

# **SECTION G**

## **East Central Special Utility District**

### **DROUGHT CONTINGENCY PLAN**

Adopted  
April 14, 2005

**DROUGHT CONTINGENCY PLAN**  
**FOR THE**  
**EAST CENTRAL SPECIAL UTILITY DISTRICT**  
**RETAIL CUSTOMERS**

**Section I: Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the District hereby adopts the following regulations and restrictions on the delivery and consumption of water.

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

**Section II: Public Involvement**

Opportunity for the public to provide input into the preparation of the Plan was provided by the District by means of previous scheduling and providing public notice of a public meeting to accept input on the Plan.

**Section III: Public Education**

The District will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of press releases, utility bill inserts and signs.

**Section IV: Coordination with Regional Water Planning Groups**

The service area of the District is located within the SOUTH CENTRAL TEXAS REGIONAL water planning area. The supplier has provided a copy of this Plan to the SOUTH CENTRAL TEXAS REGIONAL WATER PLANNING GROUP, Region 0L0.

**Section V: Authorization**

The General Manager of the District, or designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. Pursuant to this Plan adoption by the Board, The General Manager, or designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

## **Section VI: Application**

The provisions of this Plan shall apply to all persons, Customers, and property utilizing water provided by the District. The terms "person" and "Customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

## **Section VII: Definitions**

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

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

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

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

Customer: any person, company, or organization using water supplied by the District.

District: The East Central Special Utility District.

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

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

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

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

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

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;

- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than firefighting.

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

**Section VIII: Triggering Criteria for Initiation and Termination of Drought Response Stages**

The General Manager, or designee, shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Public notification of the initiation or termination of drought response stages shall be by means of publication in a newspaper of general circulation and signs posted in public places.

The District’s Customers receive water from three wholesale water suppliers. The trigger conditions for the drought stages vary depending on the source(s) of water used to serve a Customer. Therefore, at any one time, some Customers may be in one stage and other Customers in different stages depending on the water source providing water to the Customer.

**(a) Stage 1 - Mild Water Shortage Conditions**

Requirements for initiation

<b>WATER SOURCE</b>	<b>DROUGHT STAGE TRIGGERS</b>
SAWS	Upon Notification from SAWS that Stage 1 conditions exist.
Bexar Met	Upon Notification from Bexar Met that Stage 1 conditions exist.
CRWA	Upon Notification from CRWA that Stage 1 conditions exist.

**DISTRIBUTION LIMITATIONS**

- Purchased water exceeds 85% of total contracted amount
- Pump Station Capacity exceeds 85% for four consecutive days
- Storage tanks continuously fill for four consecutive days
- Distribution line pressure drops to 40 psi for four consecutive days

Requirements for termination

Stage 1 of the Plan may be rescinded when the above-referenced entity for a specific water source announces the termination of the Drought Stage or if when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

**Stage 2 - Moderate Water Shortage Conditions**

Requirements for initiation

**WATER  
SOURCE**

**DROUGHT STAGE TRIGGERS**

SAWS	Upon Notification from SAWS that Stage 2 conditions exist.
Bexar Met	Upon Notification from Bexar Met that Stage 2 conditions exist.
CRWA	Upon Notification from CRWA that Stage 2 conditions exist.

**DISTRIBUTION LIMITATIONS**

- Purchased water exceeds 90% of total contracted amount
- Pump Station Capacity exceeds 90% for four consecutive days
- Storage tanks continuously fill for five consecutive days
- Distribution line pressure drops to 40 psi for five consecutive days

Requirements for termination

Stage 2 of the Plan may be rescinded when the above-referenced entity for a specific water source announces the termination of the Drought Stage or if when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

**Stage 3 - Severe Water Shortage Conditions**

Requirements for initiation

**WATER  
SOURCE**

**DROUGHT STAGE TRIGGERS**

SAWS	Upon Notification from SAWS that Stage 3 conditions exist.
Bexar Met	Upon Notification from Bexar Met that Stage 3 conditions exist.
CRWA	Upon Notification from CRWA that Stage 3 conditions exist.

**DISTRIBUTION LIMITATIONS**

- Purchased water exceeds 95% of total contracted amount
- Pump Station Capacity exceeds 95% for four consecutive days
- Storage tanks continuously fill for six consecutive days
- Distribution line pressure drops to 40 psi for six consecutive days

Requirements for termination

Stage 3 of the Plan may be rescinded when the above-referenced entity for a specific water source announces the termination of the Drought Stage or if when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

#### Stage 4 - Emergency Water Shortage Conditions

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions for Stage 4 of this Plan when the General Manager or designee determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, loss of a storage tank, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supplies, including floods or other natural disasters.

<b>WATER SOURCE</b>	<b>DROUGHT STAGE TRIGGERS</b>
SAWS	Upon Notification from SAWS that Stage 4 conditions exist.
Bexar Met	Upon Notification from Bexar Met that Stage 4 conditions exist.
CRWA	Upon Notification from CRWA that Stage 4 conditions exist.

#### DISTRIBUTION LIMITATIONS

Purchased water exceeds 100% of total contracted amount  
Pump Station Capacity exceeds 100% for four consecutive days  
Distribution line pressure drops to 35 psi for two consecutive days

Requirements for termination – Stage 4 of the Plan may be rescinded when the above-referenced entity for a specific water source announces the termination of the Drought Stage or may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

#### Section IX: Drought Response Stages

The General Manager or designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of the Plan, shall determine that a mild, moderate, severe, critical, or emergency condition exists and shall implement the following actions upon publication of notice in a newspaper of general circulation:

#### Stage 1 - Mild Water Shortage Conditions

**Goal: Achieve a voluntary 5 percent reduction in total water use.**

#### Supply Management Measures:

The supplier shall reduce or discontinue flushing of water mains as far as is practical and prudent.

#### Water Use Restrictions:

1. **Landscape watering** with an irrigation system or sprinklers permitted only one day/week. Based on last digit of street address, the following schedule applies:  
0,1 ó Monday  
2,3 ó Tuesday

4,5 ó Wednesday

6,7 ó Thursday

8,9 ó Friday

2. Watering with a hand-held hose, soaker hose or drip irrigation is permitted.
3. Charity car washes permitted at commercial car washes that use recycled water or is certified as a conservation car wash
4. Washing impervious cover such as parking lot, driveway, street or sidewalk prohibited
5. Restaurants may serve water only upon request
6. Pools must be covered at least 25% when not in use
7. Vehicle washing at home permitted only during designated days and times
8. Golf courses - 10% reduction in replacement of daily evapotranspiration (ET) rate or 1.8 times the base usage irrigation between hours of 8:00 p.m. and 10 a.m.
9. Installation of new landscapes permitted only if more than 50% is drought tolerant turf and if proper horticultural practices are used. Variances may be granted.
10. Athletic fields - watering permitted only between midnight and 9 a.m. for health and safety reasons, unless conservation plan approved by ECSUD.

## **Stage 2 - Moderate Water Shortage Conditions**

**Goal: Achieve a 10 percent reduction in total water use.**

### **Supply Management Measures:**

Continuing steps in Stages 1, the supplier will closely monitor the system for leaks and provide rapid repairs.

### **Water Use Restrictions .**

1. All restrictions from Stage 1 are still in effect.
2. Landscape watering with an irrigation system or sprinkler permitted on one day/week on same schedule as Stage I during the hours of 3 a.m. to 8 a.m. and 8 p.m. to 10 p.m.
3. Watering with a hand-held hose, soaker hose or drip irrigation is permitted to maintain trees, shrubs and other ornamental plants on any day between 3 a.m. to 8 a.m. and 8 p.m. to 10 p.m.
4. Filling all new and existing swimming pools is prohibited. Draining permitted onto pervious surface and only if necessary to repair leaks or remove excess water in order to have water level to maintenance level.
5. Golf courses ó 30% reduction in replacement of ET rate or 20% reduction if a participant in ISP or not more than 1.4 times base usage. 40% reduction of ET rate or not more than 1.4 times base usage if not participant irrigation between 8 p.m. and 10 a.m. only.
6. Pools must be covered at least 50% when not in use
7. Installation of non-drought turf is prohibited.

8. Public playing fields - watering permitted only between midnight and 9:00 a.m. to extent necessary to protect health and safety, unless conservation plan approved by ECSUD.

### **Stage 3 - Severe Water Shortage Conditions**

**Goal: Achieve a 15 percent reduction in daily water demand.**

#### **Supply Management Measures:**

Continuing steps in Stages 1 & 2, the supplier will patrol the system for any waste of water and will issue citations as required. Reduce system pressures where feasible.

#### **Water Use Restrictions .**

1. All restrictions from Stage 1 & 2 are still in effect.
2. Landscape watering with an irrigation system or sprinkler is prohibited
3. Watering with a hand-held hose, soaker hose or drip irrigation is permitted to maintain trees, shrubs and other ornamental plants only one day/week between 3 a.m. to 8 a.m. and 8 p.m. to 10 p.m. Based on last digit of street address, the following schedule applies:
  - 0,1 ó Monday
  - 2,3 ó Tuesday
  - 4,5 ó Wednesday
  - 6,7 ó Thursday
  - 8,9 ó Friday
4. Filling all new and existing swimming pools is prohibited. Draining permitted onto pervious surface and only if necessary to repair leaks or remove excess water in order to have water level to maintenance level.
5. Golf courses ó 40% reduction in replacement of ET rate or 30% reduction if a participant in ISP or not more than 1.2 times base usage. 40% reduction of ET rate or not more than 1.2 times base usage if not participant irrigation between 8 p.m. and 10 a.m. only.
6. Pools must be covered at least 75% when not in use
7. Installation of non-drought turf is prohibited.
8. Public playing fields - watering permitted only between midnight and 7:00 a.m. to extent necessary to protect health and safety, unless conservation plan approved by ECSUD.



## Stage 4 – Emergency Water Shortage Conditions

**Goal: Return System to Non-Emergency Conditions as soon as possible**

**Supply Management Measures:**

Continuing steps in Stages 1, 2, & 3, the supplier will reduce the system operating pressure.

**Water Use Restrictions.**

All restrictions in Stage I, II, and III applicable. Emergency condition under which the Board shall meet within 48 hours to consider and adopt rules restricting non-discretionary and discretionary uses. Water still may be used when and to the extent necessary to prevent danger to public health, safety or welfare.

### **Section X: Water Rationing**

In the event that water shortage conditions threaten public health, safety, and welfare, the General Manager is hereby authorized to ration water according to the following water allocation plan:

A Customer's monthly allocation for water shall be based on a **system-wide ratio** multiplied times Customer's winter average water use. The supplier's Board of Directors will set the **system-wide ratio** by resolution as conditions warrant.

The supplier's Board of Directors will also set a surcharge rate for excessive water use by resolution as conditions warrant.

The General Manager, or designee, shall provide notice by mail to each Customer informing them of their water use allocations and shall notify the news media and the Executive Director of TCEQ upon initiation of pro rata water allocation.

### **Section XI: Enforcement and Penalties**

- |                 |                                                                                                                                             |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| First Offense:  | Written Warning                                                                                                                             |
| Second Offense: | The Manager will issue a second written warning or the service can be turned off depending upon violation.                                  |
| Third Offense:  | Service will be turned off and locked or a penalty will be added to the bill or both depending upon the violation and the number violation. |

### **Section XII: Variances**

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

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the supplier within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the General Manager, or designee, and shall include the following:

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

Variances granted by the District shall be subject to the following conditions, unless waived or modified by the General Manager or designee:

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

### **Section XIII: Severability**

It is hereby declared to be the intention of the Board of Directors of the District that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the Board of Directors of the District without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.