



Texas Commission on Environmental Quality

Water Availability Division

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Drought Contingency Plan for a Retail Public Water Supplier

This form is provided as a model of a drought contingency plan for a retail public water supplier. If you need assistance in completing this form or in developing your plan, please contact the Conservation Staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For municipal water systems, adoption would be by the city council as an ordinance. For other types of publicly-owned water systems (example: utility districts), plan adoption would be by resolution of the entity's board of directors adopting the plan as administrative rules. For private investor-owned utilities, the drought contingency plan is to be incorporated into the utility's rate tariff. Each water supplier shall provide documentation of the formal adoption of their drought contingency plan.

Name: Canyon Lake Estates Water Supply Corporation

Address: 1403 Fuller Drive, Canyon Lake, TX 78133

Telephone Number: (214) 533-1342 Fax: ()

Water Right No.(s): RN 101220309

Regional Water Planning Group: South Central Regional Water Planning Group Region I

Form Completed by: Cindy Vaughan

Title: Secretary

Person responsible for implementation: Peter Hill (214) 533-1342

Signature: *Peter Hill* Date: 10/5/24

CANYON LAKE ESTATES DROUGHT CONTINGENCY PLAN

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, Canyon Lake Estates Water Supply (CLEWS) 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/this 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.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by CLEWS by means of public meeting(s).

Section III: Public Education

CLEWS will periodically provide the public with information about the Plan, including information about the conditions under which each stage of this Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by:

- (a) publication in a newspaper of general circulation;
- (b) direct mail to each customer;
- (c) signs posted in public places;
- (d) CLEWS Website/Email Notice/Social Media Post.

Section IV: Coordination with Regional Water Planning Groups

The service area of CLEWS is located within the South-Central Regional Water Planning Group – GMA Region I and CLEWS has provided a copy of this Plan to the SCTRWPG.

Section V: Authorization

CLEWS President or his/her designee 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. CLEWS President 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.

A CLEWS Drought Contingency Plan Committee (CLEWS - DPCP) will be established to support the board with maintenance of the plan as well as monitoring drought conditions. Members of the committee will be volunteers and must be in good standing at the time of participation.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by CLEWS. The terms "person," "member" 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 used 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 CLEWS.

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.

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 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. This definition does not refer to septic gray water distribution.

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.

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

CLEWS President or his/her designee shall monitor water supply and/or demand conditions on a weekly 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 CLEWS following the Texas Water Company triggering criteria specifically Comal County. This option was most logical as they are located close to CLEWS system and the source of water supply is also Canyon Lake.

Utilization of alternative water sources and/or alternative delivery mechanisms:

Alternative water source(s) for CLEWS is/are) purchased water and use of reclaimed water for non-potable purposes.

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 VII Definitions, when Texas Water Company Drought stage is designated at level 1, this also means that the US Drought Monitor has declared Moderate Drought conditions for Comal County, Texas.

Requirements for termination

Stage 1 of the Plan may be rescinded when all conditions have been reviewed by the CLEWS - DCPC, and it is determined that the triggers for the current stage have ceased.

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 IX of this Plan when Texas Water Company Drought stage is designated at level 2, this also means that the US Drought Monitor has declared Severe Drought conditions for Comal County, Texas.

Requirements for termination

Stage 2 of the Plan may be rescinded when all conditions have been reviewed by CLEWS - DCPC, and it is determined that the triggers for the current stage have ceased.

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 for Stage 3 of this Plan when Texas Water Company Drought stage is designated at level 3, this also means that the US Drought Monitor has declared Extreme Drought conditions for Comal County, Texas.

Requirements for termination

Stage 3 of the Plan may be rescinded when all conditions have been reviewed by CLEWS - DCPC, and it is determined that the triggers for the current stage have ceased.

Stage 4 Triggers -- CRITICAL 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 Texas Water Company Drought stage is designated at level 4, this also means that the US Drought Monitor has declared Exceptional Drought conditions for Comal County, Texas.

Requirements for termination

Stage 4 of the Plan may be rescinded when all conditions have been reviewed by CLEWS - DCPC, and it is determined that the triggers for the current stage have ceased.

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 CLEWS President, or his/her designee, determines that a water supply emergency exists based on:

- Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
- Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when CLEWS determines that the triggering criteria is resolved, is unlikely to occur again within 7 days, and no other triggering criteria are likely to occur.

Section IX: Drought Response Stages

CLEWS President, 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, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

CLEWS President or his/ her designee shall notify the members by means of:

- (a) Publication in a newspaper of general circulation;
- (b) Direct mail to each customer;
- (c) Signs posted in public places;
- (d) CLEWS Website/Email Notice/Social Media Post

Stage 1 Response – MILD Water Shortage Conditions

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

Best Management Practices for Supply Management:

CLEWS President and/or his/her designee will monitor conditions and water usage for possibility of engaging and using alternative sources of water.

Voluntary Water Use Restrictions for Reducing Demand:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas between the hours of 8pm and 10am, specifically to minimize evaporation.
- (b) All operations of CLEWS shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- (c) 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 20% percent reduction in total water use.

Best Management Practices for Supply Management:

CLEWS President and/or his/her designee will monitor conditions and water usage for possibility of engaging and using alternative sources of water.

Water Use Restrictions for Demand Reduction:

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

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas between the hours of 8pm and 10am, specifically to minimize evaporation. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, 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 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 rises. 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 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (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) Use of water from hydrants shall be limited to firefighting, 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 CLEWS.
- (f) 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 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by CLEWS, the facility shall not be subject to these regulations.
- (g) 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 – SEVERE Water Shortage Conditions

Target: Achieve a 30 percent reduction in total water use.

Best Management Practices for Supply Management:

CLEWS President and/or his/her designee will monitor conditions and water usage for possibility of engaging and using alternative sources of water.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except the following.

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas between the hours of 8pm and 10am, specifically to minimize evaporation. 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 always prohibited.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by CLEWS.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
- (d) 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.

Stage 4 Response – CRITICAL Water Shortage Conditions

Target: Achieve a 40 percent reduction in total water use.

Best Management Practices for Supply Management:

CLEWS President and/or his/her designee will monitor conditions and water usage for possibility of engaging and using alternative sources of water.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas between the hours of 8pm and 10am, specifically to minimize evaporation. And shall be by means of hand-held hoses, 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

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

Best Management Practices for Supply Management:

CLEWS President and/or his/her designee will monitor conditions and water usage for possibility of engaging and using alternative sources of water.

Water Use Restrictions for Reducing Demand:

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

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

Section X: Enforcement

No person shall knowingly or intentionally allow the use of water from CLEWS 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 CLEWS President or his/her designee, in accordance with provisions of this Plan.

Any person who violates this Plan is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$50 dollars and not more than six (6) times the applicable monthly membership fee. Each day that one or more of the provisions in this Plan are violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, CLEWS President 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, hereby established at \$450, and any other costs incurred by CLEWS President in discontinuing service. In addition, suitable assurance must be given to CLEWS President that the same action shall not be repeated while the Plan is in effect.

Unpaid fines will be filed with the county resulting in lien(s) ensuring property is not sold or transferred without settlement of debt.

Any person, including a person classified as a water customer of CLEWS 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.

Involvement of law enforcement will only be required in the event of threatening language and/or behavior being exhibited.

Section XI: Variances

CLEWS President, 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 written petition for variance with CLEWS within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by CLEWS President 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 Ordinance.
- (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.

If the variance is not granted, the petitioner is to comply with the Plan effective immediately. If petitioner fails to comply, they will be subject to all parts of Section X.