



DROUGHT CONTINGENCY PLAN

**July 2022
Revised May 2024**



NEXTERA WATER TEXAS, LLC DROUGHT CONTINGENCY PLAN

Adopted on July 12, 2022, revised on May 2024

Applicable to All Public Water Systems owned by NextEra Water Texas, LLC

Letter of Authority

This plan has been drafted by the Compliance Department with guidance from the Executive Team, Operations, Team, and federal and local agencies.

The Project Director of Operations, in representation of the Executive Team and Operations Team, by his signature, approves this Drought Contingency Plan.

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Regional Water Planning Group: Region H

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Signature:

A handwritten signature in black ink, appearing to read "Christina Akly", written over a horizontal line.

Date: 5/30/2024

Table of Contents

Letter of Authority	1
Section I: Declaration of Policy, Purpose, and Intent.....	3
Section II: Public Involvement	3
Section III: Public Education	3
Section IV: Coordination with Regional Water Planning Groups	3
Section V: Authorization	3
Section VI: Application	3
Section VII: Definitions.....	4
Section VIII: Initiation and Termination Criteria and Measures for Drought Response Stages	6
<i>Stage 1: Triggers and Response – MILD Water Shortage Conditions</i>	<i>9</i>
<i>Stage 2: Triggers and Response – MODERATE Water Shortage Conditions – MANDATORY RESTRICTIONS</i>	<i>10</i>
<i>Stage 3 Triggers and Response – SEVERE Water Shortage Conditions – MANDATORY RESTRICTIONS.....</i>	<i>12</i>
<i>Stage 4: Triggers and Response – CRITICAL Water Shortage Conditions – MANDATORY RESTRICTIONS.....</i>	<i>13</i>
<i>Stage 5: Triggers and Response – EMERGENCY Water Shortage Conditions – MANDATORY RESTRICTIONS</i>	<i>15</i>
Section IX: Drought Response Stages Notification.....	17
Section X: Enforcement	18
Section XI: Variances.....	19
Coordination Regional Water Planning Groups	20

Section I: Declaration of Policy, Purpose, and Intent

To conserve the available water supply and protect the integrity of water supply facilities, with regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the NextEra Water Texas, LLC (NextEra Water) hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency plan (the plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this plan.

NextEra Water believes that significant reductions in water usage can be achieved through voluntary efforts by its customers. Implementation of voluntary water conservation measures and conscientious water use practices are always encouraged; however, additional water use restrictions are required in case of extreme drought, periods of abnormally high-water usage, system contamination or extended reduction in ability to supply water due to equipment failure.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the plan is continuously provided by means of the NextEra Water website. NextEraWater.com includes the latest version of the plan as well as an option for customers to provide their comments about the plan. These comments are collected and reviewed throughout the year and included in the plan, as needed.

Section III: Public Education

NextEra Water will periodically provide the public with information about the plan, including information about the conditions under which each stage of the plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information may be provided by means of signage, email communication and website updates, among other forms of communication.

Section IV: Coordination with Regional Water Planning Groups

The service area of NextEra Water is located within the Region H Water Planning Area and NextEra Water will provide a copy of this plan to the Region H Water Planning Area.

Section V: Authorization

The Compliance Manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this plan upon determination that such implementation is necessary to protect public health, safety and welfare. The Compliance Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this plan.

Section VI: Application

The provisions of this plan shall apply to all persons, customers and property utilizing water provided by NextEra Water. The terms "persons" and "customers" as used in the plan refer to individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this plan, the following definitions shall apply:

Aesthetic water use: Water use for ornamental or decorative purposes such as fountains, reflecting pools and water gardens.

Commercial and institutional water use: Water use that is integral to the operations of commercial, non-profit establishments and governmental entities such as retail establishments, hotels/motels, restaurants and office buildings.

Conservation: Practices, techniques and technologies that reduce the consumption of water, lessen the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: Any person, company or organization using water supplied by NextEra Water.

Domestic water use: Water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation or for cleaning a residence, business, industry, or institution.

Even number address: Street addresses, box numbers or rural postal route numbers ending in 0, 2, 4, 6 or 8 and locations without addresses.

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

Landscape irrigation use: Water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks and rights-of-way and medians.

Non-essential water use: Water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) Irrigation of landscape areas, including parks, athletic fields and golf courses, except otherwise provided under this plan.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicles.
- (c) Use of water to wash down sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced areas.
- (d) Use of water to wash down buildings or structures for purposes other than immediate fire protection.
- (e) Flushing gutters or permitting water to run or accumulate in any gutter or street.
- (f) Use of water to fill, refill or add to any indoor or outdoor swimming pools or Jacuzzi-type pools.
- (g) Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life.
- (h) Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
- (i) Use of water from hydrants for construction purposes or any other purposes other than firefighting.

Odd numbered address: Street addresses, box numbers or rural postal route numbers ending in 1, 3, 5, 7 or 9.

Texas Water Code, Sec. 11.039

Distribution of Water During Shortage

- a) If a shortage of water in a water supply not covered by a water conservation plan prepared in compliance with Texas Natural Resource Conservation Commission or Texas Water Development Board rules results from drought, accident, or other cause, the water to be distributed shall be divided among all customers pro rata, according to the amount each may be entitled to, so that preference is given to no one and everyone suffers alike.
- b) If a shortage of water in a water supply covered by a water conservation plan prepared in compliance with Texas Natural Resource Conservation Commission or Texas Water Development Board rules results from drought, accident, or other cause, the person, association of persons, or corporation owning or controlling the water shall divide the water to be distributed among all customers pro rata, according to:
 - (1) the amount of water to which each customer may be entitled; or
 - (2) the amount of water to which each customer may be entitled, less the amount of water the customer would have saved if the customer had operated its water system in compliance with the water conservation plan.
- c) Nothing in Subsection (a) or (b) precludes the person, association of persons, or corporation owning or controlling the water from supplying water to a person who has a prior vested right to the water under the laws of this state.



Section VIII: Initiation and Termination Criteria and Measures for Drought Response Stages

The Compliance Manager or his/her designee shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on:

- System capacity limits of NextEra Water’s Public Water Systems

NextEra Water also follows the criteria for initiation and termination of drought stages established by regional water authorities, municipal utility districts, or other utility districts as applicable.

The Watering Schedule

Refer to *Stage Restrictions* for additional water restrictions.

Stage 1 <i>Voluntary</i>	<ul style="list-style-type: none">• Trigger: NextEra Water will monitor weather and well run times and will issue notices accordingly• Voluntary restrictions are active May 1 through Sept. 30• Odd number street addresses: Saturday and Wednesday• Even number street addresses: Sunday and Thursday• All other customers: Tuesday and Friday
Stage 2 <i>Mandatory</i>	<ul style="list-style-type: none">• Trigger: Total well run time per well equals 15 hours for three consecutive days• Odd number street addresses: Saturday and Wednesday• Even number street addresses: Sunday and Thursday• All other customers: Tuesday and Friday• Hours: From 8 p.m. and 5 a.m. on designated watering days
Stage 3 <i>Mandatory</i>	<ul style="list-style-type: none">• Trigger: Total well run time per well exceeds 18 hours for three consecutive days• Odd number street addresses: Saturday and Wednesday• Even number street addresses: Sunday and Thursday• All other customers: Tuesday and Friday• Hours: From 8 p.m. and 5 a.m. on designated watering days
Stage 4 <i>Mandatory</i>	<ul style="list-style-type: none">• Trigger: Total well run time per well exceeds 22 hours for three consecutive days• Limited to hand-held hoses, hand-held buckets and drip irrigation• Odd number street addresses: Saturday and Wednesday• Even number street addresses: Sunday and Thursday• All other customers: Tuesday and Friday• Hours: From 8 p.m. and 5 a.m. on designated watering days
Stage 5 <i>Mandatory</i>	<ul style="list-style-type: none">• No watering• All outdoor and non-essential uses of water are prohibited

Violations and Penalties for Mandatory Restrictions

First Violation	Second Violation	Third Violation
<ul style="list-style-type: none">• Issue a Notice of Violation to NextEra Water Texas customer	<ul style="list-style-type: none">• At its discretion, NextEra Water Texas may install a flow restriction device in the line to limit the amount of water that passes through the meter in a 24-hour period.	<ul style="list-style-type: none">• NextEra Water Texas may discontinue service at the meter for seven days, or until the end of the calendar month, whichever is less.• The standard reconnection fee for NextEra Water Texas will apply for restoration of service.

Stage 1: Triggers and Response – MILD Water Shortage Conditions

Target: Achieve a voluntary 10 percent reduction in water consumption

Requirements for Initiation/Trigger

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII, annually, beginning on May 1 through September 30.

NextEra Water will notify participants of the initiation of a Stage 1 Trigger by either signage, email, telephone, and/or posting notice on the NextEraWater.com.

Voluntary Water Use Restrictions for Demand Reduction:

Voluntary response measures include, but are not limited to, the following:

- a) Water customers are requested to limit irrigation of landscaped areas from 8 p.m. to 5 a.m. according to the schedule below:
 - i. **Sundays and Thursdays** for customers with street addresses ending in an even number (0, 2, 4, 6 or 8).
 - ii. **Saturdays and Wednesdays** for customers with street addresses ending in an odd number (1, 3, 5, 7 or 9).
 - iii. **Tuesdays and Fridays** for all other customers.
- b) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Utility Measures

During Stage 1, All operations of NextEra Water shall adhere to water use restrictions prescribed for Stage 1 of the plan for applicable systems.

NextEra Water will conduct leak surveys as needed and repair all water leaks in a timely fashion. NextEra Water will request water users to report leaks to the NextEra Water staff.

Requirements for Termination

Stage 1 of the plan may be rescinded when all conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

Stage 2: Triggers and Response – MODERATE Water Shortage Conditions – MANDATORY RESTRICTIONS

Target: Achieve a voluntary 20 percent reduction in water consumption and usage

Requirements for Initiation/Trigger

Customers shall be required to comply with the requirements and restrictions listed below on certain non-essential water uses when **total well run time for each well equals or exceeds 15 hours for three (3) consecutive days.**

Mandatory Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) A person may not use an automatic irrigation system or a hose-end sprinkler system to irrigate outdoors at a residential facility or a commercial facility except on during the following days and times:
 - i. **Sundays and Thursdays** for customers with street addresses ending in an even number (0, 2, 4, 6 or 8).
 - ii. **Saturdays and Wednesdays** for customers with street addresses ending in an odd number (1, 3, 5, 7 or 9).
 - iii. **Tuesdays and Fridays** for all other customers.
 - iv. Only between the hours of 8 p.m. and 5 a.m. on designated watering days.
- (b) Irrigation of landscaped areas is permitted at any time if it is by means of a drip irrigation system, hand-held hose as well as a faucet-filled bucket or watering can of five (5) gallons or less.
- (c) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (d) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (e) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (f) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from NextEra Water.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by NextEra Water, the facility shall not be subject to these regulations.

- (i) The following uses of water are defined as non-essential and are prohibited:
- i. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - ii. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - iii. use of water for dust control;
 - iv. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - v. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Utility Measures

During Stage 2, all operations of NextEra Water shall adhere to water use restrictions prescribed for Stage 2 of the plan for the applicable systems.

Customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

To ensure that NextEra Water maximized water conservation efforts, it will manage limited water supplies and/or reduce water demand by reducing or discontinuing water main flushing and public landscape irrigation.

NextEra Water will conduct leak surveys, as needed, and repair all water leaks in a timely fashion. NextEra Water will request water users to report leaks to the NextEra Water staff.

Violation and Penalties

First Violation:

NextEra Water will issue a Notice of Violation to the customer.

Second Violation:

At its discretion, NextEra Water may install a flow restriction device in the line to limit the amount of water which will pass through the meter in a 24-hour period.

Third Violation:

NextEra Water may discontinue service at the meter for a period of seven (7) days or until the end of the calendar month, whichever is less. The normal reconnect fee of NextEra Water will apply for the restoration of service.

Requirements for Termination

Stage 2 of the plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers and Response – SEVERE Water Shortage Conditions – MANDATORY RESTRICTIONS

Target: Achieve a 30 percent reduction in water consumption and usage

Requirements for initiation/Trigger

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this plan when the total run time for each well equal or exceeds 18 hours for three (3) consecutive days.

Mandatory Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by NextEra Water.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Utility Measures

During Stage 3, NextEra Water mandates that customers limit the use of water for non-essential purposes by practicing water conservation and promoting efficient use of water. All operations of NextEra Water shall adhere to water use restrictions prescribed for Stage 3 of the plan for the applicable systems.

To ensure that NextEra Water maximizes water conservation efforts, it will manage limited water supplies and/or reduce water demand by reducing or discontinuing water main flushing and public landscape irrigation.

NextEra Water will conduct leak surveys as needed and repair all water leaks in a timely fashion. NextEra Water will request water users to report leaks to the NextEra Water staff.

Violation and Penalties

First Violation:

NextEra Water will issue a Notice of Violation to the customer.

Second Violation:

At its discretion, NextEra Water may install a flow restriction device in the line to limit the amount of water which will pass through the meter in a 24-hour period.

Third Violation:

NextEra Water may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is less. The normal reconnect fee of NextEra Water will apply for the restoration of service.

Requirements for termination

Stage 3 of the plan may be rescinded when all conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 4: Triggers and Response – CRITICAL Water Shortage Conditions – MANDATORY RESTRICTIONS

Target: Achieve a 40 percent reduction in water consumption and usage

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this plan when total well run time for each well equals or exceeds 22 hours for a period of three (3) consecutive days.

Mandatory Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days from 6 a.m. to 10 a.m. and from 8 p.m. to 12 a.m. (midnight) and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only from 6 a.m. to 10 a.m. and from 6 p.m. to 10 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools and Jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) No application for new, additional, expanded or increased-in-size water service connections, meters, service lines, pipeline extensions, mains or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as the Stage 4 drought response or a higher-numbered stage shall be in effect.

Utility Measures

During Stage 4, NextEra Water mandates that customers limit the use of water for non-essential purposes by practicing water conservation and promoting efficient use of water.

All operations of NextEra Water shall adhere to water use restrictions prescribed for Stage 4 of the plan for the applicable systems.

To ensure that NextEra Water maximizes water conservation efforts, it will manage limited water supplies and/or reduce water demand by reducing or discontinuing water main flushing and public landscape irrigation.

NextEra Water will conduct leak surveys as needed and repair all water leaks in a timely fashion. NextEra Water will request water users to report leaks to the NextEra Water staff.



Violation and Penalties

First Violation:

NextEra Water will issue a Notice of Violation to the customer.

Second Violation:

At its discretion, NextEra Water may install a flow restriction device in the line to limit the amount of water which will pass through the meter in a 24-hour period.

Third Violation:

NextEra Water may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is less. The normal reconnect fee of NextEra Water will apply for the restoration of service.

Requirements for termination

Stage 4 of the plan may be rescinded when all conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

Upon termination of Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 5: Triggers and Response – EMERGENCY Water Shortage Conditions – MANDATORY RESTRICTIONS

Target: Achieve a 50 percent reduction in water consumption and usage

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this plan when the Compliance Manager or his/her designee determines that a water supply emergency exists based on:

1. Major water line breaks or pump or system failures occur which cause unprecedented loss of capability to provide water service; **or**
2. When loss of water supply is imminent.

Mandatory Water Use Restrictions for Reducing Demand

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) Irrigation of landscaped areas is absolutely prohibited.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is absolutely prohibited.
- (c) The use of water that is otherwise prohibited, may be authorized in accordance with Section XI (C)(2) (*Variance*).
- (d) A person may not use or allow the use of water for watering the ground around a building foundation to prevent or address foundation cracking except as specially authorized in accordance with Section XI (C)(1) (*Variance*).

Utility Measures

During Stage 5, NextEra Water mandates that customers limit the use of water for non-essential purposes by practicing water conservation and promoting efficient use of water.

All operations of NextEra Water shall adhere to water use restrictions prescribed for Stage 5 of the plan for the applicable systems.

To ensure that NextEra Water maximizes water conservation efforts, it will manage limited water supplies and/or reduce water demand by reducing or discontinuing water main flushing and public landscape irrigation.

NextEra Water will conduct leak surveys as needed and repair all water leaks in a timely fashion. NextEra Water will request water users to report leaks to the NextEra Water staff.

Additional Restrictions

Due to the extreme nature of Stage 5, NextEra Water reserves the right to prescribe a monthly consumption limit for customers to ensure it is meeting the required reduction.

Violation and Penalties

First Violation:

NextEra Water will issue a Notice of Violation to the customer.

Second Violation:

At its discretion, NextEra Water may install a flow restriction device in the line to limit the amount of water which will pass through the meter in a 24-hour period.



Third Violation:

NextEra Water may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is less. The normal reconnect fee of NextEra Water will apply for the restoration of service.

Requirements for termination

Stage 5 of the plan may be rescinded when all conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

Upon termination of Stage 5, Stage 4, or the applicable drought response stage based on the triggering criteria, becomes operative.

Section IX: Drought Response Stages Notification

The Compliance Manager or his/her designee shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this plan, shall determine that a mild, moderate, severe, critical or emergency water shortage condition exists and shall implement the following notification procedures:

Notification of the Public:

NextEra Water will provide notice prior to implementation or termination of each mandatory stage of the water restriction program. NextEra Water will send said notice to each customer, stating the stage requirements are effective immediately at the start of a new or modified water use restriction. NextEra Water will not enforce the provisions of the plan for 24 hours after notice is sent.

NextEra Water notifications methods to the public may include, but are not limited to:

- publication in a newspaper of general circulation,
- direct mail, email or phone call to each customer,
- public service announcements,
- signs posted in public places

NextEra Water will include the following information on the notice:

- The date restrictions will begin
- The triggering circumstances
- An outline of the stages and explanation of restrictions in this plan
- An explanation of the violation consequences

Additional Notification:

NextEra Water will notify the TCEQ within five (5) business days of implementing any mandatory provisions of this plan. The notification method may include phone notifications at (512) 239-4691 or the submittal of a TCEQ online form at www.tceq.texas.gov/drinkingwater/homeland_security/security_pws.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the NextEra Water for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision of this plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Compliance Manager or his/her designee in accordance with provisions of this plan.
- (b) Any person, including a person classified as a water customer of NextEra Water, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents or guardians shall be presumed to be responsible for violations of their minor children and proof that a violation committed by a child occurred on property within the parents or guardians' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent or guardian may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this plan and that the parent or guardian could not have reasonably known of the violation.

To implement and enforce this plan, NextEra Water will:

- Utilize methods and procedures outlined in this plan.
- Incorporate enforcement measures and surcharges available to CCN holders under TCEQ rules.
- Notify customers of the authority and intent to enforce the measures of this plan.

Section XI: Variances

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

- (a) Compliance with this plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.
- (c) NextEra Water may grant a variance to Stage 5 regulations when:
 - i. Watering is required to prevent or address foundation cracking. A variance approved pursuant to this subsection will specify a designated day for foundation watering and shall require the foundation watering to occur before 7 a.m. or after 7 p.m.
 - ii. Watering is necessary for the prescribed treatment of tree diseases or for pest control.
 - iii. Irrigation of the athletic fields when irrigation is necessary to protect the health and safety of players and game officials.
- (d) NextEra Water may grant variance if the site conditions are such that compliance would present a significant financial hardship or health risk to the applicant or to the public.

Persons requesting an exemption from the provisions of this ordinance shall file a petition for variance with NextEra Water within five (5) business days after the plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Compliance Manager or his/her designee and shall include the following:

- (a) Name and address of the petitioner(s)
- (b) Purpose of water use
- (c) Specific provision(s) of the plan from which the petitioner is requesting relief
- (d) A statement, detailing how the specific provision of the plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance
- (e) Description of the relief requested
- (f) Period of time for which the variance is sought
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this plan and the compliance date
- (h) Other pertinent information

Unless waived or modified by management, variances granted by NextEra Water are subject to the following conditions:

- Variances granted shall include a timetable for compliance

Expiration of Variance

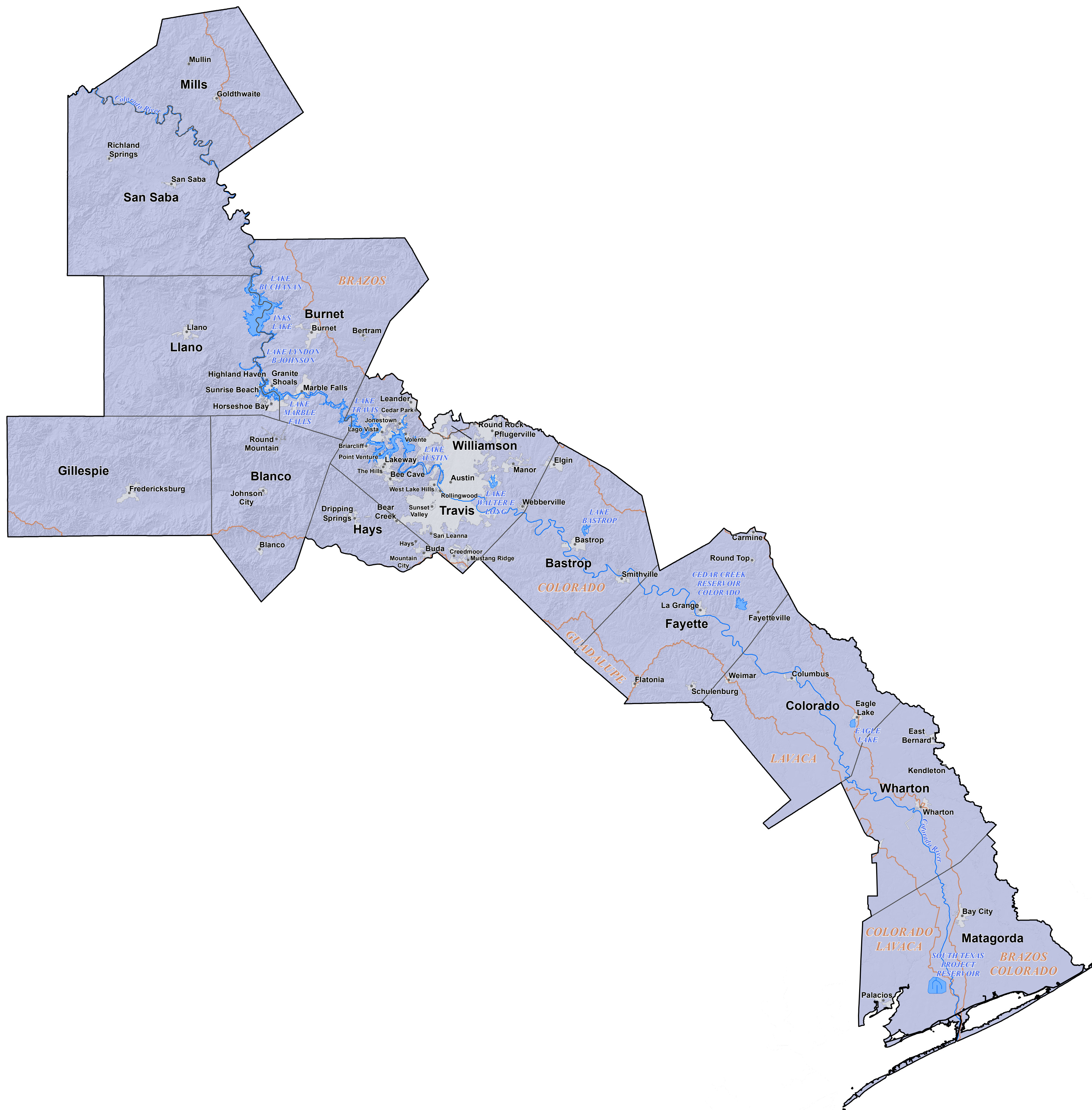
Variances granted shall expire when the plan is no longer in effect unless the petitioner has failed to meet the specific requirements.

Coordination Regional Water Planning Groups

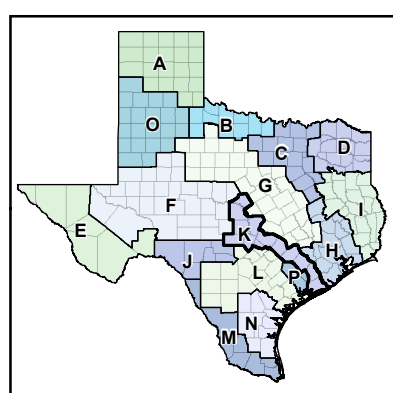
The service areas of NextEra Water are located within several Regional Water Planning Groups. NextEra Water will provide a copy of this plan to the relevant Regional Water Planning Groups.

A list of the relevant Regional Water Planning Groups is shown below, and the regional water planning area maps are also included in this plan. The maps provided are those developed by the Texas Water Development Board.

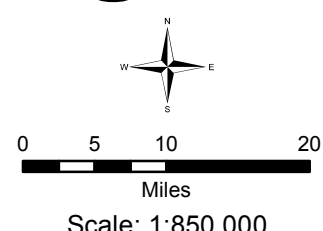
Regional Water Planning Group	Public Water Systems within Region
Region H	Bammel Forest, Bayer Utility, Caddo Village, Chenango Ranch, The Colony, Lakes of Magnolia, Lake Pointe Estates, Lakewood Trails, Rocky Creek, Shaw Acres, Stonecrest Ranch, Suncreek Estates, Suncreek Ranch, Telge Jarvis, Telge Terrace, Timberdale, Waterstone, Westwood, Yesterday's Crossing
Region K	Live Oak, Waypoint Landing
Region N	Sunset Bay
Region P	Sunrise Bay



Regional Water Planning Area - K - Lower Colorado



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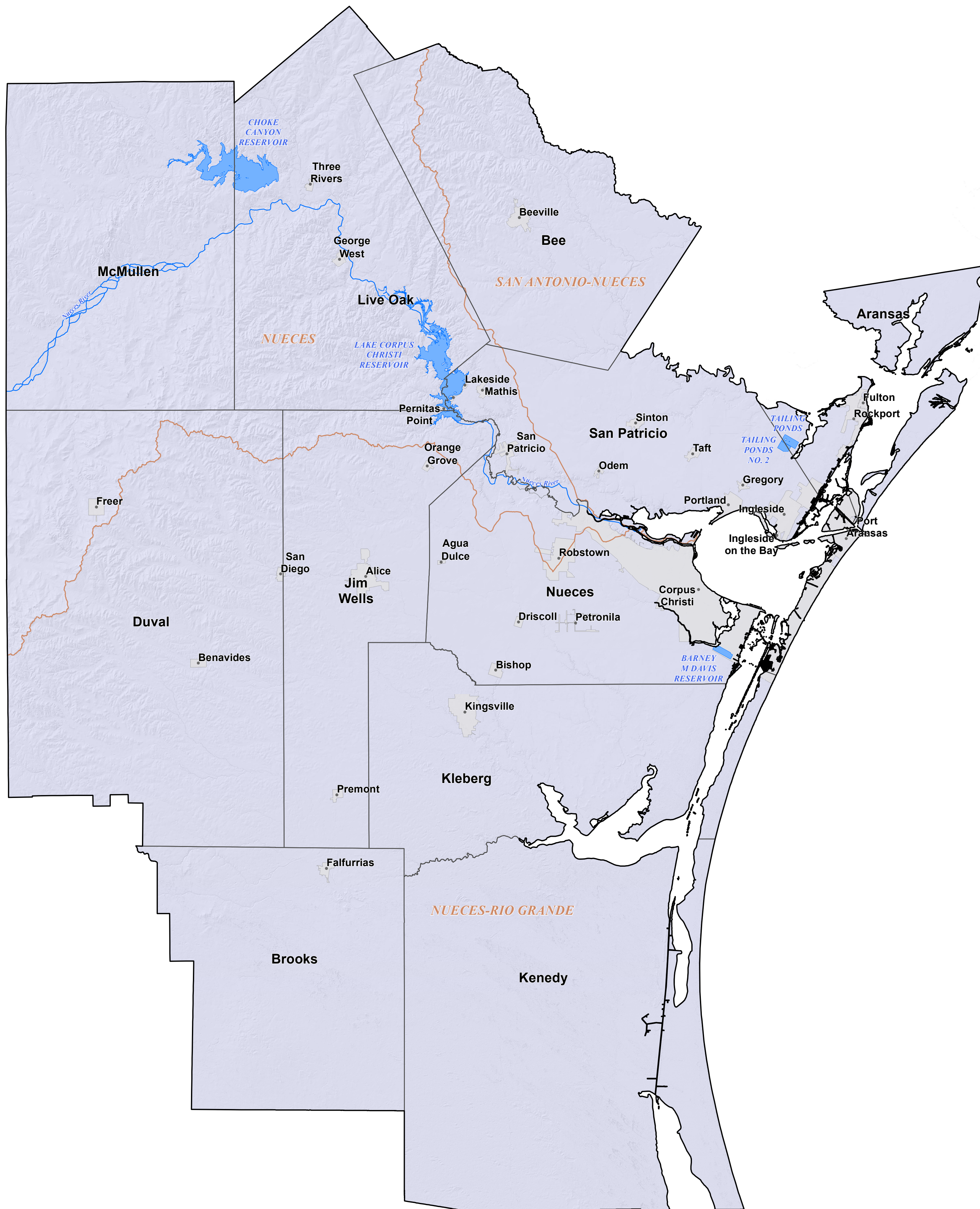


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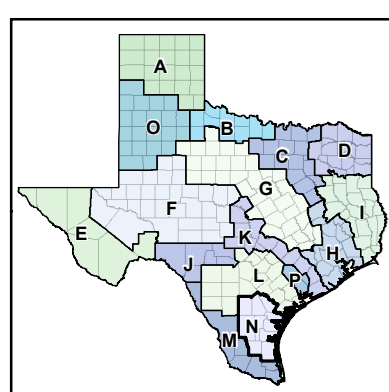
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- K - Lower Colorado
- County Boundaries
- Cities, Towns and Villages
- Major Reservoirs and Lakes
- Major River Basins
- Major Rivers and Creeks

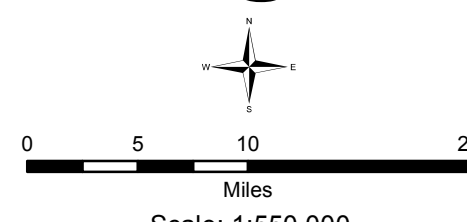




Regional Water Planning Area - N - Coastal Bend



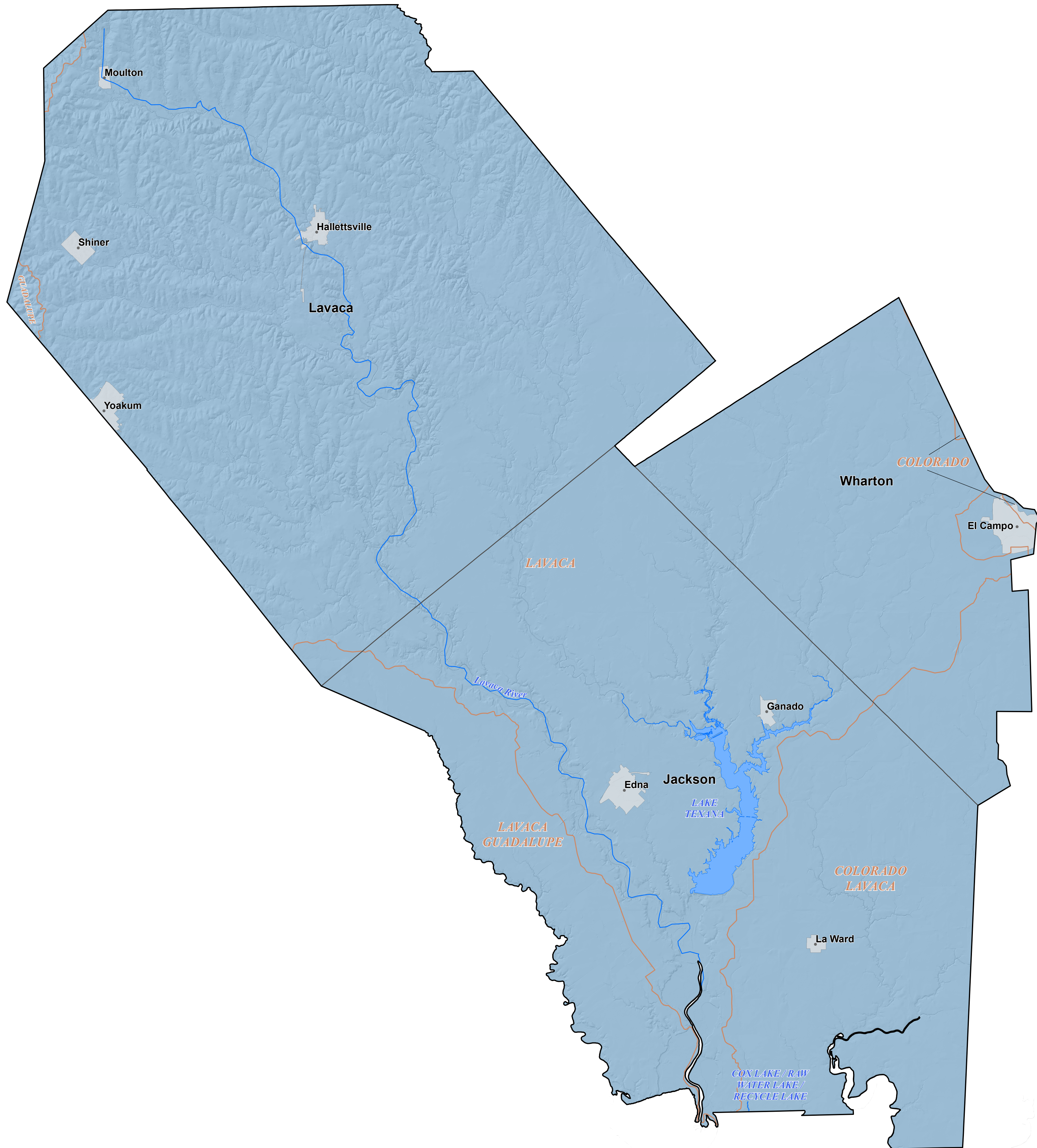
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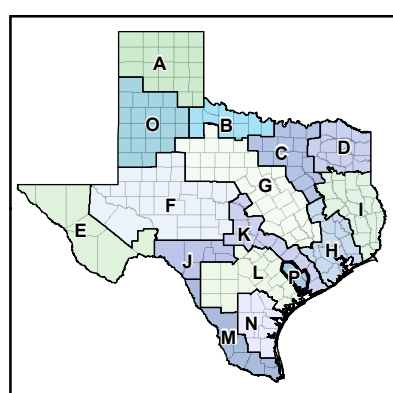
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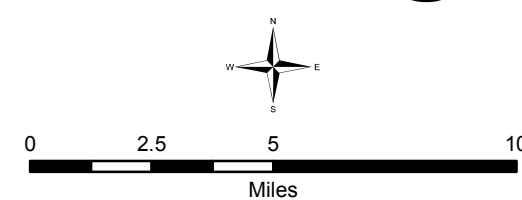
- N - Coastal Bend
- County Boundaries
- Cities, Towns and Villages
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Regional Water Planning Area - P - Lavaca



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- P - Lavaca
- County Boundaries
- Cities, Towns and Villages
- Major Reservoirs and Lakes
- Major River Basins
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