeting

## 4.2 Provisions for Continuing Public Education and Information

Arlington will inform and educate the public about the drought contingency plan by the following means:

- The proposed plan was formulated in coordination with various wholesale water users throughout Tarrant County.
- The proposed plan was provided to anyone requesting a copy.
- The plan was presented to the Arlington City Council at a public meeting at Arlington City Hall at 6:30 P.M. on April 9, 2019.
- The plan was presented for adoption to the Arlington City Council at Arlington City Hall at 6:30 P.M. on April 23, 2019.

At any time that the drought contingency plan is activated or the drought stage changes, customers will notify local media of the issues, the drought response stage, and the specific actions required of the public. The information will also be publicized on the City of Arlington web site. Billing inserts will also be used as appropriate.

## 4.3 Initiation and Termination of Drought Response Stages

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Arlington. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities. The Plan does not apply to locations using treated wastewater effluent, private wells or their own water rights. In addition, any pond, impoundment, water body, or other water source that is supplemented, or has the ability to supplement supply, with water provided by the City of Arlington shall adhere to the provisions of this plan.

### Initiation of a Drought Response Stage

The City Manager or his/her official designee may order the implementation of a drought response stage when one or more of the trigger conditions for that stage is met. The following actions will be taken when a drought stage is initiated:

- The public will be notified through local media, social media and the City of Arlington Web site as described in Section 4.2.
- The City of Arlington will notify the Executive Director of the TCEQ within 5 business days when mandatory provisions of the plan are activated.

Drought stages imposed by TRWD action must be initiated by the City of Arlington.

For other trigger conditions, the City Manager or his/her official designee may decide not to order the implementation of a drought response stage even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water

supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision will be documented.

#### Termination of a Drought Stage

The City Manager or his/her official designee may order the termination of a drought response stage when the conditions for termination are met or at their discretion. The following actions will be taken when a drought stage is terminated:

- The public will be notified through local media, social media and the City of Arlington Web site as described in Section 4.2.
- If any mandatory provisions of the drought contingency plan that have been activated are terminated, the City of Arlington will notify the Executive Director of the TCEQ within 5 business days.

The City Manager or his/her official designee may decide not to order the termination of a drought response stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought stage. The reason for this decision will be documented.

### **4.4 Drought Response Stages**

#### Stage 1, Water Watch

##### Triggering Conditions

- TRWD initiated Stage 1:
  - Total raw water supply in TRWD western and eastern division reservoirs drops to or below 75% (25% depleted) of conservation storage.

##### Terminating Conditions for Stage 1

Stage 1 may terminate when TRWD terminates its Stage 1 condition or when the circumstances that caused the initiation of Stage 1 no longer prevail.

##### Goal for Use Reduction

The goal for water use reduction under Stage 1, Water Watch, is to decrease use by five percent. If circumstances warrant or if required by TRWD, the City Manager or his/her official designee can set a goal for greater water use reduction.

##### Actions Available under Stage 1, Water Watch

The City Manager or his/her official designee must implement any action(s) required by the TRWD. In addition, the City Manager or his/her official designee may order the implementation of any of the other actions listed below, as deemed necessary. The City of

Arlington will notify TCEQ within five business days if any mandatory measures are implemented.

All Water Users

- Initiate mandatory restrictions to prohibit non-essential water use as follows:
  - Prohibit using water in such a manner as to allow runoff or other waste, including:
    - (1) failure to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;
    - (2) operating a permanently installed irrigation system with: (a) a broken head; (b) a head that is out of adjustment and the arc of the spray head is over a street or parking lot; or (c) a head that is misting because of high water pressure;
    - (3) during irrigation, allowing water to (a) to run off a property and form a stream of water in a street for a distance of 50 feet or greater; or (b) to pond in a street or parking lot to a depth greater than one-quarter of an inch; or
    - (4) allowing or causing an irrigation system or other lawn watering device to operate during any form of precipitation or when temperatures are at or below 32 degrees Fahrenheit.
  - Limit landscape watering with sprinklers or irrigation systems at each service address to a twice per week schedule as outlined below. This includes landscape watering of parks, golf courses, and sports fields.
    - Residential addresses ending in an even number (0, 2, 4, 6, or 8) may water on Wednesdays and Saturdays.
    - Residential addresses ending in an odd number (1, 3, 5, 7 or 9) may water on Thursdays and Sundays.
    - All non-residential locations (apartment complexes, businesses, industries, parks, medians, etc.) may water on Tuesdays and Fridays.

Exceptions:

- Watering with a handheld hose, soaker hose, drip irrigation or hand watering may occur any day and any time.
- The use of water necessary to protect the health, safety, or welfare of the public.

- The use of water necessary for the repair of an irrigation system, plumbing line, fountain, etc. in the presence of person making repair.
- Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Water Utilities Director, if the Water Utilities Director determines that a property can not be completely irrigated with an average of three-quarters of an inch of water in a single day, and that the property should be divided into sections to be irrigated on different days.
- Twice per week landscape watering restrictions do not apply to locations using well water, treated wastewater effluent for irrigation or other alternative water supply sources.
- Establishing new turf is discouraged. If new hydromulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, there are no watering restrictions for the first 30 days while it is being established. After that, the watering restrictions set forth in this stage apply. (This exception does not include over seeding with cool season grasses if turf already exists.)
- Areas that are open to the public and have a high-impact from frequent use may be allowed additional watering, with a variance from the Water Utilities Director, if it is deemed to be beneficial to serve and protect the community facility or amenity. Examples may include but are not limited to: outdoor amphitheatres, demonstration gardens, public art exhibits, outdoor learning areas, arboretums, etc. Users are encouraged to reduce water use by five percent.
- Washing of any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle shall be limited to the use of a hand-held bucket or a hand-held hose equipped with a positive-pressure shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the premises of a commercial car wash or commercial service station. Companies with an automated on-site vehicle washing facility may wash its vehicles at anytime. Further, such washing may be exempt from these requirements if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- Discourage the filling, draining, or refilling of swimming pools, wading pools, hot tubs and Jacuzzi type pools except to maintain adequate water levels for structural integrity, proper operation and maintenance, and/or to alleviate an issue that poses a public safety risk.
- Discourage hosing of paved areas, such as sidewalks, driveways, parking lots, tennis courts, patios, or other impervious surfaces, except to alleviate an immediate health or safety hazard.

- Discourage hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting.
- Encourage the use of covers for all types of pools, hot tubs, and Jacuzzi type pools when not in use.
- All users are encouraged to use Texas native and drought tolerant plants in landscaping.

### City and Local Governments

In addition to actions listed above:

- Review conditions and problems that caused Stage 1. Take corrective action.
- Increase public education efforts on ways to reduce water use.
- Increase enforcement efforts.
- Intensify leak detection and repair efforts.
- Audit all city and local government irrigation systems to ensure proper condition, settings, and operation.
- Identify and encourage voluntary reduction measures by high-volume water users through water use audits.
- Landscape watering of municipal parks, golf courses, and sports fields is restricted to the twice per week watering schedule; or twice per week per irrigation station if a variance is granted by the Water Utilities Director. (See exceptions to outdoor watering restrictions in all water users category above for rules that apply to facilities with large multi-station irrigation systems.)
- Exceptions:
  - Golf courses may water greens and tee boxes without restrictions, however watering must be done before 10 a.m. and after 6 p.m.
  - Skinned areas of sports fields may be watered as needed for dust control.
  - Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Users are encouraged to reduce water use by five percent.
- Reduce non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.

- The Water Utilities Director or his/her designee will notify wholesale customers of actions being taken and require them to implement the same stage and measures. Per the contract, wholesale customers are required to institute and apply the same rationing, conservation measures or restrictions to the use of water by their customers for so long as any part of their total water supply is being furnished by the City of Arlington.

#### Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
- Landscape watering of parks, golf courses, and sports fields is restricted to twice per week watering schedule; or twice per week per irrigation station if a variance is granted by the Water Utilities Director. (See exceptions to outdoor watering restrictions in all water users category above for rules that apply to facilities with large multi-station irrigation systems.)

#### Exceptions:

- Golf courses may water greens and tee boxes without restrictions, however watering must be done before 10 a.m. and after 6 p.m.
- Skinned areas of sports fields may be watered as needed for dust control.
- Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Users are encouraged to reduce water use by five percent.
- Professional sports fields (playing fields with a stadium only – not surrounding landscaping) may be watered as needed to maintain league standards.
- Stock at commercial plant nurseries is exempt from Stage 1 watering restrictions.
- Hotels, restaurants, and bars are encouraged to serve drinking water to patrons on an “on demand” basis.
- Hotels are encouraged to implement laundry conservation measures by encouraging patrons to reuse linens and towels.
- Car wash facilities must keep equipment in good working order, which should include regular inspections to be sure there are no leaks, broken or misdirected nozzles, and that all equipment is operating efficiently.
- All commercial and industrial customers are encouraged to audit irrigation systems to ensure proper condition, settings, and operation. If an irrigation audit

or repair occurs during restricted watering times or days, a sign indicating such work is taking place shall be placed in public view until job is completed.

## Stage 2, Water Warning

### Triggering Conditions for Stage 2

- TRWD initiated Stage 2:
  - Total raw water supply in TRWD western and eastern division reservoirs drops to or below 60% (40% depleted) of conservation storage.

### Terminating Conditions for Stage 2

Stage 2 may terminate when TRWD terminates its Stage 2 condition or when the circumstances that caused the initiation of Stage 2 no longer prevail.

### Goal for Use Reduction

The goal for water use reduction under Stage 2, Water Warning, is to decrease use by ten percent. If circumstances warrant or if required by TRWD, the City Manager or his/her official designee can set a goal for greater water use reduction.

### Actions Available under Stage 2, Water Warning

The City Manager or his/her official designee must implement any action(s) required by the TRWD. In addition, the City Manager or his/her official designee may order the implementation of any of the actions listed below, as deemed necessary. The City of Arlington will notify TCEQ within five business days if any mandatory measures are implemented.

### All Water Users

- Continue any actions under Stage 1.
- Landscape watering with sprinklers or irrigation systems at each service address is limited to once every seven days. Outdoor watering schedule to be determined by the Water Utilities Director. (See Stage 1 exceptions to outdoor watering restrictions in all water users category for rules associated with the once every seven days watering schedule.)

### City and Local Governments

In addition to actions listed above:

- Continue or initiate any actions available under Stage 1.
- Review conditions or problems that caused Stage 2. Take corrective action.

- Increase frequency of media releases on water supply conditions.
- Further accelerate public education efforts on ways to reduce water use.
- Landscape watering at municipal parks, golf courses, and sports fields is limited to once every seven days; or once every seven days per irrigation station if a variance is granted by Water Utilities Director. (See Stage 1 exceptions to outdoor watering restrictions in all water users category for rules that apply to facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes as needed. Encouraged to reduce water use by ten percent.
- Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Users are encouraged to reduce water use by ten percent.
- Eliminate non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.
- The Water Utilities Director or his/her designee will notify wholesale customers of actions being taken and require them to implement the same stage and measures. Per the contract, wholesale customers are required to institute and apply the same rationing, conservation measures or restrictions to the use of water by their customers for so long as any part of their total water supply is being furnished by the City of Arlington.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
- Landscape watering at parks, golf courses, and sports fields is limited to once every seven days; or once every seven days per irrigation station if a variance is granted by the Water Utilities Director. (See Stage 1 exceptions to outdoor watering restrictions in all water users category for rules that apply to facilities with large multi-station irrigation systems.)

Exceptions:

- Golf courses may water greens and tee boxes as needed. Encouraged to reduce water use by ten percent
- Watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or

exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Users are encouraged to reduce water use by ten percent.

- Use of water from hydrants for any purpose other than firefighting related activities or other activities necessary to maintain public health, safety and welfare requires a variance issued by the Water Utilities Director. Fire hydrant use may be limited to only designated hydrants. All holders or applicants of a Water Fire Hydrant Meter Agreement are required to apply for a variance as set forth in this plan. The use of water from hydrants may continue until the Water Utilities Director or his/her official designee issues a determination on the petition for variance.

### Stage 3, Water Rationing

#### Triggering Conditions for Stage 3

- The TRWD has initiated Stage 3:
  - Total raw water supply in TRWD western and eastern division reservoirs drops to or below 45% (55% depleted) of conservation storage.

#### Terminating Conditions for Stage 3

Stage 3 may terminate when TRWD terminates its Stage 3 condition or when the circumstances that caused the initiation of Stage 3 no longer prevail.

#### Goals for Use Reduction

The goal for water use reduction under Stage 3, Water Rationing, is to decrease use by 20 percent. If circumstances warrant or if required by TRWD, the City Manager or his/her official designee can set a goal for a greater water use reduction.

#### Actions Available under Stage 3, Water Rationing

The City Manager or his/her official designee must implement any action(s) required by the TRWD. In addition, the City Manager or his/her official designee may order the implementation of any of the other actions listed below, as deemed necessary. The City of Arlington will notify TCEQ within five business days if any mandatory measures are implemented:

#### All Water Users

- Continue or initiate any actions available under Stage 1 or 2.
- Prohibit all landscape watering, including at parks, golf courses, and sports fields.

Exceptions:

- Watering with a hand-held hose, soaker hose, drip irrigation system or hand watering may occur any day and any time. (The intent of this measure is to allow for the protection of structural foundations, trees, and other high value landscape materials).
- Variances may be available for public areas that are open to the public and have a high-impact from frequent use to allow additional watering, with a variance granted by the Water Utilities Director, if it is deemed to be beneficial to serve and protect the community facility or amenity. Examples may include but are not limited to: outdoor amphitheaters, demonstration gardens, public art exhibits, outdoor learning areas, arboretums, etc. Encouraged to reduce water use by 20%.
- Irrigation of new landscapes and/or turfgrass installations is prohibited by means of automatic and/or manual irrigation systems or hose-end sprinklers. Variances may be granted for those landscape projects started prior to the initiation of stage 3 drought restrictions. However, variances may not be granted for the irrigation of new landscape and/or turfgrass installations after the initiation of Stage 3 drought restrictions.
- Vehicle washing is restricted to commercial car washes, commercial service stations, or professional washing services only. This includes home and charity car washing. The washing of garbage trucks and vehicles used to transport food and/or other perishables may take place as necessary for health, sanitation, or public safety reasons.
- Prohibit washing of paved areas by any means except to alleviate a possible public health and safety risk. Any power washing activities must be performed with a power washer utilizing high efficiency equipment and a vacuum recovery system where possible.
- Prohibit hosing of buildings or other structures except to alleviate a possible public health and safety risk, fire protection or surface preparation prior to painting with high-pressure equipment. Must be performed with a power washer utilizing high efficiency equipment and a vacuum recovery system where possible.
- Prohibit the operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life.
- Prohibit the draining, filling, or refilling of swimming pools, wading pools and Jacuzzi type pools. Existing private and public pools may add water to maintain pool levels.
- The Water Utilities Director or his/her designee will notify wholesale customers of actions being taken and require them to implement the same stage and measures. Per the contract, wholesale customers are required to institute and apply the same

rationing, conservation measures or restrictions to the use of water by their customers for so long as any part of their total water supply is being furnished by the City of Arlington.

### City and Local Governments

In addition to actions listed above:

- Continue any actions available under Stages 1 and 2.
- Review conditions or problems that caused Stage 3. Take corrective action.
- Implement viable alternative water supply strategies.
- Increase frequency of media releases explaining situation.
- Reduce city and local government water use to maximum extent possible.
- Prohibit the permitting of new swimming pools, Jacuzzi type pools, spas, ornamental ponds and fountain construction. Pools already permitted and under construction may be completely filled with water.
- Landscape watering at municipal parks, golf courses, and sports fields is prohibited.

### Exceptions:

- Golf course greens and tee boxes may be watered by hand as needed to keep them alive.
- Variances may be available for watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events to protect the health and safety of the players, staff, or officials present for the athletic event. Encouraged to reduce water use by 20 percent.
- Institute a mandated reduction in deliveries to all wholesale customers. Such a reduction will be distributed as required by Texas Water Code §11.039.
- If TRWD has imposed a reduction in water available to customers, impose the same percent reduction on wholesale customers.

### Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
- Landscape watering at parks, golf courses, and sports fields is prohibited.

Exceptions:

- Golf course greens and tee boxes may be watered by hand as needed to keep them alive.
- Professional sports fields (playing fields with a stadium only – not surrounding landscaping) may be watered as needed to maintain league standards.
- Variances may be available for watering of athletic fields (field only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events to protect the health and safety of the players, staff, or officials present for the athletic event. Encouraged to reduce water use by 20 percent.
- Stock at commercial plant nursery may be watered only with a hand-held hose, hand-held watering can, or drip irrigation system.
- Commercial and industrial water users may be required to reduce water use by a set percentage determined by the Water Utilities Director.
- Use of water from hydrants for any purpose other than firefighting related activities or other activities necessary to maintain public health, safety and welfare requires a variance issued by the Water Utilities Director. Fire hydrant use may be limited to only designated hydrants. All holders or applicants of a Water Fire Hydrant Meter Agreement are required to apply for a variance as set forth in this plan. The use of water from hydrants may continue until the Water Utilities Director or his/her official designee issues a determination on the petition for variance.

**5. EMERGENCY WATER MANAGEMENT PLAN****5.1 Initiation and Termination of Emergency Water Management Actions**

The provisions of the Plan shall apply to all persons, customers, and property utilizing water provided by the City of Arlington. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities. The Plan does not apply to locations using treated wastewater effluent, private wells or their own water rights in the Trinity River. In addition, any pond, impoundment, water body, or other water source that is supplemented, or has the ability to supplement supply, with potable water shall adhere to the provisions of this plan.

Initiation of Emergency Water Management Actions

The City Manager or his/her official designee may order the implementation of emergency water management actions when one or more of the trigger conditions are met. The following measures will be taken when emergency water management actions are initiated:

- The public will be notified through local media, social media and the City of Arlington Web site of the emergency condition and the specific actions required of the public.
- The City of Arlington will notify the Executive Director of the TCEQ within 5 business days when emergency provisions of the plan are activated.

#### Termination of Emergency Water Management Actions

The City Manager or his/her official designee may order the termination of emergency water management actions when the conditions for termination are met. The following measures will be taken when emergency water management actions are terminated:

- The public will be notified through local media, social media and the City of Arlington Web site as described in Section 4.2.
- If any emergency water management actions that have been activated are terminated, the City of Arlington will notify the Executive Director of the TCEQ within 5 business days.

## **5.2 Emergency Water Management Actions**

#### Triggering Conditions

- The City of Arlington's water demand exceeds reliable delivery capacity. The delivery capacity could be citywide or in a specified portion of the system.
- The City of Arlington's water supply, water treatment or distribution system becomes contaminated.
- The City of Arlington's water supply system is unable to deliver water due to the failure or damage of major water system components, or due to other criteria, such as energy shortages or outages.

#### Emergency Water Management Actions Available

The City Manager or his/her official designee may order the implementation of any water management actions deemed necessary during emergency conditions until the conditions for termination of the emergency are met.

## **6. PROCEDURES FOR GRANTING VARIANCES TO THE PLAN**

The Water Utilities Director or his/her official designee may grant temporary variances for existing water uses otherwise prohibited under this plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an adverse condition affecting health, sanitation, operation or fire safety for the public or the person requesting the variance.

- Compliance with this plan cannot be accomplished due to technical or other limitations.
- Alternative methods that achieve the same level of reduction in water use can be implemented.

Variances shall be granted or denied at the discretion of the Water Utilities Director or his/her official designee. All variances are only in effect during the drought plan stage or emergency water management condition for which the variance was issued. No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance. The Water Utilities Director may revoke a variance granted when it is determined that the conditions of the variance are not being met or are no longer applicable.

All petitions for variances should be in writing and should include the following information:

- Name and address of the petitioner(s)
- Purpose of water use
- Specific provisions from which relief is requested
- Detailed statement of the adverse effect of the provision from which relief is requested
- Description of the relief requested
- Period of time for which the variance is sought
- Alternative measures that will be taken to reduce water use
- Other pertinent information.

## **7. PROCEDURES FOR ENFORCING MANDATORY WATER USE RESTRICTIONS**

Mandatory water use restrictions may be imposed during drought stages and emergency water management actions. These mandatory water use restrictions will be enforced by warnings and penalties as follows:

- On the first violation, customers will be given a written warning, sent by certified mail and return receipt requested, that they have violated the mandatory water use restriction.
- If the first violation has not been corrected after ten (10) days from the written warning, the City of Arlington may disconnect irrigation systems and/or suspend water services to the customer after ten (10) days written notice or immediately for a public safety issue.

- The City of Arlington maintains the right, at any violation or action level, to disconnect irrigation systems and/or suspend water services to a customer for public safety issues with reconnection fees and possible citations.
- A person who received written notice that irrigation systems may be disconnected and/or water services suspended, or whose irrigation system was disconnected and/or water service suspended, may appeal. In order to perfect appeal, the person must request an administrative review before the Water Utilities Director, or his/her designee, by filing a written notice of appeal to the Water Utilities Director within ten (10) days from written notice or within ten (10) days after the water service being suspended or disconnected. The administrative review shall be held within ten (10) days of the notice of appeal by the Water Utilities Director or his/her designee. The Water Utilities Director, or his/her designee, may establish procedures for the administrative review as well as the conditions under which water services or irrigation systems may be reconnected. If the suspension or disconnection of water services is reversed, water services shall be reconnected as soon as practicable. If the suspension or disconnection of water services is affirmed, water services will be reconnected only in accordance with the procedures established by the Water Utilities Director or his/her designee. This administrative review exhausts all administrative remedies. Water services suspended or disconnected under such circumstances shall be restored after meeting the Water Utilities Director, or his/her designee, conditions upon which water service may be restored and payment of the Water Utilities Department service charges associated with reconnecting water service and any other costs incurred by the City of Arlington in suspending or disconnecting water service. In addition, suitable assurance must be given to the Director or his/her designee that the same action will not be repeated while the drought contingency and emergency water management plan is in effect.

## **8. COORDINATION WITH OTHER ENTITIES**

Appendix B includes a copy of a letter sent to the Chair of the Region C Water Planning Group with this drought contingency plan. A copy of this plan was also provided to the General Manager of TRWD.

## **9. REVIEW AND UPDATE OF DROUGHT CONTINGENCY AND EMERGENCY RESPONSE MANAGEMENT PLAN**

As required by TCEQ rules, the City of Arlington will review this Drought Contingency and Emergency Response Management Plan in 2024 and at least every five years thereafter. The plan will be updated as appropriate based on new or updated information.

**APPENDIX A**

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES  
ON DROUGHT CONTINGENCY PLANS FOR MUNICIPAL USES  
BY PUBLIC WATER SUPPLIERS**

## APPENDIX A

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

#### Texas Administrative Code

<u><b>TITLE 30</b></u>	ENVIRONMENTAL QUALITY
<u><b>PART 1</b></u>	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
<u><b>CHAPTER 288</b></u>	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
<u><b>SUBCHAPTER B</b></u>	DROUGHT CONTINGENCY PLANS
<u><b>RULE §288.20</b></u>	<b>Drought Contingency Plans for Municipal Uses by Public Water Suppliers</b>

- 
- (a) A drought contingency plan for a retail public water supplier, where applicable, must provide information in response to each of the following.
- (1) Minimum requirements. Drought contingency plans must include the following minimum elements.
- (A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.
- (B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.
- (C) The drought contingency plan must document coordination with the Regional Water Planning Groups for the service area of the retail public water supplier to insure consistency with the appropriate approved regional water plans.
- (D) The drought contingency plan shall include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.
- (E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:
- (i) reduction in available water supply up to a repeat of the drought of record;
  - (ii) water production or distribution system limitations;
  - (iii) supply source contamination; or
  - (iv) system outage due to the failure or damage of major water system components (e.g., pumps).

- (F) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.
  - (G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:
    - (i) curtailment of non-essential water uses; and
    - (ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director 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.).
  - (H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.
  - (I) The drought contingency plan must include procedures for granting variances to the plan.
  - (J) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.
- (2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.
  - (3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.
- (b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.
  - (c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

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**Source Note:** The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384

**APPENDIX B**  
**LETTER TO REGION C**  
**WATER PLANNING GROUP**

**APPENDIX B**  
**Letter to Region C Water Planning Group**

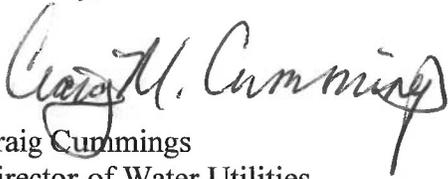
April 30, 2019

Mr. Kevin Ward  
Chair, Region C Water Planning Group  
Trinity River Authority  
P.O. Box 60  
Arlington, TX 76004

Dear Mr. Ward:

Enclosed please find a copy of the 2019 Drought Contingency and Emergency Water Management Plan for customers of the City of Arlington. I am submitting a copy of this plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules.

Sincerely,

A handwritten signature in black ink that reads "Craig M. Cummings". The signature is written in a cursive style with a large, looped initial "C".

Craig Cummings  
Director of Water Utilities  
City of Arlington

**APPENDIX C**

**ADOPTION OF DROUGHT CONTINGENCY AND EMERGENCY  
WATER MANAGEMENT PLAN**

**Ordinance No. 19-015**

**An ordinance adopting the 2019 update to the City of Arlington Drought Contingency and Emergency Water Management Plan; providing this ordinance be cumulative; providing for severability, governmental immunity, injunctions and publication, and establishing an effective date**

- WHEREAS, Senate Bill 1, passed in 1997, required the development of formal emergency water management plans to be implemented during periods of water shortages and drought; and
- WHEREAS, on October 5, 1999, the City Council passed Resolution No. 99-728, which adopted the Emergency Water Management Plan for the City of Arlington; and
- WHEREAS, on April 26, 2005, the City Council passed Resolution No. 05-175 which adopted an updated Drought Contingency Plan (previously named the Emergency Water Management Plan) to meet the Texas Legislature's requirements regarding drought contingency plans for retail water providers; and
- WHEREAS, the City of Arlington Drought Contingency and Emergency Water Management Plan was updated on April 22, 2008 by Resolution No. 08-137 and on May 13, 2014 by Resolution No. 14-106 and Ordinance No. 14-026; and
- WHEREAS, per the Texas Administrative Code, retail public water suppliers shall review and update their drought contingency plan at least every five years; and
- WHEREAS, the updated City of Arlington Drought Contingency and Emergency Water Management Plan has been developed in conformance with state requirements; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the City Council hereby adopts the 2019 update to the City of Arlington Drought Contingency and Emergency Water Management Plan.

2.

A substantial copy of the Drought Contingency and Emergency Water Management Plan is attached hereto and incorporated herein for all intents and purposes.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

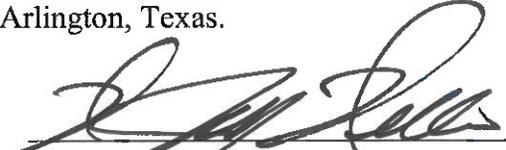
7.

The caption of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective upon second publication as described above.

PRESENTED AND GIVEN FIRST READING on the 9th day of April, 2019, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 23rd day of April, 2019, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.

  
W. JEFF WILLIAMS, Mayor

ATTEST:

  
ALEX BUSKEN, City Secretary

APPROVED AS TO FORM:  
TERIS SOLIS, City Attorney

BY 

ARLINGTON™