

SECTION H.

DROUGHT CONTINGENCY AND EMERGENCY RESPONSE PLAN

(Ord. 10-14-03, adopted 10/14/2003; amended and republished by Ord. 2006-001, 04/11/2006; amended by Ord. 2006-002, 05/08/2006; amended and republished by Ord. 2009-001, 04/28/2009).

8.01 Introduction and Objectives. In order to conserve the available water supply and protect the integrity of water supply facilities, this Drought Contingency and Emergency Response Plan (the "Plan") is adopted by the district for the following purposes:

- (a) to conserve the available water supply in times of drought and emergency;
- (b) to maintain supplies for domestic water use and sanitation;
- (c) to protect and preserve public health, welfare, and safety;
- (d) to minimize the adverse impacts of water supply shortages; and
- (e) to minimize the adverse impacts of emergency water supply conditions.

This document is based on the model drought contingency and emergency response plan promulgated by the North Texas Municipal Water District ("NTMWD") in March 2008 for adoption by its member cities and customers. The model plan addresses all of the current TCEQ requirements for a drought contingency plan. As a customer of NTMWD, the district has adopted the regulations and restrictions on the delivery and consumption of water set forth in this Plan. Water uses regulated or prohibited under this Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water which subjects offenders to enforcement and penalties as described in Section 10 of this Plan.

8.02 Texas Commission on Environmental Quality Rules. The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code (effective October 7, 2004) defines a drought contingency plan 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. The TCEQ's minimum requirements for drought contingency plans are addressed in the following subsections of this Plan:

[Table follows on next page.]

TCEQ Rule	Location in Plan	Description
288.20(a)(1)(A)	Section 3.1	Provisions to inform the public and provide opportunity for public input.
288.20(a)(1)(B)	Section 3.2	Provisions for continuing public education and information.
288.20(a)(1)(C)	Section 3.7	Coordination with the regional water planning group.
288.20(a)(1)(D)	Section 3.3	Criteria for initiation and termination of drought stages.
288.20(a)(1)(E)	Section 3.4	Drought and emergency response stages.
288.20(a)(1)(F)	Section 3.4	Quantified targets for water use reductions during periods of water shortage and drought.
288.20(a)(1)(G)	Section 3.4	Water supply and demand management measures for each stage.
288.20(a)(1)(H)	Section 3.3	Procedures for initiation and termination of drought stages.
288.20(a)(1)(I)	Section 3.5	Procedures for granting variances.
288.20(a)(1)(J)	Section 3.6	Procedures for enforcement of mandatory restrictions.
288.20(a)(3)	Sections 1, 3.3 and 3.4	Consultation with wholesale supplier.
288.20(b)	Section 3.3	Notification of implementation of mandatory measures.
288.20(c)	Section 3.8	Review and update of plan.

8.03 Provisions to Inform the Public and Opportunity for Public Input. The district will provide opportunity for public input in the development of this Plan by the following means:

- (a) Providing written notice of the proposed Plan and the opportunity to comment on the Plan by newspaper and posted notice.
- (b) Making the draft Plan available on the district's website.
- (c) Providing the draft Plan to anyone requesting a copy.
- (d) Holding a public meeting.

8.04 Provisions for Continuing Public Education and Information. The district will inform and educate the public about the Plan by the following means:

(a) Preparing a bulletin describing the Plan and making it available at the district's regular office and other appropriate locations.

(b) Making the Plan available to the public through the district's website.

(c) Notifying water customers through billing inserts.

(d) Notifying local organizations, schools, and civic groups that staff are available to make presentations on the Plan (usually in conjunction with presentations on water conservation programs).

(e) At any time that the Plan is activated or a drought contingency or emergency water response stage changes, the district will notify local media of the issues, the drought response stage, and the specific actions or use restrictions required of the public. The information will also be publicized on the district's website and through customer billing inserts as appropriate.

8.05 Application. The provisions of this Plan shall apply to all persons, customers, and property using or receiving water provided by the district. The first two contingency plan stages, Mild and Moderate, present voluntary conservation actions. The remaining two stages (Severe and Emergency) impose mandatory use restrictions.

8.06 Definitions. The following definitions shall apply to this Plan:

WATER SHORTAGE or *WATER SUPPLY SHORTAGE* means a condition in which existing or projected water supply or delivery available to district customers is not anticipated to meet, or cannot meet, the ordinary water requirements of said customers.

WHOLESALE CUSTOMER means a customer that purchases water directly from NTMWD or is sold water by the district at a discount from the full retail sales price. The district is a wholesale customer of NTMWD.

8.07 Initiation and Termination of Drought or Water Emergency Response Stages.

(a) Initiation of Drought or Water Emergency Response Stage. The General Manager may order the implementation of a drought or water emergency response stage when one or more of the trigger conditions for that stage is met. The following actions will be taken when a drought or water emergency response stage is initiated:

(1) The public will be notified through local media as described in Section 4 of this Plan.

(2) NTMWD and wholesale customers (if any) will be notified by e-mail with a follow-up letter or facsimile that provides details of the reasons for the initiation of the drought or water emergency response stage.

(3) The district will notify the Executive Directors of the TCEQ and NTMWD within 5 business days of initiating or implementing any mandatory provisions of the Plan. (A sample letter is included as Attachment 1 to this Plan.)

Drought contingency and water emergency response stages imposed by NTMWD action must be initiated by the district. For other trigger conditions, the General Manager may decide not to order the implementation of a drought or water emergency response stage even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented by the General Manager.

(b) Termination of a Drought or Emergency Response Stage. The General Manager may order the termination of a drought or water emergency response stage when the conditions for termination are met or at their discretion. The following actions will be taken when a drought stage is terminated:

(1) The public will be notified through local media as described in Section 4 of this Plan.

(2) NTMWD and wholesale customers (if any) will be notified by e-mail with a follow-up letter or fax.

(3) The district will notify the Executive Directors of the TCEQ and NTMWD within 5 business days of implementing or terminating any mandatory provisions of this Plan.

The General Manager may decide not to order the termination of a drought response stage or water emergency even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought stage. The reason for this decision should be documented by the General Manager.

8.08 Drought and Emergency Response Stages.

(a) **STAGE 1 (MILD).**

(1) Stage 1 Initiation Conditions. The following conditions for initiating and terminating Stage 1 shall apply:

(A) NTMWD has initiated Stage 1 due to one or more of the following:

(i) NTMWD's Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.

(ii) Water demand is projected to approach the limit of the permitted supply.

(iii) The storage in Lavon Lake is less than 65% of the total conservation pool capacity.

(iv) NTMWD's storage in Jim Chapman Lake is less than 65% of NTMWD's total conservation pool capacity.

(v) The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a mild drought.

(vi) NTMWD has concern that Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source may be limited in availability in the next 6 months.

(vii) NTMWD water demand exceeds 90% of the amount that can be delivered to customers for three consecutive days.

(viii) Water demand for all or part of NTMWD's delivery system approaches delivery capacity because delivery capacity is inadequate.

(ix) NTMWD's supply source becomes contaminated.

(x) NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.

(B) The district's water demand exceeds 90% of the amount that can be delivered to customers for 3 consecutive days.

(C) The district's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.

(D) The district's supply source becomes contaminated.

(E) The district's water supply system is unable to deliver water due to the failure or damage of major water system components.

(F) The district's individual plan may be implemented if other criteria dictate.

(2) Stage 1 Termination Conditions. The district may terminate Stage 1 when NTMWD terminates its Stage 1 condition or when the circumstances that caused the initiation of Stage 1 no longer prevail.

(3) Stage 1 Goals for Use Reduction and Actions Available. Stage 1 is intended to raise public awareness of potential drought or water emergency problems. The goal for water use reduction under Stage 1 is a two percent (2%) reduction in the amount of water produced by NTMWD. The General Manager may order the implementation of any of the actions listed below as deemed necessary:

(A) Request voluntary reductions in water use by the public and by wholesale customers.

(B) Notify wholesale customers, if any, of actions being taken and request implementation of similar procedures.

(C) Increase public education efforts on ways to reduce water use.

(D) Review conditions that caused the initiation of Stage 1.

(E) Intensify efforts to detect and repair leaks.

(F) Notify major water users and work with them to achieve voluntary water use reductions.

(G) Intensify efforts on leak detection and repair.

(H) Reduce non-essential district water use including vehicle washing and landscape irrigation.

(I) Ask the public to follow voluntary landscape watering schedules.

(b) **STAGE 2 (MODERATE).**

(1) Stage 2 Initiation Conditions. The following conditions for initiating and terminating Stage 2 shall apply:

(A) NTMWD has initiated Stage 2 due to one or more of the following:

(i) NTMWD's Executive Director, with the

concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.

(ii) Water demand is projected to approach the limit of the permitted supply.

(iii) The storage in Lavon Lake is less than 55% of the total conservation pool capacity.

(iv) NTMWD's storage in Jim Chapman Lake is less than 55% of NTMWD's total conservation pool capacity.

(v) The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a mild drought.

(vi) NTMWD has concern that Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source may be limited in availability in the next 3 months.

(vii) NTMWD water demand exceeds 95% of the amount that can be delivered to customers for three consecutive days.

(viii) Water demand for all or part of NTMWD's delivery system approaches delivery capacity because delivery capacity is inadequate.

(ix) NTMWD's supply source becomes contaminated.

(x) NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.

(B) The district's water demand exceeds 95% of the amount that can be delivered to customers for 3 consecutive days.

(C) The district's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.

(D) The district's supply source becomes contaminated.

(E) The district's water supply system is unable to deliver water due to the failure or damage of major water system components.

(F) The district's individual plan may be implemented if other criteria dictate.

(2) Stage 2 Termination Conditions. The district may terminate Stage 2 when NTMWD terminates its Stage 2 condition or when the circumstances that caused the initiation of Stage 2 no longer prevail.

(3) Stage 2 Goals for Use Reduction and Actions Available. The goal for water use reduction under Stage 2 is a five percent (5%) reduction in the amount of water produced by NTMWD. If circumstances warrant or if required by NTMWD, the General Manager may set a goal for greater water use reduction. The General Manager may order the initiation or implementation of any of the actions listed below as he or she deems necessary. The measures below requiring notice to the TCEQ impose mandatory water use restrictions for which the notice provisions of Sections 7(a)(3) and 7(b)(3) apply.

(A) Continue or initiate any actions available under Stage 1.

(B) Notify wholesale customers, if any, of actions being taken and request implementation of similar procedures.

(C) Initiate engineering studies to evaluate alternatives should conditions worsen.

(D) Further accelerate public education efforts on ways to reduce water use.

(E) Halt non-essential district water use including vehicle washing.

(F) Encourage the public to wait until the current drought or emergency situation has passed before establishing new landscaping.

(G) **Requires Notice to TCEQ** - Limit landscape watering with sprinklers or irrigation systems at each service address to no more than 2 days per week based on the last digit of the address. Watering on allowed days shall be limited to two (2) hours total.

<i>If your address ends in:</i>	<i>Your allowed water days are:</i>
0, 2, 4, 6 or 8	Mondays and Thursdays
1, 3, 5, 7 or 9	Tuesdays and Fridays

An exception is allowed for landscaping associated with new construction that may be watered as necessary for 30 days from the

date of the certificate of occupancy. An exemption is also allowed for registered and properly functioning ET/Smart irrigation systems and drip irrigation systems, which do not have restrictions to the number of days per week of operation.

(H) **Requires Notice to TCEQ** - Restrict landscape and lawn irrigation from 10:00 A.M. to 6:00 P.M. beginning April 1 through October 31 of each year.

(I) **Requires Notice to TCEQ** - Prohibit planting of cool season grasses (such as rye grass or other similar grasses) that intensify cool season water requirements.

(c) **STAGE 3 (SEVERE).**

(1) Stage 3 Initiation Conditions. The following conditions for initiating and terminating Stage 3 shall apply:

(A) NTMWD has initiated Stage 3 due to one or more of the following:

(i) NTMWD's Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3.

(ii) Water demand is projected to approach or exceed the limit of the permitted supply.

(iii) The storage in Lavon Lake is less than 45% of the total conservation pool capacity.

(iv) NTMWD's storage in Jim Chapman Lake is less than 45% of NTMWD's total conservation pool capacity.

(v) The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a moderate drought.

(vi) The supply from Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source has become limited in availability.

(vii) NTMWD water demand exceeds 98% of the amount that can be delivered to customers for three consecutive days.

(viii) Water demand for all or part of NTMWD's

delivery system approaches delivery capacity because delivery capacity is inadequate.

(ix) NTMWD's supply source becomes contaminated.

(x) NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.

(B) The district's water demand exceeds 98% of the amount that can be delivered to customers for 3 consecutive days.

(C) The district's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.

(D) The district's supply source becomes contaminated.

(E) The district's water supply system is unable to deliver water due to the failure or damage of major water system components.

(F) The district's individual plan may be implemented if other criteria dictate.

(2) Stage 3 Termination Conditions. The district may terminate Stage 3 when NTMWD terminates its Stage 3 condition or when the circumstances that caused the initiation of Stage 3 no longer prevail.

(3) Stage 3 Goals for Use Reduction and Actions Available. The goal for water use reduction under Stage 3 is a ten percent (10%) reduction in the amount of water produced by NTMWD. If circumstances warrant or if required by NTMWD, the General Manager may set a goal for greater water use reduction. The General Manager must initiate or implement any restrictions required by NTMWD under authority of its drought contingency and emergency response plan. In addition, the General Manager may implement any of the restrictions listed below as he or she deems necessary to address the emergency. The measures below requiring notice to the TCEQ impose mandatory water use restrictions for which the notice provisions of Sections 7(a)(3) and 7(b)(3) apply.

(A) Continue or initiate any actions available under Stages 1 and 2.

(B) Notify wholesale customers, if any, of actions being taken and request implementation of similar procedures.

(C) Implement viable alternative water strategies.

(D) **Requires Notice to TCEQ** - Initiate mandatory water use restrictions as follows:

(i) Prohibit hosing of paved areas, buildings, or windows. (Pressure washing of impervious surfaces is allowed.)

(ii) Prohibit operation of all ornamental fountains or other amenity impoundments to the extent they use treated water.

(iii) Prohibit washing or rinsing of vehicles by hose except with a hose end cutoff nozzle.

(iv) Prohibit using water in such a manner as to allow runoff or other waste.

(E) **Requires Notice to TCEQ** - Limit landscape watering with sprinklers or irrigation systems at each service address to once every seven days. Exceptions are as follows:

(i) Foundations, new landscaping, new plantings (first year) of shrubs, and trees may be watered for up to 2 hours on any day by a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system.

(ii) Golf courses may water greens and tee boxes without restrictions.

(iii) Public athletic fields used for competition may be watered twice per week.

(iv) Locations using other sources of water supply for irrigation may irrigate without restrictions.

(v) Registered and properly functioning ET/Smart irrigation systems and drip irrigation systems may irrigate without restrictions.

(F) **Requires Notice to TCEQ** - Prohibit hydroseeding, hydromulching, and sprigging.

(G) **Requires Notice to TCEQ** - Existing swimming pools may not be drained and refilled (except to replace normal water loss).

(H) **Requires Notice to TCEQ** - Initiate a rate surcharge as requested by NTMWD.

(I) **Requires Notice to TCEQ** - Implement a rate surcharge of up to 25% over the district's standard retail rates for all water use over 10,000 gallons per month.

(J) **Requires Notice to TCEQ** - If NTMWD has imposed a reduction in water available to Member Cities and Customers, impose the same percent reduction on wholesale customers

(K) **Requires Notice to TCEQ** - Limit landscape watering with sprinklers or irrigation systems between November 1st and March 31st to one day per week according to the schedule below. The last number of the street address shall determine the allowed watering day. Watering on allowed days shall be limited to two (2) hours total.

<i>If your address ends in:</i>	<i>Your allowed water day is:</i>
0, 2, 4, 6 or 8	Mondays
1, 3, 5, 7 or 9	Tuesdays

An exception is allowed for landscape associated with new construction that may be watered as necessary for 30 days from the date of the certificate of occupancy, temporary certificate of occupancy, or certificate of completion.

(L) **Requires Notice to TCEQ** - Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.

(d) **STAGE 4 (EMERGENCY).**

(1) Stage 4 Initiation Conditions. The following conditions for initiating and terminating Stage 4 shall apply:

(A) NTMWD has initiated Stage 4 due to one or more of the following:

(i) NTMWD's Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 4.

(ii) Water demand is projected to approach or exceed the limit of the permitted supply.

(iii) The storage in Lavon Lake is less than 35% of the total conservation pool capacity.

(iv) NTMWD's storage in Jim Chapman Lake is less than 35% of NTMWD's total conservation pool capacity.

(v) The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a severe drought or emergency.

(vi) The supply from Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source has become severely limited in availability.

(vii) NTMWD water demand exceeds the amount that can be delivered to customers.

(viii) Water demand for all or part of NTMWD's delivery system approaches delivery capacity because delivery capacity is inadequate.

(ix) NTMWD's supply source becomes contaminated.

(x) NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.

(B) The district's water demand exceeds the amount that can be delivered to customers.

(C) The district's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.

(D) The district's supply source becomes contaminated.

(E) The district's water supply system is unable to deliver water due to the failure or damage of major water system components.

(F) The district's individual plan may be implemented if other criteria dictate.

(2) Stage 4 Termination Conditions. The district may terminate Stage 4 when NTMWD terminates its Stage 4 condition or when the circumstances that caused the initiation of Stage 4 no longer prevail.

(3) Stage 4 Goals for Use Reduction and Actions Available. The goal for water use reduction under Stage 4 is a reduction in the amount of water obtained from NTMWD as determined necessary by NTMWD. If circumstances warrant or if required by NTMWD, the General Manager may set a goal for greater water use reduction. The General Manager must initiate or implement any restrictions required by NTMWD under authority of its drought contingency and emergency response plan. In addition, the General Manager may implement any of the restrictions listed below as he or she deems necessary to address the emergency. The measures below requiring notice to the TCEQ impose mandatory water use restrictions for which the notice provisions of Sections 7(a)(3) and 7(b)(3) apply.

(A) Continue or initiate any actions available under Stages 1, 2 and 3.

(B) Notify wholesale customers, if any, of actions being taken and request implementation of similar procedures.

(C) Implement viable alternative water strategies.

(D) **Requires Notice to TCEQ** - Prohibit the irrigation of new landscaping using treated water.

(E) **Requires Notice to TCEQ** - Prohibit washing of vehicles except as necessary for health, sanitation, or safety reasons.

(F) **Requires Notice to TCEQ** - Prohibit commercial and residential landscape watering, except that foundations and trees may be watered for 2 hours on any day with a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system. ET/Smart controllers and drip irrigation systems are not exempt from this requirement..

(G) **Requires Notice to TCEQ** - Prohibit golf course watering with treated water except for greens and tee boxes.

(H) **Requires Notice to TCEQ** - Prohibit the permitting of private pools. Pools already permitted may be completed and filled with water. Existing private and public pools may add water to maintain pool levels but may not be drained and refilled.

(I) **Requires Notice to TCEQ** - Require all commercial water users to reduce water use by a percentage established by the General Manager or official designee.

(J) **Requires Notice to TCEQ** - If NTMWD has imposed a reduction in water available to Member Cities and Customers, impose

the same percent reduction on wholesale customers.

(K) **Requires Notice to TCEQ** - Implement a rate surcharge for all water use over normal rates for all water use.

8.09 Procedures for Granting Variances to the Plan.

(a) Conditions for Variance. The General Manager may grant temporary variances for existing water uses otherwise prohibited under this Plan if one or more of the following conditions are met:

(1) Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person requesting the variance.

(2) Compliance with this plan cannot be accomplished due to technical or other limitations.

(3) Alternative methods that achieve the same level of reduction in water use can be implemented.

(b) Applications for Variance. Variances shall be granted or denied at the discretion of the General Manager. Applications for variance must be in writing and should include the following information:

(1) name and address of the petitioner(s);

(2) purpose of water use;

(3) specific provisions from which relief is requested;

(4) detailed statement of the adverse effect of the provision from which relief is requested;

(5) description of the relief requested;

(6) period of time for which the variance is sought;

(7) alternative measures that will be taken to reduce water use;
and

(8) other pertinent information required by the General Manager.

(c) Effect of Drought Stage Elevation. Variances are temporary and must be submitted for reconsideration every 30 days or in the event the drought response stage under which the variance was issued is elevated to a higher stage by the district or NTMWD.

8.10 Penalties and Enforcement. The district may impose mandatory actions and water use restrictions under Stage 3 and Stage 4 drought response stages. The following enforcement actions and penalties shall apply to anyone violating the terms of a mandatory action or water use restriction under this Plan:

(a) First Violation. The district shall give written notice to any person or customer who violates a mandatory action or water use restriction implemented under this Plan (which violation shall constitute an unauthorized use of district services and/or facilities). The notice shall state (i) the date of the violation, (ii) the nature of the violation, and (iii) the penalties applicable for any further violations.

(b) Second Violation. The district shall assess a penalty of \$75.00 to any person or customer who commits a second violation of any mandatory action or water use restriction implemented under this Plan (which violation shall constitute an unauthorized use of district services and/or facilities). The district may also install a flow restrictor in the line to limit the amount of water that may pass through the violator's meter in a 24-hour period.

(c) Third and Subsequent Violations. The district shall assess a penalty of \$150.00 to any person or customer who commits a third or subsequent violation of any mandatory action or water use restriction implemented under this Plan (which violation shall constitute an unauthorized use of district services and/or facilities). After three violations, the district may also disconnect water service to the violator with notice. Service discontinued under such circumstances shall be restored only upon payment of all unpaid service charges, penalties, and reconnection charges. In addition, suitable assurance must be given to the General Manager that the same action shall not be repeated while mandatory water use restrictions under this Plan are in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.

(d) Remedies Cumulative. Proof of a culpable mental state is not required for the district to impose a penalty under this section or to otherwise enforce this Plan. Each day that a violation of a mandatory action or water use restriction continues shall be considered a separate violation. All rights, remedies, sanctions, penalties and enforcement procedures provided for in this Plan are cumulative and the district may exercise and enforce any and all rights and remedies provided by law or in equity.

8.11 Coordination with the Regional Water Planning Group and NTMWD. A copy of this Plan has been provided to NTMWD and the Chair of the Region C Water Planning Group.

8.12 Review and Update of Drought Contingency Plan. The district will review this Plan every 5 years as required by TCEQ rules. The Plan will be updated as appropriate based on new or updated information.