



# DROUGHT CONTINGENCY PLAN

Adopted April 11, 2024

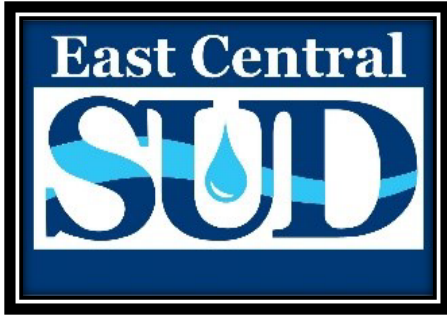
Update to 2019 Drought Contingency Plan



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## DROUGHT CONTINGENCY PLAN

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### **A. 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 East Central Special Utility District (ECSUD) 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 condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

### **B. PUBLIC EDUCATION**

ECSUD 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, public notices, newsletters, and on the website at [www.eastcentralsud.org](http://www.eastcentralsud.org).

### **C. AUTHORIZATION**

The General Manager or his/her 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. The General Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

## D. REGIONAL WATER PLANNING GROUP COORDINATION

The service area of the East Central Special Utility District is location within Region L of the State Regional Water Planning Group. ECSUD also provided a copy of the Water Conservation and Drought Contingency Plan to the Texas Water Development Board.

## E. APPLICATION

The provisions of this Drought Contingency Plan shall apply to all persons, customers, and property utilizing water provided by ECSUD. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnership, associations, and all other legal entities.

## F. DEFINITIONS

For the purposes of this Drought Contingency 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 ECSUD.

**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.

**Foundation watering:** an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

**Industrial water use:** the use of water in process 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 fire-fighting.

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

## **G. CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES**

The General Manager or his/her designee shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on:

### **Stage 1 Triggers MILD Water Shortage Conditions**

#### **Requirements for Initiation of Stage 1**

The Canyon Regional Water Authority (CRWA) and San Antonio Water System (SAWS) announces the initiation of Stage 1 triggering conditions of their Drought Plans.

## **Requirements for Termination of Stage 1**

Stage 1 of the plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days.

## **Stage 2 Triggers MODERATE Water Shortage Conditions**

### **Requirements for initiation Stage 2**

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses defined in this plan when:

1. CRWA and SAWS announces the initiation of Stage 2 triggering conditions.
2. Average daily water consumption reaches 80% of total contracted distribution capacity for three (3) consecutive days.
3. Equipment, such as storage tanks or pumps, must be taken out of service for more than one (1) day.
4. Water system delivery limitations due to extremely hot weather conditions for five (5) consecutive days or more.
5. Storage capacity does not return to normal levels within a 24-hour period.

### **Requirements for Termination of Stage 2**

Stage 2 of the plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days, or until the system has returned to normal operational levels. Upon termination of Stage 2, Stage 1 become operative unless otherwise directed.

## **Stage 3 Triggers SEVERE Water Shortage Conditions**

### **Requirements for initiation Stage 3**

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when:

1. SAWS announces the initiation of Stage 3 triggering conditions when the 10-day rolling average of the Edwards Aquifer level drops to 640 feet.
2. CRWA announces the initiation of Stage 3 triggering conditions for Canyon Reservoir users.
3. Average daily water consumption will not allow storage levels to be maintained.

### **Requirements for Termination of Stage 3**

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days, or until the

system has returned to normal operational levels. Upon termination of Stage 3, Stage 2 becomes operative unless otherwise directed.

#### **Stage 4 Triggers CRITICAL Water Shortage Conditions**

##### **Requirements for initiation Stage 4**

Customers shall be required to comply with the requirements and restrictions on non-essential water uses for Stage 4 of this Plan when:

1. CRWA/SAWS announces the initiation of Stage 4 triggering conditions.
2. Water system or source is contaminated. Severe emergency conditions will be declared immediately upon detection.

##### **Requirements for Termination of Stage 4**

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days. Upon termination of Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

#### **Stage 5 Triggers EMERGENCY Water Shortage Conditions**

##### **Requirements for initiation Stage 5**

Customer shall be required to comply with the requirements and restrictions for Stage 5 when the General Manager, or his/her designee, determines that a water supply emergency exists based on:

1. CRWA/SAWS announces the initiation of Stage 5 triggering conditions.
2. Major water line breaks, or pump or system failures occur, which causes unprecedented loss of capability to provide water service.
3. Natural or man-made contamination of the water supply source(s).

##### **Requirements for Termination of Stage 5**

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period seven (7) consecutive days.

### **H. ACTIONS REQUIRED FOR DROUGHT RESPONSE STAGES**

ECSUD's General Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section G of this plan, shall determine that a mild, moderate, severe, or emergency condition exists and shall implement the following notification procedures:

**Notification of the Public:**

ECSUD’s General Manager or his/her designee shall notify the public by means of the following methods as appropriate to each condition:

1. Publication in a newspaper of general circulation
2. Direct contact by notes placed on customer bills
3. Public service announcements on television or radio, or through signs posted in public places throughout the service area.
4. Notification through the use of telephone network.
5. Posting on the ECSUD website ([www.eastcentralsud.org](http://www.eastcentralsud.org)).

**Additional Notification:**

ECSUD’s General Manager or his/her designee shall notify directly, or cause to be notified directly, the following individuals and entities as required.

1. Members of the Board of Directors
2. Fire Chief and/or County Emergency Management Coordinator(s).
3. Cities within the ECSUD Service area.
4. State Disaster District/Department of Public Safety.
5. TCEQ (required when mandatory restrictions are imposed).
6. Major water users.
7. Critical water users (i.e., hospitals)
8. Parks

**Stage 1 Response  MILD Water Storage Conditions**

**Target** – Achieve a 5% reduction in total water use.

**Best Management Practices for Supply Management:**

ECSUD shall:

1. Reduce or discontinue flushing of water mains.
2. Notification of customers by mail with suggestions for ways to reduce usage.
3. Field personnel to monitor and report excessive usage.
4. Initiate water use restrictions.
5. Issue warnings as necessary.

**Voluntary Water Use Restrictions for Reducing Demand:**

1. Water customers are requested to voluntarily limit the irrigation of landscaped areas and non-essential water use as defined in this Drought Contingency Plan as follows:



**Street Address Ending:**

**Watering Day of the Week:**

0, 2, 4, 6, 8

Monday and Thursday

1, 3, 5, 7, 9

Tuesday and Friday

To irrigate landscapes only between the hours 12:00 a.m. to 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.

2. All operations of ECSUD shall adhere to water use restrictions prescribed for Stage 1 of this plan.
3. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

**Stage 2 Response  Moderate Water Shortage Conditions**

**Target** – Achieve a 10% reduction in total water use.

**Best Management Practices for Supply Management:**

ECSUD shall:

1. Reduce or discontinue flushing of water mains.
2. Reduce or discontinued irrigation of public landscaped areas.
3. Notification of customers by mail with suggestions for ways to reduce usage.
4. Field personnel to monitor and report excessive usage.
5. Initiate mandatory water use restrictions.
6. Issue warnings and fines as necessary.
7. Activate interconnects and purchase water from neighboring utilities if available.

**Water Use Restrictions for Demand Reduction:**

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

1. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to:

**Street Address Ending:**

**Irrigation Day:**

0, 2, 4, 6, 8

Sundays and Thursday

1, 3, 5, 7, 9

Saturdays and Wednesday

If there is no street address associated with the property, such as a parkway, or if there is more than one street address associated with a single contiguous property, the irrigation day is Tuesday.

Irrigation of landscaped areas is further limited to the hours of 12:00 a.m. until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated water days. However, irrigation of landscaped areas is permitted at any time if it is by means of hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with 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.
3. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. to 12:00 midnight.
4. 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 ponds are equipped with a recirculation system.
5. Use of water from hydrants shall be limited to fire-fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special approval from ECSUD.
6. Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the ECSUD, the facility shall not be subject to these regulations.
7. All restaurants are prohibited from serving water to patrons except upon request of the patron.
8. The following uses of water are defined as **non-essential** and are prohibited:

- a. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- b. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
- c. Use of water for dust control;
- d. Flushing gutters or permitting water to run or accumulate in any gutter or street; and
- e. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

### **Stage 3 Response MODERATE Water Shortage Conditions**

**Target** – Achieve a 15% reduction in daily water demand. Best Management Practices for Supply Management:

#### **Best Management Practices for Supply Management:**

ECSUD shall:

1. Reduce or discontinue flushing of water mains.
2. Reduce or discontinue irrigation of public landscaped areas.
3. Notification of customers by mail with suggestions for ways to reduce usage.
4. Field personnel to monitor and report excessive usage.
5. Initiate severe mandatory water use restrictions.
6. Issue warnings and fines if necessary.
7. Prohibit nearly all outside watering.
8. Prohibit non-essential uses.
9. Activate interconnects and purchase water from neighboring utilities if available.

#### **Water Use Restrictions for Demand Reduction:**

Under threat of penalty for violation, all requirements of Stage 2 shall remain in effect during Stage 3 except:

1. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
2. The use of water for construction purposes from designated fire hydrants under special approval may be reduced or eliminated.
3. Foundation Watering (within 2 feet) and watering of trees may occur for two hours one day per week with a hand-held hose or with a dedicated zone

using a Drip Irrigation system and/or Soaker Hose, provided no runoff occurs.

4. The watering of golf course tees is prohibited unless; the golf course utilizes a water source other than water from ECSUD.

#### **Stage 4 Response CRITICAL Water Shortage Conditions**

**Target** – Achieve a 25% reduction in daily water demand.

#### **Best Management Practices for Supply Management:**

ECSUD shall:

1. Discontinue flushing water mains.
2. Discontinue irrigation of public landscaped areas unless area is using recycled water.
3. Activate inter-connections and purchase water from neighboring utilities, if available.

#### **Water Use Restrictions for Demand Reduction**

Under threat of penalty for violation, all requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

1. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or 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 a.m. and 10:00 a.m. and between 6:00 p.m. and 10:00 p.m.
2. The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
3. Irrigation of landscaped areas is prohibited, except soaker hoses, hand-held hoses or a dedicated zone using a drip irrigation system may be used to water trees up to two hours per week or foundations as necessary, provided no runoff occurs.
4. 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 ponds are equipped with a recirculation system.
5. 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.

## **Stage 5 Response EMERGENCY Water Shortage Conditions**

**Target** – Achieve a 30% reduction in daily water demand.

### **Best Management Practices for Supply Management:**

ECSUD shall:

Under threat of penalty for violation, all requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5.

1. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited.
2. Irrigation of landscaped areas is prohibited.

## **Stage 6 TRIGGERS WATER ALLOCATION**

In the event that water shortage conditions threaten public health, safety, and welfare, the General Manager is hereby authorized to allocate water supply on a pro rata basis in accordance with Texas Water Code, §11.039.

Water rationing restrictions are automatically waived during emergencies such as firefighting or a situation endangering human life.

### **I. ENFORCEMENT**

1. No person shall knowingly or intentionally allow the use of water from the ECSUD for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the General Manager, or his/her designee, in accordance with provisions of this Plan.
2. First violation of a rationing provision will result in a written warning. Second violation, ECSUD may install a flow restrictor in the customer's service line at the customer's cost. The cost of this shall be the actual cost to do the work.
3. ECSUD may terminate service for up to 7 days and charge for the service call to restore service, for subsequent violations.

4. Any person, including a person classified as a water customer of the ECSUD, 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 violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the isolation, 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.

**J. PENALTIES FOR VIOLATION**

Penalties are based upon each notice drought or water rationing event as follows:

**Stage 1 and 2- Violation**

**Residential Customers**

First Violation at an address in 12-month Period:	Written Notice
Second at an address in 12-month Period:	\$ 50.00
Third Violation at an address in 12-month Period:	\$ 200.00
Subsequent Violation:	\$ 500.00

**Commercial/Industrial Customers**

First Violation at an address in 12-month Period:	Written Notice
Second Violation at an address in 12-month Period:	\$ 75.00
Third Violation at an address in 12-month Period:	\$ 300.00
Subsequent Violation:	\$ 750.00

**Stages 3, 4, and 5 - Violation**

**Residential Customers**

First Violation at an address in 12-month Period:	Written Notice
Second Violation at an address in 12-month Period:	\$ 200.00
Subsequent Violation at an address in 12-month Period:	\$ 700.00

**Commercial/Industrial Customers**

First Violation at an address in 12-month Period:	Written Notice
Second Violation at an address in 12-month Period:	\$ 300.00
Subsequent Violation:	\$1,050.00

All 12-month periods begin at 12:01 a.m. January 1<sup>st</sup> and end at midnight December 31<sup>st</sup> of that year. All citations are per physical street address. Citations will be issued to the individual in proximate care of the residence where the offense occurs at the time of the incident. All violations are cumulative with no deference to which stage under which the initial or subsequent violations occurred. East Central SUD reserves the right to remove water meter(s) for repeated violations of the drought contingency plan.

#### **K. VARIANCES**

The General Manager, or his/her 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 or if one or more of the following conditions are met:

1. 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.
2. 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 ECSUD within five 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 his/her designee, and shall include the following:

1. Name and address of the petitioner(s).
2. Purpose of water use.
3. Specific provision(s) of the Plan from which the petitioner is requesting relief.
4. 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 Ordinance.
5. Description of the relief requested.
6. Period of time for which the variance is sought.
7. 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.
8. Other pertinent information.

Variances granted by ECSUD shall be subject to the following conditions, unless waived or modified by the General Manager or his/her designee:

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

3. Variances granted on new landscapes (not for additions to existing landscapes). The variance allows daily watering for up to five weeks after installation. Watering must be done during drought hours with a sprinkler. All other drought rules, such as no runoff, must be followed. Variance must be requested in writing to the General Manager.

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