

CITY OF HEATH, TEXAS

ORDINANCE NO. 250624B

AN ORDINANCE OF THE CITY OF HEATH, TEXAS REPEALING AND READOPTING A NEW TITLE V “PUBLIC WORKS”, CHAPTER 51 “WATER AND SEWER”, SECTION 51.08 “ADOPTION OF WATER CONSERVATION PLAN” OF THE CITY CODE OF ORDINANCES TO ADOPT A WATER CONSERVATION PLAN FOR THE CITY OF HEATH TO PROMOTE THE RESPONSIBLE USE OF WATER; REPEAL TITLE V “PUBLIC WORKS”, CHAPTER 51 “WATER AND SEWER”, SECTION 51.99(A) “PENALTIES” OF THE CITY CODE OF ORDINANCES; PROVIDING FOR AN ADMINISTRATIVE PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED (\$500.00) DOLLARS PER VIOLATION AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION PLAN; PROVIDING FOR A CRIMINAL PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION PLAN; PROVIDING FOR CERTAIN CIVIL PENALTIES; PROVIDING FOR SEVERABILITY AND REPEALER; PROVIDING FOR LEGAL RIGHTS; PROVIDING FOR ESTOPPEL/WAIVER; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Heath (the “City”) is a Home Rule Municipality, acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City recognizes that the amount of water available to its water customers is limited; and

WHEREAS, the City recognizes that due to natural limitations, drought conditions, system failures and other acts of God which may occur, the City cannot guarantee and uninterrupted water supply for all purposes at all time; and

WHEREAS, the Water Code and the regulations of the Texas Commission on Environmental Quality (the “Commission”) require that the City adopt a Water Conservation and Water Resource and Emergency Management Plan (the “Water Conservation Plan”); and

WHEREAS, the City has determined an urgent need in the best interest of the public to modify and adopt the City’s Water Conservation Plan; and

WHEREAS, pursuant to Chapter 54 of the Local Government Code, the City is authorized to adopt such Ordinances necessary to preserve and conserve its water resources; and

WHEREAS, the City previously adopted Title V “Public Works”, Chapter 51 “Water and Sewer”, Section 51.08(A) “Water Resource and Emergency Management Plans Adopted by Reference and Addition to Referenced Plans” by Ordinance No. 230509A which adopted both the North Texas Municipal Water District Model Water Resource and Emergency Management Plan and the 2019 City of Rockwall Water Resource and Emergency Management Plan; and

WHEREAS, the City Council now desires to: 1) repeal section 51.08 effectively repealing both the North Texas Municipal Water District Model Water Resource and Emergency Management Plan and the 2019 City of Rockwall Water Resource and Emergency Management Plan; (2) repeal section 51.99(A) so that all penalties for violation of the Plan are contained in section 51.08; and (3) adopt a new section 51.08 effectively adopting the City of Heath Water Conservation Plan as official City policy for the conservation of water and emergency management; and

WHEREAS, the City Council also hereby finds that and determines that the adoption of this Ordinance is in the best interests of the health, safety and welfare of the citizens of the City to conserve water resources and provide effective emergency management during times of extreme weather, system failures or other public emergencies.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEATH THAT:

SECTION 1. **Findings.** The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. **Repeal and Adopt.** City of Heath Code of Ordinances Title V “Public Works”, Chapter 51 “Water and Sewer”, Section 51.08 of the City of Heath Code of Ordinances is repealed and its place the City of Heath Code of Ordinances, Title V, titled “Public Works”, Chapter 51 titled “Water and Sewer” is hereby amended to add and adopt new Section 51.08 to read as follows:

SEC. 51.08. ADOPTION OF WATER CONSERVATION PLAN.

(A) The City hereby approves and adopts the Water Conservation and Water Resource and Emergency Management Plan (the “Plan”), attached hereto as Addendum A, and incorporated herein. The City commits to implementing the requirements and procedures set forth in the adopted Plan.

(B) Definitions. These definitions are applicable to this section. To the extent these definitions conflict with the Plan, the definitions in the Plan shall control.

(1) City refers to the City of Heath.

- (2) City Manager refers to the City Manager of the City of Heath or any other City of Heath employee designated by the City Manager to act on behalf of the City Manager.
 - (3) Customer means a person, company or other entity connected to the City's water system and contracting with the City of Heath to receive potable water service.
 - (4) Irrigation system means a site-specific system of delivering water, generally for landscape irrigation, via a system of pipes or other conduits installed below ground.
 - (5) Landscape means natural plant materials around buildings or on grounds (i.e., trees, shrubbery, grasses and flowers) but excludes athletic fields and golf courses.
 - (6) Person means owner, occupant, company or entity in control of the premises or a person authorized by the owner, occupant, company, entity or person in control of the premises.
 - (7) Plan refers to the City of Heath's Water Conservation Plan, individually and/or collectively.
 - (8) Heath's water supply system or water delivery system means the City of Heath water works system and shall include, but not be limited to, storage tanks, elevated tanks, pipelines, pumps, hydrants, meters, valves, connections, engines, and all other property and machinery used in connection with the City's water works system.
 - (9) Potable water means any public water supply which has been investigated and approved by the TCEQ as satisfactory for drinking, culinary and domestic purposes.
 - (10) TCEQ means the Texas Commission on Environmental Quality.
 - (11) Daily water supply limit means the total amount of water the City is contracted to receive on a daily basis as set forth in the wholesale water purchase agreement(s).
- (C) In accordance with the Plans, the City Manager or his or her designee shall have the authority to designate, implement and terminate the stages of the Plans. The City Manager shall have the additional authority to declare and initiate Water Resource and Emergency Management Plan Stages and Measures as follows:
- (1) Stage Initiations
 - (a) Stage 1 Initiation: City water usage exceeds 75% of the daily water supply limit for two days in a seven-day period.
 - (b) Stage 2 Initiation: City water usage exceeds 90% of the daily water supply limit for two days in a seven-day period.
 - (c) Stage 3 Initiation: City water usage exceeds 95% of the daily water supply limit for two days in a seven-day period, or any set of conditions where it appears that the City water demand will exceed the ability of City water system or water supply.
 - (2) Water Restrictions

(a) During Plan Stage 3 water restrictions the City Manager has authority to limit all customers to a maximum daily water usage regardless of historical water usage. Customers exceeding this maximum daily water usage limit shall be in violation of the Plans. If a customer has more than one water meter serving a lot or tract of land the combined usage of all water meters for the lot or tract shall be used to determine the customer's usage limit.

(b) During Plan Stage 3 water restrictions, the City Manager has authority to initiate load shedding of non-critical water demand (such as irrigation meters) to prevent loss of pressure in the City water system below the mandatory 20 pounds per square inch (psi).

(c) During Plan Stage 3 water restrictions the City Manager has authority to prohibit water use for construction purposes and may declare a moratorium on all grass or landscape planting until Stage 3 is terminated.

(d) During Plan Stage 3 water restrictions, the City Manager has the authority to double the water rates for all Usage Rate tiers for usages over 50,000 gallons a month.

(D) Penalties for Plan Violations. The administrative, criminal and civil remedies are available to the City in cases of noncompliance with the provisions of the Plan and this Ordinance.

(1) Presumption. For purposes of enforcement of all penalties under this section 51.08, it shall be presumed that the person in actual control of the watering or irrigation devices for a premise is responsible for any violations of this division. A property owner is presumed to be in actual control of the watering or irrigation device on their property. The requirement of a culpable mental state is not required for any administrative or civil penalty.

(2) Administrative Penalties

The following administrative remedies are available to the City for noncompliance and violations of the Plan and with the provisions of this Ordinance. These administrative remedies may be assessed in addition to any criminal or civil penalty assessed for a violation of the Plan or this Ordinance. Each day a violation continues shall constitute a separate violation for purposes of assessing administrative remedies. There is no requirement of a culpable mental state for administrative remedies.

If any person violates the provisions of this Ordinance, the Public Works Director or his/her designee shall give notice to such person setting forth evidence of noncompliance with the Plan or this Ordinance.

(a) In-ground irrigation systems violations.

(1) Water shut off and notice of violation.

(i) The City may shut off the person's double check valve to the irrigation system or irrigation meter.

(ii) Notice shall be sent by mail to the person listed in the City's customer and utility billing records stating that the irrigation system has been turned off and advising of the violations. The letter shall also advise the person of the assessment of administrative remedies and fees, the procedures for payment of the administrative fees, and the procedure for requesting a hearing to contest the assessment of the administrative remedies.

(2) Remedies.

(i) The administrative penalty is one hundred fifty dollars (\$150.00) per occurrence when paid at the City's utility billing department. The administrative penalty increases by fifty dollars (\$50.00) for each additional violation received within a rolling twelve-month period, except that in no event shall the penalty exceed five hundred dollars (\$500.00) for a violation.

(ii) In lieu of the administrative penalty, the person recorded in the City's customer and utility billing records for the property can have a licensed irrigator install a properly functioning rain and freeze sensor. The person must provide a copy of the receipt that includes the purchase of the rain and freeze sensor, the installation of the device, and the licensed irrigator's name and landscape irrigator license number as issued by the TCEQ. This alternative remedy can only be applied once every three (3) years.

(b) Violations for systems without double-check valves or in-ground irrigation systems.

(1) Notice of violation. Notice shall be sent by mail to the person recorded in the City's customer and utility billing records advising the person of the violation. The letter shall also advise the person of the assessment of administrative remedies and fees, the procedures for payment of the administrative fees, and the procedure for requesting a hearing to contest the assessment of the administrative remedies.

(2) Remedy. The administrative penalty is one hundred fifty dollars (\$150.00) per occurrence and paid at the utility billing department. The administrative penalty increases by fifty dollars (\$50.00) for each additional violation received within a rolling twelve-month period, except that in no event shall the penalty exceed five hundred dollars (\$500.00) for a violation.

(c) Procedure for paying administrative penalties.

- (1) Personal appearance by the person listed on the City's utility billing records is required to reestablish service to the irrigation system. Government issued photo identification must be provided by the person at time of payment. A person may elect to pay the administrative penalty without requesting a hearing.
 - (2) Any penalty not paid within twenty business days from the date on the written notice shall be added to the person's next water billing cycle, unless the person requests a hearing.
 - (3) Unpaid penalties related to violations of the Plan can result in the termination of the domestic water services in accordance with Heath Code of Ordinances Section 51.20 and the established policies and procedures of the utility billing department.
- (d) Procedure for requesting a hearing on administrative penalties.
- (1) Hearing Request. A person may request a hearing to protest the assessment of any administrative penalty. To request a hearing, the person must make the request in person to the City's Utility Billing Department and by filling out the City's promulgated hearing request form within fifteen business days from the date on the written notice of violation. Government issued photo identification must be provided by the person upon request for a hearing.
 - (2) Hearing Before the Public Works Director.
 - (i) The Public Works Director or designee shall conduct the hearing. The Public Works Director shall evaluate all information offered by the petitioner at the hearing. The person making the request for a hearing shall bear the burden of proof to show why, by a preponderance of the evidence, the administrative remedy should not be assessed.
 - (ii) The Public Works Director will provide a decision at the time of the hearing or within three business days following the conclusion of the hearing.
 - (iii) Payment of any penalty assessed at the hearing shall be made within seven business days of the decision from the hearing. Any penalty not paid within this time limit shall be added to the person's next water billing cycle.
 - (3) Hearing Before the City Manager.
 - (i) A person may appeal the Public Works Director's decision to the City Manager or designee. The City Manager or designee shall hear the appeal in the same manner as the hearing before the Public Works Director.

(ii) The request for an appeal must be filed in writing with the City's Utility Billing Department within three business days of the date that notice of the denial was given by the Public Works Director or their designee.

(iii) The City Manager or designee shall render a decision at the time of the appeal or within three business days from the conclusion of the appeal. The City Manager or designee's decision is final and cannot be appealed.

(iv) Payment of any penalty assessed at the hearing shall be made within seven business days of the decision from the hearing. Any penalty not paid within this time limit shall be added to the person's next water billing cycle.

(e) Administrative remedy for customers residing outside of City. The Public Works Director or designee may waive the in person appearance requirements for customers residing outside the city limits. In such cases, payment may be made over the phone or online and any hearings may be conducted by videoconference.

(3) Criminal Penalty

It shall be unlawful for any person to violate the provisions of the City's Water Conservation Plan or this Ordinance. Any customer, defined pursuant to Title 30 of the Texas Administrative Code, Chapter 291, failing to comply with the provisions of the Plan shall be subject to a fine not to exceed the sum of \$2,000 and/or discontinuance of water service by the City. Proof of a culpable mental state is not required for a conviction of an offense under § 51.08 when the fine imposed does not exceed \$500. When the fine exceeds \$500, proof of culpable mental state is required for a conviction of an offense under § 51.08. Each day a customer fails to comply with the Plan is a separate violation. The City's authority to seek injunctive or other civil relief available under the law is not limited by this section.

(4) Civil Penalties. Pursuant to Texas Local Government Code § 54.001 and Texas Water Code § 11.082, the City may pursue civil enforcement in a court of competent jurisdiction, including:

- (a) Civil fines up to \$1,000 per day per violation;
- (b) Injunctive relief to prevent ongoing violations;
- (c) Service disconnection for continued or willful noncompliance; and
- (d) Recording of liens for unpaid administrative penalties, where authorized.

The City may also refer cases to the TCEQ for additional enforcement actions under state law.

SECTION 3. **Amendment.** City of Heath Code of Ordinances Title V “Public Works”, Chapter 51 “Water and Sewer”, Section 51.99(A) “Penalty” of the City of Heath Code of Ordinances is repealed with all other provisions of Section 51.99 remaining in full force and effect.

SECTION 4. **Prior Offenses.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose. Any accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5. **Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. **Severability.** Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7. **Legal Rights.** The penal and civil penalty provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 8. **Estoppel/Waiver.** The failure of the City to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

SECTION 9. **Filing with TCEQ.** The City Manager or designee is hereby directed to file a copy of this Ordinance with the Commission in accordance with Title 30, Chapter 288 of the Texas Administrative Code.

SECTION 10. **Publication.** The City Secretary is hereby authorized and directed to cause publication of the descriptive caption of this ordinance as provided by law.

SECTION 11. **Effective Date.** That this Ordinance shall become effective from and after its adoption.

PASSED AND APPROVED by the City Council this ____ day of _____ 2025.

APPROVED:



Jeremiah McClure, Mayor

ATTEST:



Norma Duncan, City Secretary

APPROVED AS TO FORM:



Marie N. Johnson, Assistant City Attorney



ADDENDUM A
2025 Water Conservation
Plan

City of Heath

**2024 Water Conservation and
Water Resource and Emergency
Management Plan**

(Drought Contingency Plan)

Adopted on 6/24/2025

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DEFINITIONS

AQUATIC LIFE means a vertebrate organism dependent upon an aquatic environment to sustain its life.

ATHLETIC FIELD means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools, professional sports and league play sanctioned by the utility providing retail water supply.

BEST MANAGEMENT PRACTICES (BMPs) are voluntary efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specific time frame.

COMMERCIAL VEHICLE WASH FACILITY means a permanently located business that washes vehicles or other mobile equipment with water or water-based products, including but not limited to self-service car washes, full-service car washes, roll-over/in-bay style car washes, and facilities managing vehicle fleets or vehicle inventory.

COMMERCIAL FACILITY means business or industrial buildings and the associated landscaping, but does not include the fairways, greens, or tees of a golf course.

CONSERVATION includes 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 water supply is made available for future or alternative uses.

COOL SEASON GRASSES are varieties of turf grass that grow best in cool climates primarily in northern and central regions of the U.S. Cool season grasses include but are not limited to perennial and annual rye grass, Kentucky blue grass and fescues.

CUSTOMERS include those entities to whom NTMWD provides wholesale water that are not member cities of NTMWD.

DESIGNATED OUTDOOR WATER USE DAY means a day prescribed by a rule on which a person is permitted to irrigate outdoors.

DRIP IRRIGATION is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.

DROUGHT, for the purposes of this report, means an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources (in this case reservoirs) to be depleted.

ET/SMART CONTROLLERS are irrigation controllers that adjust their schedule and runtimes based on weather (ET) data. These controllers are designed to replace the amount of water lost to evapotranspiration.

EVAPOTRANSPIRATION (ET) represents the amount of water lost from plant material to evaporation and transpiration. The amount of ET can be estimated based on the temperature, wind, and relative humidity.

EXECUTIVE DIRECTOR means the Executive Director of NTMWD and includes a person the Executive Director has designated to administer or perform any task, duty, function, role, or action related to this Plan or on behalf of the Executive Director.

FOUNDATION WATERING means an application of water to the soils directly abutting (within 2 feet of) the foundation of a building or structure.

INTERACTIVE WATER FEATURES means water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.

IRRIGATION SYSTEM means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.

LANDSCAPE means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass or turf species, that is growing or has been planted out of doors.

MEMBER CITIES include the cities of Allen, Farmersville, Forney, Frisco, Garland, McKinney, Mesquite, Plano, Princeton, Richardson, Rockwall, Royse City, and Wylie, Texas, which are members of NTMWD.

MUNICIPAL USE means the use of potable water provided by a public water supplier as well as the use of treated wastewater effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

NEW LANDSCAPE means: (a) vegetation installed at the time of the construction of a residential or commercial facility; (b) installed as part of a governmental entity's capital improvement project; or (c) installed to stabilize an area disturbed by construction.

ORNAMENTAL FOUNTAIN means an artificially created structure from which a jet, stream, or flow of treated water emanates and is not typically utilized for the preservation of aquatic life.

POND is considered to be a still body of water with a surface area of 500 square feet or more. This does not include recreational swimming pools.

PUBLIC WATER SUPPLIER is an individual or entity that supplies water to the public for human consumption.

REGIONAL WATER PLANNING GROUP is a group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code §16.053.

REGULATED IRRIGATION PROPERTY means any property of a designated customer class (i.e., commercial) that uses one million gallons of water or more for irrigation purposes in a single calendar year or is greater than one acre in size.

RESIDENTIAL GALLONS PER CAPITA PER DAY (RESIDENTIAL GPCD) means the total gallons sold for retail residential use by a public water supplier divided by the residential population served and then divided by the number of days in the year.

RETAIL CUSTOMERS include those customers to whom the utility provides retail water from a water meter.

REUSE is the authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

SOAKER HOSE means a perforated or permeable garden-type hose or pipe that is laid above ground that provides irrigation at a slow and constant rate.

SPRINKLER/SPRAY IRRIGATION is the method of applying water in a controlled manner that is similar to rainfall. The water is distributed through a network that may consist of pumps, valves, pipes, and sprinklers.

SPRINKLER means an above-ground water distribution device that may be attached to a garden hose.

RECREATIONAL/SWIMMING POOL is defined as a body of water that involves contact recreation. This includes activities that are presumed to involve a significant risk of ingestion of water (e.g. wading by children, swimming, water skiing, diving, tubing, surfing, etc.)

TOTAL GALLONS PER CAPITA PER DAY (TOTAL GPCD) means the total amount of water diverted and/or pumped for potable use less wholesale sales divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in TAC §288.1 shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

WATER CONSERVATION COORDINATOR is the person designated by a retail public water supplier that is responsible for implementing a water conservation plan.

WATER CONSERVATION PLAN means the Member City or Customer water conservation plan approved and adopted by the utility.

WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN means a plan for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies required by Texas Administrative Code Title 30, Chapter 288, Subchapter B. This is sometimes called a drought contingency plan.

ABBREVIATIONS

| | |
|---------------|---|
| Ac-Ft/Yr..... | Acre-Feet per Year |
| BMP..... | Best Management Practices |
| CDC..... | Centers for Disease Control and Prevention |
| DWU..... | Dallas Water Utilities |
| E&O | Education and Outreach |
| ED..... | Executive Director |
| EPA..... | Environmental Protection Agency |
| ET..... | Evapotranspiration |
| FNI | Freese and Nichols, Inc. |
| gpf | Gallons per Flush |
| gpm..... | Gallons per Minute |
| LAMP..... | Linear Asset Management Plan |
| LRWSP..... | Long Range Water Supply Plan |
| FWSD..... | Fresh Water Supply District |
| GPCD..... | Gallons per Capita per Day |
| ICIM | Industrial, Commercial, Institutional and Multifamily |
| MGD..... | Million Gallons per Day |
| MUD..... | Municipal Utility District |
| NCTCOG | North Central Texas Council of Governments |
| NTMWD | North Texas Municipal Water District |
| SUD..... | Special Utility District |
| TCEQ..... | Texas Commission on Environmental Quality |
| TRWD | Tarrant Regional Water District |
| TWDB | Texas Water Development Board |
| UTRWD | Upper Trinity Regional Water District |
| UD..... | Utility District |
| WCAC | Water Conservation Advisory Council |
| WCP..... | Water Conservation Plan |
| WREMP..... | Water Resource and Emergency Management Plan |
| WSC..... | Water Supply Corporation |
| WENNT..... | Water Efficiency Network of North Texas |
| WTP..... | Water Treatment Plant |
| WWTP..... | Wastewater Treatment Plant |

2024 Water Conservation Plan

This Water Conservation Plan has been developed in accordance with the requirements of 30 Texas Administrative Code (TAC) Chapter 288. A copy of the version of 30 TAC Chapter 288 in place at the time of this Plan preparation is included in Appendix B.

1.00 INTRODUCTION

The City of Heath is a Customer of the City of Rockwall, which is a Customer of the North Texas Municipal Water District (NTMWD). This Plan was developed following TCEQ guidelines and requirements governing the development of water conservation plans.

The goal of the Water Conservation Plan is to serve as good stewards of water resources by preserving water supplies for essential uses and the protection of public health. The objectives to achieve this goal are as follows:

- To reduce the loss and waste of water.
- To improve efficiency in both indoor and outdoor water use.
- To maximize the level of recycling and reuse.
- To protect and preserve environmental resources.
- To extend the life of current water supplies.
- To raise public awareness of water conservation and encourage responsible personal behavior through public education programs.

1.01 MINIMUM REGULATORY REQUIREMENTS CHECKLIST

A water conservation plan is defined as “[a] strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document”. Recognizing the need for efficient use of existing water supplies, TCEQ has developed guidelines and requirements governing the development of water conservation and drought contingency plans. The minimum TCEQ requirements and where they are addressed within this document are included in **Appendix B**.

1.02 ADDITIONAL REQUIREMENTS AND GUIDANCE

In addition to TCEQ rules regarding water conservation, this Plan also incorporates both minimum requirements as required from Rockwall/NTMWD and elements from several conservation initiatives.

- **2024 NTMWD Water Conservation Plan**—Member Cities and Customers of the NTMWD are required to implement water conservation strategies as

designated in the NTMWD Water Conservation Plan. These strategies represent minimum measures to be implemented and enforced to promote water conservation and are to remain in effect on a permanent basis.

- **Guidance and Methodology for Reporting on Water Conservation and Water Use** - Developed by TWDB and TCEQ in consultation with the Water Conservation Advisory Council (the Guidance). The Guidance was developed in response to a charge by the 82nd Texas Legislature to develop water use and calculation methodology and guidance for preparation of water use reports and water conservation plans in accordance with TCEQ rules.
- **North Texas Regional Landscape Initiative** – The North Texas regional water providers (NTMWD, DWU and TRWD) collaborated to create the Regional Landscape Initiatives. This document was developed as a resource of best management practices for municipal staff to help reduce water waste and encourage long-term water conservation in the North Texas region. Information consists of the background, importance, and benefits of each BMP and key talking points to consider when implementing the strategy. Several of the optional water management measures included in this Plan are from this collaborative initiative.

2.00 WATER UTILITY PROFILE

This section contains a description of City of Heath’s service area and water system. This information can also be reviewed in **Appendix C**, which contains a completed TCEQ Water Utility Profile.

2.01 DESCRIPTION OF THE SERVICE AREA

The City of Heath service area is defined by the city limit boundaries. Located in Southern Rockwall County Between Rockwall and Forney. Heath is approximately 12.25 miles and serves approximately a population of 10,500.

2.02 WATER UTILITY PROFILE

The City of Heath’s existing water supply is composed of the following sources.

- Purchased Treated Water from The City of Rockwall

3.00 WATER CONSERVATION GOALS

TCEQ rules require the adoption of specific 5-year and 10-year water conservation goals for a water conservation plan.

3.01 5- AND 10-YEAR GOALS

Per capita water use varies from year to year based on several factors including weather conditions, changing demographics and other variables. The TWDB requires specific 5- and 10-year goals which are summarized in **Table 1**.

Table 1: Five- and 10-Year Per Capita Water Use Goals

| | Historic 5-Year Average | Baseline | 5-Year Goal 2029 | 10-Year Goal 2034 |
|---|----------------------------|----------|---------------------|----------------------|
| Total (GPCD) ¹ | 272 | 284 | 276 | 270 |
| Residential (GPCD) ² | 260 | 242 | 235 | 230 |
| ICIM (GPCD) ³ | 13 | 16 | 15 | 14 |
| Water Loss (GPCD) ⁴ | 47 | 23 | 23 | 22 |
| Water Loss (Percentage) ⁵ | 11.9% | 8% | 8% | 8% |

¹Total GPCD = (Total Gallons in System / Permanent Population) / 365

²Residential GPCD = (Gallons Used for Residential Use / Residential Population) / 365

³ICIM GPCD = (Gallons Used for Industrial, Commercial, Institutional and Multi-family Use / Permanent Population) / 365

⁴Water Loss GPCD = (Total Water Loss / Permanent Population) / 365

⁵Water Loss Percentage = (Total Water Loss / Total Gallons in System) x 100; or (Water Loss GPCD / Total GPCD) x 100

3.02 METHOD FOR TRACKING

Rockwall/NTMWD requires Member Cities and Customers to complete annual conservation reports by March 31 of the following year and submit them to Rockwall/NTMWD.

The completion of this Annual Water Conservation Report allows The City of Heath to track the effectiveness of its water conservation programs over time and reassess those programs that are not providing water savings, ensuring maximum water use efficiency and greater levels of conservation.

4.00 METERING, RECORDS AND WATER LOSS CONTROL

4.01 METERING PROGRAM

One of the key elements in water conservation is careful tracking of water use and control of losses. Careful metering of water deliveries and water use, detection and repair of leaks in the distribution system, and regular monitoring of unaccounted water are important in controlling losses.

ACCURATE METERING OF TREATED WATER DELIVERIES FROM ROCKWALL/NTMWD

Accurate metering of water diversions and deliveries, detection, and repair of leaks in the raw water transmission and potable water distribution systems and regular monitoring of nonrevenue water are important elements of NTMWD's program to control losses. Water deliveries from NTMWD are metered by NTMWD using meters with accuracy of $\pm 2\%$. These meters are calibrated on an annual basis by NTMWD to maintain the required accuracy.

METERING OF CUSTOMER AND PUBLIC USES

The City of Heath will continue to meter water for all customers, including public and governmental users. It will test and replace residential customers' meters as needed. Additionally, large meters will be tested and either repaired or replaced as needed or required.

METER TESTING, REPAIR AND REPLACEMENT

The City of Heath is currently replacing water meters with Automated Meter Reading (AMR) technology with a two-phase replacement program ending in 2025. AMR will help identify water leaks and waste issues while improving customer service.

4.02 MONITORING AND RECORD MANAGEMENT PROGRAM

As required by TAC Title 30, Chapter 288, a record management system should allow for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories.

4.03 WATER LOSS CONTROL PROGRAM

DETERMINATION AND CONTROL OF WATER LOSS

Total water loss is the difference between treated water pumped and authorized consumption or metered deliveries to customers. Authorized consumption includes billed metered uses, unbilled metered uses, and unbilled unmetered uses such as firefighting and releases for flushing of lines.

Water losses include two categories:

- Apparent losses such as inaccuracies in customer meters. (Customer meters tend to run more slowly as they age and under-report actual use). Unauthorized consumption due to illegal connections and theft.
- Real losses due to water main breaks and leaks in the water distribution system and unreported losses.

LEAK DETECTION AND REPAIR

The City has implemented a program to continually check for leaks, repairs and water losses in the transmission, delivery and distribution system. The City's goal is to address leaks the same day they are found. The City also has a "Report Your Concern" form on the City's website to report water leaks (and other water related issues). From the report, a work order is created and a utility crew investigates the reported item. The program also includes measures to control the unaccounted-for uses of water including periodic visual inspections and annual audits of the system to determine illegal (including unauthorized connections to fire hydrants) or abandoned connections.

5.00 CONTRACT REQUIREMENTS FOR WHOLESALE CUSTOMERS

Every water supply contract entered into or renewed after official adoption of this water conservation plan, including any contract extension, will include a requirement that each wholesale customer of City of Heath must develop and implement a water conservation plan and water conservation measures. If the customer intends to resell the water, then the contract between the initial supplier and customer must specify that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of Title 30 TAC Chapter 288.

6.00 RESERVOIR SYSTEM OPERATIONS PLAN

The City of Heath purchases treated water from Rockwall/NTMWD and does not have surface water supplies for which to implement a reservoir system operations plan. NTMWD operates

multiple sources of water supply as a system. The operation of the reservoir system is intended to optimize the use of the District’s sources (within the constraints of existing water rights) while minimizing energy use cost for pumping, maintaining water quality, minimizing potential impacts on recreational users of the reservoirs and fish and wildlife.

7.00 CONSERVATION PLAN ADOPTION AND ENFORCEMENT

7.01 MEANS OF IMPLEMENTATION AND ENFORCEMENT

Staff will implement the Plan in accordance with adoption of the Plan. **Appendix G** contains a copy of the ordinance adopted regarding this Plan. The document designates responsible officials to implement and enforce the Plan.

Appendix G is a copy of the Water Conservation and Water Resource and Emergency Management Plans Ordinance and enforcement actions. Appendix H includes a copy of the ordinance's adoption regarding enforcing illegal connections and water theft. Appendix I contains a copy of the Irrigation Ordinance, including enforcement information.

7.02 REVIEW AND UPDATE OF WATER CONSERVATION PLAN

TCEQ requires that the water conservation plan be updated every five years. This Plan will be updated as required and as appropriate based on new or updated information.

7.03 REGIONAL WATER PLANNING GROUP

In accordance with TCEQ regulations, a copy of this water conservation plan was provided to the Region C Water Planning Group.

8.00 WATER CONSERVATION PROGRAM

8.01 PUBLIC EDUCATION PROGRAM

A. ROCKWALL/NTMWD PUBLIC EDUCATION PROGRAM AND TECHNICAL ASSISTANCE

The City of Heath relies on water conservation support from Rockwall/ NTMWD. This includes several public education and outreach efforts such as:

- Beginning in 2006 and continuing through 2018, NTMWD invested in the development and implementation of the “Water IQ: Know Your Water” campaign, including newspaper ads, radio spots, billboards, a website, and other forms of communication all intended to educate the public regarding water use and water conservation. During the 2017 campaign, over a quarter of a million people were reached by the program through media relations, outreach and interactive media. The total audience reached through the campaign in 2017 was over 88 million impressions.

- In 2013, NTMWD participated in the “Water My Yard” program to install weather stations throughout its service area to provide consumers with a weekly email or text message and information through the Water My Yard website recommending the adequate amount of supplemental water that is needed to maintain healthy grass in specific locations. This service represents the largest network of weather stations providing ET-based irrigation recommendations in the state of Texas and provides the public with advanced information regarding outdoor irrigation needs, thereby reducing water use. Through a series of selections on the type of irrigation system a consumer has, a weekly email or text message is provided that will recommend how long (in minutes) that an irrigation system needs to run based on the past seven days of weather. This recommendation provides the actual amount of supplemental water that is required for a healthy lawn based on research of the Texas A&M Agrilife Extension Service and proven technologies.
- “Water4Otter” is a water conservation campaign for kids launched by NTMWD in 2014. It is based on the insight that most parents agree they would listen if their kids asked them to conserve water. The TWDB awarded the NTMWD a conservation grant to develop Water4Otter as a model program that could be used throughout the state. The 2023 program included 22 performances at 11 schools in eight different ISDs including stops at elementary schools in Wylie, Garland, Mesquite, Plano, Princeton, Richardson, and Royse City.
- “Love Lavon Lake” is a water conservation campaign designed to help North Texans know their primary water source. The campaign launched in 2018 with a call to action to, “Conserve your water source. Love Lavon Lake”. The campaign was based on market research showing the more people know the source of their drinking water, the more likely they are to use it wisely and efficiently.
- NTMWD implemented the “#PledgetoPlantSmart” initiative that seeks to inspire positive change in water conservation by encouraging North Texas residents to do their part and plant smart by selecting native or adapted plants for their garden and landscaping.

NTMWD also participates in a regional outreach campaign called “Water is Awesome” partnering with the City of Dallas and Tarrant Regional Water District. NTMWD Member Cities and Customers have access to the campaign materials which include:

- In 2019, an additional tagline, “Keep Texas Water on Tap”, was incorporated to promote the Water is Awesome brand and direct traffic to waterisawesome.com.
- In 2020, a “customer city toolkit” provided customizable resources allowing cities to incorporate their logos with the campaign brand for their website, social media, and print. Cities are encouraged to use campaign resources to advance conservation efforts.

- In 2021, the regional water providers collaborated to create the Regional Landscape Initiatives. This document was developed as a resource of best management practices for municipal staff to help reduce water waste and encourage long-term water conservation in the North Texas region. Information consists of the background, importance, and benefits of each BMP and key talking points to consider when implementing the strategy. Several of the optional water management measures included in this Plan are from this collaborative initiative.
- The 2023 campaign included a focus on short HGTV-style web series about converting yards into drought-resistant, water-conservative yardscapes.

Conservation materials and more are made available to Member Cities and Customers through an online portal that is hosted by NTMWD. In addition to the portal the NTMWD actively provides technical assistance through the following:

- NTMWD holds **Regularly Scheduled Meetings** with Member Cities and Customers for water supply updates, public campaign strategies, and legislative activities related to water and water conservation.
- NTMWD purchases **American Water Works Association Research Foundation Publications** for use by Member Cities and Customers to further enhance resources for water efficiency, water rate structures, etc. Additionally, NTMWD pays for Member City and Customer membership to the **Alliance for Water Efficiency**.
- To assist its Member Cities and Customers in the development of their own water conservation plans, NTMWD has developed a **Model Water Conservation Plan for NTMWD Member Cities and Customers**. The Model Water Conservation Plan addresses TCEQ requirements for water conservation plans for municipal use by public water suppliers and includes advanced water conservation strategies beyond TCEQ requirements that mirror the NTMWD plan. This is available online at <https://www.ntmwd.com/login/portal/>.
- Since 2003, NTMWD has held **Water Conservation Workshops** for staff of its Member Cities and Customers. These workshops have covered several conservation-related topics, including TCEQ requirements for water conservation and drought contingency plans, advanced water conservation strategies, current NTMWD water conservation efforts, water conservation programs of the cities, current drought status, progress on future water supplies, and related topics. These workshops also provide training and education regarding water use accounting, irrigation evaluations, industrial, commercial, and institutional audits, and other procedures. Additional examples include workshops on Water Loss Audit Training as well as on the TWDB Water Conservation Planning Tool.

- Based on the annual reporting data collected from Member Cities and Customers from 2022, approximately 24% of the District’s treated water sales went to supply ICIM users within their service area. To target programs for this customer base, the District hired Plummer Associates, Inc. to create the **Industrial, Commercial, Institutional and Multifamily Program**. The ICIM program provides NTMWD Member City and Customer staff with the knowledge and tools necessary to identify ICIM customers with high water usage. This program was created to categorize water use data to find outliers and identify areas to concentrate water conservation efforts. This program can help Member Cities and Customers’ ICIM water customers develop targeted methods for increasing water efficiency as an alternative to a traditional voluntary approach for water consumption improvement.
- As part of the ICIM program, the District is currently engaging with the Member and Customer Cities to encourage their ICIM customers to participate in **Water Efficiency Opportunity Surveys**. These surveys encompass a building audit that recommends various water conservation measures that can be implemented to save both money and water. Items addressed include toilet retrofits, urinal retrofits, showerhead retrofits, lavatory retrofits, non-lavatory faucet retrofits, leak repair, water cooled ice machine retrofit, commercial disposer, food steam, cooling tower efficiency and irrigation system efficiency. As of June 2023, NTMWD has utilized the ICIM program to audit four buildings resulting in an estimated annual water savings of 87.4 million gallons.
- As part of its wastewater system, NTMWD has developed **Industrial Pretreatment Programs** for the cities of Allen, Forney, Frisco, McKinney, Mesquite, Murphy, Plano, Richardson, Rockwall, Terrell, and Wylie. The pretreatment programs developed by NTMWD are adopted and implemented by the cities, which are also responsible for enforcement of the programs. By reducing allowable volumes of specific pollutants and encouraging pretreatment of industrial wastes, this joint effort by NTMWD and the cities has improved water quality in the region’s streams and reservoirs. NTMWD industrial pretreatment personnel are also available to assist cities on request in the review or design of systems to allow industrial recycling and reuse of wastewater. Such systems have reduced water use by some industries, while also reducing wastewater volumes and saving money for the industries.
- NTMWD encourages its Member Cities and Customers to develop and implement **Rebate and Bulk Purchasing Programs** that help the Member Cities and Customers achieve overall water savings. Further, NTMWD provides technical assistance to those Member Cities and Customers who wish to implement rebate and bulk purchasing programs.

B. PUBLIC EDUCATION PROGRAM

- Insert water conservation information with water bills. Inserts will include material developed by the City of Heath and material obtained from the TWDB, the TCEQ, and other sources.
- Encourage local media coverage of water conservation issues and the importance of water conservation.
- Notify local organizations, schools, and civic groups that the City of Heath staff are available to make presentations on the importance of water conservation and ways to save water.
- Promote the Texas Smartscape website (www.txsmartscape.com) and make water conservation brochures and other materials available to the public at City Hall and other public places.
- Make information on water conservation available on the City’s website and include links to the Know Your Water website, the Texas Smartscape website, and the TWDB and TCEQ websites.
- Encourage customers to subscribe to weekly watering updates through Water My Yard or another similar program to reduce outdoor water consumption.

8.02 REQUIRED CONSERVATION STRATEGIES

The following water conservation strategies are required. These strategies represent minimum measures to be implemented and enforced to promote water conservation and are to remain in effect on a permanent basis.

A. TCEQ CONSERVATION PLAN REQUIREMENTS

The preceding sections cover the regulatory requirements identified in TAC Title 30, Part 1, Chapter 288, Subchapter B, Rule 288. These rules are included in **Appendix B**.

B. CONSERVATION COORDINATOR

The designation of a Conservation Coordinator is required by House Bill 1648, effective September 1, 2017 for all retail public water utilities with 3,300 service connections or more.

The duties of the Conservation Coordinator are as follows:

- Submit an adopted water conservation and water resource and emergency management plan by May 1, 2024 (and every five years afterwards). These plans must be submitted to Rockwall/NTMWD, the applicable Regional Water Planning Group, TCEQ and TWDB. The conservation coordinator is also responsible for submitting a copy of the Plan if it is updated after initial adoption and submission.

The City of Heath's Conservation Coordinator is identified below. The City of Heath will notify Rockwall/NTMWD if this changes at any point before the water conservation plan is updated.

Bryan Creed
972-961-4870
bcreed@heathtx.com

C. WATER CONSERVATION PRICING

Each Member City and Customer must adopt an increasing block rate water structure that is intended to encourage water conservation and to discourage excessive use and waste of water.

The City of Heath's water rate structure is as follows:

Residential Rates

WATER SERVICE

Base Rates (includes 2,000 gallons)

5/8" & 3/4" Meters \$32.97

1" Meters \$50.94

1 1/2" Meters \$80.87

2" Meters \$116.80

3" Meters \$230.57

4" Meters \$380.25

Usage Rates per 1,000 gallons

2,001 - 10,000 gallons \$6.03

10,001 - 20,000 gallons \$6.17

20,001-30,000 gallons \$7.62

30,001-50,000 gallons \$9.08

50,001-100,000 gallons \$10.81

Greater than 100,000 gallons \$12.89

Commercial/Industrial Rates

Commercial Rates are the same as Residential Rates.

D. ORDINANCES, PLUMBING CODES, OR RULES ON WATER-CONSERVING FIXTURES

The City of Heath's plumbing code standards encourages water conservation and meets the minimum statutory requirements. The state has required water-conserving fixtures in new construction and renovations since 1992. The state standards call for flows of no more than 2.5 gallons per minute (gpm) for faucets, 2.5 gpm for showerheads. As of January 1, 2014, the state requires maximum average flow rates of 1.28 gallons per flush (gpf) for toilets and 0.5 gpf for urinals. Similar standards are now required under federal law. These state and federal standards assure that all new construction and renovations will use water-conserving fixtures.

E. REUSE AND RECYCLING OF WASTEWATER

NTMWD currently has the largest wastewater reuse program in the state. NTMWD has water rights allowing reuse of up to 71,882 acre-feet per year (64 MGD) of treated wastewater discharges from the Wilson Creek Wastewater Treatment Plant for municipal purposes. Additionally, NTMWD has permitted and is currently constructing the Sister Grove Regional Water Resource Recovery Facility (WRRF) in the Lavon Lake watershed. This facility will have an initial capacity of 16 MGD and an ultimate capacity of 64 MGD.

NTMWD has also developed the East Fork Water Reuse Project which can divert treated wastewater discharges by NTMWD and purchased wastewater return flows from TRA via Main Stem Pump Station. NTMWD also provides treated effluent from its wastewater treatment plants available for direct reuse for landscape irrigation and industrial use.

F. YEAR-ROUND OUTDOOR WATERING SCHEDULES

A mandatory weekly watering schedule has been gradually gaining acceptance in the region and the state. NTMWD requires all Member Cities and Customers to adhere to a permanent outdoor watering schedule.

- **Summer (April 1 – October 31)** – Spray irrigation with sprinklers or irrigation systems at each service address must be limited to no more than **two days per week**. Additionally, prohibit lawn irrigation watering from **10 a.m. to 6 p.m.** Education should be provided that irrigation **should only be used when needed**, which is often less than twice per week, even in the heat of summer.
- **Winter (November 1 – March 31)** – Spray irrigation with sprinklers or irrigation systems at each service address must be limited to no more than **one day per week** with education that less than once per week (or not at all) is usually adequate.

Additional irrigation may be provided by hand-held hose with shutoff nozzle, use of dedicated irrigation drip zones, and/or soaker hose provided no runoff occurs. Many North Texas horticulturists have endorsed twice-weekly watering as more than sufficient for landscapes in the region, even in the heat of summer.

G. TIME OF DAY WATERING SCHEDULE

NTMWD requires that during the summer months (April 1 – October 31) under normal conditions, spray irrigation with an irrigation system or sprinkler is only permitted on authorized watering days, before 10 a.m. or after 6 p.m. The primary purpose of this measure is to reduce wind drift and evaporation losses during the active growing season. The time-of-day watering schedule requirement increases watering efficiency by eliminating outdoor irrigation use when climatic factors negatively impact irrigation system efficiencies. Midday irrigation is not an optimal time to irrigate because evapotranspiration rates are higher, and plants are more susceptible to stress associated with factors such as higher temperatures and lower relative humidity.

H. IRRIGATION SYSTEM REQUIREMENTS FOR NEW AND COMMERCIAL SYSTEMS

In 2007, the 80th Texas Legislature passed House Bill 1656, Senate Bill 3, and House Bill 4 related to regulating irrigation systems and irrigators by adopting minimum standards and specifications for designing, installing, and operating irrigation systems. The Texas legislation required cities with a population over 20,000 to develop a landscape irrigation program that includes permitting, inspection, and enforcement of water conservation for new irrigation

NTMWD **requires** all Member Cities and Customers adhere to a minimum set of irrigation standards:

- 1) Require that all new irrigation systems be in compliance with state design and installation regulations (Texas Administrative Code Title 30, Chapter 344).
- 2) Require operational rain and freeze sensors and/or ET or Smart controllers on all new irrigation systems. Rain and freeze sensors and/or ET or Smart controllers must be properly maintained to function properly.
- 3) Require that irrigation systems be inspected at the same time as initial backflow preventer inspection.
- 4) Require the owner of a regulated irrigation property to obtain an evaluation of any permanently installed irrigation system on a Five year basis. The irrigation evaluation shall be conducted by a licensed irrigator in the state of Texas and be submitted to the local water provider (i.e., city, water supply corporation).

I. WATER WASTE PROVISIONS

NTMWD requires all Member Cities and Customers prohibit activities that waste water. The main purpose of a water waste ordinance is to provide for a means to enforce that water waste is prevented during lawn and landscape irrigation, that water resources are conserved for their

most beneficial and vital uses, and that public health is protected. It provides a defined enforcement mechanism for exceptional neglect related to the proper maintenance and efficient use of water fixtures, pipes, and irrigation systems. The ordinance can provide additional assistance or enforcement actions if no corrective action has been taken after a certain number of correspondences.

NTMWD **requires** that the following water waste ordinance offenses include:

- 1) The use of irrigation systems that water impervious surfaces. (Wind-driven water drift will be taken into consideration.)
- 2) Outdoor watering during precipitation or freeze events.
- 3) The use of poorly maintained sprinkler systems that waste water.
- 4) Excess water runoff or other obvious waste.
- 5) Overseeding, sodding, sprigging, broadcasting or plugging with cool season grasses or watering cool season grasses, except for golf courses and athletic fields.
- 6) The use of potable water to fill or refill residential, amenity, and any other natural or manmade ponds. A pond is considered to be a still body of water with a surface area of 500 square feet or more. This does not include recreational swimming pools.
- 7) Non-commercial car washing that does not use a water hose with an automatic shut-off valve.
- 8) Hotels and motels that do not offer a linen reuse water conservation option to customers.
- 9) Restaurants, bars, and other commercial food or beverage establishments that provide drinking water to customers unless a specific request is made by the customer for drinking water.

8.03 ADDITIONAL CONSERVATION STRATEGIES

In addition, the City of Heath recommends the following measures:

- 1) Retrofit existing irrigation systems with rain and freeze sensors or evapo-transpiration capable of multiple programming.
- 2) Prohibition planting or watering areas that have been over seeded with cool season grasses (such as rye grass or other similar grasses), except for golf courses and public athletic fields.

3) Rehabilitate poorly maintained irrigation systems that waste water to comply with the current

Irrigation Ordinance.

4) Install separate zones for areas adjacent to athletic fields.

5) Plant only native, drought tolerant or adaptive plants.

6) Install drip irrigation systems, when applicable.

7) Water audits should be performed to find ways in which water can be used more efficiently at a specific location.

A. USE OF ET-BASED WEEKLY WATERING ADVICE/RECOMMENDATIONS

NTMWD requires that Member Cities and Customers adhere to a year-round outdoor watering schedule. However, this conservation practice can be improved with the use of ET-based weekly watering advice and recommendations. Landscapes frequently require less watering than the year-round water schedule allows. This measure can be particularly useful for entities with a significant percentage of customers using automated landscape irrigation systems.

Water providers in the Dallas-Fort Worth (DFW) area (including NTMWD) sponsor weather stations to collect daily weather data and provide the most accurate watering recommendations. Many cities in the DFW area can already take advantage of these ET-based recommendations and incorporate them into their water conservation programs, at no cost to the city. Examples of such a service are shown below.

- **Water My Yard** – An online platform where homeowners can sign up to receive weekly watering recommendations based on their location and a few specifications about their sprinkler system. Users can then choose to accept the recommendations by email, text, or both. Recommendations are available for select cities in Collin, Dallas, Denton, Fannin, Hunt, Kaufman, and Rockwall Counties. Sponsored by NTMWD and Texas A&M AgriLife Extension Service (WaterMyYard.org).
- **Water Is Awesome Weekly Watering Advice** – Weekly watering recommendations for most of North Texas based on data from weather stations scattered throughout the DFW area. The recommendations are distributed by email and text every week and are provided in inches of water needed and the number of minutes necessary to apply that amount of water for spray, rotor, and multi-stream sprinklers. Advice service is available for all of North Central Texas and sponsored by DWU and TRWD. (<https://waterisawesome.com/weekly-watering-advice>).

Providing evapotranspiration (ET)-based weekly watering recommendations can reduce the amount of water applied for outdoor watering if customers follow the guidance. A drawback with this BMP is the adoption rate. Since these recommendations may change every week, it requires customers to adjust their controllers more often.

B. WATER EFFICIENT LANDSCAPE INITIATIVES

A water-efficient landscape is designed and maintained according to basic sound horticultural principles that allow for a beautiful, healthy landscape with minimal or no supplemental irrigation and no adverse runoff from the landscape property. Water-efficient landscapes limit or exclude non-functional turf where possible. The City of Heath Ordinance No: 240312A Landscaping, Screening, and Irrigation aims to promote the establishment of water-conscious landscaping by implementing xeriscaping/smartscape principles. Acceptable xeriscaping/smartscape standards are in this document.

There are several programs available that offer a wealth of information on designing and implementing water-efficient landscapes.

- [Water Wise \(http://urbanlandscapeguide.tamu.edu/waterwise.html\)](http://urbanlandscapeguide.tamu.edu/waterwise.html)
- [Texas SmartScape™ \(http://www.txsmartscape.com/\)](http://www.txsmartscape.com/)
- [EARTH-KIND™ \(https://aggie-horticulture.tamu.edu/earthkind/publications/#water\)](https://aggie-horticulture.tamu.edu/earthkind/publications/#water) Water Wise (<http://urbanlandscapeguide.tamu.edu/waterwise.html>)

2024 Water Resource and Emergency Management Plan

Under Texas Water Code Chapter 11 and Title 30 Texas Administrative Code Chapter 288, Retail, Irrigation and Wholesale Public Water Suppliers are required to develop, implement and submit updated Drought Contingency Plans to TCEQ every five years.

1.00 INTRODUCTION

The City of Heath is a Customer of Rockwall/North Texas Municipal Water District (NTMWD). This Plan was developed following TCEQ guidelines and requirements governing the development of drought contingency plans.

The goal of the water resource and emergency management plan is to prepare for potential water shortages and to preserve water for essential uses and the protection of public health. The objectives to achieve this goal are as follows:

- To save water during droughts, water shortages, and emergencies.
- To save water for domestic use, sanitation, and fire protection.
- To protect and preserve public health, welfare, and safety.
- To reduce the adverse impacts of shortages.
- To reduce the adverse impacts of emergency water supply conditions.

Note: NTMWD refers to their drought contingency plan (DCP) as the water resource and emergency management plan (WREMP) and should be considered synonymous with a DCP.

1.01 MINIMUM REGULATORY REQUIREMENTS

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 and other water supply emergencies”. Recognizing the need for efficient use of existing water supplies, TCEQ has developed guidelines and requirements governing the development of water conservation and drought contingency plans.

The minimum TCEQ requirements and where they are addressed within this document are described in **Appendix B**.

2.00 IMPLEMENTATION AND ENFORCEMENT

2.01 PROVISIONS TO INFORM THE PUBLIC AND OPPORTUNITY FOR INPUT

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

- Providing written notice of the proposed Plan and the opportunity to comment on the Plan by newspaper and posted notice.
- Posting the draft Plan on the community website and/or social media.
- Providing the draft Plan to anyone requesting a copy.

- **Holding a public meeting** regarding the Plan on 8/27/2024 Public notice of this meeting was provided on the community website and in local newspapers.
- **Approving the Plan** at a public Board meeting on 8/27/2024. Public notices of this meeting were provided on the community website and live audio was available during the meeting.

2.02 PROGRAM FOR CONTINUING PUBLIC EDUCATION AND INFORMATION

The City of Heath informs and educates the public about the Plan by the following means:

- Preparing a bulletin describing the plan and making it available at City Hall and/or other appropriate locations.
- Including information and making the Plan available to the public through the community website and/or social media.
- Notifying local organizations, schools, and civic groups that utility staff are available to make presentations on the Plan (usually in conjunction with presentations on water conservation programs).
- At any time that the Plan is activated or changes, The City of Heath will notify local media of the issues, the water resource management stage (if applicable), and the specific actions required of the public. The information will also be publicized on the community website and/or social media. Billing inserts will also be used as appropriate.

2.03 COORDINATION WITH THE REGIONAL WATER PLANNING GROUPS AND NTMWD

Appendix F of this Plan includes copies of letters sent to the Chairs of the appropriate regional water planning group.

2.04 INITIATION AND TERMINATION OF WATER RESOURCE MANAGEMENT STRATEGIES

A. INITIATION OF A WATER RESOURCE MANAGEMENT STAGE

The City Manager may order the implementation of a water resource management stage when one or more of the trigger conditions for that stage is met.

- Rockwall/NTMWD has initiated a water resource management stage. (Stages imposed by NTMWD action **must** be initiated by Member Cities and Customers.)
- The City of Heath has initiated a water resource management stage. (These would be triggered based on demand levels.)

- The public will be notified through local media and the supplier’s website.

- If any mandatory provisions of the Plan are activated, The City of Heath will notify TCEQ and the City of Rockwall within five business days. Instructions to report drought contingency plan water use restrictions to TCEQ is available online at https://www.tceq.texas.gov/drinkingwater/homeland_security/security_pws.

B. TERMINATION OF A WATER RESOURCE MANAGEMENT STAGE

Water resource management stages initiated by Rockwall/NTMWD may be terminated after Rockwall/NTMWD has terminated the stage. For stages initiated by the City Manager, they may order the termination of a water resource management stage when the conditions for termination are met or at their discretion.

The following actions will be taken when a water resource management stage is terminated:

- The public will be notified through local media and the supplier’s website.

- If any mandatory provisions of the Plan that have been activated are terminated, The City of Heath will notify TCEQ Executive Director and the City of Rockwall within five business days. Instructions to report drought contingency plan water use restrictions to TCEQ is available online at https://www.tceq.texas.gov/drinkingwater/homeland_security/security_pws.

The City Manager may decide not to order the termination of a water resource management 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 potentially changed conditions that warrant the continuation of the water resource management stage. The reason for this decision should be documented.

2.05 PROCEDURE FOR GRANTING VARIANCES TO THE PLAN

The City Manager 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 emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity 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 City Manager. All petitions for variances should be in writing and should include the following information:

- Name and address of the petitioners.
- 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 and the level of water use reduction.
- Other pertinent information.

2.06 PROCEDURES FOR ENFORCING MANDATORY WATER USE RESTRICTIONS

Mandatory water use restrictions may be imposed in Stage 1, Stage 2 and Stage 3 by adopting this Water Resource and Emergency Management Plan by Ordinance of the City of Heath. Appendix G contains the ordinance adopted by the city council approving the Plan, including enforcement and penalties for noncompliance.

2.07 REVIEW AND UPDATE OF WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

As required by TCEQ rules, The City of Heath must review their respective Plan every five years. The plan will be updated as appropriate based on new or updated information.

3.00 WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

Initiation and termination criteria for water management stages include general, demand, supply, and emergency criteria. One of the major indicators of approaching or ongoing drought conditions is NTMWD's combined reservoir storage, defined as storage at Lavon Lake plus storage in Bois d'Arc Lake. Percent storage is determined by dividing the current storage by the total conservation storage when the lakes are full. **Table 1** summarizes the water management stages by triggers based on percent combined storage and associated demand reduction goals and outdoor watering restrictions. The following sections go into more detail on the three water management stages.

TCEQ requires notification when mandatory restrictions are placed on a customer. NTMWD must notify TCEQ when they impose mandatory restrictions on Member Cities and Customers. Member Cities and Customers must likewise notify TCEQ when they impose mandatory restrictions on their customers (wholesale or retail). Measures that impose mandatory requirements on customers are denoted with “**requires notification to TCEQ**”.

NTMWD and the utilities must notify TCEQ within five business days if these measures are implemented (<https://www.tceq.texas.gov/response/drought/drought-and-public-water-systems>).

Table 1: Water Management Plan Stages Summary

| Drought Stage | | April to October | November to March | Demand Reduction Goal | Outdoor Watering Restrictions (NTMWD or Heath Initiated) |
|---------------|-------------|--------------------------|-------------------|-----------------------|--|
| | | Percent Combined Storage | | | |
| Stage 1 | Initiation | 70% | 60% | 2% | 2X per week (Apr-Oct) 1X per week (Nov-Mar) |
| | Termination | 75% | 65% | | |
| Stage 2 | Initiation | 55% | 45% | 5% | 1X per week (Apr-Oct) 1X every other week (Nov-Mar) |
| | Termination | 70% | 60% | | |
| Stage 3 | Initiation | 30% | 20% | 30% | No outdoor watering |
| | Termination | 55% | 45% | | |

3.01 WATER RESOURCE MANAGEMENT – STAGE 1

A. INITIATION AND TERMINATION CRITERIA FOR STAGE 1

NTMWD has initiated Stage 1, which may be initiated when one or more of the following criteria is met:

- **General Criteria**
 - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.
 - One or more source(s) is interrupted, unavailable, or limited due to contamination, invasive species, equipment failure or other cause.
 - The water supply system is unable to deliver needed supplies due to the failure or damage of major water system components.

- Part of the system has a shortage of supply or damage to equipment. (NTMWD may implement measures for only that portion of the system impacted.)
- A portion of the service area is experiencing an extreme weather event or power grid/supply disruptions.
- **Demand Criteria (City of Heath)**
 - Water demand has exceeded or is expected to exceed 90% of maximum sustainable production or delivery capacity for an extended period.
- **Supply Criteria**
 - The combined storage in Lavon and Bois d’Arc Lake, as published by the TWDB, is less than:
 - 70% of the combined conservation pool capacity during any of the months of April through October
 - 60% of the combined conservation pool capacity during any of the months of November through March
 - The Sabine River Authority (SRA) has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 1 drought.
 - NTMWD is concerned that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, Main Stem Pump Station, and/or some other NTMWD water source may be limited in availability within the next six months.

Stage 1 may terminate when one or more of the following criteria is met:

- **General Criteria**
 - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 1.
 - The circumstances that caused the initiation of Stage 1 no longer prevail.
- **Supply Criteria**
 - The combined storage in Lavon and Bois d’Arc Lakes, as published by the TWDB, is greater than:
 - 75% of the combined conservation pool capacity during any of the months of April through October
 - 65% of the combined conservation pool capacity during any of the months of November through March

B. GOAL FOR USE REDUCTION UNDER STAGE 1

The goal for water use reduction under Stage 1 is an annual reduction of 2% in the use that would have occurred in the absence of water management measures. Because discretionary water use is highly concentrated in the summer months, savings should be higher than 5% in summer to achieve an annual savings goal of 2%. **If circumstances warrant, the Executive Director can set a goal for greater or less water use reduction.**

C. WATER MANAGEMENT MEASURES AVAILABLE UNDER STAGE 1

The actions listed below are provided as potential measures to reduce water demand. NTMWD may choose to implement any or all of the available restrictions in Stage 1.

- **Requires notification to TCEQ by NTMWD.** Require Member Cities and Customers (including indirect Customers) to initiate Stage 1 restrictions in their respective, independently adopted water resource management plans.
- Continue actions described in the water conservation plan.
- Increase enforcement of landscape watering restrictions from the water conservation plan.
- Initiate engineering studies to evaluate alternative actions that can be implemented if conditions worsen.
- Accelerate public education efforts on ways to reduce water use.
- Halt non-essential NTMWD water use.
- Encourage the public to wait until the current drought or water emergency situation has passed before establishing new landscaping.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires notification to TCEQ by Member Cities and Customers and/or NTMWD.** Initiate a rate surcharge for all water use over a certain level.
- **Requires notification to TCEQ by Member Cities and Customers.** Parks, golf courses, and athletic fields using potable water for landscape watering are required to meet the same reduction goals and measures outlined in this stage. As an exception, golf course greens and tee boxes may be hand watered as needed.

3.02 WATER RESOURCE MANAGEMENT – STAGE 2

A. INITIATION AND TERMINATION CRITERIA FOR STAGE 2

NTMWD has initiated Stage 2, which may be initiated due to one or more of the following criteria is met:

- **General Criteria**

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.
- One or more supply source(s) is interrupted, unavailable, or limited due to contamination, invasive species, equipment failure or other cause.
- The water supply system is unable to deliver needed supplies due to the failure or damage of major water system components.
- Part of the system has a shortage of supply or damage to equipment. (NTMWD may implement measures for only that portion of the system impacted.)
- A portion of the service area is experiencing an extreme weather event or power grid/supply disruptions.
- **Demand Criteria**
 - Water demand has exceeded or is expected to exceed 95% of maximum sustainable production or delivery capacity for an extended period.
- **Supply Criteria**
 - The combined storage in Lavon and Bois d’Arc Lake, as published by the TWDB, is less than
 - 55% of the combined conservation pool capacity during any of the months of April through October
 - 45% of the combined conservation pool capacity during any of the months of November through March
 - SRA has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 2 drought.
 - NTMWD is concerned that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, and/or some other NTMWD water source may be limited in availability within the next three months.

Stage 2 may terminate when one or more of the following criteria is met:

- **General Criteria**
 - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 2.
 - The circumstances that caused the initiation of Stage 2 no longer prevail.
- **Supply Criteria**
 - The combined storage in Lavon and Bois d’Arc Lake, as published by the TWDB, is greater than

- 70% of the combined conservation pool capacity during any of the months of April through October
- 60% of the combined conservation pool capacity during any of the months of November through March

B. GOAL FOR USE REDUCTION UNDER STAGE 2

The goal for water use reduction under Stage 2 is an annual reduction of 5% in the use that would have occurred in the absence of water resource management measures. Because discretionary water use is highly concentrated in the summer months, savings should be higher than 5% in summer to achieve an annual savings goal of 5%. **If circumstances warrant, the Executive Director can set a goal for greater or less water use reduction.**

C. WATER MANAGEMENT MEASURES AVAILABLE UNDER STAGE 2

The actions listed below are provided as potential measures to reduce water demand. NTMWD may choose to implement any or all of the available restrictions in Stage 2.

- Continue or initiate any actions available under the water conservation plan and Stage 1.
- Implement viable alternative water supply strategies.
- **Requires notification to TCEQ by NTMWD.** Require Member Cities and Customers (including indirect Customers) to initiate Stage 2 restrictions in their respective, independently adopted water resource management plans.
- **Requires notification to TCEQ by NTMWD and/or Member Cities and Customers.** Limit landscape watering with sprinklers or irrigation systems at each service address to once per week on designated days between April 1 and October 31. Limit landscape watering with sprinklers or irrigation systems at each service address to once every other week on designated days between November 1 and March 31. Exceptions are as follows:
 - Foundation watering (within 2 feet), watering of new plantings (first year) of shrubs, and watering of trees (within a 10-foot radius of its trunk) for up to two hours on any day by a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system, provided no runoff occurs.
 - Athletic fields may be watered twice per week.
 - Locations using alternative sources of water supply only for irrigation may irrigate without day-of-the-week restrictions provided proper signage indicating source used (well, lake, etc..) is employed to notify the public of the alternative water source(s) being used. However, irrigation using alternative sources of supply is subject to all other restrictions applicable to this stage. If the

alternative supply source is a well or a permit to water from Lake Ray Hubbard by the City of Dallas, then proper proof of well registration/irrigation permit must be filed with the City of Heath.

- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit overseeding, sodding, sprigging, broadcasting or plugging with or watering, except for golf courses and athletic fields.
- **Requires notification to TCEQ by NTMWD.** Institute a mandated reduction in water deliveries to all Member Cities and Customers. Such a reduction will be distributed as required by Texas Water Code Section 11.039 (**Appendix E**).
- **Requires notification to TCEQ by Member Cities and Customers and/or NTMWD.** Initiate a rate surcharge for all water use over a certain level.
- **Requires notification to TCEQ by Member Cities and Customers.** Parks and golf courses using potable water for landscape watering are required to meet the same reduction goals and measures outlined in this stage. As an exception, golf course greens and tee boxes may be hand watered as needed.

3.03 WATER RESOURCE MANAGEMENT – STAGE 3

A. INITIATION AND TERMINATION CRITERIA FOR STAGE 3

NTMWD has initiated Stage 3, which may be initiated due to one or more of the following criteria is met:

- **General Criteria**
 - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3.
 - One or more supply source(s) is interrupted, unavailable, or limited due to contamination, invasive species, equipment failure, or other cause.
 - The water supply system is unable to deliver needed supplies due to the failure or damage of major water system components.
 - Part of the system has a shortage of supply or damage to equipment. (NTMWD may implement measures for only that portion of the system impacted.)
 - A portion of the service area is experiencing an extreme weather event or power grid/supply disruptions.
- **Demand Criteria**
 - Water demand has exceeded or is expected to exceed maximum sustainable production or delivery capacity for an extended period.

- **Supply Criteria**
 - The combined storage in Lavon and Bois d’Arc Lake, as published by the TWDB, is less than
 - 30% of the combined conservation pool capacity during any of the months of April through October
 - 20% of the combined conservation pool capacity during any of the months of November through March
- SRA has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a drought and have significantly reduced supplies available to NTMWD.
- The supply from Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, and/or some other NTMWD water source has become limited in availability.

Stage 3 may terminate when one or more of the following criteria is met:

- **General Criteria**
 - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 3.
 - Other circumstances that caused the initiation of Stage 3 no longer prevail.
- **Supply Criteria**
 - The combined storage in Lavon and Bois d’Arc Lake, as published by the TWDB, is greater than:
 - 55% of the combined conservation pool capacity during any of the months of April through October
 - 45% of the combined conservation pool capacity during any of the months of November through March

B. GOAL FOR USE REDUCTION UNDER STAGE 3

The goal for water use reduction under Stage 3 is an annual reduction of 30% in the use that would have occurred in the absence of water resource management measures, or the goal for water use reduction is whatever reduction is necessary. Because discretionary water use is highly concentrated in the summer months, savings should be higher than 30% in summer to achieve an annual savings goal of 30%. **If circumstances warrant, the Executive Director can set a goal for greater or less water use reduction.**

C. WATER MANAGEMENT MEASURES AVAILABLE UNDER STAGE 3

The actions listed below are provided as potential measures to reduce water demand.

NTMWD may choose to implement any or all of the available restrictions in Stage 3.

- Continue or initiate any actions available under the water conservation plan and Stages 1 and 2.
- Implement viable alternative water supply strategies.
- **Requires notification to TCEQ by NTMWD.** Require Member Cities and Customers (including indirect Customers) to initiate Stage 3 restrictions in their respective, independently adopted water resource management plans.
- **Requires notification to TCEQ by Member Cities and Customers.** Initiate mandatory water use restrictions as follows:
 - Hosing and washing of paved areas, buildings, structures, windows or other surfaces is prohibited except by variance and performed by a professional service using high efficiency equipment.
 - Prohibit operation of ornamental fountains or ponds that use potable water except where supporting aquatic life.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit new sod, overseeding, sodding, sprigging, broadcasting or plugging with or watering.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit the use of potable water for the irrigation of new landscape.
- **Requires notification to TCEQ by NTMWD and/or Member Cities and Customers.** Prohibit all commercial and residential landscape watering, except foundations (within 2 feet) and trees (within a 10-foot radius of its trunk) may be watered for two hours one day per week with a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system provided no runoff occurs. Drip irrigation systems are not exempt from this requirement.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit washing of vehicles except at a commercial vehicle wash facility.
- **Requires notification to TCEQ by Member Cities and Customers.** Landscape watering of parks, golf courses, and athletic fields with potable water is prohibited. As an exception, golf course greens and tee boxes may be hand watered as needed. Variances may be granted by the water provider under special circumstances.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit the filling, draining, and/or refilling of existing swimming pools, wading pools, Jacuzzi and hot tubs except to maintain structural integrity, proper operation and maintenance or to alleviate a public safety risk. Existing pools may add water to replace losses from normal use

and evaporation. Permitting of new swimming pools, wading pools, Jacuzzi and hot tubs is prohibited.

- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit the operation of interactive water features such as water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.
- **Requires notification to TCEQ by Member Cities and Customers.** Require all commercial water users to reduce water use by a set percentage.
- **Requires notification to TCEQ by NTMWD.** Institute a mandated reduction in deliveries to all Member Cities and Customers. Such a reduction will be distributed as required by Texas Water Code Section 11.039.
- **Requires notification to TCEQ by NTMWD and/or Member Cities and Customers.** Initiate a rate surcharge over normal rates for all water use or for water use over a certain level

Appendix A

List of References

The following appendix contains a list of references used throughout the plans.

APPENDIX A

LIST OF REFERENCES

1. Texas Commission on Environmental Quality Water Conservation Implementation Report. <https://www.tceq.texas.gov/assets/public/permitting/forms/20645.pdf>
2. Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.1 and 288.5, and Subchapter B, Rule 288.22, downloaded from [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288), April 2023.
3. Water Conservation Implementation Task Force: “Texas Water Development Board Report 362, Water Conservation Best Management Practices Guide,” prepared for the Texas Water Development Board, Austin, November 2004.
4. Texas Water Development Board, Texas Commission on Environmental Quality, Water Conservation Advisory Council: Guidance and Methodology for Reporting on Water Conservation and Water Use, December 2012
5. Freese and Nichols, Inc.: Model Water Conservation Plan for NTMWD Members Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, January 2019.
6. Freese and Nichols, Inc.: Model Water Resource and Emergency Management Plan for NTMWD Members Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, January 2019.
7. Freese and Nichols Inc, Alan Plummer Associates, Inc., CP & Y Inc., Cooksey Communications. “2021 Region C Water Plan”

Appendix B

Texas Administrative Code Title 30

Chapter 288

The following appendix contains the Texas Administrative Code that regulates both water conservation and drought contingency plans. Prior to the code, a summary is given that outlines where each requirement is fulfilled within the plans.

APPENDIX B

TEXAS ADMINISTRATIVE CODE TITLE 30 CHAPTER 288

TCEQ rules governing development of water conservation plans are contained in Title 30, Chapter 288, Subchapter A of the Texas Administrative Code, which is included in this Appendix for reference.

The water conservation plan elements required by TCEQ water conservation rules that are covered in this water conservation plan are listed below.

Minimum Conservation Plan Requirements for Public Water Suppliers

- 288.2(a)(1)(A) – Utility Profile – Section 2
- 288.2(a)(1)(B) – Record Management System – Section 4
- 288.2(a)(1)(C) – Specific, Quantified Goals – Section 3
- 288.2(a)(1)(D) – Accurate Metering – Section 4
- 288.2(a)(1)(E) – Universal Metering – Section 4
- 288.2(a)(1)(F) – Determination and Control of Water Loss – Section 4
- 288.2(a)(1)(G) – Public Education and Information Program – Section 8
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 8
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 6
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 7
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 7
- 288.2(c) – Review and Update of Plan – Section 7

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|----------------------------|--|
| <u>TITLE 30</u> | ENVIRONMENTAL QUALITY |
| <u>PART 1</u> | TEXAS COMMISSION ON ENVIRONMENTAL QUALITY |
| <u>CHAPTER 288</u> | WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS |
| <u>SUBCHAPTER A</u> | WATER CONSERVATION PLANS |
| RULE §288.1 | Definitions |

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Agricultural or Agriculture--Any of the following activities:

(A) cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers;

(B) the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media by a nursery grower;

(C) raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value;

(D) raising or keeping equine animals;

(E) wildlife management; and

(F) planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure.

(2) Agricultural use--Any use or activity involving agriculture, including irrigation.

(3) Best management practices--Voluntary efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specific time frame.

(4) 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 water supply is made available for future or alternative uses.

(5) Commercial use--The use of water by a place of business, such as a hotel, restaurant, or office building. This does not include multi-family residences or agricultural, industrial, or institutional users.

(6) Drought contingency plan--A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

(7) Industrial use--The use of water in processes designed to convert materials of a lower order of value into forms having greater usability and commercial value, and the development of power by means other than hydroelectric, but does not include agricultural use.

(8) Institutional use--The use of water by an establishment dedicated to public service, such as a school, university, church, hospital, nursing home, prison or government facility. All facilities dedicated to public service are considered institutional regardless of ownership.

(9) Irrigation--The agricultural use of water for the irrigation of crops, trees, and pastureland, including, but not limited to, golf courses and parks which do not receive water from a public water supplier.

(10) Irrigation water use efficiency--The percentage of that amount of irrigation water which is beneficially used by agriculture crops or other vegetation relative to the amount of water diverted from the source(s) of supply. Beneficial uses of water for irrigation purposes include, but are not limited to, evapotranspiration needs for vegetative maintenance and growth, salinity management, and leaching requirements associated with irrigation.

(11) Mining use--The use of water for mining processes including hydraulic use, drilling, washing sand and gravel, and oil field re-pressuring.

(12) Municipal use--The use of potable water provided by a public water supplier as well as the use of sewage effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

(13) Nursery grower--A person engaged in the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or nonsoil media, who grows more than 50% of the products that the person either sells or leases, regardless of the variety sold, leased, or grown. For the purpose of this definition, grow means the actual cultivation or propagation of the product beyond the mere holding or maintaining of the item prior to sale or lease, and typically includes activities associated with the production or multiplying of stock such as the development of new plants from cuttings, grafts, plugs, or seedlings.

(14) Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(15) Public water supplier--An individual or entity that supplies water to the public for human consumption.

(16) Regional water planning group--A group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code §16.053.

(17) Residential gallons per capita per day--The total gallons sold for residential use by a public water supplier divided by the residential population served and then divided by the number of days in the year.

(18) Residential use--The use of water that is billed to single and multi-family residences, which applies to indoor and outdoor uses.

(19) Retail public water supplier--An individual or entity that for compensation supplies water to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants when that water is not resold to or used by others.

(20) Reuse--The authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

(21) Total use--The volume of raw or potable water provided by a public water supplier to billed customer sectors or nonrevenue uses and the volume lost during conveyance, treatment, or transmission of that water.

(22) Total gallons per capita per day (GPCD)--The total amount of water diverted and/or pumped for potable use divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in this chapter shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

(23) Water conservation coordinator--The person designated by a retail public water supplier that is responsible for implementing a water conservation plan.

(24) Water conservation plan--A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the

recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document(s).

(25) Wholesale public water supplier--An individual or entity that for compensation supplies water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants as an incident of that employee service or tenancy when that water is not resold to or used by others, or an individual or entity that conveys water to another individual or entity, but does not own the right to the water which is conveyed, whether or not for a delivery fee.

(26) Wholesale use--Water sold from one entity or public water supplier to other retail water purveyors for resale to individual customers.

Source Note: The provisions of this §288.1 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective August 15, 2002, 27 TexReg 7146; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective January 10, 2008, 33 TexReg 193; amended to be effective December 6, 2012, 37 TexReg 9515; amended to be effective August 16, 2018, 43 TexReg 5218

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| <u>TITLE 30</u> | ENVIRONMENTAL QUALITY |
| <u>PART 1</u> | TEXAS COMMISSION ON ENVIRONMENTAL QUALITY |
| <u>CHAPTER 288</u> | WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS |
| <u>SUBCHAPTER A</u> | WATER CONSERVATION PLANS |
| RULE §288.2 | Water Conservation Plans for Municipal Uses by Public Water Suppliers |

(a) A water conservation plan for municipal water use by public water suppliers must provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for municipal uses by public water suppliers must include the following elements:

(A) a utility profile in accordance with the Texas Water Use Methodology, including, but not limited to, information regarding population and customer data, water use data (including total gallons per capita per day (GPCD) and residential GPCD), water supply system data, and wastewater system data;

(B) a record management system which allows for the classification of water sales and uses into the most detailed level of water use data currently available to it, including, if possible, the sectors listed in clauses (i) - (vi) of this subparagraph. Any new billing system purchased by a public water supplier must be capable of reporting detailed water use data as described in clauses (i) - (vi) of this subparagraph:

- (i) residential;
 - (I) single family;
 - (II) multi-family;
- (ii) commercial;

- (iii) institutional;
- (iv) industrial;
- (v) agricultural; and,
- (vi) wholesale.

(C) specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in total GPCD and residential GPCD. The goals established by a public water supplier under this subparagraph are not enforceable;

(D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;

(E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;

(F) measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);

(G) a program of continuing public education and information regarding water conservation;

(H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;

(I) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and

(J) a means of implementation and enforcement which shall be evidenced by:

(i) a copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the water supplier; and

(ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(K) documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:

(A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system;

(B) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

(3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the water conservation plan:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

(C) a program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

(D) reuse and/or recycling of wastewater and/or graywater;

(E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;

(F) a program and/or ordinance(s) for landscape water management;

(G) a method for monitoring the effectiveness and efficiency of the water conservation plan;
and

(H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan every five years to coincide with the regional water planning group.

APPENDIX B

TEXAS ADMINISTRATIVE CODE TITLE 30 CHAPTER 288

TCEQ rules governing development of water conservation plans are contained in Title 30, Chapter 288, Subchapter A of the Texas Administrative Code, which is included in this Appendix for reference.

The water conservation plan elements required by TCEQ water conservation rules that are covered in this drought contingency plan are listed below.

Minimum Drought Contingency Plan Requirements for Public Water Suppliers

- **288.20(a)(1)(A)** – Provisions to Inform Public and Provide Opportunity for Public Input - Section 2
- **288.20(a)(1)(B)** – Program for Continuing Public Education and Information – Section 2
- **288.20(a)(1)(C)** – Coordination with Regional Water Planning Groups – Section 2
- **288.20(a)(1)(D)** – Description of Information to Be Monitored and Criteria for the Initiation and Termination of Water Resource Management Stages – Sections 2
- **288.20(a)(1)(E)** – Stages for Implementation of Measures in Response to Situations – Section 3
- **288.20(a)(1)(F)** – Specific, Quantified Targets for Water Use Reductions During Water Shortages – Section 3
- **288.20(a)(1)(G)** – Specific Water Supply or Water Demand Measures to Be Implemented at Each Stage of the Plan – Section 3
- **288.20(a)(1)(H)** – Procedures for Initiation and Termination of Drought Contingency and Water Emergency Response Stages – Section 2
- **288.20(a)(1)(I)** – Description of Procedures to Be Followed for Granting Variances to the Plan – Section 2
- **288.20(a)(1)(J)** – Procedures for Enforcement of Mandatory Water Use Restrictions – Section 2
- **288.20(b)** – TCEQ Notification of Implementation of Mandatory Provisions – Sections 2 and 3
- **288.20(c)** – Review of Drought Contingency and Water Emergency Response Plan Every Five (5) Years – Section 2

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

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(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 ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must 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 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.

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

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| <u>TITLE 30</u> | ENVIRONMENTAL QUALITY |
| <u>PART 1</u> | TEXAS COMMISSION ON ENVIRONMENTAL QUALITY |
| <u>CHAPTER 288</u> | WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS |
| <u>SUBCHAPTER B</u> | DROUGHT CONTINGENCY PLANS |
| RULE §288.22 | Drought Contingency Plans for Wholesale Water Suppliers |

(a) A drought contingency plan for a wholesale water supplier must include the following minimum elements.

(1) 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.

(2) The drought contingency plan must document coordination with the regional water planning groups for the service area of the wholesale public water supplier to ensure consistency with the appropriate approved regional water plans.

(3) The drought contingency plan must 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.

(4) The drought contingency plan must include a minimum of three drought or emergency response stages providing for the implementation of measures in response to water supply conditions during a repeat of the drought-of-record.

(5) The drought contingency plan must include the procedures to be followed for the initiation or termination of drought response stages, including procedures for notification of wholesale customers regarding the initiation or termination of drought response stages.

(6) 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 paragraph are not enforceable.

(7) 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:

(A) pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code, §11.039; and

(B) utilization of alternative water sources 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.).

(8) The drought contingency plan must 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.

(9) The drought contingency plan must include procedures for granting variances to the plan.

(10) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions including specification of penalties (e.g., liquidated damages, water rate surcharges, discontinuation of service) for violations of such restrictions.

(b) The wholesale public 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 wholesale 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 adoption or revision of the regional water plan.

Source Note: The provisions of this §288.22 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

The Dallas Morning News

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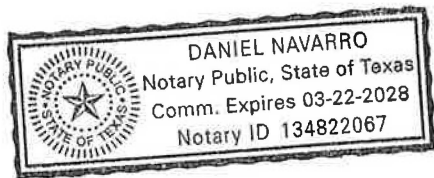
CITY OF HEATH

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City of Heath, Texas Ordinance No. 250624B repealing and readopting a new Title V "Public Works"; Chapter 51 "Water and Sewer"; Section 51.08 "Adoption of Water Conservation Plan" of the City Code of Ordinances to adopt a water conservation plan for the City of Heath to promote the responsible use of water; repeal Title V "Public Works", Chapter 51 "Water and Sewer"; Section 51.99(A) "Penalties" of the City Code of Ordinances; providing for an administrative penalty of a fine not to exceed the sum of five hundred (\$500.00) dollars per violation and/or the disconnection of water service for noncompliance with the provisions of the water conservation plan; providing for a criminal penalty of a fine not to exceed the sum of two thousand (\$2,000.00) dollars and/or the disconnection of water service for noncompliance with the provisions of the water conservation plan; providing for certain civil penalties; providing for severability and repealer; providing for legal rights; providing for estoppel/waiver; and providing for publication and an effective date.

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Notices - Business

LEGAL NOTICE

NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS

The City of Rowlett City Council will conduct a public hearing at 7:00 PM on Tuesday, July 15, 2025, to consider and take action on the following items:

On a request by Artuan McGee, Evolving Texas, on behalf of property owner, Angela Chen, Lakeside Townhome Land Holdings LLC, to 1) Rezone the subject property from Planned Development (PD) District for Limited Commercial/Retail (C-1) to Planned Development (PD) District for Multi-Family Attached Residential Townhouse (MF-TH); 2) Approve a Concept Plan to construct 35 Townhomes; 3) Amend the Comprehensive Plan; and 4) Amend the official Zoning Map of the City. The property is located generally south of Miller Road and west of Navigation Drive, consisting of a 2.323-acre tract situated in the Charles D Merrill Survey, Abstract No. 957, in the City of Rowlett, Dallas County, Texas.

Notices - Business

LEGAL NOTICE

NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS

The City of Rowlett City Council will conduct a public hearing at 7:00 PM on Tuesday, July 15, 2025, to consider and take action on the following items:

On a request by Maied Khalaf, Roc Design Engineers, on behalf of property owners F2S Investments LLC, seeking to amend Planned Development (12-16-86B) with I-2 (Industrial) use classification, to allow for a newly constructed 720-square-foot vehicle repair bay, within an existing auto-body and repair shop, to encroach 3 feet into the required building setback, on an approximately 0.55 acre lot. The subject property is situated at 5433 Lakeview Parkway, Lot 1, Block A, Banyon Heights, in the City of Rowlett, Dallas County, Texas.

Notices - Business

DEPARTMENT OF TRANSPORTATION Federal Aviation Administration Washington, D.C.

Notice of Availability, Notice of Public Comment Period, and Request for Comment on the Draft Environmental Assessment for Zipline International Inc. Proposed Drone Package Delivery Operations in Dallas-Fort Worth, Texas

The Federal Aviation Administration (FAA) provides notice that a Draft Environmental Assessment (EA), prepared pursuant to the National Environmental Policy Act (NEPA) (42 United States Code [U.S.C.] §§ 4321-4355), to assess Zipline International Inc. (Zipline), proposed commercial drone delivery service in the Dallas-Fort Worth (DFW), Texas, metropolitan area is available for review and comment.

Zipline is seeking to amend its air carrier Operation Specifications (OpSpecs) and other FAA approvals necessary to begin commercial drone package delivery operations in Texas. The FAA's approval of the amended OpSpecs is considered a major federal action under NEPA and requires a NEPA review. This Draft EA is submitted for review pursuant to NEPA, FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, Section 4(f) of the Department of Transportation Act (49 U.S.C. § 303), and Section 106 of the National Historic Preservation Act (16 U.S.C. § 470). The Draft EA will be available for a 30-day public review beginning on Wednesday, June 18, 2025, and ending on Friday, July 18, 2025.

The Draft EA is available for online review at https://www.faa.gov/uas/advanced_operations/nepa_and_drones

Comments on the Draft EA may be submitted electronically to 9-FAA-Drone-Environmental@faa.gov. Written comments may be submitted via U.S. mail to the address below. Please ensure adequate time for receipt. All comments must be received by 5:00 p.m. Central Time on Friday, July 18, 2025.

Federal Aviation Administration, Suite 802W C/O AVS Environmental 800 Independence Ave SW Washington, DC 20591

All substantive comments received will be responded to in the Final EA.

Privacy Notice: Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

This Draft EA becomes a federal document when evaluated, signed, and dated by the Responsible FAA Official.

Notices - Business

DEPARTAMENTO DE TRANSPORTE Administración Federal de Aviación (FAA) Washington, D.C.

Aviso de Disponibilidad, Aviso de Período de Comentarios Públicos y Solicitud de Comentarios sobre el Borrador de Evaluación Ambiental para las Operaciones Propuestas de Entrega de Paquetes con Drones de Zipline International Inc. en Dallas-Fort Worth, Texas

La Administración Federal de Aviación (FAA) avisa que un Borrador de Evaluación Ambiental (EA), preparado de conformidad con la Ley Nacional de Política Ambiental (NEPA, por sus siglas en inglés) (42 Código de los Estados Unidos [U.S.C.] §§ 4321-4355), para evaluar el servicio propuesto de entrega comercial de paquetes mediante drones por parte de Zipline International Inc. (Zipline) en el área metropolitana de Dallas-Fort Worth (DFW), Texas, está disponible para revisión y comentarios.

Zipline busca enmendar sus Especificaciones de Operación (OpSpecs) como transportista aéreo, además otras aprobaciones de la FAA necesarias para comenzar operaciones de entrega comercial de paquetes mediante drones en Texas. La aprobación por parte de la FAA de los OpSpecs enmendados se considera una acción federal significativa según la NEPA, lo que requiere una revisión según dicha ley. Este Borrador de la EA se presenta para revisión conformado a la NEPA, la Orden 1050.1F de la FAA, "Impactos Ambientales: Políticas y Procedimientos", la Sección 4(f) de la Ley del Departamento de Transporte (49 U.S.C. § 303), y la Sección 106 de la Ley Nacional de Preservación Histórica (16 U.S.C. § 470).

El Borrador de EA estará disponible para revisión pública durante 30 días, comenzando el Miércoles, 18 de Junio, 2025 y terminando el Viernes, 18 de Julio, 2025.

El Borrador de EA está disponible en línea en: https://www.faa.gov/uas/advanced_operations/nepa_and_drones

Los comentarios sobre el Borrador de EA pueden enviarse electrónicamente a: 9-FAA-Drone-Environmental@faa.gov

Los comentarios por escrito pueden enviarse por correo postal a la siguiente dirección. Por favor asegúrese de enviarlos con suficiente antelación para su recepción. Todos los comentarios deben recibirse antes de las 5:00 p.m. (hora central) del 18 de Julio de 2025.

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Todos los comentarios sustantivos recibidos serán respondidos en la EA Final.

Aviso de Privacidad: Antes de incluir su dirección, número de teléfono, dirección de correo electrónico u otra información personal en su comentario, tenga en cuenta que su comentario completo—including su información personal—podría hacerse público en cualquier momento. Aunque puede solicitarlos que no revelemos su información personal en la revisión pública, no podemos garantizar que podamos cumplir con esa solicitud.

Este Borrador de EA se convierte en un documento federal cuando es evaluado, firmado y fechado por el Funcionario Responsable de la FAA.

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Galleria Dallas to add new stores, attractions

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las, which will include “Squid Game: Survive the Trials” and “Stranger Things: Escape the Dark,” is slated to open in late this year.

The shopping center, recently named No. 3 in the U.S., will be one of just two locations nationally scheduled to get the new concept initially.

“There’s so much change going on this year in the shopping center, and we believe it will have an incredible, positive impact on our regular visitors and new shoppers alike,” said Angie Freed, Galleria Dallas general manager.

Portland Leather Goods, a

retailer that sells handbags and backpacks, is set to open at Galleria Dallas later this summer.

It’s a first for the region, according to its website, with just a handful of shops nationally.

Still, there are two already in Texas, including the Austin and Houston areas. Seattle, Chicago and Denver are among some of the other cities slated to get the store, according to its website.

The company offers a variety of leather goods that include some colorful options.

That covers sunglasses cases, passport holders, make-up bags and many other items.

Another store, Holiday De-

cor Boutique, which focuses on Christmas items, is slated to open at the mall in late summer. It also offers items for all seasons, including gifts and other offerings.

In the spring, Pop Mart, the global company offering character-driven toy-related items, opened in Galleria Dallas.

The shop also has a locale in Frisco at Stonebriar Centre.

Other stores are renovating their sites at the mall while there have been updates to the restaurant scene as well.

And there are improvements beyond that. The skating rink is getting upgrades, and a corridor near The Westin is seeing updates as well.

Luxury project adding to ‘sought-after’ Uptown area

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time. KERA is using a temporary facility at One Arts Plaza and Fair Park in downtown Dallas while the new tower is constructed.

The broadcaster said it sold around 2.3 acres of its 4-acre property to Kaizen, and its office footprint will remain roughly the same size.

Adding to Uptown

The development will significantly bolster the 2 million square feet of office space already under construction in Uptown.

A deep bench of amenities, including walkability, and a wide range of dining and retail options have turned the glitzy neighborhood into the largest market for new office construction in the metro.

Attracting offices

“Uptown Dallas continues to be one of the most sought-after office markets in the country, with sustained demand from companies looking for premier space that delivers on both quality and experience,” Blake Shipley, managing director at JLL, said in a statement.



Shafkat Anowar/Staff Photographer

Demolition of public broadcasting station KERA’s building started on Tuesday to make way for a new multiuse luxury development. KERA is using a temporary facility.

Shipley and JLL executive managing director T.D. Briggs are leasing the office component of Chalk Hill.

The office building at Chalk Hill will include a fitness center with saunas and a cold plunge, nearly an acre of green roof space, conference areas, multiple lounge spaces and a multi-purpose executive board and dining room.

Plans for hotel

The luxury hotel is being developed in partnership with HN Capital Partners, a real es-

tate investor which bills itself as an “an operator, developer and investor” according to its website.

It isn’t clear if HN will operate the hotel.

The company did not respond to a request for comment by time of publication.

Dallas architect BOKA Powell has been tapped to design Chalk Hill, with London-based Balfour Beatty as the general contractor.

Kaizen completed The Link at Uptown, a 25-story building on Uptown’s doorstep at 2601 Olive St. in 2022.

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