



NORTH FORT BEND WATER AUTHORITY

November 30, 2011

Dear Groundwater Reduction Plan Participant:

Our region's focus has turned towards the importance of reliable water supplies and the necessity to efficiently use water. The drought has further highlighted the need to conserve water. The North Fort Bend Water Authority (the "Authority") recognizes the importance of water conservation and the fact that water conservation is the cheapest source of new water.

The Authority amended its Rate Order on August 24, 2011, to require Non-Exempt Well owners to adopt and submit a water conservation plan meeting or exceeding the minimum state requirements for retail water providers with 3,300 or more connections by May 1, 2012. Those entities receiving surface water must approve and submit water conservation plans meeting these requirements prior to receiving surface water, but in no case later than May 1, 2012. The Amended Rate Order requires the submittal of Annual Reports documenting the implementation of the water conservation plan to the Authority by May 1st of each year on the Annual Report form promulgated by the Texas Water Development Board. For more information, please see the Amended Rate Order, which is available on the Authority's website: www.nfbwa.com.

The Authority plans to hold two workshops in early 2012 to provide additional information about water conservation strategies and water conservation plans. We will provide you with more information about these workshops when it is available. In the meantime, for your convenience please find attached a checklist from the Texas Water Development Board listing the required components of a water conservation plan. If you have questions or concerns, please contact the Authority's attorneys, David Oliver (713.860.6465 or doliver@abhr.com) or Alia Vinson (713.860.6449 or avinson@abhr.com). We hope that you will join us for these informative workshops and look forward to conserving water together!

Sincerely,

A handwritten signature in blue ink that reads "Peter C. Houghton".

Peter C. Houghton
President

c/o Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, TX 77027

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WATER CONSERVATION PLAN GUIDANCE CHECKLIST: TWDB-1968 (Formerly WRD-022)

This guidance checklist applies to all Texas Water Development Board (TWDB) Financial Assistance Programs specified in its rules under Texas Administrative Code 31, Chapters 355, 363, 371, 375, 382, and 384 and to public utilities that provide potable water service to 3,300 or more connections. The Water Conservation Plan required must meet the minimum requirements as stated below, and should be no older than 5 years. The Water Conservation Plan must include an evaluation of the applicant's water and wastewater system and customer water use characteristics to identify water conservation opportunities and should set goals to be accomplished by water conservation measures. The water conservation plan shall provide information in response to the following minimum requirements. If the plan does not provide information for each minimum requirement, the applicant shall include in the plan an explanation of why the requirement is not applicable. **The TWDB will accept current Water Conservation Plans determined by the Texas Commission on Environmental Quality (TCEQ) to satisfy the requirements of 30 TAC Chapter 288.**

Basically, *the Water Conservation Plan* is a strategy or combination of strategies for reducing the consumption of water, reducing the loss or waste of water, improving or maintaining the efficiency in the use of water, or increasing recycling and reuse of water. It contains best management practices measures to try to meet the targets and goals identified in the plan. *The Drought Contingency (Emergency Demand Management) Plan* is a strategy or combination of strategies for responding to temporary and potentially recurring water supply shortages and other supply emergencies.

THE WATER CONSERVATION PLAN REQUIREMENTS:

- A. ____ An evaluation of the Applicant's water and wastewater system and customer use characteristics to identify water conservation opportunities and potential targets and goals. Completion of the *Water Conservation Utility Profile, TWDB-1965* (formerly WRD-264), as part of the evaluation is required. A completed Utility Profile should be submitted with the Plan.
- B. ____ Inclusion of 5-year and 10-year targets that are specific and quantified for water savings and include goals for water loss programs in gallons per capita per day and goals for municipal use in gallons per capita per day. Include a base use figure to be able to calculate your savings from. Consider state and regional targets and goals, local climate, demographics, and the utility profile. Consider the anticipated savings that can be achieved by utilizing the appropriate Best Management Practices and other conservation techniques.
- C. ____ A schedule for implementing the plan to achieve the applicant's targets and goals.
- D. ____ A method for tracking the implementation and effectiveness of the plan. The method should track annual water use and provide information sufficient to evaluate the implementation of conservation measures. The plan should measure progress annually, and, at a minimum, evaluate the progress towards meeting the targets and goals every five years.
- E. ____ A master meter to measure and account for the amount of water diverted from the source of supply.
- F. ____ A program of universal metering of both customer and public uses of water, for meter testing, repair and for periodic replacement.

G. _____ Measures to determine and control unaccounted-for uses of water (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections, abandoned services, etc.).

H. _____ A continuous program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control water loss.

I. _____ A program of continuing education and information regarding water conservation. This should include providing water conservation information directly to each residential, industrial and commercial customer annually, and providing water conservation literature to new customers when they apply for service.

J. _____ A water rate structure which is not “promotional,” i.e., a rate structure which is cost-based and which does not encourage the excessive use of water. Include a copy of the rate structure.

K. _____ A means of implementation and enforcement which shall be evidenced by adoption of the plan:

1. a copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the applicant and
2. a description of the authority by which the applicant will implement and enforce the conservation plan.

L. _____ If the Applicant will utilize the project financed by the TWDB to furnish water or wastewater services to another supplying entity that in turn will furnish the water or wastewater services to the ultimate consumer, the requirements for the water conservation plan also pertain to these supplier entities. To comply with this requirement the applicant shall:

1. submit its own water conservation plan;
2. submit the other entity’s (or entities) water conservation plan;
3. require, by contract, that the other entity (or entities) adopt a water conservation plan that conforms to the board’s requirement and submit it to the board. If the requirement is to be included in an existing water or wastewater service contract, it may be included at the earliest of the renewal or substantial amendment of that contract, or by other appropriate measures.

M. _____ Documentation that the regional water planning group for the service area of the applicant has been notified of the applicant’s water conservation plan.

Note: The water conservation plan may also include other conservation methods or techniques that the applicant deems appropriate.

N. The Drought Contingency Plan (For Financial Assistance Programs) shall include:

1. _____ **Trigger conditions.** Describe information to be monitored. For example, reservoir levels, daily water demand, water production or distribution system limitations. Supply source contamination and system outage or equipment failure should also be considered. Determine specific quantified targets of water use reduction.
2. _____ **Demand management measures.** Refers to actions that will be implemented by the utility during each stage of the plan when predetermined triggering criteria are met. **Drought plans must include quantified and specific targets for water use reductions to be achieved during periods of water shortage and drought.** Supply management measures typically can be taken by the utility to better manage available water supply, as well as the use of backup or alternative

water sources. The demand management measures should curtail nonessential water uses, for example, outdoor water use.

3. **Initiation and termination procedures.** The drought plan must include specific procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.
4. **Variations and enforcement.** The plans should specify procedures for considering (approving and denying) variations to the plan. Equally as important is the inclusion of provisions for enforcement of any mandatory water use restrictions, including specification of penalties for violations of such restrictions.
5. **Measures to inform and educate the public.** Involving the public in the preparation of the drought contingency plan provides an important means for educating the public about the need for the plan and its content.

0. Adopt the plan. No plan is complete without formal adoption by the governing body of the entity. For a municipal water system, adoption would be by the city council as an ordinance, or a resolution by an entity's board of directors.

P. Reporting Requirement: Identify who will be responsible for preparing an annual report. Loan/Grant Recipients must maintain an approved water conservation program in effect until all financial obligations to the state have been discharged and shall **report annually** by May 1 to the Executive Administrator of the TWDB on the progress in implementing each of the minimum requirements in its water conservation plan and the status of any of its customers' water conservation plan required by contract. The content and format for the annual reporting for **retail water providers** is included in the form: **Water Conservation Program Annual Report, TWDB-1966**. Wholesale water providers can choose to use Form TWDB-1966 or **Annual Report Form TWDB-1967** for non-water providers.

For information and assistance contact:

**Water Conservation Plans
Texas Water Development Board
P.O. Box 13231
Austin, Texas 78711-3231
wcpteam@twdb.state.tx.us
512-463-7955**

Municipal Plan Assistance and Forms:

<http://www.twdb.state.tx.us/conservation/municipal/plans/>

Best Management Practices Information:

<http://www.savetexaswater.org/bmp/>