

**DROUGHT CONTINGENCY PLAN
FOR THE
KENDALL COUNTY WATER CONTROL
& IMPROVEMENT DISTRICT No. 1**

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, or to comply with the requirements of a court, government agency or other authority, the Kendall County Water Control and Improvement District # 1 (The Water 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 condition 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 Water District by advertising the availability of the plan in the Comfort News for inspection at the District office and accepting public comments on the plan.

Section III: Public Education

The Water 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 to the news media.

Section IV: Coordination with Regional Water Planning Groups

The service area of Kendall County WCID #1 is located within the Region L Water Planning Group, and the Cow Creek Groundwater Conservation District, including Groundwater Management Area 9.

Section V: 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.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the Water 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 Kendall County WCID #1.

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.

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 neither 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.

Water District: Kendall County Water Control and Improvement District No. 1 or Kendall County WCID # 1.

Section VIII: 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 weekly basis each beginning working day of the week 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 what percentage of the capacity of all water wells and raw river water pumps in service and available for use at the time is the average daily consumption of water for the past week. This criteria will be known as “Water System Demand”.

Stage 1 - Voluntary Year Round Conservation

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII - Definitions, on a year round basis to help conserve and protect water resources.

Requirements for termination

Stage 1 of the Plan is in force year round, unless a higher stage is enacted.

Stage 2 Triggers – MILD Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when the “Water System Demand” daily average for the previous week reaches 60 percent or more of available water well and raw water pump capacity.

Requirements for termination

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 two weeks. Upon termination of Stage 2, Stage 1 becomes operative.

Stage 3 Triggers - MODERATE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when the “Water System Demand” daily average for the previous week reaches 70 percent or more of available water well and raw water pump capacity.

Requirements for termination

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 two weeks. Upon termination of Stage 3, Stage 2 becomes operative.

Stage 4 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when the “Water System Demand” daily average for the previous week reaches 80 percent or more of available water well and raw water pump capacity.

Requirements for termination

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 two weeks. Upon termination of Stage 4, Stage 3 becomes operative.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for initiation

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

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; **or**

2. Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 2 consecutive days.

Section IX: Drought Response Stages

The 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 VIII of this Plan, shall determine that a mild, moderate, severe, or emergency water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The General Manager or his/ here designee shall notify the public by means of: Press releases, public service announcements, signs posted in public places, notices on bills and direct person-to-person contact with customers.

Additional Notification:

The General Manger or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

Water District Board Members, Comfort Fire Chief, The Cow Creek Underground Water Conservation District and the TCEQ (If mandatory restrictions are imposed).

Stage 1 Response – Voluntary Year Round Conservation

Goal: Achieve a voluntary year round reduction in daily water demand

Voluntary Water Use Restrictions:

- (a) Water customers are requested to voluntarily limit the irrigation of landscapes only between the hours of 4:00 AM and 10:00 AM and 8:00 PM to midnight on designated watering days. No irrigation of landscaped areas on weekends
- (b) Identified leaks shall be repaired immediately.
- (c) Foundation watering shall be accomplished by a drip system between the hours of 4:00 AM and 10:00 AM.
- (d) A hand held positive shutoff valve shall be used when car washing.

- (e) Water customers are requested to practice water conservation, to minimize or discontinue water use for non-essential purposes and check for leaks.

Stage 2 Response – MILD Water Shortage Conditions

Goal: Achieve a 20 percent reduction in daily water demand

Supply Management Measures:

The District will reduce water main flushing by 30 percent.

Water Use Restriction: Under threat of a surcharge for violation, the following water use restrictions shall apply to all persons:

- (a) Water customers are requested to limit the irrigation of landscaped areas to **Mondays** for customers with a street address ending in **zero or one (0 or 1)**, **Tuesdays** for customers with a street address ending in **two or three (2 or 3)**, **Wednesdays** for customers with a street address ending in **four and five (4 or 5)**, **Thursdays** for customers with a street address ending in **six or seven (6 or 7)**, and **Fridays** for customers with a street address ending in **eight or nine (8 or 9)**, and to irrigate landscapes only between the hours of **4:00 AM and 10:00 AM and 8:00 PM to midnight** on designated watering days. No irrigation of landscaped areas on weekends

However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose with a positive shutoff valve, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

- (b) 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 6:00 AM and 10:00 AM and between 8:00 PM 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.
- (c) 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 6:00 AM and 10:00 AM and between 8 PM and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where such fountains or ponds are equipped with a recirculation system.

- (e) 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 permit from the Water District.
- (f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours of 4:00 AM and 10:00 AM and between 8 PM and 12:00 midnight. However, if the golf course utilizes a water source other than potable water provided by the Water District, the facility shall not be subject to these regulations.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
 - 1. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. Use of water for dust control;
 - 4. Flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - 5. 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

Goal: Achieve a 30 percent reduction in daily water demand.

Supply Management Measures:

The Water District will not flush water mains except where necessary to purge contamination.

Water Use Restrictions. All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 4:00 AM and 10:00 AM.

However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose with a positive shutoff valve, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than potable water provided by the Water District.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 Response – SEVERE Water Shortage Conditions

Goal: Achieve a 40 percent reduction in daily water demand.

Supply Management Measures:

The Water District will not flush water mains except where necessary to purge contamination.

Water Use Restrictions. All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hose with a positive shutoff valve, hand-held buckets, or drip irrigation only. **The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.**
- (b) 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 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) 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.
- (e) 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

Goal: Achieve a 50 percent reduction in daily water demand.

Supply Management Measures:

The Water District will not flush water mains except where necessary to purge contamination.

Water Use Restrictions. All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) **Irrigation of landscaped areas is absolutely prohibited.**
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the Kendall County WCID #1 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.
- (b) Any customer found in violation of this Plan shall receive counseling by Water District employees. A second violation will result in a \$50.00 fine. A third violation will result in a seven dollars (\$7.00) per thousand gallons surcharge being added to the customer's monthly water charge for as long as any mandatory phases of this Drought Contingency Plan are in effect. Once all mandatory phases of this Plan have been lifted the surcharges for that customer will be lifted for this occurrence.

Section XI: 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 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 Water District 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 his/her 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 Water District shall be subject to the following conditions, unless waived or modified by the General Manager or his/her 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.

Adopted by the Board of Directors

Original Adoption Date: October 12, 2000

Revision Date: July 15, 2013

Randolph A. Bohnert
President

Anthony Bohnert
Secretary/Treas.