



# **HEADWATERS GROUNDWATER CONSERVATION DISTRICT**

## **DROUGHT CONTINGENCY PLAN**

**REVISED July 10, 2024**



**Save Texas Water**

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## **Headwaters Groundwater Conservation District DROUGHT CONTINGENCY PLAN**

### **Section 1. Declaration of Policy, Purpose and Intent**

- A. The purpose of the Headwaters Groundwater Conservation District (the District) is to provide for the conservation, preservation, protection, recharging and prevention of waste of the Groundwater and of the Groundwater reservoirs in Kerr County. To accomplish this the District has been mandated to address drought conditions and conservation as part of its Management Plan. This Drought Contingency Plan (Plan) is the tool that the District has chosen to accomplish this mandate. The intent of this Plan is to conserve the available Groundwater supply and to protect the quality of Groundwater supply in the District with particular regard for domestic water use. The intent of this Plan is also to protect and preserve the public health, welfare, and safety and to minimize the effects of Groundwater depletion during periods of drought.
- B. All retail public water suppliers, wholesale water suppliers, and irrigation districts are required by the Texas Commission on Environmental Quality (TCEQ) to have a Drought Contingency Plan. If a Public Water System (PWS) is a retail public water supplier, it is required to have a Drought Contingency Plan.
- C. All Permitted Well owners/operators are required to implement each drought stage conservation strategy stated in this Plan. Non-essential water produced or used within the District under drought conditions is considered waste.
- D. The Definitions in the District Rules are incorporated into this plan.

***The District hereby request the following actions in this Plan to reduce Water usage during designated periods of drought conditions.***

**Section 2. Application**

Provisions of this Plan shall apply to all persons or organizations having or operating Permitted Wells utilizing Groundwater within the District, regardless of the size, capacity, and date of drilling or ownership of the wells.

**Section 3. Criteria for Initiation and Termination of Drought Stages**

The President of the District or his/her designee shall monitor the defined drought trigger indices and shall determine when conditions warrant the initiation or termination of each stage of the Plan.

**Section 4. Drought Trigger Indices and Considerations:**

- A. The District Drought Index is the average water level of the following four Middle Trinity Monitor Wells used to initiating Drought Stages.

MIDDLE TRINITY DROUGHT INDEX WELLS	
HGCD MW #11	County Ag Barn
HGCD Monitor Well #5	HGCD MW # 7

1420 Feet Above Mean Sea Level	Stage 1 Mild Drought
1410 Feet Above Mean Sea Level	Stage 2 Moderate Drought
1400 Feet Above Mean Sea Level	Stage 3 Severe Drought
1390 Feet Above Mean Sea Level	Stage 4 Drought Emergency

- B. The District will monitor and consider the Lower Trinity Drought Index Wells listed in the table below.

LOWER TRINITY DROUGHT INDEX MONITOR WELLS	
HGCD Monitor Well #2	HGCD Monitor Well # 18
COK Mack Holliman	Aqua TX Kelly Street, Center Point

- C. The District will also monitor and consider the Palmer Drought Severity Index (PDSI) and the Guadalupe River Flow Rate at Kerrville in initiating drought stages.

- D. Drought stages may also be initiated at the discretion of the District depending on the ability of the City of Kerrville to draw surface water from the Guadalupe River.
- E. Drought Stages will be terminated at the discretion of the District when aquifer levels, rainfall, and river flow conditions return to more normal conditions.

### **Section 5. Public Notification**

The District shall provide public notification of the initiation or termination of drought stages by the following:

- Posting at the District office
- In a local newspaper of general circulation
- By direct mailing and/or e-mails to Permit Well owners/operators.
- Posting on the District website [www.hgcd.org](http://www.hgcd.org)

### **Section 6. Initiation of Drought Stages**

- A. The goals and usage reduction for drought stages 1 thru 4 are initiated for the purpose of reducing the impact of drought conditions on the aquifers within the District.
- B. The initiation of Drought Stages by the District triggers the requirements as stated in this Drought Contingency Plan, which applies to all Permit Well owners/operators; Municipal, Private Public Retail Water Systems, Commercial, and Agriculture Wells.
- C. All Privately owned Public Water System operators are required to provide Drought Stage notices to their customers that are equal to or more stringent than the notices initiated by the District.
- D. The Districts authority is at the Well meter and not at the individual connection. It will be the responsibility of the owner/operator of all Privately owned Public Water Systems to implement their Drought and/or Water Management Plans to achieve the necessary reduction in water use as applicable for the various stages of this Plan.

- E. It is the responsibility of all Permit Well owners/operators to restrict all non-essential use as stated in this Plan and prohibit the waste of Groundwater.
- F. It is the responsibility of all Permit Well owners/operators to notify the District of leaks within 48 hours, and repair leaks within a reasonable time.

**Section 7. City of Kerrville (Conjunctive Use Permit)**

- A. Due to the City of Kerrville's Conjunctive Use Operating Permit, the City of Kerrville is not required to implement a percentage reduction of Groundwater production as listed in Section 7. B. or Section 10. (water reduction goals).
  - B. In the event that Headwaters GCD declares Drought Stage 1 or Drought Stage 2:
    - 1. The City of Kerrville may use their discretion to declare any Drought Stage that meets their operating needs. \*
- \* To clarify, if Headwaters GCD declares either Drought Stage 1 or Drought Stage 2, the City may declare Drought Stage 1, 2, 3, 4, 5, or no Drought Stage, at their discretion at any time. This distinction is due to the fact that, during Drought Stage 1 and Drought Stage 2, the river flow of the Guadalupe River is strong, and therefore, capable of supplementing the service needs of the City of Kerrville.*
- 2. If the Drought Stage Levels for the City of Kerrville and Headwaters GCD differ, the City of Kerrville will also include the Headwaters GCD Drought Stage information on all methods of their Drought Stage communications and notices.
- C. In the event the average level of the four Lower Trinity Index Wells listed in Section 4 B. is at or below 1330 feet above Mean Sea Level, the City of Kerrville will be required to declare and give notice of the same, or more restrictive Drought Stage as Headwaters GCD \*\*.

*\*\* To clarify, This requirement is due to the fact that, when the Lower Trinity Index Level drops, long-term drought conditions are present, surface water and groundwater resources are in a steady state of decline. Therefore, water conservation is necessary from all Permitted Well owners and Public Water System operators as a means to extend our groundwater resources through the duration of the drought and to also aide in the recovery of our groundwater resources after a drought has ended.*

**Section 8. Water Use Reduction Goals for Private Retail Public Water Providers**

Stage 1 Mild Drought	Target	10% Reduction
Stage 2 Moderate Drought	Target	20% Reduction
Stage 3 Severe Drought	Target	30% Reduction
Stage 4 Extreme Drought	Target	40% Reduction

**Section 9. Suggested Water Reduction Goals for Exempt Wells,**

To help reduce the depletion of the aquifers during periods of drought, Exempt well owners are encouraged to reduce non-essential use and waste of Groundwater.

**Section 10. Drought Stage Reductions**

**STAGE 1 Goal: 10% reduction in water use.**

**Requested Practices for Stage 1 Drought;**

- A. Limit the irrigation of landscaped areas including lawns, parks, athletic fields, and golf courses to the designated watering hours between 8:00 PM and 10:00 AM. Irrigation systems, automatic sprinkler timers, hose end sprinklers, hand held watering, and any other watering practices, should be reduced to provide a 10% reduction in the normal volume of water used or pumped.

**B.** Under Drought Stage 1 Conditions: The following uses of water are defined as non-essential, and may be subject to fines.

1. Washing down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
2. Washing down buildings or structures for purposes other than immediate fire protection.
3. Pumping of Groundwater into ponds, lakes or reservoirs for the purpose of enhancing the appearance of the landscape.

**STAGE 2 Goal: 20% reduction in water use.**

**Requested practices for Stage 2 Drought;**

**A.** Limit the irrigation of landscaped areas including lawns, parks, athletic fields, and golf courses to three days per week, and designated watering hours between 8:00 PM and 10:00 AM. Irrigation systems, automatic sprinkler timers, hose end sprinklers, hand held watering, and any other watering practices, should be reduced to provide a 20% reduction in the normal volume of water used or pumped.

**B.** Under Drought Stage 2 Conditions: The following uses of water are defined as non-essential, and may be subject to fines.

1. Washing down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
2. Washing down buildings or structures for purposes other than immediate fire protection.
3. Pumping of Groundwater into ponds, lakes or reservoirs for the purpose of enhancing the appearance of the landscape.
4. Washing any motor vehicle, motorbike, boat, trailer or other vehicle other than a public safety vehicle on a premises other than a commercial car wash or service station and not in the immediate interest of public health, safety, and welfare.



**STAGE 3 Goal: 30% reduction in water use.**

**Required Practices for Stage 3 Drought;**

- A.** Limit the irrigation of landscaped areas including lawns, parks, athletic fields, and golf courses to two days per week, the designated watering hours between 8:00 PM and 10:00 AM. Irrigation systems, automatic sprinkler timers, hose end sprinklers, hand held watering, and any other watering practices, shall be reduced to provide a 30% reduction in the normal volume of water used or pumped for Stage 3.
- B.** Under Drought Stage 3 Conditions: The following uses of water are defined as non-essential, is prohibited.
  - 1. Washing down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
  - 2. Washing down buildings or structures for purposes other than immediate fire protection.
  - 3. Pumping of Groundwater into ponds, lakes or reservoirs for the purpose of enhancing the appearance of the landscape.
  - 4. Washing any motor vehicle, motorbike, boat, trailer or other vehicle other than a public safety vehicle on a premises other than a commercial car wash or service station and not in the immediate interest of public health, safety, and welfare.
  - 5. The filling of swimming pools. Groundwater may be added to pools to replace water lost due to use or evaporation.

**STAGE 4: Goal 40% reduction in water use.**

**Required Practices for Stage 4 Drought;**

- A.** Limit the irrigation of landscaped areas including lawns, parks, athletic fields, and golf courses to one day per week, the designated watering

hours between 8:00 PM and 10:00 AM. Irrigation systems, automatic sprinkler timers, hose end sprinklers, hand held watering, and any other watering practices, shall be reduced to provide a 40% reduction in the normal volume of water used or pumped.

- B.** Other than for livestock use, filling of ponds, lakes, tanks, fountains, ornamental ponds, reservoirs or other surface impoundments with Groundwater is considered non-essential and waste and is prohibited.
- C.** The use of Groundwater to refill pools may be added to replace water lost due to use or evaporation.
- D.** Under Drought Stage 4: The following use of water defined as non-essential is prohibited:
  - 1. Washing down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
  - 2. Washing down buildings or structures for purposes other than immediate fire protection.
  - 3. Pumping of groundwater into ponds, lakes or reservoirs for the purpose of enhancing the appearance of the landscape.
  - 4. Groundwater into ponds, lakes or reservoirs for the purpose of enhancing the appearance of the landscape.
  - 5. Washing any motor vehicle, motorbike, boat, trailer or other vehicle not occurring on the premises of a commercial car wash or service station and not in the immediate interest of public health, safety, and welfare is prohibited.

## **Section 11. Enforcement**

- A.** Nothing in this Plan prohibits the District from exercising its authority under Texas Water Code Chapter 36, the District's Management Plan, or the District's Rules.

- B.** This plan may be enforced in accordance with Headwaters Groundwater Conservation District Rule 16.
1. If any operator/owner willfully produces a well at a higher rate than authorized in the well operating permit, or is non-compliant with the provisions of this Drought Contingency Plan, such action is a violation of District Rules and is subject to enforcement and penalties as provided in these Rules or as allowed by law.
  2. All Rules duly adopted, promulgated and published by this District shall be enforced as provided for under Chapter 36, Texas Water Code and subsequent changes thereto.
  3. The District may enforce its rules by injunction, mandatory injunction, or other appropriate remedy in a court of competent jurisdiction.
  4. For breach of any Rule of the District, the Board shall set civil penalties that shall not exceed the jurisdiction of a justice court as provided by Section 27.031 Government Code.
  5. A penalty under this section is in addition to any other penalty provided by the law of this state and may be enforced by complaints filed in a court of competent jurisdiction in Kerr County, Texas.
  6. If the District prevails in any suit to enforce its Rules, the District may seek, and the court shall grant, in the same action, recovery for attorney's fees, costs for expert witnesses, and other costs incurred by the District before the court. The court shall fix the amount of the attorney's fees.
  7. The Board, either on its own motion or upon receipt of sufficient written protest or complaint, may at any time, after due notice to all interested parties, cite any person operating within the District to appear before it and require him to show cause why his operating authority or Permit should not be suspended, canceled or otherwise restricted and limited for failure to comply with the Rules, orders or regulations of the Board or the relevant statutes of the state.

8. The matter of evidence and all other matters of procedure at any such hearing will be conducted in accordance with these Rules of procedure and practice.

### **Section 12. Exceptions**

The General Manager, or Board of Directors at the General Manager's discretion may in writing, grant exceptions for existing water uses otherwise prohibited under this Plan, if it is determined that failure to grant such a variance would cause an emergency condition adversely affecting the public health or sanitation, compliance with this Plan cannot be technically accomplished during the duration of the water shortage or other condition for which the Plan is in effect.