CITY OF DENTON

Water Conservation and Drought Contingency Plan

April 2009, revised March 2012

1. INTRODUCTION AND OBJECTIVES

Water supply has always been a key issue in the development of Texas. In recent years, the increasing population and economic development in Region C have led to growing demands for water. Additional supplies to meet higher demands will be expensive and difficult to develop. Therefore, it is important that we make efficient use of existing supplies and make them last as long as possible. This will delay the need for new supplies, minimize the environmental impacts associated with developing new supplies, and delay the high cost of additional water supply development.

Recognizing the need for efficient use of existing water supplies, the Texas Commission on Environmental Quality (TCEQ) has developed guidelines and requirements governing the development of water Conservation and drought contingency plans for public water suppliers. The TCEQ guidelines and requirements for water suppliers are included in Appendix B. The City of Denton has adopted this water conservation and drought contingency plan pursuant to TCEQ guidelines and requirements.

The objectives of the water conservation plan are:

- To reduce water consumption.
- To reduce the loss and waste of water.
- To identify the level of water reuse.
- To improve efficiency in the use of water.
- To extend the life of current water supplies by reducing the rate of growth in demand.

The objectives of the drought contingency plan are:

- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
• To minimize the adverse impacts of emergency water supply conditions.

2. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

2.1 Conservation Plans

The TCEQ rules governing development of water conservation plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code, which is included in Appendix B. For the purpose of these rules, 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“A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the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(s).”¹

According to TCEQ rules, water conservation plans for public water suppliers must have a certain minimum content (Section 3), must have additional content for public water suppliers that are projected to supply 5,000 or more people in the next ten years (Section 4), and may have additional optional content (Section 5).

2.2 Drought Contingency Plans

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, which is included in Appendix B. The rules for wholesale water suppliers are contained in Rule 288.22, included in Appendix B. For the purpose of these rules, 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. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).”¹

The drought contingency plan for the City of Denton is contained in Section 6 of this water conservation and drought contingency plan.
3. MINIMUM REQUIRED WATER CONSERVATION PLAN CONTENT

The minimum requirements in the Texas Administrative Code for water conservation plans for public drinking water suppliers covered in this report are as follows:

- 288.2(a)(1)(A) – Utility Profile – Section 3.1 and Appendix C
- 288.2(a)(1)(B) – Specification of Goals Before May 1, 2005 – Section 3.2
- 288.2(a)(1)(C) – Specification of Goals After May 1, 2005 – Section 3.2
- 288.2(a)(1)(D) – Accurate Metering – Sections 3.3 and 3.4
- 288.2(a)(1)(E) – Universal Metering – Section 3.4
- 288.2(a)(1)(F) – Determination and Control of Unaccounted Water – Section 3.5
- 288.2(a)(1)(G) – Public Education and Information Program – Section 3.6
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 3.7
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 3.8
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 3.9, Appendix D
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 3.10 and Appendix E

TCEQ places additional requirements on wholesale water suppliers in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.5 of the Texas Administrative Code. This Rule is included in Appendix B.

TCEQ’s minimum requirements for water conservation plans are addressed in the following subsections of this report:

- 288.5(1)(C) – Maximum Acceptable Unaccounted-For Water Goal – Section 3.5

3.1 Utility Profile

Appendix C to this water conservation plan is a water utility profile for the City of Denton, based on the format recommended by the TCEQ.²

3.2 Specification of Water Conservation Goal

Specific elements of the Water Conservation Plan are discussed in the subsequent sections of this document. The development of this plan involved the identification and examination of numerous conservation strategies.
The conservation strategies chosen for the plan were derived from numerous sources including state agency recommendations, the Region C planning group, water conservation literature, and the City’s existing Water Conservation Plan.

Prior to 2005, Denton’s water conservation goal was a 15 percent reduction in per capita water use by 2050. This goal was established in Denton’s Water Conservation and Drought Contingency Plan adopted December 7, 1999.

The City’s water conservation goals after May 1, 2005 include the following:

- Achieve 2009 per capita water use of 180 gpcd or less, as shown in Table 3-2 (current target). This represents a reduction of 9 gpcd from year 2000 per-capita water use.
- Achieve 2014 per capita water use of 171 gpcd or less, as shown in Table 3-2 (five-year target). This represents a reduction of 18 gpcd from the year 2000 per-capita water use.
- Achieve 2019 per capita water use of 162 gpcd or less, as shown in Table 3-2 (ten-year target). This represents a reduction of 27 gpcd from year 2000 per-capita water use.

The City’s conservation goal was articulated in 2005 as a one percent reduction yearly in per-capita usage for ten years. This goal was based on: 1) per-capita reduction goals recommended by the Texas Water Development Board’s Task Force on Water Conservation; and 2) an indication in recent data that per capita water demand had started to decline. However, weather patterns over the same period of time were such that declining per capita consumption may have been weather related.

Denton’s specific goal of a one percent reduction of per-capita per year in the first five years, based on estimated savings from current conservation measures, a lawn and landscape irrigation ordinance, and moderate growth in Denton’s reuse program, was mildly exceeded, with a per-capita savings by 2008 at 10 gpcd. This savings is a reflection of the effects of conservation programs referenced above, but could also have been caused by weather variability. Current conservation measures include savings from state required low-flow plumbing fixtures, the implementation of the federal clothes washer standards, increasing water prices over time, and the water conservation components of Denton’s current plan (detailed in the following sections of the Plan). By the year 2014, the second required evaluation and update period of the plan, meeting the one percent reduction in per-capita per year would result in a per capita water savings of approximately 18 gallons per day. This might require the implementation of additional conservation measures being considered by the city.
The specific per-capita water use reduction estimates in Table 3-2 are based largely on the Region C planning group water savings estimates for Denton. However, Denton’s estimates are slightly more conservative than the estimates provided by Region C.

<table>
<thead>
<tr>
<th>Table 1</th>
<th>Five and Ten Year Water Savings Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit</td>
<td>Unit</td>
</tr>
<tr>
<td>City of Denton Population</td>
<td>City of Denton Population</td>
</tr>
<tr>
<td>Gallons per Capita per Day</td>
<td>gpcd</td>
</tr>
<tr>
<td>Savings from low-flow fixtures and Federal Clothes Washer Standard</td>
<td>gpcd</td>
</tr>
<tr>
<td>Savings from Conservation Measures</td>
<td>gpcd</td>
</tr>
<tr>
<td>Savings from Reuse</td>
<td>gpcd</td>
</tr>
<tr>
<td>Projected Per-Capita Savings</td>
<td>gpcd</td>
</tr>
<tr>
<td>Projected Per-Capita Reduction</td>
<td>percent</td>
</tr>
<tr>
<td>Actual Per-Capita Savings</td>
<td>gpcd</td>
</tr>
<tr>
<td>Actual Per-Capital Reduction</td>
<td>percent</td>
</tr>
</tbody>
</table>

3.3 Accurate Metering of Raw Water Supplies and Treated Water Deliveries

The City of Denton meters all raw water diversions from Lake Lewisville and Lake Ray Roberts to each of the Water Treatment Plants. The City of Denton also meters all treated water deliveries to the distribution system from each water treatment plant. Each meter has an accuracy of plus or minus one percent. The meters are calibrated on a semiannual basis by City of Denton personnel to maintain the required accuracy and are repaired or replaced as needed.

3.4 Metering of Customer and Public Uses and Meter Testing, Repair, and Replacement

Water usage for all customers of the City of Denton, including public and governmental use, is metered. As part of the water conservation plan, the City of Denton will continue to implement a meter replacement program. Denton Water Utility (DWU) staff conducted an extensive study in 2004 in which over 2000 water meters were bench tested for accuracy. In addition a cost-benefit analysis was conducted in order to maximize the efficiency
of the meters versus the costs of the replacement program. Based on the study, \( \frac{3}{4} \) to 2-inch meters are replaced on a twelve to fourteen-year cycle. The program focused on replacing the oldest meters in the system first. From 2004 to 2008 DWU has replaced meters to meet the twelve to fourteen-year cycle. Meters that are 3-inch or larger are tested every one to two years and repaired or replaced as necessary.

In addition, meters registering any unusual or questionable readings are automatically flagged in the billing process and be tested and repaired to restore full functionality.

3.5 Determination and Control of Unaccounted Water

In 2003, the Texas Water Code (Chapter 16.0121) was amended to require that every five years a retail public utility that provides potable water shall perform and file with the Texas Water Development Board (TWDB) a water audit computing the utility’s most recent annual system water loss. DWU filed its first audit, covering Fiscal Year 2005 in the spring of 2006. The next submittal is required in 2011.

DWU staff performs a yearly water audit, using the International Water Association/ American Water Works Association (IWA/AWWA) method required by the TWDB. DWU staff has been conducting water audits since the early 1990’s. Historically, The City of Denton’s unaccounted-for water, based on the older American Water Works Association (AWWA) water audit methodology, has always been less than ten percent, below the AWWA goal. The City of Denton unaccounted-for water is also below the national average of twelve percent. The City of Denton’s system has always met the suggested targets of the newer IWA/AWWA methodology as specified by the TWDB Task Force on water conservation.

Historically, the City of Denton’s unaccounted-for water, based on the older AWWA water audit methodology, has also been less than ten percent, below the AWWA goal. The City of Denton’s unaccounted-for water was also below the national average of twelve percent.

The City of Denton will continue to conduct annual water audits using the IWA/AWWA methodologies.

Unaccounted-for water for the City of Denton has varied from 1.5 percent to 3.5 percent in the last five years. Previous audits led to the discovery and correction of a systematic source metering error at the Ray Roberts Water Treatment Plant. Staff will continue to conduct comprehensive water audits annually and take appropriate measure to minimize system water loss.

With the measures described in this plan, the City of Denton intends to maintain the unaccounted-for water below 10 percent in any given year.
3.6 Continuing Public Education and Information Campaign

The continuing public education and information campaign on water conservation for the City of Denton includes the following elements:

- Promote the City’s water conservation measures (presented in Sections 3, 4, and 5).
- Include inserts on water conservation with water bills at least twice per year. Inserts will include material developed by City of Denton staff and material obtained from the TWDB, the TCEQ, and other sources that pertain to water conservation, irrigation conservation, and protecting pipes from freezing.
- Encourage local media coverage of water conservation issues and the importance of water conservation.
- Make the Texas Smartscape CD, water conservation brochures, and other water conservation materials available to the public at the City of Denton Utility Department, other City facilities, and at special events.
- Provide a Xeriscape class once a year to promote conservation landscaping and conservation irrigation practices.
- Make information pertaining to water conservation and irrigation conservation available online at www.cityofdenton.com and include links to the Texas Smartscape website and to information relating to water conservation on the TWDB and TCEQ websites.
- Presentations are available to local organizations, schools, and civic groups on the importance of water conservation and ways to save water.

3.7 Non-Promotional Water Rate Structure

With the intent of encouraging water conservation and discouraging waste and excessive use of water, the City of Denton adopted an increasing block (inverted-block) rate in 1998. In an inverted-block structure the unit price of water increases with increasing water use.

The City of Denton employs an inverted-block rate from May through October. The structure consists of three blocks (Table 5-2). The first block provides enough water to cover a typical household’s water usage, which includes a moderate amount for irrigation. The second, third, and fourth blocks are designed to curb discretionary and seasonal outdoor water use. The inverted-block structure only applies to residential customers. DWU bills commercial customers on a flat rate, but has implemented seasonal pricing on commercial irrigation meters to curb summer peak demand.

<table>
<thead>
<tr>
<th>TABLE 2</th>
</tr>
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</table>

Conservation Plan

7
### DWU Block Rate Structure

<table>
<thead>
<tr>
<th>Gallons</th>
<th>Rate per Thousand Gallons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 15,000</td>
<td>$2.75</td>
</tr>
<tr>
<td>15,001 – 30,000</td>
<td>$4.00</td>
</tr>
<tr>
<td>30,001-50,000</td>
<td>$5.00</td>
</tr>
<tr>
<td>More than 50,000</td>
<td>$6.00</td>
</tr>
</tbody>
</table>

### TABLE 3

<table>
<thead>
<tr>
<th>Seasonal Commercial Irrigation Rates</th>
<th>Winter</th>
<th>Summer (May-October)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$3.05 per thousand gallons</td>
<td>$3.70 per thousand gallons</td>
</tr>
</tbody>
</table>

### 3.8 Reservoir System Operation Plan

The City of Denton has the following rights to divert water from Lake Ray Roberts and Lake Lewisville:

- 9.76 MGD from Lake Ray Roberts
- 4.34 MGD from Lake Lewisville

The City of Denton is the minority water right holder in both reservoirs. The current agreement with the City of Dallas (majority water right holder) delegates comprehensive coordination of reservoir management to the City of Dallas.

### 3.9 Implementation and Enforcement of the Water Conservation Plan

Appendix D contains a copy of the resolution of the City of Denton City Council adopting this water conservation and drought contingency plan. The resolution designates responsible officials to implement and enforce the water conservation and drought contingency plan.

### 3.10 Coordination with Regional Water Planning Group

The City of Denton will provide a copy of this water conservation and drought contingency plan to the Region C Water Planning Group, which is currently developing the Regional Water Plan. Appendix E includes a copy of a letter sent to the Chair of the Region C Water Planning Group.
4. ADDITIONAL REQUIRED WATER CONSERVATION PLAN CONTENT

The Texas Administrative Code also includes additional requirements for water conservation plans for public drinking water suppliers that serve a population of 5,000 people or more and/or a projected population of 5,000 people or more within the next ten years:

- §288.2(a)(2)(A) – Leak Detection, Repair, and Water Loss Accounting – Sections 3.5, 4.1, and 5.5
- §288.2(a)(2)(B) – Record Management System – Section 4.2
- §288.2(a)(2)(C) – Requirement for Water Conservation Plans by Wholesale Customers – Section 4.3

4.1 Leak Detection and Repair; Pressure Control

Measures to control unaccounted-for water are part of the routine operations of the City of Denton. Meter readers, water and wastewater utility personnel, and the public report leaks in the system. Maintenance crews are on-call 24-hours a day and respond quickly to repair reported leaks. DWU has recently invested in leak detection and correlator equipment that will help in identifying more leaks and locating leaks more accurately for repair.

The City of Denton also proactively decreases water loss through the waterline replacement program. The City of Denton spends approximately $1.5 million per year to repair and replace water distribution lines with two construction and maintenance crews. Areas of the water distribution system in which numerous leaks and line breaks occur are targeted for replacement.

To reduce real water losses, the City of Denton will maintain a proactive water loss program. As part of this program, the City will implement the following actions:

- Continue to implement the waterline replacement program;
- Conduct inspections of transmission lines; and
- Conduct regular inspections of all water main fittings and connections during periods of maintenance and repair.

4.2 Record Management System

As required by TAC Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(2)(B), the record management system for the City of Denton records water pumped, water delivered, and water sold. However, the City of
Denton’s record management system does not allow for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories as required.

The current billing system separates sales and uses into residential, commercial, and wholesale user classes. Staff is investigating available options to bring the record management system into compliance.

4.3 Requirement for Water Conservation Plans by Wholesale Customers

Each contract for the wholesale sale of water by the City of Denton will include a requirement that the wholesale customer develop and implement a water conservation plan meeting the requirements of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(2)(c) of the Texas Administrative Code. If the customer intends to resell the water, then 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 applicable provisions of Chapter 288.
5. OPTIONAL WATER CONSERVATION PLAN CONTENT

TCEQ rules also list optional (not required) conservation strategies, which may be adopted by suppliers to achieve the stated goals of the plan. The following optional strategies are listed in the rules; some are not included in this plan:

- §288.2(a)(3)(A) – Conservation Oriented Water Rates – Section 3.7
- §288.2(a)(3)(B) – Ordinances, Plumbing Codes or Rules on Water-Conserving Fixtures – Section 5.1
- §288.2(a)(3)(C) – Programs for the Replacement or Retrofit of Water-Conserving Plumbing Fixtures in Existing Structures – (Not included in plan)
- §288.2(a)(3)(D) – Reuse and Recycling of Wastewater – Section 5.2
- §288.2(a)(3)(E) – Pressure Control and/or Reduction – (Not included in plan)
- §288.2(a)(3)(F) – Landscape Water Management Ordinance – Section 5.3
- §288.2(a)(3)(G) – Monitoring Method – Section 5.4
- §288.2(a)(3)(H) – Other Conservation Methods – Section 5.5 and 5.6

5.1 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures

The State of Texas has required 2.5 gpm faucets, 3.0 gpm showerheads, and 1.6 gpf toilets for new construction since 1992. Similar standards are also required under federal law. Denton’s Plumbing Code complies with the State of Texas requirements.

In addition, the implementation of the federal rules requiring energy-conserving clothes washers in 2007 will improve the water-efficiency of residential clothes washers.

5.2 Reuse and Recycling of Wastewater

The City of Denton’s current reuse program delivers approximately 0.5 MGD of reclaimed wastewater effluent. The current distribution system has a maximum capacity of 4 MGD. The City of Denton is estimating that reuse will increase to 2 MGD by 2014 and 3 MGD by 2019.

5.3 Landscape Management Ordinance

As part of the development of this water conservation plan, the City of Denton has implemented a lawn and landscape irrigation and water waste ordinance. This ordinance is intended to minimize waste in landscape
irrigation and other uses. The ordinance was implemented in 2006, during a drought period when public awareness of the drought was high. The ordinance includes the following elements:

- Prohibition of outdoor watering, except by hand and for watering foundations, from 10:00 a.m. to 6:00 p.m. every day from June 1 through September 30.
- Requirement that all new irrigation systems include rain and freeze sensors.
- Prohibition of designs and installations that spray directly onto impervious surfaces such as sidewalks and roads or onto other non-irrigated areas.
- Prohibition of use of poorly maintained sprinkler systems that waste water.
- Requirement that any outside faucet or service line leak be repaired
- Enforcement of the ordinance by a system of warnings followed by fines for continued or repeat violations.

5.4 Monitoring Method
Until such time as there is an industry wide method for monitoring per-capita the City of Denton will use the five-year rolling average suggested by the Texas Water Development Board.

5.5 Customer Water Audit
The City of Denton will continue to conduct water audits for single- and multi-family residential customers. The four main purposes are to: educate customers about conservative water use habits and replacement of inefficient toilets, clothes washers, and dishwashers; educate customers about water-efficient showerheads and faucet aerators; identify leaks; and optimize irrigation water usage. The City’s auditor will review the water use habits of the customer, inspect the system for leaks and excessive use, and recommend any equipment repairs or changes to increase the efficiency of both the domestic and irrigation water systems. Although overall water savings from residential water audits are minimal, residential water audits are crucial to maintaining good customer relations particularly related to high billing complaints.

In addition, DWU will continue to explore ways to enhance the usefulness of customer water audits in saving water, while expanding audit services to commercial customers.
5.6 Park and Athletic Field Conservation

The City of Denton will explore the possibility of additional savings by the proper management of park and athletic field irrigation, landscape, and turf practices. The Texas Water Development Board Water Conservation Best Management Practices Guide includes guidelines for water conservation in parks and athletic fields. DWU will work with other city departments to determine the potential for water and cost savings by proper management practices and implement them when practical.
6.6 Drought and Emergency Response Stages *(updated March 2011)*

6.6.1 Stage 1, Mild

6.6.1.1 Triggering And Termination Conditions For Stage 1, Mild

6.6.1.1.1 Type A Water Management Condition
Total raw water supply in (1) Denton and Dallas connected lakes (east and west); or (2) western connected lakes; or (3) eastern connected lakes drops below 65% of the total conservation storage of the lakes

6.6.1.1.2 Type B Water Management Condition
Water demand reaches or exceeds 85% of delivery capacity for four (4) consecutive days

6.6.1.1.3 Type C Water Management Condition
Water demand approaches a reduced delivery capacity for all or part of the system, as determined by DWU

Requirements for Termination:
Stage 1 may be terminated when Stage 1 conditions no longer exist and would be unlikely to recur upon termination.

6.6.1.2 Goal For Use Reductions And Actions Available Under Stage 1, Mild

The goal for water use reduction under Stage 1, Mild, is a 5 percent reduction of the use that would have occurred in the absence of drought contingency measures. The Director of Water Utilities or a designee can order the implementation of any of the actions listed below, or other actions not listed, as deemed necessary:

All Water Users

(a) Require that all landscape watering be limited to the day-of-week schedule between the hours of 6:00 PM to 10:00 AM and not violate the restrictions against irrigation waste in Sections 1B and 1C of the Water Waste Ordinance in Appendix G. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems should be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8) and for locations without addresses and limited to Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Apartments, office building complexes or other property containing multiple addresses may be identified by the lowest address number.

(b) Encourage reduction in frequency of watering new and first year landscaping

(c) Encourage only initial filling of ornamental fountains.
(d) Encourage reduction in frequency of washing or rinsing of vehicles and recommend use of bucket/container, hand-held hose with positive shut-off valve or commercial car wash.

(e) Encourage reduction in frequency in draining and refilling of swimming pools.

(f) Encourage reduction in frequency of recreational water use including use of faucets, hoses or hydrants.

(g) Foundations may be watered on any day of the week between the hours of 6:00 PM and 10:00 AM. Foundations may be watered with a soaker hose or a hand-held hose equipped with a positive shutoff nozzle only.

City Government

(a) Staff will begin review of the problems initiating Stage 1 actions and will identify possible solutions to address the water shortage.

(b) Initiate public education campaign teaching and encouraging reduced water use practices.

(c) Intensify normal leak detection and repair activities on water pipes and mains.

(d) Encourage reduction of water use in city-owned ornamental fountains.

(e) Encourage reduction in landscape uses for parks.

(f) Only flush newly constructed mains and mains that are essential for water quality maintenance.

Commercial Customers

(a) Identify and encourage voluntary reduction measures by high-volume water users through water use audits.

(b) Encourage reduction in landscape uses for parks.

(c) Encourage reduction in water use for landscape nursery stock.

(d) Require day-of-week landscape watering schedule for golf courses.

(e) Encourage area restaurants to serve customers water by request only.

(f) Encourage hotel/motels to request multiple day patrons to reuse linens instead of changing every day.

Interruptible Customers

(a) Reduce usage for interruptible customers per contract terms.

Wholesale Customer Cities

(a) Encourage implementation of like procedures by wholesale customers.
**Notifications**

City of Denton

- Notify major City departments, by telephone and follow-up memo, of Water Awareness Stage #1 and request voluntary water use reduction.
- Stress voluntary elimination of non-essential uses.

External Customers

- Issue press release, radio and video public service announcement to area media describing Water Awareness Stage #1 and the voluntary restrictions that apply.
- Distribute water conservation materials to Denton Independent School District, UNT, TWU and community groups if appropriate
- Post Water Awareness notices at public buildings including city buildings, county buildings and the federal post office.
- Encourage reduction of water use through the publication of the voluntary landscape watering schedule and request watering only during off-peak hours.

Wholesale Customers

- Advise wholesale customers by telephone and follow-up memo, of Water Awareness Stage #1 and request voluntary water use reduction consistent with actions taken by the City of Denton.
- PenaltiesInitiate fees and fines as specified below in this Plan for any violation of the Drought Contingency Plan.
6.6.2 Stage 2, Moderate

6.6.2.1 Triggering Conditions For Stage 2, Moderate

6.6.2.1.1 Type A Water Management Condition
Total raw water supply in (1) Denton and Dallas connected lakes (east and west); or (2) western connected lakes; or (3) eastern connected lakes drops below 55% of the total conservation storage

6.6.2.1.2 Type B Water Management Condition
Water demand reaches or exceeds 90% of delivery capacity for three (3) consecutive days

6.6.2.1.3 Type C Water Management Condition
Water demand equals a reduced delivery capacity for all or part of the system, as determined by DWU

Requirements for Termination:
Stage 2 may be terminated when Stage 2 conditions no longer exist and would be unlikely to recur upon termination.

6.6.2.2 Goal For Use Reduction And Actions Available Under Stage 2, Moderate
The goal for water use reduction under Stage 2, Moderate, is a 15 percent reduction of the use that would have occurred in the absence of drought contingency measures. The Director of Water Utilities or a designee can order the implementation of any of the actions listed below, or other actions not listed, as deemed necessary:

All Water Users

(a) Require that all landscape watering be limited to the day-of-week schedule between the hours of 6:00 PM to 10:00 AM and not violate the restrictions against irrigation waste in Sections 1B and 1C of the Water Waste Ordinance in Appendix G. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems should be limited to Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8) and for locations without addresses, and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Apartments, office building complexes or other property containing multiple addresses may be identified by the lowest address number

(b) Restrict operation of ornamental fountains or ponds to initial filling except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
(c) Restrict washing of any motor vehicle, motorbike, boat, trailer, airplane or other vehicle to the use of a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. 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. Request that use of water to fill, refill, or add to any indoor or outdoor swimming, wading, or jacuzzi pools be limited to the day-of-week schedule.

(d) Prohibit recreational water use including use of faucets, hoses or hydrants, which use water in such a manner as to allow run-off or other wastes.

(e) Prohibit hosing off paved areas, buildings, windows or other surfaces.

City Government

(a) Staff will begin review of the problems initiating Stage 2 actions and will identify possible solutions to address the water shortage.

(b) Accelerate public education campaign teaching and encouraging reduced water use practices.

(c) Continue intensified leak detection and repair activities on water pipes and mains.

(d) Prohibit operation of ornamental fountains by city government except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

(e) Require day-of-week watering schedule for parks.

(f) Restrict flushing of new mains not immediately required to provide service.

Use of water from fire hydrants limited to fire fighting and essential distribution system maintenance.

(g) Restrict the flushing of fire hydrants, blow offs and service connections for new main construction by special permit only.

(h) Washing of any city vehicle, bike, or trailer limited to the day-of-week watering schedule.

(i) Prohibit hosing off paved areas, buildings, windows or other surfaces.

Commercial Customers

(a) Require day-of-week watering schedule for parks.

(b) Encourage further reduction in landscape uses for nursery stock.

(c) Require day-of-week landscape watering schedule for golf courses.

Interruptible Customers

(a) Reduce usage for interruptible customers per contract terms.
Wholesale Customers

(a) Require water demand reductions in accordance with contract obligations for wholesale customers.
(b) Wholesale water systems asked to abide by City of Denton policy for both internal operations and all retail customers. Reduction in rate of flow controller settings by 10% -20% are optional.

Notifications

City of Denton

- By telephone and attached follow-up memo, notify all major City department water users of Water Watch Stage #2 and the water use restrictions under this stage. Instruct them to implement restrictions on non-essential uses. Use city department contacts in Appendix F.
- Coordinate distribution of water emergency plan details, posters, and handouts to customer service representatives, utility dispatch personnel and Denton public access buildings.

Retail Customers

- TCEQ notified of Stage 2 restrictions.
- Issue press release, radio and video public service announcement to area media describing Water Watch Stage #2 and the water use restrictions under this stage. Keep media updated on the water situation. Use media contacts listed in Appendix F.
- By telephone and follow-up letter, notify major area water users of Water Watch Stage #2 and the restrictions that apply. Use plant manager contacts listed in Appendix F
- Accelerate public education campaign to promote and encourage efficient water use.
- If applicable, notify the U.S. Corp of Engineers by telephone and follow-up letter of the Water Watch Stage #2 conservation measures.

Wholesale Customers

Advise wholesale customers by telephone and attached letter of the actions taken by the City of Denton in response to Water Watch Stage #2 and require the implementation of like procedures among their customers. Wholesale customer cities shall either impose water use restrictions equivalent to those imposed on Denton’s retail customers OR where applicable, Denton may reduce rate-of-flow controller settings by 10% -20%. Use wholesale customer contacts in Appendix F.

Penalties

No penalties enforced at this time.
• Initiate fees and fines as specified below in this Plan for any violation of the Drought Contingency Plan.
6.6.3 Stage 3, Severe

6.6.3.1 Triggering Conditions For Stage 3, Severe

6.6.3.1.1 Type A Water Management Condition
Total raw water supply in (1) Denton and Dallas connected lakes (east and west); or (2) western connected lakes; or (3) eastern connected lakes drops below 45% of the total conservation storage

6.6.3.1.2 Type B Water Management Condition
Water demand reaches or exceeds 95% of delivery capacity for two (2) consecutive days

6.6.3.1.3 Type C Water Management Condition
- Water demand exceeds a reduced delivery capacity for all or part of the system, as determined by DWU
- A major water line breaks, or a pump or system failure occurs, which cause unprecedented loss of capability to provide treated water service
- Natural or man-made contamination of the water supply

Requirements for Termination:
Stage 3 may be terminated when Stage 3 conditions no longer exist and would be unlikely to recur upon termination.

6.6.3.2 Goal For Use Reduction And Actions Available Under Stage 3, Severe
The goal for water use reduction under Stage 3, Severe, is a reduction of 20 percent of the use that would have occurred in the absence of drought contingency measures. If the circumstances warrant, the Director of Water Utilities or a designee can set a goal for greater water use reduction. The Director of Water Utilities or a designee can order the implementation of any of the actions listed below, or other actions not listed, as deemed necessary:

All Water Users
(a) Require that all landscape watering be limited to the day-of-week watering schedule between the hours of 6:00 PM and 10:00 AM by means of hand-held hoses, soaker hoses and hand-held buckets only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems is prohibited at all times. Irrigation of landscaped areas shall be limited to Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8) and for locations without addresses, and Wednesdays for
water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Apartments, office building complexes or other property containing multiple addresses may be identified by the lowest address number.

(b) 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 pools are equipped with a recirculation system.

(c) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane 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 between the hours of 6:00 PM to 10:00 AM.

(d) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi type pools is prohibited. Existing pools may add water to replace losses during normal use and to replace evaporation in order to maintain proper water quality and proper operation of the pool equipment.

(e) Foundations may be watered for a two-hour period on the designated watering day between the hours of 6:00 PM and 10:00 AM. Foundations may be watered with a soaker hose or hand-held hose equipped with a positive shutoff nozzle only. 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 this drought response stage or a higher-numbered stage shall be in effect.

(f) Permitting of new swimming pools, hot tubs, spas, ornamental ponds and fountain construction is prohibited.

City Government

(a) Wet street sweeping and city vehicle washing or rinsing is prohibited.

(b) Irrigation of parks is prohibited.

(c) Discontinue use of water from fire hydrants, blow offs and service connections for new water line construction purposes.

Commercial Customers

(a) Watering of nursery plant stock restricted to the hours between 6:00 PM and 10:00 AM and the day-of-week watering schedule.
(b) Restrict watering of golf course greens and tee boxes restricted to the hours between 6:00 PM and 10:00 AM and the day-of-week watering schedule; watering of other golf course areas and parks is prohibited unless the golf course utilizes a water source other than that provided by the City of Denton.

Interruptible Customers
(a) Service to interruptible customers is temporarily suspended.

Wholesale Customers
(a) Same external restrictions apply to wholesale suppliers.

Notifications

City of Denton
- Coordinate dissemination of water conservation plan details, posters, and handouts to customer service representatives, utility dispatch personnel and public access buildings.
- By telephone and attached follow-up memo, notify all major City department users of Water Warning Stage #3 and of the water use restrictions under this stage. Instruct them to eliminate non-essential uses including street and vehicle washing and operation of ornamental fountains, and to implement restrictions on essential uses. Use same contacts as those listed in Appendix F.

Retail Customers
- TCEQ notified of Stage 3 restrictions.
- Issue press release, radio and video public service announcement to area media describing Water Warning Stage #3 and the water use restrictions under this stage. Keep media updated on the water situation. Use same media contacts as those in Appendix F.
- By telephone and follow-up letter, notify major water users of Water Warning #3 and the mandatory water use reduction. Use contacts listed in Appendix F.
- Post Water Warning notices at public buildings including city buildings, county buildings, and the federal post office.
- If applicable, notify U.S. Corps of Engineers by telephone and attached letter of the Water Warning Stage #3 conservation measures.

Wholesale Customers
- Advise wholesale customers by telephone and attached letter of the actions taken by the City of Denton in response to Water Warning Stage #3 and require the implementation of like procedures among their
customers. Wholesale customer cities shall either impose water use restrictions equivalent to those imposed on Denton’s retail customers OR where applicable, may reduce rate-of-flow controller settings by 20%-30%. Use wholesale customer contacts listed in Appendix F.

**Penalties**

- Initiate a 20% surcharge for residential customers for water usage greater than 30,000 gallons per account per billing period.
- Impose a 20% surcharge for commercial and industrial customers for monthly water use above 80% of prior billing volumes per account per billing period.
- Initiate fees and fines as specified below for any violation of the Drought Contingency Plan.
6.6.4 Stage 4, Emergency

6.6.4.1 Triggering Conditions For Stage 4, Emergency

6.6.4.1.1 Type A Water Management Condition
Total raw water supply in (1) Denton and Dallas connected lakes drops (east and west); or (2) western connected lakes; or (3) eastern connected lakes below 30% of the total conservation storage

6.6.4.1.2 Type B Water Management Condition
Water demand reaches or exceeds 98% of delivery capacity for one consecutive day

6.6.4.1.3 Type C Water Management Condition
Water demand seriously exceeds a reduced delivery capacity for all or part of the system, as determined by DWU

Requirements for Termination:
Stage 4 may be terminated when Stage 4 conditions no longer exist and would be unlikely to recur upon termination.

6.6.4.1 Goal For Use Reduction And Actions Available Under Stage 4, Emergency
The goal for water use reduction under Stage 4, Extreme, is a reduction of 25 percent of the use that would have occurred in the absence of drought contingency measures. If the circumstances warrant, the Director of Water Utilities or a designee can set a goal for greater water use reduction. The Director of Water Utilities or a designee can order the implementation of any of the actions listed below, or other actions not listed, as deemed necessary:

All Users
(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) Foundations may be watered for a two-hour period only between the hours of 6:00 PM and 10:00 AM on the designated watering day from Stage 3 with soaker or hand-held hose equipped with a positive shutoff nozzle.
(d) Prohibit permitting of new swimming pools, hot tubs, spas, ornamental ponds, and fountain construction.
(e) Restrict use of water from fire hydrants to fire fighting, essential distribution system maintenance and related activities.

Notifications

City of Denton

- By telephone and attached follow-up memo, notify all major City department water users of Water Emergency Stage #4 and of the water use restrictions under this stage. Instruct them to eliminate non-essential uses and to implement restrictions on essential uses. Use department contacts listed in Appendix F.
- Coordinate dissemination of water conservation details, posters, and handouts to customer service representatives, utility dispatch personnel and Denton public access buildings.

Retail Customers

- TCEQ notified of Stage 4 restrictions.
- Issue press release, radio and video public service announcement to area media describing Water emergency Stage #4 and the water use restrictions under this stage. Keep media updated on the water situation. Use same media contacts as those in Appendix F.
- Post Water Emergency notices at public buildings, including city buildings, county buildings, and the federal post office.
- By telephone and follow-up letter, notify major area water users of Water Emergency Stage #4 and mandatory cessation of all outside watering. Use plant manager contacts listed in Appendix F.
- If applicable, notify U.S. Corps of Engineers by telephone and attached letter of the Water Emergency Stage #4 conservation measures.

Wholesale Customers

- Advise wholesale customers by telephone and attached letter of actions being taken by the City in response to Water Emergency Stage #4 and mandatory implementation of similar procedures among their customers. Wholesale customer cities shall impose water use restrictions equivalent to those imposed on Denton’s retail customers or, where applicable, reduce their rate-of-flow controller settings by a percentage determined by the Director of Water Utilities. Appendix F lists wholesale customers that need to be contacted.
**Penalties**

- Impose a 20% surcharge for residential customers for water usage greater than 15,000 gallons per account per billing period.
- Impose a 20% surcharge for commercial and industrial customers for monthly water use above 70% of prior billing volumes per account per billing period.
- Initiate code enforcement fines for any violation of the Drought Contingency Plan.
Water Rate Surcharge and Allocation

Retail Customers
During Stages 3 and 4 of the Drought Contingency Plan, the City may impose a retail water rate increase to discourage water use. Rates for residential customer usage more than 30,000 gallons per account per billing period in Stage 3 or above 15,000 gallons per 30 days per account per billing period in Stage 4 may be increased by as much as twenty percent (20%). A similar twenty percent (20%) rate increase for commercial and industrial customers may be imposed for use exceeding 80% (Stage 3) and 70% (Stage 4) of prior billing volumes per 30-day period.

Wholesale Customers
In the event that the triggering criteria specified in Section 6 of the Plan for Stage 4 have been met, the Director is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with the latest revision of Texas Water Code Section 11.039. Texas Water Code Section 1.039, Distribution of Water During Shortage, states:

(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 person, 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 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.
DWU may curtail water deliveries or reduce diversions in accordance with the terms and conditions of its wholesale water supply contracts. If necessary, or if specific contract provisions are not provided for, DWU may curtail water deliveries or reduce diversions in accordance with Texas Water Code Section 11.039. DWU will have authority to restrict flow to its wholesale water customers through the rate-of-flow controllers.

The Director will establish pro rata water allocations, determined as a percentage reduction of the wholesale customer’s water usage, at the time of implementation. The total volume reduction for each wholesale customer will be calculated monthly, based on average water usage for the previous three years. The Director will establish the percentage reduction based on an assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries, and the percentage reduction may be adjusted periodically by the Director. Once pro rata allocation is in effect, water diversions by, or deliveries to, each wholesale customer will be limited to the allocation established for each month.

6.7 Procedures for Enforcement of Mandatory Restrictions

Violations
A person commits an offense if he or she knowingly makes, causes, or permits a use of water contrary to the measures implemented in the Drought Contingency Plan. It is presumed that a person has knowingly made, caused, or permitted use of water contrary to the measures implemented if the mandatory measures have been implemented according to the Plan and any one of the following conditions apply:

- The Drought Contingency Plan prohibits the manner of use.
- The amount of water used exceeds that allowed by the Drought Contingency Plan
- The manner of use or the amount used violates the terms and conditions of a compliance agreement made following a variance granted by the ACM/Utilities.

Any person 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 shall be presumed to be responsible for their minor children and proof that a violation, committed by a child, occurred on the property within control of the parents shall constitute a rebuttable presumption that the parent committed the violation.
But, any such parent 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 could not have reasonably known of the violation.

Any Code Enforcement Officer, Police Officer, or other city employee designated by the Assistant City Manager/Utilities, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in municipal court on the date shown on the citation.

**First Violation of the Plan**
Customers receive a written warning that they have violated restrictions that will be recorded in the City’s Customer Service records.

**Subsequent Violations of the Plan**
Any person who violates this Plan is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than $2,000. Each day that one or more provisions in this Plan is violated shall constitute a separate offense. The case shall be filed in Denton Municipal Court.

However, In lieu of prosecuting a misdemeanor in Denton Municipal Court, DWU may, at its sole option, impose an administrative fee, hereby established at an amount not to exceed $2,000 per violation, upon violation of this plan. If the administrative fee option is chosen by DWU, then violations will be punished based upon the Drought Stage in force when the violation occurs and also according to the size of the meter used in violation of the plan. A table of administrative fees is set out in Table 1 hereinbelow.

For purposes of determining the filing of a case in Denton Municipal Court and/or the imposition of an administrative fee upon the violator, the measuring period for the number of offenses committed by any violator shall be one year from the date of the first offense being committed by the violator. Upon the first anniversary of the first offense being committed, then a new measuring period begins anew.

For the fifth violation committed by a person or entity in Stage 1, of this drought plan, in the one year period following the date of first offense, alleging a violation of this drought code, the matter shall be filed in Denton Municipal Court, where a fine of up to $2,000 per violation may be assessed upon conviction of the violation, such fine to be set by the Court.
For the fourth and fifth violations committed by a person or entity in Stage 2, Stage 3 and Stage 4, in this drought plan, in the one year period following the date of first offense, alleging a violation of this drought code, the matter shall be filed in Denton Municipal Court, where a fine of up to $2,000 per violation may be assessed upon conviction of the violation, such fine to be set by the Court.

Table 1:

Stage 1

(a) Meters 1" in diameter and smaller

1st Violation: Warning
2nd Violation: Warning
3rd Violation: $50 administrative fee
4th Violation: $100 administrative fee
5th Violation: Fine not more than $2000

(b) Meters larger than 1" in diameter and smaller than 3" in diameter

1st Violation: Warning
2nd Violation: Warning
3rd Violation: $100 administrative fee
4th Violation: $250 administrative fee
5th Violation: Fine not more than $2000

(c) Meters 3" in diameter and larger

1st Violation: Warning
2nd Violation: Warning
3rd Violation: $250 administrative fee
4th Violation: $500 administrative fee
5th Violation: Fine not more than $2000

Stage 2

(a) Meters 1" in diameter and smaller

1st Violation: Warning
2\textsuperscript{nd} Violation: $50 administrative fee
3\textsuperscript{rd} Violation: $100 administrative fee
4\textsuperscript{th} Violation: Fine not more than $2000
5\textsuperscript{th} Violation: Fine not more than $2000

(b) Meters larger than 1" in diameter and smaller than 3" in diameter

1\textsuperscript{st} Violation: Warning
2\textsuperscript{nd} Violation: $100 administrative fee
3\textsuperscript{rd} Violation: $250 administrative fee
4\textsuperscript{th} Violation: Fine not more than $2000
5\textsuperscript{th} Violation: Fine not more than $2000

(c) Meters 3" in diameter and larger

1\textsuperscript{st} Violation: Warning
2\textsuperscript{nd} Violation: $250 administrative fee
3\textsuperscript{rd} Violation: $500 administrative fee
4\textsuperscript{th} Violation: Fine not more than $2000
5\textsuperscript{th} Violation: Fine not more than $2000

Stage 3

(a) Meters 1" in diameter and smaller

1\textsuperscript{st} Violation: Warning
2\textsuperscript{nd} Violation: $100 administrative fee
3\textsuperscript{rd} Violation: $200 administrative fee
4\textsuperscript{th} Violation: Fine not more than $2000
5\textsuperscript{th} Violation: Fine not more than $2000

(b) Meters larger than 1" in diameter and smaller than 3" in diameter

1\textsuperscript{st} Violation: Warning
2\textsuperscript{nd} Violation: $200 administrative fee
3rd Violation: $500 administrative fee
4th Violation: Fine not more than $2000
5th Violation: Fine not more than $2000

(c) Meters 3" in diameter and larger
   1st Violation: Warning
   2nd Violation: $500 administrative fee
   3rd Violation: $1000 administrative fee
   4th Violation: Fine not more than $2000
   5th Violation: Fine not more than $2000

Stage 4

(a) Meters 1" in diameter and smaller
   1st Violation: Warning
   2nd Violation: $200 administrative fee
   3rd Violation: $400 administrative fee
   4th Violation: Fine not more than $2000
   5th Violation: Fine not more than $2000

(b) Meters larger than 1" in diameter and smaller than 3" in diameter
   1st Violation: Warning
   2nd Violation: $400 administrative fee
   3rd Violation: $1000 administrative fee
   4th Violation: Fine not more than $2000
   5th Violation: Fine not more than $2000

(c) Meters 3" in diameter and larger
   1st Violation: Warning
   2nd Violation: $1000 administrative fee
   3rd Violation: $2000 administrative fee
4th Violation: Fine not more than $2000
5th Violation: Fine not more than $2000

Flow restrictors may be placed by DWU in lines after two (2) violations have occurred to limit the amount of water passing through the meter in a 24-hour period.

The City of Denton Utilities reserves the right to temporarily disconnect water service to the customer after two (2) violations of the Plan have occurred. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at an amount not to exceed $135.00 at this time (or as subsequently adjusted upward or downward by City ordinance), and any other costs incurred by the DWU in discontinuing service; and upon correction of the cause of the violation. In addition, suitable assurance must be given to the Director that the same action will not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the District Court.

APPENDIX A

List of References
