

SECTION H: DROUGHT CONTINGENCY AND EMERGENCY WATER DEMAND MANAGEMENT PLAN

1. *DECLARATION OF POLICY, PURPOSE, AND INTENT*

Valley MUD No. 2 is a service provider of both potable domestic water and agricultural irrigation water. Domestic Potable Water is derived from three sources: a District owned brackish water well that utilizes Gulf Coast Aquifer water, the Rio Grande River, and the Southmost Regional Water Association (which also uses Gulf Coast Aquifer water via brackish water wells). Agricultural Irrigation Water is derived solely from the Rio Grande River via a pump station. Valley MUD No. 2 also has contracts to purchase treated domestic water from two neighboring entities: the Olmito Water Supply Corporation and the Military Highway Water Supply Corporation. These treated water contracts are generally only used in times of equipment failure.

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, Valley MUD No. 2 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 surcharges as defined in Section XI of this Plan. Because Valley MUD No. 2 provides both domestic water and irrigation water, triggering criteria for the various drought stages will be divided to suit those two uses.

2. *PUBLIC INVOLVEMENT*

Opportunity for the public to provide input into the preparation of the plan is provided by the District by means of discussion at regularly scheduled meetings of the Board of Directors.

3. *PUBLIC EDUCATION*

The Valley MUD No. 2 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 messages on monthly bills and direct mail.

4. *COORDINATION WITH REGIONAL PLANNING GROUPS*

The service area of the Valley MUD No. 2 is located within Region M of the Texas Water Development Board which is administered through the Lower Rio Grande Development Council. Valley MUD No. 2 has provided a copy of this Plan to the Lower Rio Grande Development Council.

5. *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 Board of Directors after consultation with the General Manager shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

6. *APPLICATION*

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the Valley MUD No. 2. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

7. *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 Valley MUD No. 2.

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: water used for industrial purposes in such industries as steel, chemical, paper, and petroleum refining.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, 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:

- 1) irrigation of landscape areas, including parks, and athletic fields, except otherwise provided under this Plan;
- 2) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- 3) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- 4) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- 5) flushing gutters or permitting water to run or accumulate in any gutter or street;
- 6) use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
- 7) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- 8) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- 9) 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.

8. *INITIATION OR TERMINATION OF DROUGHT STAGES*

a. Domestic Potable Water-Triggering criteria are based on the ability of the District to provide reliable water service to its potable water customers.

b. Agricultural Water (including resaca pumps)-Triggering criteria are based on the U. S. water stored in the Rio-Grande River Basin Reservoirs.

Each criterion is separate and distinct to justify stage triggering. Generally, the criteria are designed to implement restrictions to modify consumption levels to maintain a 24 to 36 month supply of water through drought conditions or when equipment and facilities problems restrict production. When the criteria for stage triggering events have ceased to exist, the stage may be terminated.

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 trigger criteria are reached. The General Manager will then place an item on the agenda for determination by the Board of Directors to initiate each drought stage. An item will be placed on the agenda each month to monitor trigger criteria conditions for further implementation of higher stages until termination of all stages and normal water levels are returned.

Stage 1 Trigger -- MILD Water Shortage Conditions

Criteria for initiation

- 1) Agricultural Water- When the level of United States water stored in Rio-Grande River Basin Reservoirs falls below 50% of capacity, or the District's combined water rights drop below 25% of the total available.
- 2) Potable Water- When any combination of water availability, equipment failure, or treatment problems causes the capacity of Valley MUD No. 2's treatment and pumping facilities to fall to within 90% of the daily consumption of potable water.

Stage 2 Triggers -- MODERATE Water Shortage Conditions

Criteria for initiation

- 1) Agricultural Water- When the level of United States water stored in Rio-Grande River Basin Reservoirs falls below 25% of capacity, or the District's combined water rights drop below 15% of the total available.
- 2) Potable Water- When any combination of water availability, equipment failure, or treatment problems causes the capacity of Valley MUD No. 2's treatment and pumping facilities to fall to within 70% of the daily consumption of potable water.

Stage 3 Triggers -- SEVERE Water Shortage Conditions

Criteria for initiation

- 1) Agricultural Water- When the level of United States water stored in Rio-Grande River Basin Reservoirs falls below 15% of capacity, or the District's combined water rights drop below 10% of the total available
- 2) Potable Water- When any combination of water availability, equipment failure, or treatment problems causes the capacity of Valley MUD No. 2's treatment and pumping facilities to fall to within 50% of the daily consumption of potable water.

Stage 4 Triggers -- CRITICAL Water Shortage Conditions

Criteria for initiation

- 1) Agricultural Water- When the level of United States water stored in Rio-Grande River Basin Reservoirs falls below 10% of capacity, or the District's combined water rights drop below 5% of the total available.

- 2) Potable Water- When any combination of water availability, equipment failure, or treatment problems causes the capacity of Valley MUD No. 2's treatment and pumping facilities to fall to within 25% of the daily consumption of potable water.
- 3)

9. DROUGHT NOTIFICATION AND STAGE RESPONSE

After each stage implementation or termination the General Manager shall implement the following notifications:

Notification

Notification of the Public:

The General Manager or his/ her designee shall notify the public by means of:

- 1) direct mail to each customer, or
- 2) placement notice on bills, and
- 3) announcements posted in public places (website and VMUD No. 2 Office).

Additional Notification:

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

- 1) Mayor of the Town of Rancho Viejo,
- 2) TCEQ (required when mandatory restrictions are imposed), and
- 3) River Bend POA.

Notifications must state the stage being implemented or terminated, the criterion that established stage initiation or termination, and the stage response conditions.

Response

Resaca levels within the District will be maintained as necessary to fulfill District obligations and needs. These determinations will be decided by the General Manager with consultation from the President of the Board. The District will not use District's water right to fill any Resaca outside of the district when Stage 2 or greater is implemented. The District may fill resacas outside of the district using water rights provided by owner of said Resaca. When the District is allowed to pump not using the District water rights ("Free Pumping") the General Manager may allow certain stage responses to be altered depending on conditions set forth by the Rio Grande Water Master.

Limitation of farm land irrigation within the district shall be decided by the Board during discussions of the stage implementation depending on the following criteria:

- 1) Stage implemented,
- 2) time of year,
- 3) crop planted or to be planted,

- 4) acreage requesting to be watered, and
- 5) amount of water requested by farmer.

Stage 1 Responses -- MILD Water Shortage Conditions

Water Use Restrictions:

The following water use restrictions are voluntary to all customers:

- 1) Water customers are requested to voluntarily limit the irrigation of landscaped areas to no more than 3 days a week. Do not water between the hours of 10:00 a.m. and 7:00 p.m.
- 2) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Responses -- MODERATE Water Shortage Conditions

Supply Management Measures:

- 1) Potable Water-Standard retail customers rates (refer to latest effective Water Rates) will be increased by the following:
 - Tier 2: Add \$0.25 per 1,000 gallons from 10,001 to 15,000 to the current rate.
 - Tier 3: Add \$0.25 per 1,000 gallons from 15,001 to 25,000 to the current rate.
 - Tier 4: Add \$1.50 per 1,000 gallons from 25,001 and up to the current rate..
- 2) Potable Water-For Condo/Large meter customers:
 - Tier 1: \$10.00 times the number of dwelling units or business entities on a meter (larger than 1-inch).
 - Add \$0.50 per 1,000 gallons to the current rate.
- 3) Agricultural Water-All raw water diversions for customers and resaca pump bills will require a 10% surcharge amount in addition to their diversion amount or normal resaca pump charge. The General Manager, because of conditions set forth by the Rio Grande Water Master may adjust this requirement at the time of the diversions.

Water Use Restrictions.

The following water use restrictions shall apply to either potable water customers or resaca pump customers, or both, depending on the classification of the drought stage:

- 1) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigation of landscaped areas is

further restricted and prohibited between the hours of 10:00 a.m. and 7:00 p.m. on designated watering days. 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.

- 2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days. Such washing shall be done with a bucket and 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 are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- 3) Operation of any ponds or ornamental fountain for aesthetic or scenic purposes is prohibited. Fountains that are equipped with a recirculation system are exempt at this stage.
- 4) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare. Use of water from designated fire hydrants for construction purposes may be allowed under special permit from the Valley MUD #2.
- 5) Irrigation of golf course greens, tees, and fairways is permitted between the hours 7:00 p.m. and 10:00 a.m.
- 6) 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 Responses -- SEVERE Water Shortage Conditions

Supply Management Measures:

- 1) All rates of raw water furnished to customers inside the District shall double from the standard approved rates.
- 2) Standard retail customers rates (refer to latest effective Water Rates) will be increased by the following:
 - Tier 2: add \$0.50 per 1,000 gallons from 10,001 to 15,000 to the current rate.
 - Tier 3: add \$1.25 per 1,000 gallons from 15,001 to 25,000 to the current rate.
 - Tier 4: add \$3.50 per 1,000 gallons from 25,001 and up to the current rate.
- 3) For Condo/Large meter customers:

Tier 1: \$10.00 times the number of dwelling units or business entities on a meter (larger than 1-inch).

Add \$0.50 per 1,000 gallons to the current rate.

- 4) All raw water diversions for customers and resaca pump bills will require a 25% surcharge amount in addition to their diversion amount or normal resaca pump charge. The General Manager, because of conditions set forth by the Rio Grande Water Master may adjust this requirement at the time of the diversions.

Water Use Restrictions:

The following water use restrictions shall apply to either potable water customers or resaca pump customers, or both, depending on the classification of the drought stage:

- 1) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigation of landscaped areas is further restricted and prohibited between the hours of 10:00 a.m. and 7:00 p.m. on designated watering days. 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.
- 2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days. Such washing shall be done with a bucket and 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 are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- 3) Operation of any ponds or ornamental fountain for aesthetic or scenic purposes is prohibited. Fountains that are equipped with a recirculation system are not exempt at this stage.
- 4) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
- 5) Irrigation of golf course greens, tees, is permitted between the hours 7:00 p.m. and 10:00 a.m. The watering of golf course fairways is limited to 3 days per week and is restricted to between the hours of 7:00 p.m. and 10:00 a.m.
- 6) 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 3 working days after having been given notice directing the repair of such leak(s).

Stage 4 Responses -- CRITICAL Water Shortage Conditions

Supply Management Measures:

- 1) All rates of raw water furnished to customers inside the District shall triple from the standard approved rates.
- 2) Standard retail customers rates (refer to latest effective Water Rates) will be increased by the following:
 - Tier 1: Add \$0.25 per 1,000 gallons from 1001 to 10,000 to the current rate.
 - Tier 2: Add \$1.75 per 1,000 gallons from 10,001 to 15,000 to the current rate.
 - Tier 3: Add \$5.25 per 1,000 gallons from 15,001 to 25,000 to the current rate.
 - Tier 4: Add \$7.50 per 1,000 gallons from 25,001 and up to the current rate.
- 3) For Condo/Large meter customers:
 - Tier 1: \$10.00 times the number of dwelling units or business entities on a meter (larger than 1-inch).
Add \$1.25 per 1,000 gallons to the current rate.
- 4) All raw water diversions for non-residential customers will require a 40% surcharge amount and raw water pumping through residential resaca pumps will be prohibited.

Water Use Restrictions.

- 1) All irrigation of landscapes is prohibited except for minimal hand watering of drought stressed trees and shrubs.
- 2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited. Washing may be exempted from these regulations if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- 3) Operation of any ponds or ornamental fountain for aesthetic or scenic purposes is prohibited. Fountains that are equipped with a recirculation system are not exempt at this stage.
- 4) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
- 5) Hand watering of golf course greens and tees is permitted between the hours 7:00 p.m. and 10:00 a.m. Treated effluent must be used for this hand watering. The watering of golf course fairways is prohibited.
- 6) 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 3 working days after having been given notice directing the repair of such leak(s).

10. ENFORCEMENT

District personnel will observe and document violations of the water restriction guidelines using photographs, written documents and witness statements. After documentation of violations, the following will occur:

First Violation – Customer is given a warning and notified of actions to be taken if violations continue.

Second Violation – Customer is notified of violation and a surcharge of \$100.00 will be added to bill.

Third Violation – Customer is notified of violation and a surcharge of \$250.00 will be added to bill.

Fourth Violation – Customer is notified of violation and a surcharge of \$500.00 will be added to bill.

Fifth Violation – Customer is notified of violation and service is cut-off immediately. A surcharge of \$500.00 will be added to bill. Service will be restored when customer provides the District assurances that violations will not continue. A \$100.00 reconnect fee will apply.

11. VARIANCES

The General Manager may grant temporary variance from any water use restrictions otherwise prohibited under this Plan.

Persons requesting a variance shall petition for variance with the Valley MUD #2. 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) Period of time for which the variance is sought.
- (d) Other pertinent information.

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

