

DROUGHT CONTINGENCY PLAN

Prepared For:

Concho Rural Water Corporation
8174 Highway 87 N.
San Angelo, Texas 76901

March 2019

CFE Project No. 1088



CARTER-FENTRESS ENGINEERING

MUNICIPAL & DEVELOPMENT SOLUTIONS

TABLE OF CONTENTS

Section I: Declaration of Policy, Purpose and Intent 1

Section II: Introduction 1

Section III: Public Involvement 1

Section IV: Public Education 1

Section V: Coordination with Regional Water Planning Groups 1

Section VI: Authorization 1

Section VII: Application 1

Section VIII: Definitions..... 2

Section IX: Criteria for Initiation and Termination of Drought Response Stages 3

 Stage 0 – Normal Water Supply Conditions 3

 Stage 1 Triggers – MILD Water Shortage Conditions..... 3

 Stage 2 Triggers – MODERATE Water Shortage Conditions..... 3

 Stage 3 Triggers – SEVERE Water Shortage Conditions..... 3

 EMERGENCY Water Shortage Conditions 4

Section X: Drought Response Stages..... 4

 Stage 1 Response – MILD Water Shortage Conditions..... 4

 Stage 2 Response – MODERATE Water Shortage Conditions..... 4

 Stage 3 Response – SEVERE Water Shortage Conditions..... 5

 EMERGENCY Water Shortage Conditions 5

Section XI: Enforcement..... 5

Section XII: Variances 6



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 Concho Rural Water Corporation Board of Directors 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: Introduction

Concho Rural Water Corporation owns 7 public water systems. The systems serve residential and commercial customers in Tom Green County, Texas. Groundwater wells are the primary source of water. However, PWS 2260093-The Oaks, PWS 2260057-Pecan Creek, and PWS 2260008-Grape Creek also use treated purchased water. The source of the purchased water is the UCRA/City of San Angelo. This water comes from the Hickory Aquifer and Surface Water Sources such as Twin Buttes Reservoir and Lake O.H. Ivie Reservoir. This Drought contingency plan will help protect and conserve water in the event of a drought. The Drought stages will be based on well levels, and or demand based triggers. The purchased water systems will be directly influenced by the City of San Angelo's water supply and drought stage responses.

Section III: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the CRWC by means of scheduling and providing public notice of a public meeting to accept input on the Plan during regular monthly Board of Directors meetings.

Section IV: Public Education

CRWC 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 utility bill inserts and posting notice on CRWC's website.

Section V: Coordination with Regional Water Planning Groups

A portion of CRWC's service area is located within the Extra-Territorial Jurisdiction (the "ETJ") of the City of San Angelo and receives water from the Upper Colorado River Authority (the "UCRA"). CRWC will continue to work with these public entities to conserve and protect the regions public water supplies.

Section VI: Authorization

CRWC's Manager and CRWC's Operators are 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. CRWC's Manager and CRWC's Operators shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VII: Application

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



Section VIII: 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 CRWC.

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.

New landscape: watering of newly seeded or sodded lawns or newly planted trees, shrubs or landscape plants will be allowed at the following frequency, provided written notification is given to CRWC of the watering schedule:

(A) Days 1—14 from planting: three times per day every day of such period at any time of day.

(B) Days 15—28 from planting: twice per day every day of such period at any time of day.

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.

Prohibited watering hours: the use of CRWC water supply for watering lawns, gardens, landscape areas, trees, shrubs or other plants being grown outdoors (not in a nursery) shall be prohibited between the hours of 12:00 noon and 6:00 p.m. daily from April 1 through October 31.

Watering frequency: the use of CRWC water supply for watering lawns, gardens, landscape areas, trees, shrubs or other plants being grown outdoors (not in a nursery) shall be allowed at a frequency of twice every seven days during the period of April 1 through October 31 and once every seven days during the period of November 1 through March 31.

Section IX: Criteria for Initiation and Termination of Drought Response Stages

CRWC's management shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached.

Stage 0 – Normal Water Supply Conditions

Although CRWC will not initiate any required water conservation measures during Stage 0 of this Drought Contingency Plan, CRWC will urge their customers to continue water conservation practices.

Stage 1 Triggers – MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VIII Definitions, when any of the following triggering criteria are determined by CRWC management of be in effect:

Trigger Criteria 1: When the UCRA or the City of San Angelo enters Drought Stage I as defined in their respective Drought Contingency Plans.

Requirements for termination

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 30 (thirty) consecutive days.

Stage 2 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 provided in Section X of this Plan when any of the following triggering criteria are determined by the CRWC management of be in effect:

Trigger Criteria 1: When the UCRA or the City of San Angelo enters Drought Stage II as defined in their respective Drought Contingency Plans.

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 30 (thirty) consecutive days. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 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 provided in Section X of this Plan when any of the following triggering criteria are determined by CRWC management of be in effect:



Trigger Criteria 1: When the UCRA or the City of San Angelo enters Drought Stage III as defined in their respective Drought Contingency Plans.

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 30 (thirty) consecutive days. Upon termination of Stage 3, Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 3 of this Plan when the CRWC's Manager and/or CRWC's Operators, 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 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist.

Section X: Drought Response Stages

CRWC management shall monitor water supply and/or demand conditions on a monthly basis and, in accordance with the triggering criteria set forth in Section IX of this Plan, shall determine that a mild, moderate, severe, or emergency exists and shall implement the following notification procedures:

Notification

Notification of the Public:

CRWC management or thier designee shall notify the public by means of:

- (1) direct mail to each customer;
- (2) signs posted in public places; and
- (3) notice posted on CRWC website.

Stage 1 Response – MILD Water Shortage Conditions

Target: Achieve a voluntary ten percent (10%) reduction in total water use.

The following water conservation measures shall be in force during Stage I.

(A) The use of CRWC water supply for watering lawns, gardens, landscape areas, trees, shrubs, or other plants being grown outdoors (not in a nursery) shall be prohibited at all times; provided, however, a person may do such watering which shall be once every seven days during the period of April 1 through October 31 and once every 14 days during the period of November 1 through March 31 except during the "prohibited watering hours" as stated in Section VIII: Definitions.

(B) Watering of "new landscape" shall be allowed in accordance with the provisions as stated in Section VIII: Definitions for "new landscape."

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a percent reduction in fifteen percent (15%) reduction in total water use.

The following additional water conservation measures shall be in force during Stage 2:



(A) The use of CRWC water supply for watering lawns, gardens, landscape areas, trees, shrubs, or other plants being grown outdoors (not in a nursery) shall be prohibited at all times; provided, however, a person may do such watering which shall be once every seven days during the period of April 1 through October 31 and once every 14 days during the period of November 1 through March 31 except during the "prohibited watering hours" as stated in Section VIII: Definitions.

(B) Watering of "new landscape" shall not be allowed as stated in Section VIII: Definitions for "new landscape."

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Achieve a twenty-five percent (25%) reduction in in total water use.

The following water conservation measures shall be in force during Stage 3:

(A) The use of CRWC water supply for watering of lawns, gardens, landscape areas, shrubs or other plants being grown outdoors is prohibited. Hand watering or drip irrigation of trees and foundations may be done on days and at times as established by CRWC.

(B) The use of CRWC water supply to fill, refill or maintain the level of any fountain or swimming pool is prohibited.

(C) Washing of automobiles, trucks, trailers, boats, or other types of vehicles or mobile equipment is prohibited except, if the health, safety and welfare of the public is contingent upon vehicle cleaning, as determined by CRWC management, then the washing of such vehicles shall be allowed.

EMERGENCY Water Shortage Conditions

The following water conservation measures shall be in force during EMERGENCY Water Shortage Conditions:

(A) The use of CRWC water supply for watering of lawns, gardens, landscape areas, shrubs or other plants being grown outdoors is prohibited. Hand watering or drip irrigation of trees and foundations may be done on days and at times as established by CRWC.

(B) The use of CRWC water supply to fill, refill or maintain the level of any fountain or swimming pool is prohibited.

(C) Washing of automobiles, trucks, trailers, boats, or other types of vehicles or mobile equipment is prohibited except, if the health, safety and welfare of the public is contingent upon vehicle cleaning, as determined by CRWC management, then the washing of such vehicles shall be allowed.

Section XI: Enforcement

(a) No person shall knowingly or intentionally allow the use of water from CRWC 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 CRWC, or their designee, in accordance with provisions of this Plan.

(b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than one hundred dollars (\$100.00)per day and not more than one-thousand dollars (\$1,000.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, CRWC or their designee shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as stated in CRWC's Rate Order, and any other costs incurred by CRWC in discontinuing service. In addition, suitable assurance must be given to CRWC or their designee



that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in District court.

(c) Any person, including a person classified as a water customer of CRWC, 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 violation, 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.

Section XII: Variances

CRWC, 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 CRWC within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by CRWC management, 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.

