



EL OSO WATER SUPPLY CORPORATION

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"This institution is an equal opportunity provider, and employer."

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February 19, 2019

Texas Commission on Environmental Quality
Resource Protection Team, MC-160
P.O. Box 13087
Austin, Texas 78711-3087

Re: Five Year Plan Submittal
El Oso Waters Supply (TX1280007)
Fashing-Peggy Water Supply (TX0070018)

Attached for your records is an adopted Drought Contingency and Emergency Water Demand Management plan for the above-reference d water supply corporations.

Should you need any additional information, please give our office a call at (830) 583-3543.

Sincerely,

Carolyn Pfeil Black
General Manager

Enclosure

Certified mail: 7007 3030 0001 3257 6791



SECTION H. DROUGHT CONTINGENCY AND EMERGENCY WATER DEMAND MANAGEMENT PLAN

1. *Introduction.*

The goal of this plan is to cause a reduction in water use in response to drought or emergency conditions so that the water availability can be preserved. Since emergency conditions can occur rapidly, responses must also be enacted quickly. This plan has been prepared in advance considering conditions that will initiate and terminate the rationing program.

A Drought/Emergency Management Committee consisting of two Board Members and the System Manager will monitor usage patterns and public education efforts and will make recommendations to the Board on future conservation efforts, demand management procedures or any changes to this plan. The Committee may develop public awareness notices, bill stuffers, and other methods that will begin and continue as a constant type of reminder that water should be conserved at all times, not just during a drought or emergency. This Committee will also review and evaluate any needed amendments or major changes due to changes in the WSC service area population, distribution system or supply. This review and evaluation will be done at least every five years unless conditions necessitate more frequent amendments. (30 TAC 288.20 (c)).

The plan will be implemented according to the five drought response stages as determined by the Board. Section 4 describes the conditions, which will trigger these stages.

2. *Public Involvement.*

Opportunity for the public to provide input into the preparation of the Plan was provided by the Board by scheduling and providing public notice of a public meeting to accept input on the Plan. Notice of the meeting was provided to all customers. In the adoption of this plan, the Board considered all comments from customers.

3. *Coordination with Regional Water Planning Group L and M.*

Being located within the Region "L" and Region "M" water planning area a copy of this Plan will be provided to that Regional Water Planning Group.

4. *Trigger Conditions.*

The Drought Emergency Management Committee is responsible for monitoring water supply and demand conditions on a monthly basis (or more frequently if conditions warrant) and shall determine when conditions warrant initiation or termination of each stage of the plan, that is, when the specified triggers are reached. The Committee will monitor monthly operating reports, water supply or storage tank levels and/or rainfall as needed to determine when trigger conditions are reached.

The triggering conditions described below take into consideration:

- the vulnerability of the water source under drought of record conditions;
- the production, treatment and distribution capacities of the system,
- customer usage based upon historical patterns.

Stage I – Customer Awareness / Voluntary Conservation

- Stage I will be implemented annually May 1st through September 30th or
- There is an extended period of low rainfall.

Stage II – Mild Condition

- Stage II may be implemented when one or more of the following conditions exist:
 - 1) Water consumption has reached 80 percent of daily maximum supply for three (3) consecutive days.
 - 2) Water supply is reduced to a level that is only 20 percent greater than the average consumption for the previous month.
 - 3) There is an extended period (at least eight (8) weeks) of low rainfall and daily use has risen 20 percent above the use for the same period during the previous year.

Stage III – Moderate Conditions.

- Stage III water allocation measures may be implemented when one of the following conditions exist:
 - 1) Water consumption has reached 90 percent of the amount available for three (3) consecutive days.
 - 2) The water level in any of the water storage tanks cannot be replenished for three (3) consecutive days.

Stage IV – Severe Conditions.

- Stage IV water allocation measures may be implemented when one of the following five conditions exist:
 - 1) Water consumption has reached 95 percent of the amount available for three (3) consecutive days.
 - 2) Water level in any of the water storage tanks cannot be replenished for three (3) consecutive days.

STAGE V - Emergency

- 1) Failure of a major component of the system or an event which reduces the minimum residual pressure in the system below 20 psi for a period of 24 hours or longer.
- 2) Water consumption of 95 percent or more of the maximum available for three (3) consecutive days.
- 3) Water consumption of 100 percent of the maximum available and the water storage levels in the system drop during one 24-hour period.
- 4) Natural or man-made contamination of the water supply source(s).
- 5) The declaration of a state of disaster due to drought conditions in a county or counties served by the Corporation.
- 6) Reduction of wholesale water supply due to drought conditions.
- 7) Other unforeseen events which could cause imminent health or safety risks to the public.

3) Stage Levels of Water Allocations.

The stage levels of water demand reduction measures are to be placed in effect by the triggers in Paragraph 4. The System shall institute monitoring and enforce penalties for violations of the Drought Plan for each of the Stages listed below. The water allocation measures are summarized below.

Stage I – Customer Awareness/Voluntary Water Use Restrictions.

El Oso WSC/Fashion WSC Management Practices: Initiate public education measures to increase customer awareness of the benefits of water conservation and efficient water use by notifying customers of voluntary conservation measures and providing conservation information.

Voluntary Water Use Practices: Customers are request to voluntarily limit the use of water for nonessential purposes and to practice water conservation.

Non-Essential water uses include:

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

Stage II – Mild Condition

Target: Achieve a 10% reduction in daily water demand.

El Oso WSC/Fashion WSC Management Practices: The system will reduce flushing operations. System will notify customers of water use restrictions in effect.

Customer Water Use Restriction for Demand Reduction.

- 1) Irrigation of gardens and landscape areas will be restricted to 6:00 p.m. to 8:00 a.m.
- 2) Customers are not allowed to use water for the pre-defined non-essential purposes noted in Stage I.

Stage III – Moderate Conditions

Target: Achieve a 15% in daily water demand.

El Oso WSC/Fashion WSC Management Practices: The system will reduce flushing operations. System will notify customers of water use restrictions in effect.

Customer Water Use Restrictions for Demand Reduction.

Outside water use is limited to the hours of 8:00 p.m. to 9:00 a.m. by use of hand-held hoses, hand-held buckets, or drip irrigation.

Stage IV – Severe Conditions

Target: Achieve 20% reduction in daily water demand.

El Oso WSC/Fashion WSC Management Practices: The system will notify customers of water use restriction in effect.

Customer Water Use Restrictions for Demand Reduction

All outside watering prohibited with the exception of water used in poultry and cattle operations.

STAGE V – Emergency

Target: Achieve a 25% reduction in daily water demand.

El Oso WSC/Fashing WSC Management Practices: The system will notify customers of water use restriction in effect.

Customer Water Use Restrictions for Demand Reduction

Water use will be restricted as follows:

- Residential Use Only – 6,000 gallons per month or 200 gallons per day.
- Commercial, Industrial, and Agricultural Use – based on 75% of the customer’s annual average usage.
- Confined Animal Feeding Operations shall be exempt, however, shall be urged to conserve all water possible.

4) *Initiation and Termination Procedures.*

Once a trigger condition occurs, the Corporation, or its designated responsible representative, shall, based on recommendation from the Chairperson of the Drought/Emergency Management Committee, decide if the appropriate stage of rationing shall be initiated. The Chairperson of the Drought/Emergency Management Committee shall decide, with the advice and consent of the committee members if the drought or emergency condition warrants a system-wide initiation of the policy or if a specific area of the El Oso WSC / Fashing Peggy WSC system requires a water demand reduction. The initiation may be delayed if there is a reasonable possibility the water system performance will not be compromised by the condition.

Written notice of the proposed water stage of water demand reduction measures and customer water use restrictions shall be mailed or delivered via first class mail to each affected customer upon the initiation of each stage, as well as being posted on the El Oso WSC website at www.elosowsc.com. Commercial, Industrial and Agricultural customers will also be contacted by phone and informed of the demand reduction. In addition, upon adoption of State IV or V, a notice will be placed in a local newspaper or announced on a local radio station. The customer notice shall contain the following information:

- a. The date water demand reduction measures shall begin;
- b. The expected duration;
- c. The stage (level) of water demand reduction measure to be initiated;
- d. Penalty for violations of the water demand reduction measure program; and
- e. Affected area or areas.

A sample Customer Notice of water demand reduction measure and customer water use restrictions is included in Miscellaneous Transaction Forms of this Tariff.

If the water demand reduction measure extends 30 days then the Chairperson of the Drought/Emergency Management Committee or manager shall present the reasons for the allocations at the next scheduled Board Meeting and shall request the concurrence of the Board to extend the reduced demand period.

When the trigger condition no longer exists then the responsible official may terminate the water demand reduction measures if such an action is based on sound judgment. Written notice of the end of water demand reduction measures shall be given to customers. A water demand reduction measures period may not exceed 60 days without extension by action of the Board.

5) *Penalties for Violations*

- a. ***First Violation.*** A written notice shall be delivered via certified mail or by personal hand delivery to each customer/member of their specific violation and their need to comply with the tariff rules. The notice will show the amount of penalty * to be assessed for continued violations.
- b. ***Second Violation.*** The Corporation will assess a penalty of \$ **200.00**.
- c. ***Subsequent Violations.*** The Corporation will assess an additional penalty **\$500.00** for violations continuing after the Second Violation. The Corporation may also install a flow restricting device in the customer's meter service to limit the amount of water that will pass through the meter in a 24 hour period. The costs of this procedure will be for the actual work and equipment and shall be paid by the customer.
- d. ***Termination.*** The Corporation will terminate service for up to 7 days for continuing violations after penalties are assessed under Subsection (c). Service will remain off until any delinquent penalty or other assessment is fully paid including a charge for the service call to restore service.

These provisions apply to all customers of the Corporation.

6) *Exemptions or Waivers*

The Drought/Emergency Management Committee 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 or sanitation 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.
- c. A confined animal feeding operation.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the Drought/Emergency Management Committee within 5 days after the Plan or a particular drought response stage has been invoked or after a condition justifying the variance first occurs. All petitions for variances shall be reviewed by the Committee 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 Plan.
- 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, as requested by the Committee.

Variances granted by the Committee shall be subject to the following conditions, unless specifically

waived or modified by the Committee or Board of Directors:

- 1) Variances granted shall include a timetable for compliance.
- 2) Variances granted shall expire when the water allocation is no longer in effect, unless the petitioner has failed to meet specified requirements. No variance allowed for a condition requiring water allocation will continue beyond the termination of water allocation under Section F. Any variance for a subsequent water allocation must be petitioned again. The fact that a variance has been granted in response to a petition will have no relevance to the Committee's decision on any subsequent petition.

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

7) *Implementation*

The Board establishes a Drought/Emergency Management Committee by Resolution, the chairperson of which will be the responsible representative to make Drought and Emergency Water Management actions. This Committee will review the procedures in this plan at least every five years unless conditions necessitate amendments that are more frequent. Modifications may be required to accommodate system growth, changes in water use demand, available water supply and/or other circumstances.

This Plan was adopted by the Board at a properly noticed meeting held on December 11, 2018.