

City Council
Agenda Memo



City Council
Meeting Date: April 24, 2014

TO: Larry D. Gilley, City Manager
FROM: Tommy O'Brien, Director of Water Utilities
SUBJECT: Public Hearing and Written Resolution Approving Updates to the City's Water Conservation Plan and Written Resolution Affirming the City's Drought Contingency Plan Ordinance Without Changes

GENERAL INFORMATION

Under the water conservation planning requirements found in Texas Administrative Code (TAC) Chapter 288, water systems holding surface water rights in excess of 1,000 acre-feet per year must maintain and submit to the Texas Commission on Environmental Quality (TCEQ) a current Water Conservation Plan (WCP) and a current Drought Contingency Plan (DCP). To maintain compliance with the requirements of TAC Chapter 288, Abilene's 2014 Water Conservation Plan updates must be adopted and submitted to the TCEQ on or before May 1, 2014. Additionally, Abilene's Drought Contingency Plan ordinance must be affirmed with no changes and submitted to the TCEQ on or before May 1, 2014.

The City of Abilene last updated its WCP and associated system inventory information on April 8, 2010. To meet the May 1, 2014 submission requirement, Staff updated the City's WCP and presents the attached resolution for City Council approval. The 2014 WCP update recommended for approval includes the following system inventory information: (1) Utility Profile and Water Conservation Plan Requirements for Municipal Water Use by Retail Public Water Suppliers; (2) Profile and Water Conservation Plan Requirements for Wholesale Public Water Suppliers; (3) System Inventory and Water Conservation Plan for Agricultural Water Suppliers Providing Water To More Than One User; and (4) Industrial/Mining Water Conservation Plan.

In accordance with TCEQ requirements, Staff included in the 2014 WCP update the following 5- and 10-year goals for City of Abilene users: (1) Total per capita water use - maintain water use at or below 162 gallons per capita per day (gpcd) by the end of 2019, and 160 gpcd by the end of 2024; (2) Residential per capita water use - maintain water use at or below 106 gpcd by the end of 2019 and 2024; and (3) Per capita water loss - maintain per capita water loss at the industry standard of less than 15%, which is less than 26 gpcd by the end of 2019 and 2024.

The City maintains its Drought Contingency Plan ordinance in the City of Abilene Municipal Code, under Chapter 32, Article VI. Water Conservation Plan. The Drought Contingency Plan ordinance was last amended on April 14, 2005. Staff has reviewed the Drought Contingency Plan ordinance, and there are no changes to the Drought Contingency Plan ordinance proposed at this time. The attached resolution for City Council approval affirms the Drought Contingency Plan ordinance, as amended on April 14, 2005, without changes.

The complete WCP, including the Drought Contingency Plan ordinance, is provided on the City's website for public use at www.abilenetx.com.

STAFF RECOMMENDATION

The Staff recommends approval.

ATTACHMENTS

Resolution.

Prepared by:

Name Tommy O'Brien

Title Director of Water Utilities

Item No. 7.2

Disposition by City Council

Approved Ord/Res# _____

Denied _____

Other _____

City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE 2014 WATER CONSERVATION PLAN UPDATE AND AFFIRMING THE DROUGHT CONTINGENCY PLAN ORDINANCE AS ADOPTED.

WHEREAS, Texas Administrative Code (TAC) Chapter 288, “Water Conservation Plans, Drought Contingency Plans, Guidelines and Requirements”, requires water systems holding surface water rights in excess of 1,000 acre-feet per year to maintain and submit to the Texas Commission on Environmental Quality (TCEQ) a current Water Conservation Plan (WCP) and a current Drought Contingency Plan (DCP); and

WHEREAS, on April 8, 2010 through Resolution 12-2010 the City of Abilene approved updates to the City’s Water Conservation Plan; and

WHEREAS, the City maintains a Drought Contingency Plan ordinance (under Chapter 32, Article VI of the City of Abilene Municipal Code, Water Conservation Plan ordinance), last amended on April 14, 2005 through Resolution 9-2005; and

WHEREAS, the City is committed to enacting and implementing a Water Conservation Plan that will increase water use efficiency and ensure the longevity of the City’s water supplies; and

WHEREAS, the TCEQ requires each WCP to be updated at least every five years, with this update submitted to the TCEQ by May 1, 2014; and

WHEREAS, in order to comply with the TCEQ requirement, staff desires to update the Water Conservation Plan at this time; and

WHEREAS, the TCEQ requires each DCP to be reviewed and, if needed, updated at least every five years with this submittal due to the TCEQ by May 1, 2014; and

WHEREAS, in order to comply with the TCEQ requirement, staff desires to have the Drought Contingency Plan ordinance affirmed with no changes at this time;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1: That the 2014 update to the City of Abilene Water Conservation Plan shall be approved as presented.

Part 2: That the 2014 updates to the Water Conservation Plan, which include the following system inventory information, are accepted and approved: (1) Utility Profile and Water Conservation Plan Requirements for Municipal Water Use by Retail Public Water Suppliers; (2) Profile and Water Conservation Plan Requirements for Wholesale Public Water Suppliers; (3) System Inventory and Water Conservation Plan for Agricultural Water

Suppliers Providing Water To More than One User; and (4) Industrial/Mining Water Conservation Plan.

Part 3: That Exhibit “A” provides a general summary of the changes made to address goals for total and residential water consumption, goals for wholesale, industrial and agricultural water consumption and use, and goals for water loss, which are accepted and approved.

Part 4: That Exhibit “B” provides a general summary of the Drought Contingency Plan ordinance last updated on April 14, 2005 which is affirmed to have been reviewed without changes.

ADOPTED this 24th day of April, 2014.

APPROVED:

Norm Archibald, Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT A
SUMMARY OF 2014 WATER CONSERVATION PLAN UPDATE

Requirements for water conservation planning are found in Texas Administrative Code (TAC) Chapter 288, Subchapter A. These requirements mandate that public municipal water systems holding surface water rights in excess of 1,000 acre-feet per year maintain and submit to the Texas Commission on Environmental Quality (TCEQ) a Water Conservation Plan adopted at least on five-year intervals. The purpose of the Water Conservation Plan (WCP) is to: promote the wise and responsible use of water by implementing structural programs that result in quantifiable water conservation results; develop, maintain, and enforce water conservation policies and ordinances; and support public education programs that educate customers about water and wastewater facilities operations, and water conservation.

The 2014 WCP update, complete with updated utility profile information and water use reduction goals, must be adopted by Abilene's governing body and be received by the TCEQ on or before May 1, 2014 to comply with TAC Chapter 288 requirements. Changes to Abilene's WCP to meet current TAC Chapter 288 requirements are summarized below. The 2014 WCP update provides overall clarity and highlights those conservation best management practices (BMPs) established by the Texas Water Development Board that the City has been implementing via the WCP.

The 2014 WCP update includes specific information pertaining to raw water sources, raw water delivery systems, amount of raw water diverted from the sources, amount of water treated, and amount of water sold. The 2014 WCP update provides a description of the City's water treatment and delivery system. The 2014 WCP update describes water users by categories including single family and multi-family residential, commercial, institutional, industrial, irrigation and wholesale users including annual usage figures for each group for the previous five-year period. As a result of recent TAC amendments new user categories (single family and multi-family residential users) have been added to the "monitored" water user groups.

In December 2012, the TAC was amended to require public water systems holding 1,000 acre-feet or more of annual surface water rights for municipal water use to include specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in total gallons per capita per day (GPCD) and residential GPCD. The water use and loss goals included in the 2014 WCP update are based on current utility profile data collected and analyzed as a part of the WCP review process. These goals are:

- The 5- and 10-year municipal goals for total per capita water use by City of Abilene users are to maintain per capita water use at or below 162 gpcd by the end of 2019, and 160 gpcd by the end of 2024.
- The 5- and 10-year goals for residential per capita water use by City of Abilene users are to maintain residential per capita water use at or below 106 gpcd by the end of 2019 and 2024.
- The 5- and 10-year per capita water loss goals for Abilene water users are to maintain per capita water loss at less than 15%, which is less than 26 gpcd, by the end of 2019 and 2024.
- The 5- and 10-year goals for wholesale users supplied by the City of Abilene are to maintain per capita use at 100 gpcd by the end of 2019 and 2024 with loss rates for wholesale water deliveries to the wholesale users maintained at less than 15%.
- The 5- and 10-year goals for industrial water savings are to maintain source water diversion for processing, wash-down, transport, dust control and sanitary/domestic uses by current industrial users at not more than 350 acre-feet per year through the end of 2019 and 2024.
- The 5-year and 10-year goals for water savings are to maintain the agricultural irrigation requirement at or below the area agronomic standard of 24-inches per acre per year through the end of 2019 and 2024.

EXHIBIT B
SUMMARY OF EXISTING DROUGHT CONTINGENCY PLAN ORDINANCE

Requirements for drought contingency planning are found in Texas Administrative Code (TAC) Chapter 288, Subchapter B. These requirements mandate that public water systems implement drought contingency planning, and submit adopted drought contingency plans at least on five-year intervals. Drought planning serves to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire prevention. Drought planning is also intended to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions.

While no changes have been made to the City's Drought Contingency Plan (DCP) Ordinance, its adoption must be affirmed by Abilene's governing body and subsequently submitted to the TCEQ on or before May 1, 2014 to comply with TAC Chapter 288 requirements.

The DCP ordinance serves to minimize or eliminate water uses that are considered to be non-essential during times of water shortage or other emergency water supply conditions. Defined activities that constitute a waste of water subjects the offender(s) to penalties established in the DCP ordinance. The DCP ordinance applies to persons, customers, and property utilizing the City's Water System wherever situated, including wholesale customers, and others that receive water from the City on a contract basis. The DCP ordinance provides that if a shortage of water in the City's water supply occurs, the water to be distributed will be divided among all users pro rata, according to the amount each may be entitled to, so that preference is given to no one user or user group. The DCP ordinance does not apply to the use of alternate water sources, including non-potable water and private well water.

The DCP ordinance describes four water conservation stages in order of severity including:

- Stage 1 Water Alert,
- Stage 2 Water Warning,
- Stage 3 Water Emergency, and
- Stage 4 Water Crisis.

The DCP ordinance describes drought contingency plan enforcement procedures including assessment of fines, procedures for making payment of assessed fines, penalties for subsequent violations, and procedures for granting variances to the conditions of the DCP ordinance. The DCP ordinance also includes water use goals in each stage of drought contingency response as described in TAC Chapter 288.