

## **DROUGHT CONTINGENCY AND EMERGENCY RATIONING PLAN**

### **1. SCOPE**

The following Drought Contingency and Emergency Rationing Plan (Water Rationing Plan) is adopted for emergency use during periods of drought and water shortages.

### **2. DECLARATION OF POLICY**

In view of the limited water resources available to the North Alamo Water Supply Corporation (Corporation), it is hereby declared the public health, safety and welfare requires that all water resources available to the Corporation be put to maximum beneficial use and that the waste, unreasonable use, and unreasonable method of use of water be prevented. The goal of this Water Rationing Plan is the conservation of all water resources for the most reasonable and beneficial use of water in the interests of all people in the Corporation's service area that is served by the Corporation.

### **3. AUTHORIZATION**

The Board of Directors of the Corporation, or their designee (the General Manager), is authorized and directed to implement the applicable provisions of this Water Rationing Plan upon the determination that such implementation is necessary to protect the public health, safety, and welfare. The provisions of this Water Rationing Plan may be amended, supplemented, changed or repealed at any time during a duly called, noticed, and convened meeting of the Corporation's Board of Directors.

### **4. COORDINATION WITH THE REGIONAL PLANNING GROUPS**

The service area of the Corporation is located within the Region M Water Planning Group, and the Corporation has provided a copy of this Drought Contingency Plan to the Region M Water Planning Group.

### **5. PREPARATION OF PLAN AND CONTINUING EDUCATION PROGRAM**

The Corporation will actively inform its customers and members of the Water Rationing Plan and affirmatively provide opportunity for public input at the annual membership meetings held at a time and place convenient to the public. The customers and members will be notified of any major changes to the plan by direct mail-out.

### **6. APPLICATION**

- a) The provisions of this Water Rationing Plan will apply to all members, customers, persons, and property utilizing the Corporation's water services located within the Corporation's service area.
- b) In promoting the conservation of limited water resources available to the Corporation, **FOUR** water conservation stages have been created and are listed in No.6 of this Water Rationing Plan.
- c) When the use of water is regulated during any period of water shortage, the regulations or restrictions on the use of water will continue until water conservation measures are no longer deemed necessary by the Board of Directors, or their designee (the General Manager).
- d) The directive by the Board of Directors, or their designee (the General Manager), to implement or terminate Conservation Stages 2 - 4 will be made by a direct mail-out to each member/customer or by public announcement and published a minimum of one time in at least three newspapers of general circulation in the Corporation's service area before the dates of implementation. The dates for implementation of Stages 3 and 4 will be as follows;

Billing 1 - the 5th of the month following the date of the announcement,  
Billing 2 - the 15th of the month following the date of the announcement,  
Billing 3 - the 25th of the month following the date of the announcement.

- e) The highest priority of water use during any Stage will be for human consumption, fire protection, and the watering of livestock. However, if an alternative source of water is available for the watering of livestock, the customer should take the necessary steps to obtain water from the alternative source.
- f) All new wholesale water contracts and/or contract renewals and extensions shall include a provision that in the case of shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, 11.039.

## **7. WATER CONSERVATION STAGES**

### **a) Stage 1 – Potential Water Shortage**

- i. Stage I will be implemented when the level of U.S. water stored in Amistad and Falcon Reservoirs, as determined by the International Boundary and Water Commission, reaches 49%.
- ii. Upon reaching this stage, all customers will be notified by a message on the monthly water bill that a potential water shortage may exist later in the year and that each customer should use water conservation practices. All customers should check their individual plumbing fixtures and facilities to ensure that they are working properly and that no water is being wasted.
- iii. Industrial customers, wholesale customers, and certain commercial customers will be required to develop and submit to the Corporation their individual Water Rationing Plans within 60 days of notification. The plans are subject to approval by the Corporation's Management Staff and the Board of Directors.

### **b) Stage 2 – Voluntary Water Conservation**

- i. Stage 2 will be implemented when the level of U.S. water stored in Amistad and Falcon Reservoirs, as determined by the International Boundary and Water Commission, reaches 40% of capacity.
- ii. Upon reaching this stage, all customers will be notified by public announcement and publication of notice, or by direct mail-out to voluntarily conserve water. All faulty or leaking plumbing fixtures should be repaired or be replaced immediately.
- iii. All Corporation owned facilities and operations will be placed on mandatory conservation practices.
- iv. All customers will be requested to voluntarily comply with the following lawn watering schedule;

Customers in Routes 11 - 19 will be allowed to water on Mondays and Thursdays.

Customers in Routes 20 - 29 will be allowed to water on Tuesdays and Fridays.

Customers in Routes 30 - 43 will be allowed to water on Wednesdays and Saturdays.

The first two digits in the customer's account number determines the customer's Route. For example, account no. 17-0100 is in Route 17. The permitted time of watering is between the hours of 6:00 AM to 9:00 AM and between the hours of 8:00 PM to 10:00 PM on the designated days. Lawn watering on Sundays will not be allowed.

### **c) Stage 3 – Mandatory Water Conservation**

- i. Stage 3 will be implemented when the level of U.S. water stored in Amistad and Falcon Reservoirs, as determined by the International Boundary and Water Commission, reaches 23% of capacity.
- ii. Upon reaching this stage, all customers will be notified by public announcement and publication of notice, or by direct mail-out that mandatory conservation practices have been implemented. All Corporation owned facilities and operations will continue on mandatory conservation practices. If any provision in Stage 2 conflicts with a provision in Stage 3, the Stage 3 provision will control.

- iii. The above voluntary lawn watering schedule will become mandatory.
- iv. All water allowed to run off yards, plants, or other vegetation into gutters, streets or roads will be deemed a waste of water and is prohibited.
- v. The use of potable water to irrigate land that is irrigable is prohibited.
- vi. Noncommercial washing of any vehicle or other mobile equipment may be done only with a handheld hose equipped with a positive shut-off nozzle or with a hand-held bucket or can with a capacity of 5 gallons or less between the hours of 6:00 AM to 9:00 AM and 7:00 PM to 9:00 PM.
- vii. Commercial washing of any vehicle or other mobile equipment will be limited to the immediate premises of a commercial washing facility.
- viii. The exterior washing of any house, trailer house or any structure is prohibited.
- ix. The use of water to wash down sidewalks, driveways or any hard surface is prohibited.
- x. Continued use of defective plumbing in a home, business or any location is prohibited.
- xi. The use of fire hydrants for any purpose other than firefighting is prohibited.
- xii. The use of water for dust control is prohibited.
- xiii. Industrial customers, wholesale customers, and certain commercial customers will be required to implement their individual Water Rationing Plans previously submitted and approved.

**d) Stage 4 – Water Use Curtailment**

- i. Stage 4 will be implemented when the level of U.S. water stored in Amistad and Falcon Reservoirs, as determined by the International Boundary and Water Commission, reaches 13% of capacity, or in response to (i) supply source contamination, (ii) water production or distribution system limitations, and (iii) system outage due to the failure or damage of major water system components.
- ii. All nonessential uses of water or uses not necessary to maintain the public health, safety and welfare and for the watering of livestock are prohibited. Nonessential water uses are defined in this Water Rationing Plan to include the watering of grass, trees, plants, and other vegetation; the noncommercial washing of any vehicle or other mobile equipment; the use of water for all publicly and privately owned swimming pools, water parks, fountains or artificial waterfalls; and the use of water to construct roads, streets or highways.
- iii. A pro rata curtailment of water deliveries to wholesale water customers will be imposed as provided in Texas Water Code, 11.039.
- iv. No application for new, additional, expanded, or increased in size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed or approved except as approved by the **Review Committee**.
- v. The maximum amounts of monthly water usage for residential and nonresidential customers and the accompanying surcharges may be revised during the state of an emergency in Stage 4. These revised allocations and surcharge amounts are subject to the approval of the Corporation's Board of Directors.
- vi. The General Manager is authorized to take any other actions deemed necessary to meet the conditions resulting from the emergency, including, but not limited to system pressure reductions and the utilization of alternative water sources with the approval of the Executive Director as appropriate.

**8. REVIEW COMMITTEE – FORMATION, POWERS AND DUTIES**

- a) Upon approval of this Water Rationing Plan, the Board of Directors of the Corporation will establish a **Review Committee** to review hardship and special cases involving customers, persons, or property utilizing the Corporation's water that cannot abide by the provisions of this Water Rationing Plan. The Review Committee will consist of the Corporation's General Manager, Water Operations Manager, Wastewater Operations Manager, and Office Manager, and a member/ customer chosen by the Board of Directors. The General Manager will be the Chairman of the Review Committee, and the Water Operations Manager will be the Vice-Chairman.
- b) All requests for a variance to the provisions of this Water Rationing Plan must be submitted to the Review Committee in writing and must state the circumstances supporting the request. The Review Committee is authorized to grant variances from the provisions of this Water Rationing Plan if, owing to peculiar circumstances, an undue hardship will result, and the granting of the variance will not be contrary to the public interest.
- c) All decisions of the Review Committee will be reported to the Board of Directors at the next regularly scheduled Board Meeting. If the Review Committee denies a request for a variance, an appeal can be made to the Board of Directors at the next regularly scheduled Board Meeting. If a protest is received after the granting of a variance, the Review Committee will refer the protest to the Board of Directors at the next regularly scheduled Board Meeting. The decisions of the Board of Directors are final.

**9. VIOLATIONS, PENALTIES AND ENFORCEMENT**

- a) No person shall knowingly or intentionally allow the use of water from the Corporation's system for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provisions of this Water Rationing Plan.
- b) Any person or customer who violates this Water Rationing Plan will be issued a warning on the first offence. Each day that anyone or more of the provisions in this Water Rationing Plan are violated will constitute a separate offense. Upon receiving a notice of violation on the second offence, the customer's meter is subject to being locked. If a customer receives a notice of violation for two or more distinct violations in anyone day period, the General Manager will, upon due notice, be authorized to discontinue water service to the premises where the violations occurred, and a fee will be required to be paid before service is restored. Should any person or customer receive a third notice of violation, water service will be discontinued, and a flow restriction device will be installed at the customer's meter at the customer's expense, and a second fee will be required to be paid before service is restored. Should a customer's water service be discontinued for a third time, then the fee for restoring water service shall be doubled.
- c) Any Corporation employee may issue a notice of violation to a person he/she reasonably believes to have committed a violation of this Water Rationing Plan. The notice of violation will be prepared in duplicate and will contain the name of the member and the tenant, if any, the address, the alleged violation, and the date.
- d) The customer in apparent control of the property where a violation occurs or originates will be presumed to be the violator, but the customer will have the right to show that he/she did not commit the violation. The customer will be presumed to be responsible for minor children and for anyone residing in the customer's household who commits a violation.

**10. SURCHARGES, FEES, AND TERMINATION OF SERVICE**

- a) When a Stage 3 - Mandatory Conservation stage has been implemented, a surcharge of **\$1.00** for each 1,000 gallons above **10,000** gallons monthly usage per meter equivalent will be imposed for Residential, and Commercial and Multi-family customers. For Industrial and Institutional customers, a surcharge of **\$.25** for each 1,000 gallons used will be imposed. These surcharges are in addition to the Corporation's current rate structure. A meter equivalent is based upon meter size and is defined as follows:

<u>5/8" – 1</u>	<u>1.0" – 2</u>	<u>1.5" – 4</u>	<u>2.0" – 8</u>	<u>3.0" – 16</u>
		<u>4.0" – 32</u>		

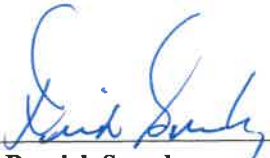
- b) When a Stage 4 - Water Use Curtailment stage has been implemented, a surcharge of **\$2.00** for each 1,000 gallons above **10,000** gallons monthly usage per meter equivalent will be imposed for Residential and Commercial and Multi-family customers. For Industrial and Institutional customers, a surcharge of **\$.50** for each 1,000 gallons used will be imposed. These surcharges are in addition to the Corporation's current rate structure.
- c) For any customer whose meter equivalent is 1, water service will be restored after the first disconnection for a fee of **\$50**. For any customer whose meter equivalent is more than 1, water service will be restored after the first disconnection for a fee of **\$50 per meter equivalent**. After the second disconnection, water service will be restored only after a second fee of \$50 per meter equivalent has been paid and a flow restriction device has been installed at the customer's meter at the customer's expense. This device will remain connected to the customer's meter until the Corporation returns to Stage 2 or less. After the third disconnection, water service will be restored only after a third fee of \$100 per meter equivalent has been paid.
- d) The above surcharges and termination provisions will not apply if the water used resulted from a loss of water (ie, water leak) through no fault of the customer. The customer will have to prove that immediate steps were taken to correct the leak after its discovery and that the customer was not in any way negligent in causing or permitting the loss of water.
- e) The limits, charges, and other requirements of this Water Rationing Plan will be in effect for water used on or after the date these limits. Changes and other requirements are to become effective as published by the General Manager.

**AMENDED this 17<sup>th</sup> day of September, 2019 at a duly called, noticed, and convened meeting of the Board of Directors of the North Alamo Water Supply Corporation.**



  
Steve D. Krenek  
President

**ATTEST:**

  
Derrick Swanberg  
Secretary- Treasurer

  
Steven P. Sanchez  
General Manager