

## **Drought Contingency Plan**

### **Cypress Ranch Water Control and Improvement District No. 1**

**c/o SWWC, Inc., 9511 Ranch Road 620 North, Austin, Texas 78726-2908**

**CCN No. 13085**

**Public Water System No. 2270352**

**May 26, 2011**

#### **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 **Cypress Ranch Water Control and Improvement District No. 1 (the "District")** hereby adopts the following regulations and restrictions on the delivery and consumption of water through a resolution.

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 District by inviting public comments on the Plan.

#### **Section III: Public Education**

The 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 utility bill inserts.

#### **Section IV: Coordination with Regional Water Planning Groups**

The service area of the District is located within the Region K Regional Water Planning Group, and the District will provide a copy of this Plan to the Region K Regional Water Planning Group.

#### **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, (designated official) 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 District (name of your water supplier). 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 Cypress Ranch Water Control and Improvement District No. 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.

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.

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 fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

### **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 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 known system capacity limits.

#### **Voluntary Water Use Restrictions**

##### Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, annually, from April 1 through September 30.

##### Termination

Voluntary Water Use Restrictions will automatically terminate on October 1.

#### **Stage 1 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 based on the following triggers:

Supply-Based Triggers:

1. 15% reduction of pumping capacity of District water wells.
2. The lake level of Lake Travis reaches elevation 640 ft. MSL.  
(applicable after surface water supply is implemented)

Demand-Based Triggers: Total daily demand at 75% of storage capacity.

Other Triggers: The General Manager and the District Engineer shall monitor the water system and other regional water supply providers and shall have authority to implement Stage 1 restrictions prior to reaching the supply or demand triggers at their discretion.

##### 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 1 week.

#### **Stage 2 Triggers B 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 2 of this Plan based on the following triggers.

Supply-Based Triggers:

1. 25% reduction of pumping capacity of District water wells.
2. The lake level of Lake Travis reaches elevation 640 ft. MSL.  
(applicable after surface water supply is implemented)

Demand-Based Triggers: Total daily demand at 80% of storage capacity.

Other Triggers: The General Manager and the District Engineer shall monitor the water system and other regional water supply providers and shall have authority to implement Stage 2 restrictions prior to reaching the supply or demand triggers at their discretion.

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 1 week. Upon termination of Stage 2, Stage 1 becomes operative.

**Stage 3 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 3 of this Plan based on the following triggers:

Supply-Based Triggers:

1. 30% reduction of pumping capacity of District water wells.
2. The lake level of Lake Travis reaches elevation 635 ft. MSL.  
(applicable after surface water supply is implemented)

Demand-Based Triggers: Total daily demand at 90% of storage capacity.

Other Triggers: The General Manager and the District Engineer shall monitor the water system and other regional water supply providers and shall have authority to implement Stage 3 restrictions prior to reaching the supply or demand triggers at their discretion.

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 1 week. Upon termination of Stage 3, Stage 2 becomes operative.

**Stage 4 Triggers -- EMERGENCY Water Shortage Conditions**

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 4 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 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

**Stage 5 Triggers -- WATER ALLOCATION**

Requirements for initiation

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan based on the following triggers:

Supply-Based Triggers:

1. 40% reduction of pumping capacity of District water wells.
2. The lake level of Lake Travis reaches elevation 632.5 ft. MSL.  
(applicable after surface water supply is implemented)

Demand-Based Triggers: Total daily demand at 100% of storage capacity.

Other Triggers: The General Manager and the District Engineer shall monitor the water system and other regional water supply providers and shall have authority to implement Stage 5 restrictions prior to reaching the supply or demand triggers at their discretion.

Requirements for termination - Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 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, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

**Notification**

Notification of the Public:

The general manager or his/ her designee shall notify the public by means of:  
signs posted in public places within the District, and  
billing inserts.

Additional Notification:

The general manager or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities: TCEQ.

## Voluntary Water Use Restrictions

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

Best Management Practices for Supply Management:

Use of reclaimed water for non-potable purposes.

Voluntary Customer Water Use Restrictions :

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas 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), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
- (b) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

## Stage 1 Response -- MODERATE Water Shortage Conditions

**Target: Achieve a 10 percent reduction in per capita water consumption.**

Best Management Practices for Supply Management:

Use of reclaimed water for non-potable purposes.

Water Use Restrictions for Demand Reduction:

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

- (a) 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), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime 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. The general manager shall also have authority to designate alternative watering days instead of the schedule set forth in this provision.
- (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.
- (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 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 District.
- (f) 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).

New landscapes may be installed under these specific criteria:

- 1. A written variance request for new landscapes has been submitted to the General Manager, or his/her designee, and has been approved prior to installation of the landscape; and
- 2. irrigation of the new landscape follows this established schedule, identified within the new landscape variance:
  - a. for the first 10 days after installation, once per day;
  - b. for day 11 through 20 after installation, once every other day before 10:00 a.m. and after 7:00 p.m.;
  - c. for day 21 through 30 after installation, once every third day before 10:00 a.m. and after 7:00 p.m.

Note: A variance for new landscapes will be issued for installation to occur no more than 30 days from date of issuance.

## **Stage 2 Response -- SEVERE Water Shortage Conditions**

**Target: Achieve a 20 percent reduction in per capita water consumption.**

**Best Management Practices for Supply Management:**

Use of reclaimed water for non-potable purposes.

**Water Use Restrictions for Demand Reduction:**

All requirements of Stage 1 shall remain in effect during Stage 2 except:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to one day per week according to the watering schedule designated by the General Manager, which may be either of the following schedules:

**Alternate Even/Odd Schedule**

**Last number of Street Address:**

0, 2, 4, 6 or 8  
1, 3, 5, 7 or 9

**Day of the Week to Water**

Sunday only  
Saturday only

**Staggered Schedule**

**Last number of Street Address:**

0 or 9  
1 or 8  
2 or 7  
3 or 6  
4 or 5

**Day of the Week to Water**

Sunday only  
Monday only  
Tuesday only  
Thursday only  
Friday only

The general manager shall also have authority to designate alternative watering days instead of the schedules set forth above.

Irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime 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.

**Stage 3 Response -- CRITICAL Water Shortage Conditions**

**Target: Achieve a 30 percent reduction in per capita water consumption.**

Best Management Practices for Supply Management:

Use of reclaimed water for non-potable purposes.

Water Use Restrictions for Reducing Demand: 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 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 in the immediate interest of public health, safety, and welfare is prohibited.
- (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.



**Stage 4 Response -- EMERGENCY Water Shortage Conditions**

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

**Best Management Practices for Supply Management:**

Use of reclaimed water for non-potable purposes.

**Water Use Restrictions for Reducing Demand.** All requirements of Stage 1, 2, and 3 shall remain in effect during Stage 4 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.

**Stage 5 Response -- WATER ALLOCATION**

All requirements of Stage 1, 2, 3 and 4 shall remain in effect during Stage 5. In the event that water shortage conditions threaten public health, safety, and welfare, the general manager is hereby authorized to allocate water according to the following water allocation plan:

**Single-Family Residential Customers**

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

<b>Persons per Household</b>	<b>Gallons per Month</b>
Up to 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

"Household" means the residential premises served by the customer's meter. "Persons per household" include only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer's household is comprised of four (4) persons unless the customer notifies the District of a greater number of persons per household.

Residential water customers shall pay the following surcharges:

- \$2.00 for the first 1,000 gallons over allocation.
- \$3.00 for the second 1,000 gallons over allocation.
- \$4.00 for the third 1,000 gallons over allocation.
- \$5.00 for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative and surcharges shall apply in addition to normal water use charges.

## **Commercial and Governmental Customers**

A monthly water allocation shall be established by the general manager, or his/her designee, for each nonresidential commercial and governmental customer. The non-residential customer's allocation shall be approximately 75% percent of the customer's usage for corresponding month's billing period for the previous 12 months. The general manager shall give his/her best effort to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the District to determine the allocation. Nonresidential commercial customers shall pay the following surcharges:

- \$2.00 per thousand gallons for the first 1,000 gallons over allocation.
- \$3.00 per thousand gallons for the second 1,000 gallons over allocation.
- \$4.00 per thousand gallons for the third 1,000 gallons over allocation.
- \$5.00 per thousand gallons for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative and surcharges shall apply in addition to normal water use charges.

## **Section X: Enforcement**

(a) No person shall knowingly or intentionally allow the use of water from the District 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 general manager, or his/her designee, in accordance with provisions of this Plan.

(b) Any person who violates any provision of this Plan shall be subject to penalties as follows:

First violation: The customer will be notified by written notice of their specific violation.

Subsequent Violations:

If a person commits two or more distinct violations of this Plan within a six-month period, the District may install a flow restricting device in the line to limit the amount of water which will pass through the meter in a 24-hour period. The District may charge the customer for the actual cost of installing and removing the flow restricting device.

Any person who commits three or more distinct violations of this Plan within a six-month period, shall be subject to a civil penalty of \$200 per offense. Each day that one or more of the provisions in this Plan is violated can constitute a separate offense. Additionally, if a person commits three or more distinct violations of this Plan within a six-month period, the General Manager 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 the District's reconnection fee and any other costs incurred by the District in discontinuing service. In addition, suitable assurance must be given to the General Manager that the same action shall not be repeated while the Plan is in effect.

(c) Any person, including a person classified as a water customer of the District, 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.

(d) The General Manager of the District shall have authority to impose and enforce the above-described penalties for violations of this Drought Contingency Plan. Compliance with this Plan may also be sought through injunctive relief in the district court.

#### **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 Ordinance shall file a petition for variance with the 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 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.