DROUGHT CONTINGENCY PLANS

City of Richmond
600 Morton Street
Richmond, Texas 77469

RETAIL PUBLIC WATER SUPPLY

PWS # 0790023 City System

WHOLESALE WATER SUPPLY

PWS # 0790393	Fort Bend County MUD 121
PWS # 0790445	Fort Bend County MUD 140
PWS # 0790535	Fort Bend County MUD 187
PWS # 0790155	Fort Bend County MUD 19
PWS # 0790502	Fort Bend County MUD 145
	Fort Bend County MUD 215
	Fort Bend County MUD 207
	Williams Ranch MUD 1

Adopted April 15, 2019

Table of Contents

Section 1: Purpose and Intent 3
Section 2: Production and Delivery 3
Section 3: Public Education 3
Section 4: Coordination with Regional Water Planning Groups 3
Section 5: Authorization 4
Section 6: Application 4
Section 7: Criteria for Initiation and Termination of Emergency Response Stages 4
Section 8: Definitions 4
Section 9: Supply Management Measures 7
Section 10: Triggers and Response Stages 7
STAGE 1 - Drought Conditions 7
STAGE 2 - Severe Water Distress Conditions 8
STAGE 3 - Critical Water Distress Conditions 9
STAGE 4 - Emergency Water Distress Conditions 10
Section 11: Water Distress Notification 11
Section 12: Allocation 12
Section 13: Enforcement 12
Section 14: Variances 12
Appendix A Drought Trigger and Response Quick Reference Chart 14
Appendix B City of Richmond Water Service Area 15
Appendix C Residential Irrigation Zone Designation 16
Appendix D Formal Adoption of Plan (to be added) 17
Appendix E Region H Notification Letter (to be added) 19

City of Richmond Retail Drought Contingency Plan

Section 1: Purpose and Intent

In order to conserve the available water supply, to protect and preserve public health, welfare, and safety, and to minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City hereby adopts the following regulations and restrictions on the delivery and consumption of water to all of the City's customers.

Water uses regulated or prohibited under this Drought Contingency Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply or delivery conditions are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined as adopted in the City's Code of Ordinances.

Section 2: Production and Delivery

Operations and Metering

The City's commitment to water management includes operational policies and programs reflected in the City's Water Conservation Plan. The City's surface water diversion and groundwater production meters are maintained within AWWA accuracy parameters. The City also routinely tests and repairs or replaces larger customer meters; the small meter replacement program coupled with short leak repair times, reporting of water used for system flushing, and aggressive measures to curb unauthorized use contribute to reduced water loss within the City's potable systems. The City commits additional staff and resources to system operations and repairs to mitigate the impact of extreme conditions on infrastructure.

Wholesale Contract Provisions

The City's wholesale customers will adopt and implement either the City's Drought Contingency Plan or an equal or more stringent Drought Contingency Plan. To comply with Texas Water Code (TWC) Section 11.039, when this Plan is in effect, water will be supplied to wholesale customers as it is supplied to city customers Any future wholesale water agreements will comply with TWC Section 11.039. Additional information can be found in the adopted Wholesale Drought Contingency Plan.

Section 3: Public Education

The City will educate the public and provide opportunity for public input through the established communication methods used to provide information about this Plan, 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 means of news releases, the City's website, Citizen newsletters, and at various events throughout the year.

Section 4: Coordination with Regional Water Planning Groups

The service zone of the City is located within the Region H Water Planning Group and the City has provided a copy of this Plan to the Region H. (Appendix E) The City has filed a copy with the Texas Water Development Board and the Texas Commission on Environmental Quality (TCEQ).

Section 5: Authorization

The City Manager has the authority to declare or initiate and terminate drought stage or other water supply emergency response measures and the City Commission will confirm or ratify the City Manager's decisions and actions at a subsequent City Commission meeting. The City Manager is authorized and directed to implement the applicable provisions of the drought contingency plans upon determination that such implementation is necessary to protect public health, safety, and welfare.

Section 6: Application

This Plan applies to all customers and properties that utilize potable water provided by the City.

Section 7: Criteria for Initiation and Termination of Emergency Response Stages

The City Manager, or designee, may institute any response stage in this Plan if the conditions indicate that there will be insufficient water supply or delivery to protect public health and meet regulatory requirements. Water supply, demand, and production capacity conditions will be measured on a daily basis. Production capacity refers to the combined capacity of all potable groundwater and surface water production.

The City Manager, or designee, will determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached. Factors that may trigger this Plan include:

- Demand increases that strain production capacity;
- Loss of production or delivery capacity;
- Facilities such as wells or surface water treatment plant offline;
- Major infrastructure repairs impede delivery or reduce pressure;
- Utilizing groundwater capacity threatens regulatory penalties from FBSD; or
- Surface water supply becomes limited or unavailable.

Section 8: Definitions

For the purposes of this Plan, the following definitions will apply:

Aesthetic Water Use:

- Use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- Use of water to fill, refill, or add to a fountain, pond, or lake for aesthetic or scenic purposes except to support aquatic life; or
- Use of water for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Agricultural Irrigation: means irrigation for the purpose of growing crops commercially for human consumption or to use as feed for livestock or poultry.

Aquatic Life: means a vertebrate organism dependent upon an aquatic environment to sustain its life.

City: means the City of Richmond.

City Manager: means the City Manager of the City or any person designated by the City Manager to act on behalf of the City Manager.

Commercial: means businesses, industrial companies, non-profit establishments, governmental entities such as health care facilities, retails, hotels and motels, restaurants, and office buildings.

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 and/or alternative uses.

Customer: means any person, individual, corporation, partnership, association, company, organization, or any other legal entity using water supplied by the City.

Drip Irrigation: means a method of irrigation which is typically installed below ground and consists of porous piping that allows the application of water at a slow and constant rate.

Domestic Water Use: means water use for personal needs or for household or sanitary purposes such as drinking, bathing, cooking, and sanitation.

Drought: means any condition, whether man-made or natural, where the available water supply or resources are not meeting the water demand, or if the water supply or resources are being depleted at a faster rate than they are being replenished.

Drought Contingency Plan: means the drought contingency plan for retail or wholesale public water supply adopted by City Commission.

Essential Water Use: means the use of water required for the protection of public health, safety, and welfare.

Foundation: means the soils directly abutting the foundation of a building, structure, or improvement on land.

Hand-held Hose: means a hose physically held by one person, fitted with a manual or automatic shutoff nozzle.

Health Care Facility: means any hospital, clinic, nursing home, or other health care or medical research facility.

Hose-end Sprinkler: means a sprinkler that applies water to landscape plants that is piped through a flexible, movable hose.

Industrial Water Use: means the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Irrigation System: means a site-specific system of delivering water, generally for landscaping irrigation via a system of pipes or other conduits installed below ground.

Landscape Irrigation: means the application of water to any landscaping plant for growth or maintenance used for the irrigation and maintenance of landscaped zones with hose-end sprinklers or automatic irrigation systems, whether publicly or privately owned, including residential and commercial lawns, gardens, parks, golf courses, and street rights-of-way.

Non-essential Water Use: means water for use that is neither essential nor required for the protection of public health, safety, and welfare, including, but not limited to:

- Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle.
- Use of water to wash-down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced zones.
- Use of water to wash down buildings or structures for purposes other than immediate fire protection.
- Use of City's water to irrigate golf courses.
- Flushing gutters or permitting water to run or accumulate in any gutter or street.
- Failure to repair a controllable leak(s) within a reasonable period after receiving notice directing the repair of such leak(s).
- Use of water from fire hydrants for construction purposes or any purposes other than firefighting or meet water quality regulations.
- Adding new transient construction meters.

Person: means any natural person or legal entity such as an individual, business, association, corporation, firm, organization, governmental, or other natural, business, or legal entity that receives, requests, manages, uses, maintains, or is responsible for water utility service at a service address, whether or not the person or entity is an owner, occupant, or person in control of the premises or a person authorized by the owner, occupant, or person in control of the premises, or customer or account holder of the City water utility.

Positive Shut-off Nozzle: means a valve that is held in a closed position by system pressure until overridden by an outside force.

Public Health and Safety: means such amount of water as necessary to sustain human life, reasonable standards of hygiene and sanitation, and fire suppression.

Residential: means a single or multi-family dwelling unit and the consumption or use of water is for personal needs or for household or sanitary purposes, such as drinking, bathing, heating, cooking, cleaning, and sanitation.

Sprinkler: means an above ground irrigation device that may be attached to a garden hose or in-ground irrigation system. This includes spray heads, rotor heads, and oscillating devices.

Water: means potable water supplied by a water purveyor, potable water withdrawn from any groundwater well, surface water from any river, creek, natural watercourse, pond, lake, or reservoir, and recycled water supplied by a water purveyor.

Watering Day: means a day designated for landscape watering.

(I) Drought stage 1 and 2:

a. *Residential customers.* Landscape irrigation watering days designated by their physical address as designated in Zone(s) A, B, C, and D (see Appendix C). Mondays and Thursdays will be watering days for Zone(s) A and B, and Tuesdays and Fridays will be watering days for Zone(s) C and D between the hours of 2:00 a.m. to 6:00 a.m. or 8:00 p.m. and midnight.

b. *Commercial customers, agricultural irrigation, green space and right-of-way.* Landscape irrigation watering days are Wednesday and Saturday between the hours of 2:00 a.m. to 6:00 a.m. or 8:00 p.m. and midnight.

(2) Drought stage 3:

a. *Residential customers.* Landscape irrigation are allowed only one (1) day a week on Monday for customers in Zone(s) A and B, and Thursday for customers in Zone(s) C and D between the hours of 2:00 a.m. to 6:00 a.m. or 8:00 p.m. and midnight.

b. *Commercial customers, agricultural irrigation, right-of-way, and greenspace irrigation.* Landscape irrigation are only allowed on Wednesday between the hours of 2:00 a.m. to 6:00 a.m. or 8:00 p.m. and midnight.

Section 9: Supply Management Measures

Reduced flushing of water mains unless necessary to meet regulatory requirements or water quality concerns.

Voluntary Water Conserving Measures

- Customers are encouraged to conserve water when possible without jeopardizing sanitation and personal or public health.
- Residential, Commercial, and Rights-of-way customers are strongly encouraged to voluntarily limit landscape irrigation with hose-end sprinklers or automatic irrigation systems to no more than two (2) days-a-week. Suggested residential watering days - Mondays and Thursdays for Zone(s) A and B and Tuesdays and Fridays for Zones(s) C and D between the hours of 2:00 a.m. and 6:00 a.m. or 8:00 p.m. and midnight. Commercial, green space and rights-of-way irrigation is encouraged on Wednesday and Saturday only between the hours of 2:00 a.m. and 6:00 a.m. or 8:00 p.m. and midnight. Irrigation of landscaped zones and structure foundations is optional at any time if it is by means of a hand-held hose with a positive shut-off nozzle, or drip irrigation system.
- Customers are encouraged to reduce the volume of water used for non-essential and aesthetic water needs.

Section 10: Triggers and Response Stages

STAGE 1 - Drought Conditions

Stage 1 Triggers - Notification of Drought Conditions in Fort Bend County

Requirements for Initiation

Customers are strongly encouraged to comply with certain water uses in Stage I of the Plan when:

- The City is notified of the Governor's proclamation of drought in Fort Bend County.

Requirements for Termination

- Stage I of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist.

Stage 1 Response - Notification of Drought Conditions in Fort Bend County

Residential customers are strongly encouraged to voluntarily limit landscape irrigation with hose-end sprinklers or automatic irrigation systems to no more than two (2) days a week. Suggested residential watering days - Mondays and Thursdays for Zone(s) A and B and Tuesdays and Fridays for Zone(s)

C and D between the hours of 2:00 a.m. and 6:00 a.m. or 8:00 p.m. and midnight. However, irrigation of landscaped zones and structure foundations is permitted at any time if it is by means of a hand-held hose with a positive shut-off nozzle, a faucet filled bucket or water can of five (5) gallons or less, or drip irrigation system.

Commercial, green space and rights-of-way customers are strongly encouraged to voluntarily limit landscape irrigation with hose-end sprinklers or automatic irrigation systems to no more than two (2) days-a-week on Wednesdays and Saturdays between the hours of 2:00 a.m. and 6:00 a.m. or 8:00 p.m. and midnight.

Wholesale customers will encourage customers to voluntarily reduce landscape use to no more than two (2) days a week between the hours of 2:00 a.m. and 6:00 a.m. or 8:00 p.m. and midnight according to their zone designation. Additional information can be found in the adopted Wholesale Drought Contingency Plan.

Customers are encouraged to reduce the volume of water used for non-essential and aesthetic water needs.

STAGE 2 - Severe Water Distress Conditions

Stage 2 Triggers - Severe Water Distress Conditions

Requirements for Initiation

Customers shall be required to comply with the requirements and restrictions on certain water uses in Stage 2 of the Plan when:

- Average total daily water demand equals or exceeds 65% of production capacity for three (3) consecutive days; or
- Surface water supplies become limited or surface water treatment capacity is reduced.

Requirements for Termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days or a time period the City Manager designates. The City will attempt to achieve the target reductions in daily water demand. Upon termination of Stage 2, Stage 1 becomes operative.

In the event that the Surface Water Treatment Plant shall go offline or be limited, Stage 2 of the Plan may be rescinded when daily water demand is sufficiently reduced to meet mandated FBSD conversion rates.

The City Manager has the authority to initiate or terminate this stage at his discretion.

Stage 2 Response - Severe Water Distress Conditions

Target

Achieve a five (5%) percent reduction in daily water demand, preferably during times of peak water use.

Supply Management Measures

Discontinued flushing of water mains unless necessary to meet regulatory requirements or water quality concerns.

Mandatory Water Use Restrictions

Residential water customers are required to limit the irrigation of landscaped zones with hose-end sprinklers or automatic irrigation systems to the two (2) days a week that are their neighborhood's designated zones (Appendix C) - Zone(s) A and B - Monday and Thursday, Zone(s) C and D - Tuesday and Friday, between the hours of 2:00 a.m. and 6:00 a.m. or 8:00 p.m. and midnight. However, irrigation of landscaped zones and structure foundations is permitted at any time if it is by means of a hand-held hose with a positive shut-off nozzle, a faucet filled bucket or water can of five (5) gallons or less, or drip irrigation system.

Commercial, rights-of-way, and greenspace irrigation customers are required to limit irrigation of landscaped zones with hose-end sprinklers or automatic irrigation systems to two (2) days a week only on Wednesday and Saturday between the hours of 2:00 a.m. and 6:00 a.m. or 8:00 p.m. and midnight.

Wholesale customers will require customers to limit irrigation with hose-end sprinklers or automatic irrigation systems to two (2) days a week, according to their zone designation. Additional information can be found in the adopted Wholesale Drought Contingency Plan.

Voluntary Water Use

Customers are encouraged but not required to reduce non-essential and aesthetic water uses.

STAGE 3 - Critical Water Distress Conditions

Stage 3 Triggers - Critical Water Distress Conditions

Requirements for Initiation

Customers shall be required to comply with the requirements and restrictions on certain water uses for Stage 3 of this Plan when:

- Average total daily water demand equals or exceeds 70% of production capacity for three (3) consecutive days; or
- Surface water supplies become limited or surface water treatment capacity is reduced.

Requirements for Termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days or a time period the City Manager designates. The City will attempt to achieve the target reductions in daily water demand. Upon termination of Stage 3, Stage 2 becomes operative.

In the event that the Surface Water Treatment Plant shall go offline or be limited, Stage 3 of the Plan may be rescinded when daily water demand is sufficiently reduced to meet mandated FBSD conversion rates.

The City Manager has the authority to initiate or terminate this stage at his discretion.

Stage 3 Response - Critical Water Distress Conditions

Target

Achieve an additional five (5%) percent reduction in daily water demand, preferably during times of peak water use.

Supply Management Measures
Discontinued flushing of water mains unless necessary to meet regulatory requirements or water quality concerns.

Mandatory Water Use Restrictions
Residential water customers are required to limit the irrigation of landscaped zones with hose-end sprinklers or automatic irrigation systems to one (1) day a week on Monday for Zone(s) A and B, and Thursday for Zone(s) C and D between the hours of 2:00 a.m. and 6:00 a.m. or 8:00 p.m. and midnight. However, irrigation of landscaped zones and structure foundations is permitted at any time if it is by means of a hand-held hose with a positive shut-off nozzle, a faucet filled bucket or water can of five (5) gallons or less, or drip irrigation system.

Commercial, rights-of-way, and greenspace irrigation customers are required to irrigate with hose-end sprinklers or automatic irrigation systems only between the hours of 2:00 a.m. and 6:00 a.m. or 8:00 p.m. and midnight on Wednesday.

Wholesale customers will require customers to limit irrigation with hose-end sprinklers or automatic irrigation systems to one (1) day a week, according to their zone designation. Additional information can be found in the adopted Wholesale Drought Contingency Plan.

Non-essential and aesthetic water uses are prohibited.

STAGE 4 - Emergency Water Distress Conditions

Stage 4 Triggers-Emergency Water Distress Conditions

Requirements for Initiation
Customers shall be required to comply with the requirements and restrictions for Stage 4 of this Plan when one of the following circumstances applies:

- Average total daily water demand equals or exceeds 80% of production capacity for three consecutive days;
- Surface Water Supplies become limited or surface water treatment capacity is reduced; or
- When the City Manager determines that a water emergency exists that threatens the City's capacity to deliver potable water.

Requirements for Termination
Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days or a time period the City Manager designates.

The City Manager has the authority to initiate or terminate this stage at his discretion.

In the event that the Surface Water Treatment Plant goes offline, Stage 4 of the Plan may be rescinded when daily water demand is sufficiently reduced to meet mandated FBSD conversion rates.

Upon termination of Stage 4, Stage 3 becomes operative.

Stage 4 Response-Emergency Water Distress Conditions

Target
Achieve an additional five (5%) percent reduction in daily water demand, preferably during times of peak water use.

Supply Management Measures
Discontinued flushing of water mains unless necessary to meet regulatory requirements or water quality concerns.

Mandatory Water Use Restrictions
All residential, commercial, rights-of-way, and greenspace landscape irrigation with hose-end sprinklers or automatic irrigation systems is prohibited. However, irrigation of landscaped areas and structure foundations is permitted at any time if it is by means of a hand-held hose with a positive shut-off nozzle, a faucet filled bucket or water can of five (5) gallons or less, or drip irrigation system.

Non-essential and aesthetic water uses are prohibited.

No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind will be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage will be in effect. However, the City Manager has the authority to approve applications on a case by case basis.

Wholesale customers will prohibit residential, commercial, rights-of-way, and greenspace landscape irrigation with hose-end sprinklers or automatic irrigation systems. Wholesale customers will also prohibit non-essential and aesthetic water uses. Additional information can be found in the adopted Wholesale Drought Contingency Plan.

Curtailing
Curtailing of water for non-essential businesses and uses will be directed by the City Manager. The City Manager may elect to discontinue service to non-essential businesses and facilities to maintain sufficient water supply for essential uses and facilities (e.g. hospitals, fire flow, etc.).

Section 11: Water Distress Notification

The City Manager, or designee, will implement the following notification procedure when severe, critical or emergency conditions occur.

Notification of the Public:
The Public Works Department, in conjunction with the Communications Department, as directed by the City Manager, or designee, will notify the public by:

- Public service announcements, including social media postings;
- Drought status on City homepage with corresponding information;
- Publication in a newspaper of general circulation and/or press release;
- Direct mail to each customer; or
- Signs posted in public places and HOA bulletin boards; or
- Take-home fliers at schools/businesses.

Additional Notification:
The City Manager, or designee, will notify directly, or cause to be notified directly, the following individuals and entities:

- Members of the City Commission;
- Fire Chief;
- TCEQ (required when mandatory restrictions are imposed);
- Major water users;

- Wholesale customers;
- GRP participants;
- Critical water users (i.e., hospitals, senior care facilities, schools);
- Parks/Street superintendents & public facilities managers; and
- Homeowners Associations.

Section 12: Allocation

The City does not set forth specific triggers in which water for essential uses would be allocated. The City Manager, or designee, would allocate water to essential facilities as determined by the City's existing Emergency Management Plan and other emergency planning and documentation. The City's intent, in an emergency situation, is to restore water service to essential emergency facilities (i.e. hospitals, elderly care facilities, etc.), and then to other essential uses, prior to allocating for uses not related to human consumption, health, and safety.

Section 13: Enforcement

(a) No person shall knowingly or intentionally allow water to be used 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 water distress response stage in effect at the time.

(b) Any person who violates this Plan is guilty of a an offense and, upon conviction shall be punished by a fine as established in the City's Code of Ordinances and as amended from time to time. Each day that one or more of the provisions of this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Manager, or designee, shall, upon due notice to the person, 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, as established in the City's Code of Ordinances, as amended from time to time, and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated. Compliance with this Plan may also be sought through injunctive relief in the district court.

(c) Any person, including a water customer of the City, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation Parents shall be presumed to be responsible for violations of their children under the age of 18 and proof that a violation committed by a child on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation.

(d) Any City employee designated by the City Manager may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance.

Section 14: Variances

The City Manager, or designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency conditions adversely affecting the health, sanitation, or fire protection of the public or the person requesting such variance and if one or more of the following conditions are met:

- Compliance with this Plan cannot be technically accomplished during the duration of the water

supply shortage or other condition for which the Plan is in effect; or

- Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance must file a petition for variance with the City within 5 days after the Plan or a particular drought response stage has been initiated. All petitions for variances will be reviewed by the City Manager, or designee, and shall include the following:

- Name and address of the petitioner(s);
- Purpose of water use;
- Specific provision(s) of the Plan from which the petitioner is requesting relief;
- 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 Ordinance;
- Description of the relief requested;
- Period of time for which the variance is sought;
- 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; and
- Any other pertinent information.

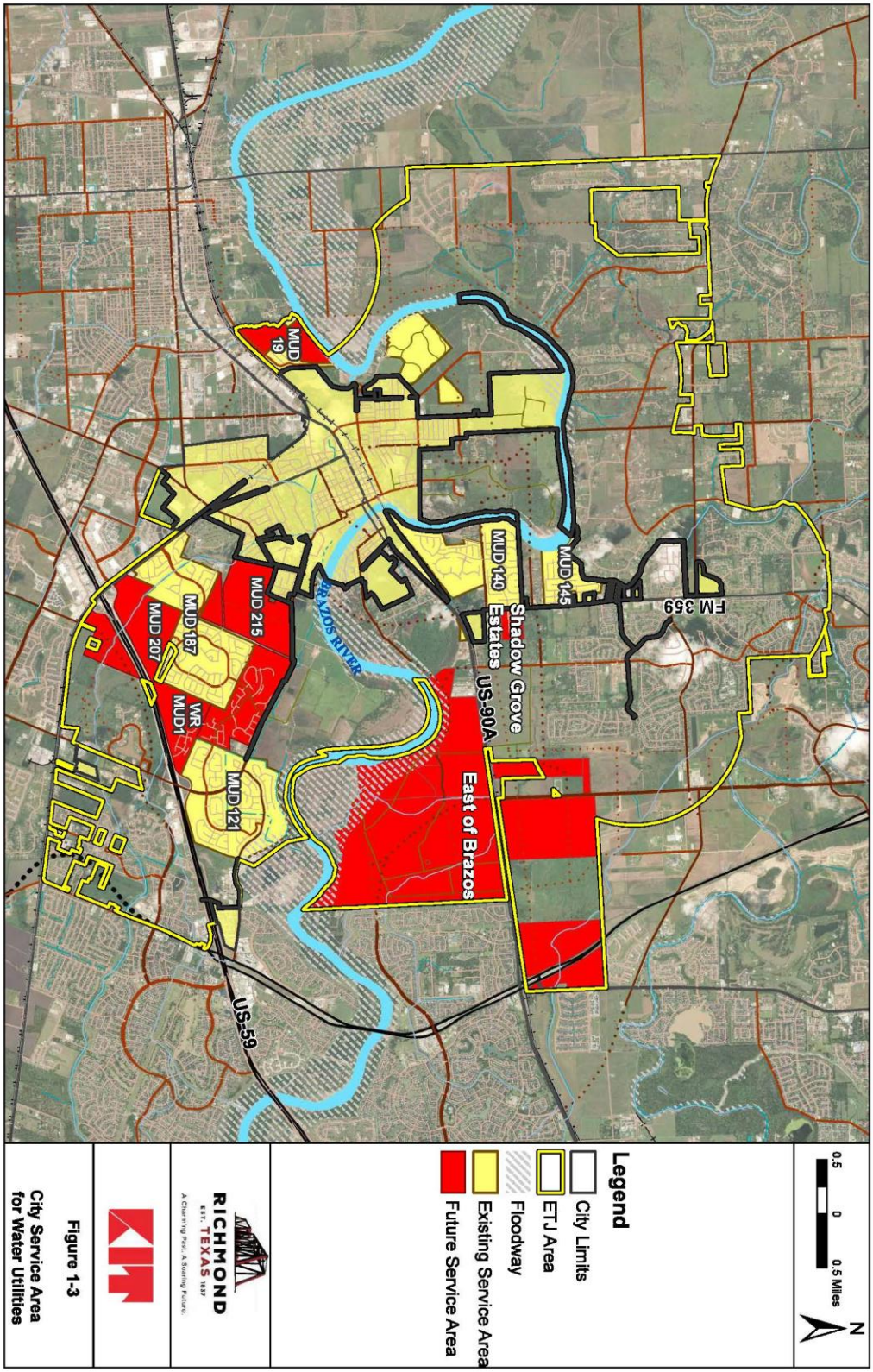
Variances granted by the City will be subject to the following conditions, unless waived or modified by the City Manager or designee:

- Variances granted will include a timetable for compliance;
- Variances granted will expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements; and
- No variance will be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

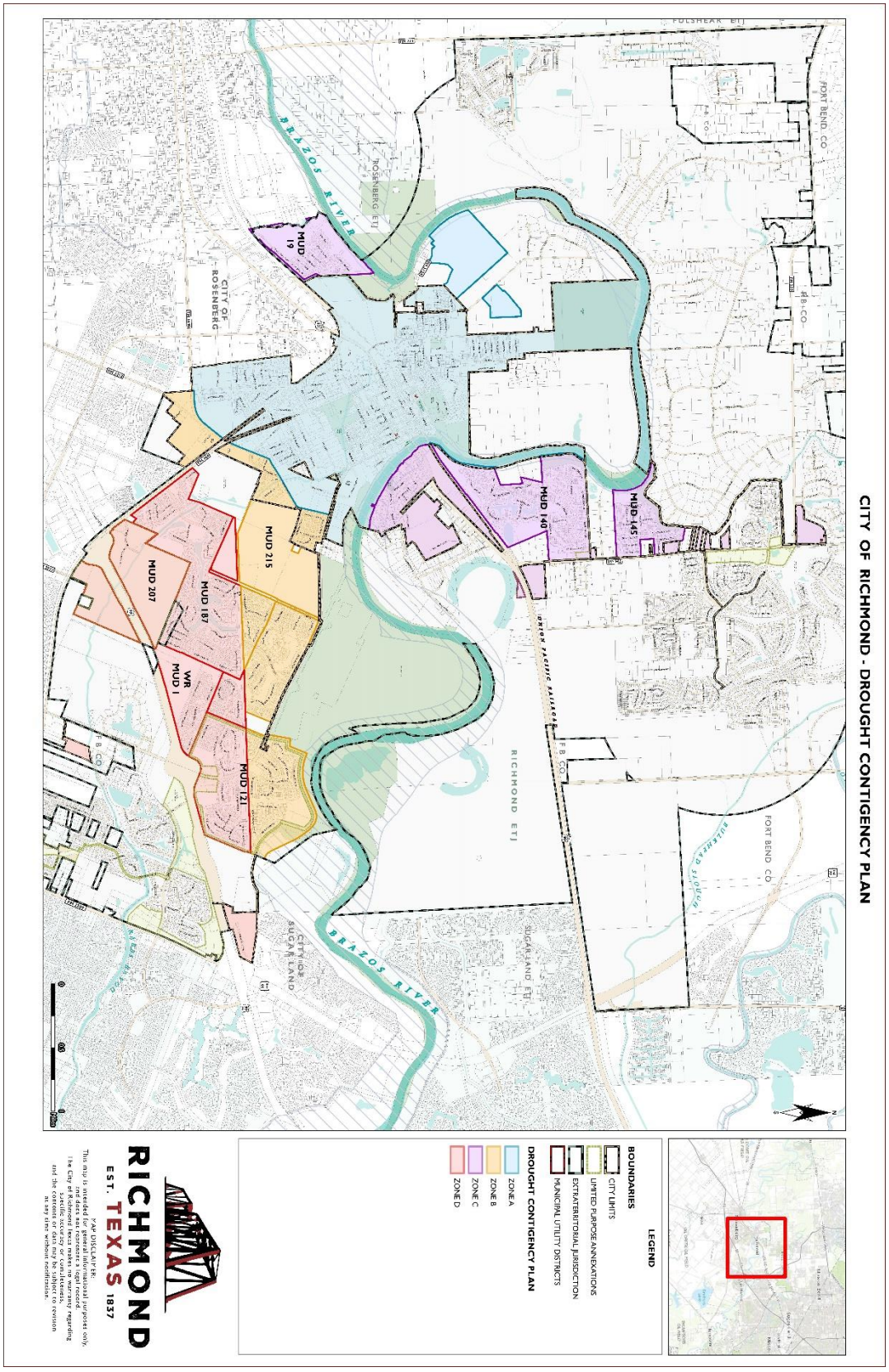
Appendix A - Drought Trigger and Response Quick Reference Chart

	Year Round Efficiency	**Stage I** **Notification of Drought**	**Stage II** **Severe Distress**	**Stage III** **Critical Distress**	**State IV** **Emergency**
Trigger					
Three day average demand	Efficient Water Management Practices	Governor's Proclamation of Drought in Fort Bend County	**65%** production capacity	**70%** production capacity	**80%** production capacity
Surface Water Treatment Plant					offline for **> 30 days**
Irrigation					
Residential	Voluntary Maximum Two Day	Voluntary Maximum Two Day	**Mandatory** Maximum **Two Day**	**Mandatory** Maximum **One Day**	**Prohibited**
Commercial					
Right of Way Watering					
Aesthetic Water Use					
filling pools, fountains, ponds, and lakes filling reflecting pools; filling water gardens water use for scenic purposes	Voluntary Reduction	Voluntary Reduction	Voluntary Reduction	**Prohibited**	**Prohibited**
Non-Essential Water Use					
washing cars; power washing; washing sidewalks; washing buildings gutter flushing	Voluntary Reduction	Voluntary Reduction	Voluntary Reduction	**Prohibited**	**Prohibited**
Main Line Flushing	Reduce unless necessary to meet regulation or water quality concerns				
New Meters					**No application for new meters**
Curtailment					**If City Manager deems necessary**

Appendix B - City of Richmond Water Service Area



Appendix C - Residential Irrigation Zone Designation



Appendix D – Formal Adoption of Plan

CITY OF RICHMOND
ORDINANCE NO. 2019-14
RETAIL DROUGHT
CONTINGENCY PLAN

AN ORDINANCE OF THE CITY OF RICHMOND, TEXAS, ADOPTING A RETAIL DROUGHT CONTINGENCY PLAN; ESTABLISHING CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATIONS OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Richmond recognizes that the amount of water available to the City and its water utility customers is limited and subject to depletion during periods of extended drought;

WHEREAS, the City of Richmond recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes;

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the citizens of Richmond, the City Commission deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

WHEREAS, Ordinance No. 2019-14 shall replace Ordinance No. 2014-17 and shall become effective the date of its passage.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF RICHMOND, TEXAS:

SECTION I.

That the City of Richmond, Texas Retail Drought Contingency Plan attached hereto as Exhibit "A" and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City.

SECTION 2.

That Ordinance No. 2000-01, Drought Contingency Plan, passed on January 10, 2000, updated Ordinance 2001-14, passed on November 13, 2001, and Ordinance 2014-17, adopted on October 17, 2014, and all ordinances that are in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3.

Should any paragraph, sentence subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 4.

Any person, firm partnership, association, corporation, company, or organization of any kind who or which violates any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed Five Hundred Dollars ($500.00). Each day during which said violation shall exist or occur shall constitute a separate offense.

SECTION 5.

This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

PASSED AND APPROVED by a vote of the members of the governing body of the City of Richmond voting in favor thereof on this the 15th day of April, 2019.

Evalyn Moore

Evalyn Moore, Mayor

ATTEST:

Laura Scarlato, City Secretary

APPROVED AS TO FORM:

Gary W. Smith, City Attorney

2

Appendix E – Region H Notification Letter

Evalyn W. Moore
Mayor

Barry C. Beard
Terry Gaul
Josh Lockhart

Commissioners

City of Richmond
Public Works Department
City Hall Annex
600 Morton Street
Richmond, Texas 77469
281.342.0559
FAX: 281.232.0704
www.richmondtx.gov

April 15, 2019

Mark Evans, Chair
Region H Water Planning Group
C/O San Jacinto River Authority
P.O. Box 329
Conroe, Texas 77305

Re: Five year plan Submittal

Mr. Evans:

Attached to this letter you will find the City of Richmond's updated Water Conservation Plan, Retail and Wholesale Drought Contingency Plan(s).

If you need any additional information, please contact me at 281-342-0559 or at hchristian@richmondtx.gov.

Cordially,

Howard Christian
Assistant City Manager

Enclosure