



CITY OF HOUSTON

DROUGHT CONTINGENCY PLAN

20
24

Table of Contents

I.	DECLARATION OF POLICY, PURPOSE, AND INTENT	2
II.	PUBLIC & WHOLESALE INVOLVEMENT	2
III.	PUBLIC & WHOLESALE CONTRACT EDUCATION.....	2
IV.	COORDINATION WITH REGIONAL WATER PLANNING GROUPS	3
V.	AUTHORIZATION	3
VI.	APPLICATION	3
VII.	DEFINITIONS	3
VIII.	AUTHORIZATION, INITIATION, AND TERMINATION OF DROUGHT AND WATER EMERGENCY ACTION OR STAGES	5
IX.	NOTIFICATION OF DROUGHT RESPONSE STAGES	7
X.	CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES	7
XI.	PRO RATA CURTAILMENT	13
XII.	CONTRACT PROVISIONS	13
XIII.	ENFORCEMENT	13
XIV.	VARIANCES	14
XV.	COORDINATION WITH WATER CONTRACT CUSTOMERS	14
XVI.	SYSTEM OUTAGE OR SUPPLY CONTAMINATION	14
XVII.	APPEALS	14
XVIII.	SEVERABILITY	15
XIX.	SAVINGS.....	15
XX.	REVIEW AND UPDATE OF DROUGHT AND WATER EMERGENCY RESPONSE PLAN	15
XXI.	EFFECTIVE DATE	15

**CITY OF HOUSTON
DROUGHT CONTINGENCY PLAN
FOR PUBLIC WATER SUPPLIES**



**Texas Commission on Environmental Quality
Water Availability Division
MC-160, P.O. Box 13087 Austin, Texas 78711-3087
Telephone (512) 239-4600, FAX (512) 239-2214**

**Drought Contingency Plan
for a Retail/Wholesale Public Water Supplier**

This form is provided as a model of a drought contingency plan for a wholesale public water supplier. If you need assistance in completing this form or in developing your plan, please contact the Conservation Staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For example, adoption by a City Council as an ordinance or by resolution of the entity's Board of Directors adopting the plan as administrative rules.

Name: City of Houston Public Works
Address: 7000 Ardmore Street, Houston, TX 77054
Telephone Number: (713) 641-9507 Fax: (713)

Water Supplies Covered
By This Plan: City of Houston Main System (PWS #1010013),
Willowchase (PWS #1011902), Kingwood (PWS
#1010348), District 82 (PWS #1011593), Lake Houston
Parks (PWS #1011587), Belleau Woods (PWS
#1011594), District 73 (PWS #1011585)

Water Rights Numbers: 2925-B, 4261-B, 4277-A, 4963-A, 4965-A, 5807, 5808,
5826, 5827

Regional Planning Group: Region H

Form Completed By: Amanda Siebels

Title: Senior Division Manager

Person Responsible for
Implementation: Amanda Siebels Phone: 832-395-2721

Signature: _____ Date: _____

SECTION I: DECLARATION OF POLICY, PURPOSE, AND INTENT

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

SECTION II: PUBLIC & WHOLESALE INVOLVEMENT

According to 30 TAC 288.20(a)(1)(A): *"Preparation of the plan shall include provisions to actively inform the public and to affirmatively provide opportunity for user input in the preparation of the plan and for informing wholesale customers about the plan. 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."*

The City provided opportunity for public input in the development of this Plan by the following means:

1. Making the draft plan available on City of Houston's website, www.houstonpublicworks.org/waterconservation
2. Providing the draft plan to anyone requesting a copy
3. Sending a notification to customers requesting feedback
4. Held a public meeting at the Houston City Hall at ____ p.m. on _____, 2024.

SECTION III: PUBLIC & WHOLESALE CONTRACT EDUCATION

Houston Public Works will periodically provide the public and wholesale water contract customers with information about the Plan, including information about the conditions under which each Stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each Stage. This information will be provided by the means identified below:

1. Making the plan available to the public through the City of Houston's web site, www.houstonpublicworks.org/waterconservation
2. Notifying wholesale contract water customers through the Everbridge system and the wholesale Customer Contact application _____.

SECTION IV: COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The City of Houston is located within the Region H Water Planning Area. The City shall notify and coordinate with the chair of the Region H Water Planning Group (RHWPG) of this plan for their information and comment. The Plan will be reviewed by RHWPG to assure conformity and consistency with the regional water plan.

SECTION V: AUTHORIZATION

At the request of the Director of Public Works or his/her designee, the Mayor may authorize and direct the implementation of the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. At the request of the Director of Public Works or his/her designee and based on his or her assessment of the situation, the Mayor shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

SECTION VI: APPLICATION

The provisions of this Plan shall apply to all customers of the following City public water supplies:

1. Main System (PWS #1010013) – Surface Water & Groundwater
2. Isolated System - Willowchase (PWS #1011902) - Groundwater
3. Isolated System – Kingwood (PWS #1010348) - Groundwater
4. Isolated System - District 82 (PWS #1011593) – Groundwater
5. Isolated System - Lake Houston Parks (PWS #1011587) – Ground Water
6. Isolated System - Belleau Woods (PWS #1011594) – Purchased Surface & Groundwater
7. Isolated System – District 73 (PWS #1011585) – Groundwater

The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities. The City of Houston Belleau Woods public water supply (TX ID# 1011594) is covered by this Plan, but as a purchased water system will follow the requirements of the Plan set forth by its water supplier, the City of Humble (TX ID# 1010014).

SECTION VII: DEFINITIONS

The words and terms used in this plan shall have the following meaning unless the context clearly indicates otherwise.

1. **Aesthetic water use:** water used for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.
2. **Commercial water use:** Water use which is integral to the operations of commercial, non-profit, and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

3. **Conservation:** 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.
4. **Contamination:** The presence of any foreign substance (organic, inorganic, radiological or biological) in water which tends to degrade its quality to constitute a health hazard or impair the usefulness of the water such that the water system cannot be used.
5. **Customer:** Any person, company, organization, or municipality using water supplied by the City of Houston.
6. **Director:** The City of Houston Public Works Director or designee.
7. **Drought:** An extended period of abnormally low precipitation that adversely affects growing or living conditions.
8. **Even number address:** Street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.
9. **Impervious Surface:** Any structure, street, driveway, sidewalk, patio, or other surface area covered with brick, asphalt paving, tile or other impervious or nonporous material.
10. **Industrial water use:** The use of water in processes designed to convert materials of lower value into forms having greater usability and value.
11. **Landscape Watering:** The application of water to landscape trees, shrubs, plants, or grass to promote the health and/or growth of existing landscape plants.
12. **Non-essential water use:** Water use that is neither essential nor required for the protection of public health, safety, and welfare, including:
 - a. Irrigation of landscaped areas, including parks, athletic fields, and golf courses, except as otherwise provided under this plan;
 - b. Use of water to wash any motor vehicle, motor bike, boat, trailer, airplane, or other vehicle at any non-commercial establishment not designed for such purposes;
 - c. Use of water to wash any sidewalks, walkways, driveways, parking lots, tennis courts, or other impervious surfaces;
 - d. Use of water to wash buildings 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 fountain or pond for aesthetic or scenic purposes; except where necessary to support non-plant aquatic life; or
 - h. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

- 13. Odd numbered address:** Street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.
- 14. Person or User:** The provisions of the plan shall apply to all persons, users, and property utilizing water provided by the City of Houston. The terms "person" and "user" as used in the plan includes individuals, corporations, partnerships, associations, and all other legal entities.
- 15. Production capability:** The volume/amount a public water supplier can produce utilizing the current water resources and infrastructure.
- 16. Raw Water:** Raw water is defined as water found in the environment that has not been treated and does not have any of its minerals, ions, particles, bacteria, or parasites removed. Raw water includes rainwater, groundwater, water from infiltration wells, and water from bodies like lakes and rivers.
- 17. Reservoir:** The City of Houston raw water holding facilities, including Lake Livingston, Lake Conroe, and Lake Houston.
- 18. Swimming Pool:** Any structure, basin, chamber, tank, or large tub, including hot tubs, containing water for swimming purposes, diving, or recreational bathing, and having a depth of two feet or more at any point.
- 19. Water Emergency:** A water system failure due to weather, electrical or mechanical failure, contamination of source, extremely low river water allotment, or act of God or force majeure.
- 20. Water supply:** the amount of water that is available to meet the immediate unrestricted customer demands based on the available water resources and infrastructure.
- 21. Wholesale Contract Water user:** Potable water provided to a regional water authority, political subdivision, industrial user, or municipality who is not the ultimate user of the water.

SECTION VIII: AUTHORIZATION, INITIATION, AND TERMINATION OF DROUGHT AND WATER EMERGENCY ACTION OR STAGES

The Public Works Director or his/her designee shall monitor water supply and/or demand conditions daily and shall determine when conditions suggest that initiation or termination of any Stage of the Plan is warranted, that is, when the specified "triggers" are reached. At the request of the Houston Public Works Director ("Director") and based on his/her assessment of water utility conditions, the Mayor of the City of Houston ("Mayor") may declare a drought or water emergency, to include any part of the drought and water emergency Stages listed herein.

During the period covered by the drought or water emergency, the Director will implement and direct such measures, as he or she may deem necessary, to be taken as set forth herein to include, but not by way of limitation, the implementation of the set-out Stages. Such other measures may be implemented as the Director may deem necessary or appropriate to respond to the drought or water emergency to bring the emergency to a close with the minimum loss of property and due consideration for the public health and safety. The City shall be responsible to see that all public notification, outreach education measures, and activities related to the drought or water emergency, and such restrictions and Stages, as have been implemented shall be taken.

In a declared drought or water emergency, any combination of management response options may be used system-wide or in any section of the region as circumstances may require in the judgment of the Director. Any of the measures provided for in this Plan shall be implemented so as not to adversely affect public safety, hospitals, or sanitary uses.

1. AUTHORIZATION

At the request of the Houston Public Works Director (“Director”) and based on his or her assessment of the situation, the Mayor of the City of Houston (“Mayor”) may declare a drought or water emergency in the event of any condition that significantly interrupts the ability of the City to supply water to its customers. Initially, actions based on this declaration will include any measure the Director deems as necessary to respond to the drought or water emergency, to include any part of the drought and water emergency Stages listed herein.

If the drought or water emergency is expected to continue for more than five (5) days:

- a. The Director shall notify TCEQ within five (5) business days upon implementing any mandatory provisions of this plan, as prescribed in Title 30, Texas Administrative Code, Chapter 288, Subchapter B (288.20(b)), as amended; and
- b. The Director shall make a report to the Mayor setting out the nature and expected severity of the drought or water emergency. At such a time, the Mayor will declare continuing use of the Plan.

2. INITIATION

In the event of a drought or water emergency, the Director will implement and direct such measures to be taken as set forth herein. Such measures may be implemented as the Director deems necessary or appropriate to respond to the drought or water emergency to bring the emergency to a close with the minimum loss of property and due consideration for public health and safety. The City shall be responsible to see that all public notification, outreach education measures, and activities related to the drought or water emergency, and such restrictions and Stages, as have been implemented shall be taken.

In a declared drought or water emergency, any combination of management response options may be used system-wide or in any section of the region as circumstances may require in the judgment of the Director. Any of the measures provided for in this Plan shall be implemented, conditioned that they will not adversely affect public safety, hospitals, or sanitary uses.

3. **TERMINATION**

The City, through the City staff, will monitor the drought or water emergency and promptly recommend that the Director request the Mayor to declare the drought or water emergency to be concluded. The termination of the declaration of a drought or water emergency shall be declared by the Mayor after receiving and reviewing a report from the Director.

Any Stage may end when the Mayor declares, based on the recommendation from the Director that the conditions leading to the declaration either no longer exist, have been mitigated, or have been escalated, and the Director files a written declaration to that effect with the City Secretary.

Upon termination of a declared drought Stage, and based on the prevailing conditions, the Mayor may declare adoption of a lesser drought Stage or an end to all drought Stages.

SECTION IX: NOTIFICATION OF DROUGHT RESPONSE STAGES

Upon initiation of a drought Stage, the following public notification actions will be taken:

1. Public notification of the initiation of drought response Stages shall be by means of media alerts, press releases, social media outreach, and on the City's website at www.houstonpublicworks.org.
2. Customer email notifications, billing inserts, or on-bill messaging.
3. The Director, and/or designee, shall make notification to water contract customers upon initiation of the drought response Stages. They will be notified using the Everbridge notification system with a follow-up email. Contact between the Director, and/or designee, and water contract customers shall be maintained throughout drought conditions. Notification shall include a reminder that water will be distributed to all water contract customers pro rata, in accordance with Texas Water Code § 11.039.

SECTION X: CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES

The triggering criteria described below are based on:

1. Weather conditions, including rainfall and ambient temperatures, impact irrigation;
2. Combined total storage of surface water supply based on a calculated projection of monthly production of City water that includes historic production and information provided by customers;
3. Combined total storage of surface water supply based on a calculated projection of monthly production of City water based on a calculated projection of current water production (10-day rolling average);
4. Current water production (10-day rolling average) as a percent of the available treatment capacity;

5. Loss of a determined percent of available treatment capacity; and
6. Water pressure readings of a determined pounds per square inch or less throughout all or material portions of the City's treated water distribution system.

For any Stage, the Director's declaration, which may cover all or a portion of the City's water supply system, shall be in writing and filed with the City secretary.

1. STAGE I: ABNORMAL CONDITIONS (VOLUNTARY)

a. Target: Achieve a FIVE percent reduction in OVERALL water use.

b. Triggers:

When the Director finds that the City's water supply system is under stress because of lower-than-average annual rainfall, temperatures that are higher or lower than normal, or other circumstances Stage I will be implemented as follows:

c. Measures:

Under Stage I, the City of Houston will focus on, and ask customers for, voluntary reductions in water usage, unless otherwise stated in the declaration. All customers are encouraged to follow the water use restriction measures listed below:

1. Customer Measures

- a. Voluntary Watering Restrictions
 - i. Voluntary two-day per week watering, with no watering between 8:00 AM and 7:00 PM, in conformity with the following schedule;
 - ii. Sundays and Thursdays for single-family residential customers with even-numbered street addresses;
 - iii. Saturdays and Wednesdays for single-family residential customers with odd-numbered street addresses; and
 - iv. Tuesdays and Fridays for all other customers.
- b. Check for and repair all leaks, dripping faucets, and running toilets.
- c. Check for and correct excessive irrigation or uncorrected leaks that result in City water leaving the customer's property by drainage onto adjacent properties, or public or private roadways, or streets or gutters.
- d. Power washing for health and safety reasons only is encouraged.
- e. Washing of cars only at carwash facilities is encouraged.

2. Utility Measures

- a. Notify water contract customers of actions being taken in the City of Houston and require implementation of similar procedures.

- b. Increase public education efforts on ways to reduce water use;
- c. Review the problems that caused the initiation of Stage I;
- d. Notify major water users and work with them to achieve voluntary water use reductions;
- e. Intensify efforts on leak detection and repair;
- f. Reduce non-essential City government water use, including street cleaning, vehicle washing, and operation of ornamental fountains; and
- g. Reduce City government water use for landscape irrigation.

d. Termination:

A Stage I water shortage ends when the Mayor declares, based on the recommendation from the Director that the severe conditions leading to the declaration either no longer exist, have been mitigated, or have been escalated, and the Director files a written declaration to that effect with the City secretary.

2. STAGE II: SEVERE CONDITIONS (MANDATORY)

a. Target: Achieve a TEN percent reduction in OVERALL water use.

b. Triggers:

Triggers (1) through (5) apply to the main system, and triggers (3) to (5) apply to the isolated systems, as defined under Section VII.

1. Combined total storage of surface water supply is less than 24 months, based on a calculated projection of monthly production of City water that includes historic production and information provided by customers;
2. Combined total storage of surface water supply is less than 16 months, based on a calculated projection of current water production for the most recent 24-hour period;
3. Current water production is 80 percent of the available treatment capacity;
4. Loss of approximately 20 percent of available treatment capacity; or
5. Water pressure readings of 45 pounds per square inch or less throughout all or material portions of the City's treated water distribution system.

c. Measures:

All Stage I measures remain in effect. Additionally:

1. Customer Measures

- a. During a Stage II water shortage, unless otherwise stated in the declaration, all classes of customers are subject to mandatory restrictions of outdoor use.

During a Stage II water shortage, outdoor use shall be unlawful except for the following time periods as specified in the declaration:

- i. Between 8:00 a.m. and 7:00 p.m. of the following day on no more than two days per week in conformity with the following schedule: a. Sundays and Thursdays for single-family residential customers with even-numbered street addresses; and b. Saturdays and Wednesdays for single-family residential customers with odd-numbered street addresses; and c. Tuesdays and Fridays for all other customers; or
 - ii. Between 8:00 a.m. and 7:00 p.m. of the following day on no more than one day per week in conformity with the following schedule: a. Saturdays for single-family residential customers with odd-numbered addresses; b. Sundays for single-family residential customers with even-numbered addresses; and c. Tuesdays for all other customers.
- b. Any outdoor water use resulting in water leaving the customer's property by drainage onto adjacent properties, public or private roadways and/or streets, or gutters shall be deemed unlawful.
 - c. Unrepaired indoor owner leaks shall be deemed unlawful.
 - d. Excessive irrigation or uncorrected leaks that result in City water leaving the customer's property by drainage onto adjacent properties, or public or private roadways, or streets or gutters shall be deemed unlawful.
 - e. Power washing is permitted for health and safety reasons only.
 - f. Washing of cars is permitted only at carwash facilities.

2. Utility Measures

- a. Review the problems that caused the initiation of Stage II.
- b. Notify major water users and work with them to achieve mandatory water use reductions; and
- c. Eliminate non-essential City government water use, including street cleaning, vehicle washing, and operation of ornamental fountains; and
- d. Reduce City government water use for landscape irrigation; and
- e. Notify water contract customers of actions being taken in the City of Houston and require implementation of similar procedures.

d. Termination:

A Stage II water shortage ends when the Mayor declares, based on the recommendation from the Director that the severe conditions leading to the declaration either no longer exist, have been mitigated, or have been escalated, and the Director files a written declaration to that effect with the City secretary.

3. STAGE III: EXTREME CONDITIONS (MANDATORY)

a. Target: Achieve a TWENTY percent reduction in OVERALL water use.

b. Triggers:

Triggers (1) through (5) apply to the main system, and triggers (3) to (5) apply to the isolated systems, as defined under Section VII.

1. Combined total storage of surface water supply is less than 18 months, based on a calculated projection of monthly production of City water that includes historic production and information provided by customers;
2. Combined total storage of surface water supply is less than 12 months, based on a calculated projection of current water production for the most recent 24-hour period;
3. Current water production is 85 percent of the available treatment capacity;
4. Loss of approximately 25 percent of available treatment capacity; or
5. Water pressure readings of 40 pounds per square inch or less throughout all or material portions of the City's treated water distribution system.

c. Measures:

All Stage I and Stage II drought management response options shall remain in effect. Additionally:

1. Customer Measures

- a. Residential users will be limited to no more than 5,000 gallons per month;
- b. Non-residential users will reduce usage by 10%; and
- c. Establishment of new landscape is prohibited.

2. Utility Measures

- a. Suspend non-essential City government water use, including street cleaning, vehicle washing, and operation of ornamental fountains;
- b. Suspend City government water use for landscape irrigation; and
- c. Notify water contract customers of actions being taken in the City of Houston and require implementation of similar procedures.

d. Termination:

A Stage III water shortage ends when the Mayor declares, based on the recommendation from the Director that the severe conditions leading to the declaration either no longer exist, have been mitigated, or have been escalated,

and the Director files a written declaration to that effect with the City secretary.

4. STAGE IV: EXCEPTIONAL CONDITIONS (MANDATORY)

a. Target: Achieve a THIRTY-FIVE percent reduction in OVERALL water use.

b. Triggers:

Triggers (1) through (5) apply to the main system, and triggers (3) to (5) apply to the isolated systems, as defined under Section VII.

1. Combined total storage of surface water supply is less than 12 months, based on a calculated projection of monthly production of City water that includes historic production and information provided by customers;
2. Combined total storage of surface water supply is less than 6 months, based on a calculated projection of current water production for the most recent 24-hour period;
3. Current water production is 90 percent of the available treatment capacity;
4. Loss of approximately 20 percent of available treatment capacity and or production capacity; or
5. Water pressure readings of 35 pounds per square inch or less throughout all or material portions of the City's treated water distribution system.

c. Measures:

All Stage I, II and III drought management response options shall remain in effect. Additionally:

1. Customer Measures

- a. During a Stage IV water shortage, the following acts or omissions shall be unlawful:
 - i. All outdoor use;
 - ii. Use of more than 4,000 gallons of City water per month by single-family residential customers;
 - iii. Use of more than 4,000 gallons of City water per month (used per unit, as provided in section 47-71 of City of Houston Code of Ordinance) by multi-family residential customers; and
 - iv. For all customers other than residential customers, failure to reduce use of City water by 15 percent of baseline usage, or any other percentage if recommended by the Director and adopted by city council in the Stage IV water shortage declaration.

2. Utility Measures

- a. During a Stage IV water shortage, the Director may authorize a ten percent rate reduction for water usage to customers for reductions of City water use by 20 percent or more than those restrictions set forth in subsection (d), except that the ten percent rate reduction shall not be available to customers whose average monthly usage during the preceding 12-month period was less than 4,000 gallons. The rate reduction for water usage shall be effective for the duration of the existing water shortage period.
- b. Immediately upon the declaration of a Stage IV water shortage, the City may claim force majeure to all its existing water service contracts consistent with the terms of such water service contracts and in accordance with applicable state law.
- c. Notify water contract customers of actions being taken in the City of Houston and require implementation of similar procedures.
- d. **Termination:**
A Stage IV water shortage ends when the Mayor declares, based on the recommendation from the Director that the severe conditions leading to the declaration either no longer exist, have been mitigated, or have been escalated, and the Director files a written declaration to that effect with the City secretary.

SECTION XI: PRO RATA CURTAILMENT

If the triggering criteria specified in Section X of the Plan for Stage IV – Exceptional Conditions have been met, the Director of Public Works is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code, §11.039.

SECTION XII: CONTRACT PROVISIONS

The City of Houston Public Works Department will include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

SECTION XIII: ENFORCEMENT

Mandatory water use restrictions may be imposed in Stages II, III, and IV. These mandatory water use restrictions will be enforced by warnings and penalties as follows:

1. On the first violation, customers will be given a written warning that they have violated the mandatory water use restriction.
2. On the second and subsequent violations, citations may be issued to customers, with minimum and maximum fines of \$100.00 to \$2,000.00.
3. After three violations have occurred, the utility may cut off water service to the customer.

SECTION XIV: VARIANCES

Variances shall be applied for online. Houston Public Works will make a variance process available on their website, with detailed instructions on how to file.

The utility official may grant in writing a temporary variance for an otherwise prohibited water use if the utility official determines that:

1. Failure to grant the variance would cause an emergency condition immediately threatening the life, safety, welfare, or fire protection of the public, the person requesting the variance, or the environment;
2. The applicant cannot comply with the prohibition for technical reasons; or
3. The applicant agrees to implement alternative methods that will achieve the same or a greater level of reduction in water use.

SECTION XV: COORDINATION WITH WATER CONTRACT CUSTOMERS

In accordance with Texas Water Code Section 11.039, when necessary, as determined by the Director, water deliveries to water contract customers shall be curtailed on a pro-rata basis. Every water contract entered or renewed after adoption of this Plan, including contract extensions, shall include a provision that in the case of a drought or water emergency declaration, water to be distributed shall be done so in accordance with Texas Water Code Section 11.039.

1. The City of Houston will work with our contract customers to ensure their drought Stages meet or exceed our reduction goals.
2. During drought Stages, the City of Houston will work with local subsidence districts and contract customers to increase groundwater production where possible and reduce stress on the main system.
3. During any drought Stage, the City of Houston may exercise the option to suspend the minimum amount of water specified under the “Take or Pay” provision of a customer’s water supply contract.

SECTION XVI: SYSTEM OUTAGE OR SUPPLY CONTAMINATION

The City of Houston will notify the TCEQ Regional Office as soon as communication can be established.

SECTION XVII: APPEALS

The Property Owner or applicant for a new development has the right of appeal pursuant to the Director of any adverse determination.

SECTION XVIII: SEVERABILITY

If any provision, paragraph, word, or section of this Plan is invalidated by a court of competent jurisdiction, the remaining provisions, paragraphs, words, or sections shall remain in full force and effect and shall be read or interpreted so as to give effect to the purpose of this Plan.

SECTION XIX: SAVINGS

This Plan is part of the Rules and Regulations adopted by the City of Houston, and save and except as amended hereby, the remaining provisions of the City of Houston shall remain in full force and effect.

SECTION XX: REVIEW AND UPDATE OF DROUGHT AND WATER EMERGENCY RESPONSE PLAN

As required by TCEQ rules, the City of Houston will review this Drought and Emergency Response Plan no later than May 1, 2024, and every five years after that date to coincide with RHWPG. The Plan will be updated as appropriate based on new or updated information. As the plan is reviewed and subsequently updated, a copy of the revised Plan will be kept on file at the City of Houston Main Public Library and submitted to the RCHWPG for their records.

SECTION XXI: EFFECTIVE DATE

This Plan shall be and become effective from and after its adoption hereby and shall remain in effect until otherwise amended by the City of Houston or operation of law.

PASSED, APPROVED and ADOPTED RULES AND REGULATIONS CONCERNING DROUGHT AND WATER EMERGENCY RESPONSE PLAN at a regularly scheduled meeting of the City of Houston City Council, this *fill in Council adoption date*, at which meeting a quorum was present, said meeting being held in accordance with the provisions of V.T.C.A., Government Code, Sections 551.001 et. seq.

This is the final version of the City of Houston’s 2024 Drought Contingency Plan,
as approved and adopted by the Houston Council on _____, 2024, after
incorporation of comments received from _____ of the Texas
Commission on Environmental Quality on _____, 2024.

APPENDIX F

LETTER TO REGION H WATER PLANNING GROUP



TABLE OF WATER AND WASTEWATER RATES September 1, 2021

In accordance with Section 4 of Ordinance No. 2021-515, the following are the final rates and charges for water and wastewater services for Fiscal Years Ending (FYE) 2022 – 2026 as adopted by Houston Public Works, and as recommended by the Amended Rate Study dated August 2021. These final rates and charges do not in any case deviate from the scheduled dates or exceed the maximum rates and charges for any customer type authorized by Ordinance No. 2021-515. Upon publication of this document on the City Secretary's website as of September 1, 2021, the rates and charges set forth below are final and shall be implemented in accordance with their respective effective dates without further action of City Council.

As noted in Ordinance No. 2021-515, Section 5.2 of the Master Ordinance and Ordinance No. 2010-305, collectively, require certain automatic annual adjustments to the water and wastewater rates based on inflationary indices described therein. Those automatic adjustments were not altered by Ordinance 2021-515 and will continue to occur annually as required by the Master Ordinance.

DocuSigned by:

Carol Ellinger Haddock

Signed _____

Carol Ellinger Haddock, P.E.
Director, HPW

A93C410B79B3458...

APPENDIX G

CITY COUNCIL RESOLUTION OF ADOPTION

[City Council Resolution Placeholder Page]