

**DROUGHT CONTINGENCY PLAN
CRITICAL PERIOD MANAGEMENT RULES**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
EAST MEDINA COUNTY SPECIAL UTILITY DISTRICT
REVISION OF THE DEMAND MANAGEMENT AND
CRITICAL PERIOD MANAGEMENT RULES.**

REVISED SEPTEMBER 16, 2014

WHEREAS, the Board recognizes the amount of water available to the East Medina County Special Utility District and its water utility customers is limited and subject to depletion during critical periods;

WHEREAS, the Board recognizes natural limitations due to critical conditions and cannot guarantee an uninterrupted water supply for all purposes;

WHEREAS, the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality and the Edwards Aquifer Authority require all public water supply systems in Texas to prepare a Demand Management and Critical Period Management Plan; and

WHEREAS, as authorized under law, and in the best interests of the customers of the East Medina County Special Utility District, the Board deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during critical periods and other water supply emergencies;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EAST MEDINA COUNTY SPECIAL UTILITY DISTRICT:

SECTION 1. That the Demand Management and Critical Period Management Rules attached hereto and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the East Medina County Special Utility District.

SECTION 2. That the East Medina County Special Utility District Board of Directors is hereby directed to implement, administer, and enforce the Demand Management and Critical Period Management Plan.

SECTION 3. That this resolution shall take effect immediately upon its passage.

DULY PASSED BY THE BOARD OF DIRECTORS OF THE EAST MEDINA COUNTY SPECIAL UTILITY DISTRICT ON THIS 16TH DAY OF SEPTEMBER 2014.

(Original Signature on file)
President, Board of Directors

ATTESTED TO:

(Original Signature on File)
Secretary, Board of Directors

DEFINITIONS

For the purposes of this Plan, the following definitions shall apply:

Abbreviations:

Aquifer	The Edwards Aquifer
CPM	Critical Period Management
CPMP	Critical Period Management Policy
CPMS	Critical Period Management Stage
DM	Demand Management
DMP	Demand Management Policy
DMS	Demand Management Stage
EAA	Edwards Aquifer Authority
The District	East Medina County Special Utility District

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, 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 so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by East Medina County Special Utility District.

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 accounts: Four digit section of the account numbers ending in even numbers 0, 2, 4, 6, or 8.

Odd numbered accounts: Four digit section of the account numbers ending in odd numbers 1, 3, 5, 7, or 9.

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.

J 17 Well: Index Well located in Bexar County in Fort Sam Houston, San Antonio. Identified as AY-68-37-203. Trigger well for East Medina County Special Utility District.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- Irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- Use of water to wash down buildings or structures for purposes other than immediate fire protection;
- Flushing gutters or permitting water to run or accumulate in any gutter or street;
- Use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- Failure to repair a controllable leak(s) within a reasonable period after receiving notice directing the repair of such leak(s); and
- Use of water from hydrants for construction purposes or any other purposes other than fire fighting.

San Antonio Pool: That part of the Aquifer underlying the boundaries of the Authority, other than Uvalde County.

c.f.s.: Cubic Feet Per Second.

EAST MEDINA COUNTY

SPECIAL UTILITY DISTRICT

DEMAND MANAGEMENT AND CRITICAL PERIOD MANAGEMENT RULES

SECTION 1:

INTRODUCTION

East Medina County Special Utility District was established as a Water Supply Corporation in 1967 under chapter 1434a of the Water Code for the sole purpose of supplying potable water to the rural area of southeast Medina County. In September 1996 the Water Supply Corporation converted to a Special Utility District under Chapters 49 & 65 of the Texas Water Code. The District is generally bordered by the communities of LaCoste, Lytle, Natalia, Devine, Biry, Dunlay, Quihi, and Castroville. The people in the rural areas within the District boundaries are served through over 300 miles of water lines supplied by six Edwards Aquifer wells.

The District serves over 2700 connections with an estimated per capita population of 3.5 persons per connection. The District's service area is located west of the metropolitan area of San Antonio, Texas. Due to this location, the District is experiencing rapid growth in service requests and at the same time is subject to pumping reductions as stated in the EAA Critical Period Management rules based on the water level of the Edwards Aquifer. The District continues to purchase additional pumping rights and seek alternative water supplies as funds are available to meet current and future needs.

SECTION 2:

PURPOSE

The goal of the Demand Management and Critical Period Management Rules is to cause a reduction in water use in response to drought conditions or emergency conditions that place an undue demand on the District's water source.

SECTION 3:

DISCLOSURES

East Medina County Special Utility District is organized under Chapters 49 and 65 of the Texas State Water Code having the power to levy fines for non-compliance of District policies, rules, and or regulations. Customers of East Medina County Special Utility District are required to follow the rules and regulations as set forth by District Policy, the Texas Commission on Environmental Quality and the Edwards Aquifer Authority.

SECTION 4:

STRATEGY

Customers in the East Medina County Special Utility District service area generally have three potential sources of water supply including East Medina Co. SUD, private wells for domestic and livestock use and Bexar Medina Atascosa (BMA) irrigation water. Due to the diverse source of water and the rural nature of the District having more than 300 miles of water lines to maintain and operate, the District does not currently have a policy that relies on “drive-by” or “neighbor reporting” for water usage enforcement. The District feels that this type of enforcement is detrimental to community well-being and the trust that is prevalent in country living. The Board of Directors are confident that necessary water curtailments can be accomplished through the spirit of education and cooperation among the people we serve working together to conserve, preserve and protect our water resources.

SECTION 5:

COORDINATION WITH OTHER AUTHORITIES

The District works with the Texas Commission on Environmental Quality and the Edwards Aquifer Authority in the management of our water resources.

SECTION 6:

CRITICAL PERIOD STAGES. (TRIGGER CONDITIONS)

Reduction	J17 Well Level (MSL)	San Marcos Springs	Comal Springs
Stage *	10-day average Is Less Than	10-day average is less than	10-day average is less than

Stage 1 Demand Management	660 feet	96 CFS	225 CFS
Stage 2 Demand Management	650 feet	80 CFS	200 CFS
Stage 3 Critical Period	640 feet	N/A	150 CFS
Stage 4 Critical Period	630 feet	N/A	100 CFS
Stage 5 Critical Period	625 feet	N/A	45/40**

*As declared by the Edwards Aquifer Authority for the San Antonio Pool (includes Medina County).

**San Antonio Pool only: In order to enter into Critical Period Stage V, the applicable Springflow trigger is either less than 45 cfs based on a ten-day rolling average or less than 40 cfs based on a three-day rolling average. Expiration of Critical Period Stage V is based On a ten-day rolling average of 45 cfs or greater.

SECTION 7:

TABLE REDUCTION LEVELS

In compliance with the Edwards Aquifer Authority regulations on Demand Management and Critical Period Management, the following EAA reduction percentages will apply.

Reduction	572,000 AF/Annual Cap
Stage	Interruption Coefficient
Stage 1 (Demand Management)	20%
Stage 2 (Demand Management)	30%
Stage 3 (Critical Period)	35%

Stage 4 (Critical Period)	40%
Stage 5 (Critical Period)	44%

SECTION 8:

DECLARATION OF DEMAND MANAGEMENT AND CRITICAL PERIOD MANAGEMENT.

The District will declare Critical Period Management and the appropriate Demand Management Stage when Critical Period is declared by the Edwards Aquifer Authority in the San Antonio Pool of the Edwards Aquifer.

SECTION 9:

PUBLIC ISSUANCE OF CRITICAL PERIOD MANAGEMENT STAGE

The declaration of a Demand Management (DM) or Critical Period Management (CPM) Stage will be announced by the Superintendent. The declaration will be published on the District’s web page at www.emcsud.dst.tx.us , published in the Devine News, the Hondo Anvil Herald, and the Castroville News Bulletin a minimum of one time, announced on the Medina County Radio Stations daily during the DM or CPMS, and posted in the lobby of the District Office.

SECTION 10:

WATER USE RESTRICTIONS

YEAR ROUND

1. All users must practice water conservation and preservation.
2. All water leaks must be repaired as soon as possible to minimize water waste
3. No person may use District water for landscape watering using a sprinkler or sprinkler system between the hours of 10:00 AM and 8:00 PM.
4. Watering with a hand held or soaker hose is permitted as needed.

Upon the declaration of a Demand Management Stage (DMS) or Critical Period Management Stage (CPMS) by the District, compliance with the DM or CPM demand reduction measures shall be required

STAGE 1

1. All users must practice water conservation and preservation.
2. No person may use District water for landscape watering between the hours of 10:00 AM and 8:00 PM.
3. No person may use District water for washing automobiles, sidewalks, driveways, carports, or any other type of artificial ground cover.
4. Restaurants and other eating establishments are prohibited from serving District water to customers except upon request from the customer.
5. Every customer who owns or has possession of a swimming pool must cover the pool with an effective evaporation cover, screen, or evaporation shields when the pool is not in active use. Active usage includes necessary maintenance that requires removal of the cover, screen, or shields.
6. Livestock watering will be permitted in water troughs only. (Filling earthen tanks will not be allowed.)

STAGE 2

1. All users must practice water conservation and preservation.
2. No person may use District water for landscape watering between the hours of 10:00 AM and 8:00 PM.
3. No person may use District water for washing automobiles, sidewalks, driveways, carports, or any other type of artificial ground cover.
4. Restaurants and other eating establishments are prohibited from serving District water to customers except upon request from the customer.
5. Every customer who owns or has possession of a swimming pool must cover the pool with an effective evaporation cover, screen, or evaporation shields when the pool is not in active use. Active usage includes necessary maintenance that requires removal of the cover, screen, or shields.
6. Designated water days for landscape watering will be:
 - a. For all customers whose four digit section of the account numbers end in an even number the watering days will be Monday and Thursday between the hours of 8:00 PM and 10:00 AM.
 - b. For all customers whose four digit section of the account numbers end in an odd number the watering days will be Tuesday and Friday between the hours of 8:00 PM and 10:00 AM.
 - c. Wednesday, Saturday, and Sunday will be non-watering days.
7. Persons may not use District water for an ornamental fountain or similar feature.
8. Livestock watering will be permitted in water troughs only. (Filling earthen tanks will not be allowed)

STAGE 3

1. All users must practice water conservation and preservation.
2. No person may use District water for landscape watering between the hours of 10:00 AM and 8:00 PM.
3. No person may use District water for washing automobiles, sidewalks, driveways, carports, or any other type of artificial ground cover.
4. Restaurants and other eating establishments are prohibited from serving District water to customers except upon request from the customer.
5. Every customer who owns or has possession of a swimming pool must cover the pool with an effective evaporation cover, screen, or evaporation shields when the pool is not in active use. Active usage includes necessary maintenance that requires removal of the cover, screen, or shields.
6. Designated watering days for landscape watering will be:
 - a. For all customers whose four-digit section of the account number ends in an even number the watering day will be Tuesday between the hours of 8:00 PM and 10:00 AM.
 - b. For all customers whose four-digit section of the account number ends in an odd number the watering day will be Thursday between the hours of 8:00 PM and 10:00 AM.
 - c. Monday, Wednesday, Friday, Saturday, and Sunday will be non-watering days.
7. Persons may not use District water for an ornamental fountain or similar feature.
8. Livestock watering will be permitted in water troughs only. (Filling earthen tanks will not be allowed).

STAGE 4

1. All users must practice water conservation and preservation.
2. No person may use District water for landscape watering between the hours of 7:00 AM and 8:00 PM and from 11:00 PM to 3:00 AM.
3. No person may use District water for washing automobiles, sidewalks, driveways, carports, or any other type of artificial ground cover.
4. Restaurants and other eating establishments are prohibited from serving District water to customers except upon request from the customer.
5. No person may use District water to fill a new swimming pool or refill an existing swimming pool.
6. Designated watering days for landscape watering will be:
 - a. For customers whose four digit section of the account number ends in an even number the watering day will be Tuesday, between the hours of 3:00 AM to 7:00 AM and from 8:00 PM to 11:00 PM.
 - b. For customers whose four digit section of the account number ends in an odd number the watering day will be Thursday from 3:00 AM to 7:00 AM and from 8:00 PM to 11:00 PM.
 - c. Monday, Wednesday, Friday, Saturday, and Sunday will be non-watering days.

7. Persons may not use District water for an ornamental fountain or similar feature.
8. Livestock watering will be permitted in water troughs only. (Fillings earthen tanks will not be allowed).

STAGE 5

1. All users must practice water conservation and preservation.
2. No person may use District water for landscape watering between the hours of 7:00 AM and 8:00 PM and from 11:00 PM to 3:00 AM.
3. No person may use District water for washing automobiles, sidewalks, driveways, carports, or any other type of artificial ground cover.
4. Restaurants and other eating establishments are prohibited from serving District water to customers except upon request from the customer.
5. No person may use District water to fill a new swimming pool or refill an existing swimming pool.
6. Designated watering days for landscape watering will be:
 - a. For customers whose four digit section of the account number ends in an even number the watering day will be the first and third Tuesday of each month between the hours of 3:00 AM and 7:00 AM and between the hours of 8:00 PM and 11:00 PM.
 - b. For customers whose four digit section of the account number ends in an odd number the watering day will be the first and third Thursday of each month between the hours of 3:00 AM and 7:00 AM and between the hours of 8:00 PM and 11:00 PM.
 - c. **Monday, Wednesday, Friday, Saturday, and Sunday will be non-watering days.**
7. Persons may not use District water for an ornamental fountain or similar feature.
8. Livestock watering will be permitted in water troughs only. (Fillings earthen tanks will not be allowed).

SECTION 11:

DISCONTINUANCE OF A DEMAND MANAGEMENT OR CRITICAL PERIOD MANAGEMENT STAGE

The District will publish the end to a Demand Management Stage (DMS) or Critical Period Management Stage (CPMS) by publishing on the District's Web page at www.emcsud.dst.tx.us , publication in the Devine News, the Hondo Anvil Herald, and the Castroville News Bulletin one time, by announcement on the Medina County Radio station and posting in District Office Lobby.

SECTION 12:

VARIANCE

A customer may file a written request for a variance from these rules with the Board of Directors. A variance must be based on grounds of extreme hardship relating to personal health. The request must contain the following:

- a. The specific nature of the variance requested,
- b. A detailed explanation of why the variance is requested, and
- c. A sworn statement that the information contained in the request is true and accurate.

The Board of Directors may grant a variance for a term and with any conditions the Board deems appropriate.

The Board of Directors will determine each request for variance by its own merits. Any determination of the Board will apply to the variance being addressed and will not set a precedent or have any bearing on any other determination of variances.

The Board of Directors may rescind a variance at any time due to changes in circumstances, new information, or failure of the holder of the variance to abide by the terms of the variance, an order from the Edwards Aquifer Authority, or any order of the Board.

SECTION 13:

PUBLIC INPUT

The Board of Directors of the East Medina County Special Utility District held a regular duly posted Board of Directors meeting on September 16, 2014 at 7:00 PM at the District Office. The purpose of this meeting, among other District business, was to review, discuss and have the Board take action on the revision of this Demand Management and Critical Period Management Policy. Notice of this meeting was published on the District's web page, and was posted at the Medina County Courthouse and the District Office. The meeting, at which this policy was revised, was duly posted and the public was welcome. Public comments and involvement is welcomed and encouraged at all board meetings.

SECTION 14:

PUBLIC EDUCATION AND INVOLVEMENT

Continuing public education and involvement are accomplished through:

- a. Water Conservation information provided as follows:
 1. Included with the monthly payment book mailed to each account each year
 2. Quarterly Newsletters mailed to every account
 3. District Website: www.emcsud.dst.tx.us
- b. Xeriscape information is available at the District office.
- c. The District's Web Page's quick-link to the daily levels of the J17 and Medina County Wells and the flow rates of the Comal and San Marcos Springs.
- d. Water Audits to assist Customers in determining source of wasted water.
- e. Water Saving Presentations provided for small groups and classes.
- f. Public comments and involvement at Board meetings.