

# **DROUGHT CONTINGENCY PLAN**

**RIVER ACRES WATER SUPPLY CORPORATION  
15602 Northwest Blvd., Ste. H  
Robstown, Texas 78380  
(361) 387-2614**

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**River Acres Water Supply Corporation  
Board of Directors**

**I. Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and protect the integrity of supply facilities, with particular regard for domestic water use, sanitation, and protection, and to protect and preserve public health, welfare, and safety; to minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the River Acres Water Supply Corporation (RAWS) 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 constituting a waste of water which subjects the offender(s) to penalties as defined in Section XIII of this Plan.

**II. Public Involvement**

Opportunities for public input into the preparation of the Plan are provided at regular meetings of the Board of Directors, which are held one time per month. Public notices of the meetings are posted at the Nueces County Courthouse in Corpus Christi and RAWS office. The meetings are open to the public and any member of the public may speak to the Board of Directors at that time.

**III. Public Education**

RAWS will periodically provide the public with 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:

- (a) Distribution of educational materials (Printed information on water conservation practices is available at RAWS.)
- (b) Regular articles will be published in the local newspaper as warranted by conditions that affect RAWS' water supply and delivery capabilities.
- (c) New customers will receive general conservation information when applying for service.

**IV. Coordination with Regional Water Planning Group**

The water service area of RAWS is located within the Region "N" Water Planning Area, and RAWS has provided a copy of its amended Drought Contingency Plan to the Region "N" Planning Group.

**V. Authorization**

The Field Manager 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 Manager shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

**VI. Application**

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by RAWS. The terms "person" and "customer" as used in this Plan include individuals, corporations, partnerships, associations, and all other legal entities.

**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 RAWWS.

Domestic water use: water used 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-numbered 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, 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:

- (a) Irrigation of landscaped areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) Use of water to wash down 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 or line flushing to meet minimum state requirements.

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

#### **VIII. Criteria for Initiation and Termination of Drought Response Stages**

The Field Manager 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 “triggers” are reached.

The following steps will be taken starting when the combined water supply at Lake Corpus Christi and Choke Canyon reservoirs reach a level where water storage is 50% or less of total storage capacity. The plan proposes to meet a water shortage situation through a series of water demand reduction measures.

CONDITION I --  
WATER SHORTAGE POSSIBILITY

Combined water supply in the reservoirs is 50% but greater than 40% of total storage capacity, and the RAWS Manager directs implementation in order to protect reservoir levels.

1. Daily monitoring of lake levels with the City of Corpus Christi.
2. Discuss water conservation and rationing possibility with other holders of Nueces River water rights.
3. The RAWS Board of Directors declares water shortage condition exists and implements the drought contingency plan.
4. Request voluntary conservation of all water users: odd/even address yard watering.
5. Investigate alternative water sources.
6. Water leak reduction program; leak repairs have highest priority.

CONDITION II --  
WATER SHORTAGE WATCH

Combined water supply in the reservoirs is 40% but greater than 30% of total storage capacity, and the RAWS Manager directs implementation in order to protect reservoir levels.

1. Restrict use of water for outdoor uses such as car washing, dust control, exterior building sidewalk, and driveway washing.
2. Restrict use of fire hydrants for any use other than fire fighting and hydrant flushing necessary to maintain minimum state requirements.
3. Determine wholesale and commercial allocations.

CONDITION III --  
WATER SHORTAGE WARNING

Combined water stored in the reservoir system is equal to or less than 30% of total storage capacity and the RAWS Manager directs implementation in order to protect reservoir storage levels.

1. Prohibit new connections to distribution system where other supply service is available.
2. Mandatory reduction of normal water use by commercial customers.

CONDITION IV --  
WATER SHORTAGE EMERGENCY

Water supply in reservoirs is estimated to be less than 65,000 acre-feet.

1. Prohibit new connections to distribution system.
2. Establish maximum monthly use for residential meters. Establish fines for exceeding allocations.
3. Lock all residential meters, when it appears water supply may become depleted.

**IX. Drought Response Stages**

The Manager 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:

A. Condition I – Water Shortage Possibility

Upon implementation by the RAWS Manager, customers of RAWS are requested through the news media announcements and utility bill inserts to voluntarily conserve and limit their use of water and shall comply with the following restrictions on the use of water for irrigation of vegetation. All municipal operations are placed on mandatory conservation. Water for irrigation of vegetation may be used only on such day or days of each week, other than between the hours of 10:00 a.m. and 6:00 p.m., based on street numbers, as may be designated by the RAWS Manager. However, any person may raise as a defense to prosecution for violation of this section

the fact that the use of water for the following purposes had been specifically authorized by the RAWS Manager, if the RAWS Manager had actually authorized the use of water for that purpose on the date of the violation.

1. The water was used, other than during the hours between 10:00 a.m. and 6:00 p.m., for irrigation at the minimum rate necessary, for the establishment and maintenance of flower gardens, vegetable gardens, fruit gardens, trees and shrubs or plants in containers, and applied using:
  - (i) A handheld hose equipped with a positive shut-off nozzle,
  - (ii) A drip irrigation system equipped with an automatic shut-off device,
  - (iii) A soaker hose, which does not spray water into the air, equipped with an automatic shut-off device,
  - (iv) A root feeder equipped with an automatic shut-off device,
  - (v) A handheld bucket or watering can.
2. The water was used at any hour for irrigation, at the minimum rate necessary, for the establishment and maintenance of commercial nursery stock and applied using:
  - (i) A handheld hose equipped with a positive shut-off nozzle,
  - (ii) A sprinkler system,
  - (iii) A drip irrigation system equipped with an automatic shut-off device,
  - (iv) A soaker hose, which does not spray water into the air, equipped with an automatic shut-off device,
  - (v) A root feeder equipped with an automatic shut-off device,
  - (vi) A handheld bucket or watering can.
3. The water was used, other than during the hours between 10:00 a.m. and 6:00 p.m. for irrigation at the minimum rate necessary, for the establishment of newly planted lawns and plant materials within thirty (30) days of planting. Water used for this purpose may be applied by any means.
4. Wastewater treatment plant effluent, gray water, well water ( which is not mixed with any water from RAWS' water supply), or other water not obtained from the RAWS water system was used, may be used at any hour, if a permit is obtained from the RAWS Manager and a sign is posted stating that the water used for irrigation is wastewater effluent, gray water, water from a permitted private well, or water that was not obtained from RAWS' water supply.
5. The water was used, other than during the hours between 10:00 a.m. and 6:00 p.m. for irrigation, at the minimum rate necessary, for maintenance, of golf course greens and tee boxes.
6. The water was used at any hour for short periods of time for testing related to the installation, maintenance, and repair of sprinkler systems.

In the event the premises have no number, application shall be made to the city building official for the assignment of a number to such premises and such premises shall thereafter bear the number so assigned. Such day or days may be changed by further directive of the RAWS Manager. In the event any premises do not have a number at the time of the occurrence of any violation under this article, the premises shall be in the category of premises with street numbers ending in zero. No person or customer shall cause or permit water to run or waste in any gutter or otherwise.

*B. Condition II – Water Shortage Watch*

Upon implementation by the RAWS Manager, and publication of notice, the following restrictions shall apply to all persons, and the withdrawal of water from the system (potable water) for the following purposes or uses is hereby prohibited. The RAWS Manager, in the exercise of his discretion and based upon the guidelines established by the Board of Directors, may implement any or all of those elements of Condition II as are deemed necessary at any particular time. All elements of Condition I shall remain in effect in Condition II.

1. The sprinkling or watering of vegetation is prohibited; provided, however, the RAWS Manager may authorize watering of vegetation as follows:
  - (i) The watering of trees; shrubbery; annual, biennial or perennial plants; vines; gardens; vegetables and flowers with potable water may be permitted, at the minimum rate necessary for the maintenance of plants, through the means of a handheld hose equipped with a positive shut-off nozzle, a drip irrigation system, a root feeder equipped with an automatic shut-off device, a soaker hose, which does not spray water into the air and is equipped with an automatic shut-off device, a handheld bucket or watering can, or a sprinkler system which is either attended throughout its use or is equipped with automatic shut-off. When such watering is authorized during Daylight Savings Time period of the year, it shall be permitted any time other than between 10:00 a.m. and 6:00 p.m.
  - (ii) The watering of lawns with potable water may be permitted once every other week on the watering days designated by the RAWS Manager, based on the street number, except between the hours of 10:00 a.m. and 6:00 p.m. through the means of a handheld hose equipped with a positive shut-off nozzle, a drip irrigation system, a handheld bucket or watering can, or a sprinkler system which is either attended throughout its use or is equipped with an automatic shut-off.
  - (iii) Commercial nurseries shall be excepted from the prohibition of this subparagraph and shall be permitted to water nursery stock with potable water, at the minimum water necessary to establish and maintain commercial nursery stock, by means of a handheld hose equipped with a positive shut-off nozzle, a drip irrigation system, a root feeder equipped with an automatic shut-off device, a soaker hose, which does not spray water into the air and is equipped with an automatic shut-off device, a handheld bucket or watering can, or a sprinkler system which is attended throughout its use, is equipped with an automatic shut-off or recaptures and recirculates irrigation water.
  - (iv) The watering of new lawns and plant materials with potable water, at the minimum rate necessary for the establishment of the newly planted vegetation, may be permitted within 30 days of planting, at any time other than between the hours of 10:00 a.m. and 6:00 p.m. by any means. However, only the newly planted areas may be watered at times not authorized under subdivisions (i) and (ii) of this subsection.
  - (v) The allowing of water to run off yards or plants into gutters or streets shall be deemed a waste of water and is prohibited.
2. The washing of automobiles, trucks, trailers, boats, airplanes and any other type of mobile equipment is prohibited, except that individuals and filling stations may wash cars or boats if they use a bucket, pail, or other receptacles not larger than of 5 gallon capacity; however, an individual or filling station, before or after such washing, shall be permitted to rinse the car or boat off with a hose using only a reasonable amount of water in so doing. Commercial or automatic car wash establishment shall use minimum practical water settings.
3. The washing of building exteriors and interiors, trailers, trailer houses and railroad cars with potable water is prohibited, except by a professional power washing contractor or that in the interest of public health, the Director of Public Health may permit limited use of the water as the case may be, including allowing the use of water for the removal of graffiti.
4. The permitting or maintaining of defective plumbing in a home, business establishment or any location where water is used on the premises. The permitting of the wasting of any water by reason of defective plumbing as hereinabove mentioned shall include the existence of out-of-repair water closets, underground leaks, defective faucets and taps. The permitting of water to flow constantly through a tap, hydrant, valve or otherwise by any user of water connected to the RAWS system, shall be considered wasting of water and prohibited by this plan.
5. The use of fire hydrants for any purpose other than firefighting is prohibited except that the RAWS Manager may permit the use of metered fire hydrant water by RAWS or by commercial operators using equipment to clear and clean sanitary and storm sewers.
6. The use of potable water in ornamental fountains or in artificial waterfalls is prohibited where the water is not reused or re-circulated in any manner.

7. The use of potable water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced area, or building or structure, except by a professional power washing contractor is prohibited.
8. The use of potable water for dust control is prohibited.
9. The use of potable water by a golf course to irrigate any portion of its grounds is prohibited, except those areas designated as tees and greens may be watered between the hours of 6:00 p.m. and 10:00 a.m., Mondays, Wednesdays, Fridays, and Sundays.
10. Any use of water for the purposes or in a manner prohibited in this plan shall be deemed to be a waste of water, and any person violating any of the provisions of this plan, and any person in whose name a water meter connection is registered in the RAWS office, which water connection serves premises upon which a violation occurs, and proof that the particular premises have a water meter connection registered in the name of the defendant named in the complaint, shall constitute in evidence a prima facie presumption that the person in whom such water connection was registered was the person who permitted or caused the act of waste charged to occur on the premises.

*C. Condition III – Water Shortage Warning*

Upon implementation by the RAWS Manager and publication of notice, the following restriction shall apply to all persons. The RAWS Manager, in the exercise of his discretion based upon guidelines established by the Board of Directors, may implement any or all of those elements of Condition III as are deemed necessary at any particular time. All elements of Condition II shall remain in effect in Condition III.

1. New service connections to the RAWS water system are prohibited where some other source independent of the RAWS water system is in existence and in use at the time this element of Condition III is implemented.
2. The use of water to serve a customer in a restaurant, unless requested by the customer is prohibited.
3. The use of potable water (water obtained from the RAWS water system) for scenic and recreational ponds and lakes is prohibited.

*D. Condition IV – Water Shortage Emergency*

Upon implementation by the RAWS Manager and publication of notice, the following restrictions shall apply to all persons. The RAWS Manager, in the exercise of his discretion based upon guidelines established by the Board of Directors, may implement any or all of those elements of Condition IV as are deemed necessary at any particular time. All elements of Condition III shall remain in effect in Condition IV.

1. No applications for new, additional, further expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved, or installed except as approved by RAWS.
2. The maximum monthly use for a residential or commercial customer will be established with penalties set by the Board of Directors.
  - a. Residential customers and commercial customers shall be allowed a maximum of 8,000 gallons per household unless different arrangements have been made showing an absolute necessity for additional water.
3. No outside watering of any type allowed.
4. Irrigation water will be terminated as long as no outside watering is allowed.
5. Any variation of the rules for a different watering plan must be presented to the RAWS Manager and have approval by the Board of Directors.

*E. Condition V – Supply Source Contamination*

In the event of a supply source contamination, RAWS shall purchase treated water from The City of Corpus Christi until such time that the contamination is eliminated. Upon implementation by the RAWS Manager and publication of notice, the following restrictions shall apply to all persons. The

RAWS Manager, in the exercise of his discretion based upon guidelines established by the Board of Directors, may implement any or all of those elements of Condition IV as are deemed necessary at any particular time. All elements of Condition IV shall remain in effect in Condition V.

1. No application for new, additional, further expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved, or installed except as approved by RAWS.
2. The maximum monthly use for a residential or commercial customer will be established with penalties set by the Board of Directors.
  - a. Residential customers and commercial customers shall be allowed a maximum of 4,000 gallons per household unless different arrangements have been made showing an absolute necessity for additional water.
3. No outside watering of any type allowed.
4. Irrigation water will be terminated as long as no outside watering is allowed.
5. Any variation of the rules for a different watering plan must be presented to the RAWS Manager and have approval by the Board of Directors.

*F. Condition VI – Failure of System Components*

The RAWS system has redundancy built throughout all components of its treatment and distribution systems. Generators provide alternate power sources for both RAW and treated water facilities. In the event of catastrophic failure, RAWS will rent the necessary equipment to provide minimum water service. Upon implementation by the RAWS Manager and publication of notice, the following restrictions shall apply to all persons. The RAWS Manager, in the exercise of his discretion based upon guidelines established by the Board of Directors, may implement any or all of those elements of Condition IV as are deemed necessary at any particular time. All elements of Condition V shall remain in effect in Condition VI.

1. No application for new, additional, further expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved, or installed except as approved by RAWS.
2. The maximum monthly use for a residential or commercial customer will be established with penalties set by the Board of Directors.
  - a. Residential customers and commercial customers shall be allowed a maximum of 4,000 gallons per household unless different arrangements have been made showing an absolute necessity for additional water.
3. No outside watering of any type allowed.
4. Irrigation water will be terminated as long as no outside watering is allowed.
5. Any variation of the rules for a different watering plan must be presented to the RAWS Manager and have approval by the Board of Directors.

**X. Public Notification**

RAWS will notify all of its customers when conditions warrant initiation or termination of drought or emergency response stages. Customer notification of the initiation or termination of drought or emergency response stages will be made by mail or telephone. All of these activities will be coordinated with other water rights holders, and the regional water supplier, as applicable; to assure that all water customers in the regional area receive the same drought or emergency situation message at the same time.

The following individuals and entities will also be notified:

- Mayor of Robstown
- Nueces County Emergency Management Coordinator(s) & County Judge
- Texas Commission on Environmental Quality



**XI. Wholesale Customers**

RAWS does not provide a wholesale water supply to any residential, municipal or commercial entities.

**XII. Variances to the Plan**

The RAWS Manager, or his/her designee, may, in writing, grant a temporary variance to the pro rata water allocation policies provided by the Plan if it is determined that failure to grant such a variance would cause an emergency condition adversely affecting the public health, welfare, or safety 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.

RAWS customers requesting an exemption from the provisions of this Plan shall file a petition for variance with the RAWS Manager within 10 days after pro rate allocation has been invoked. All petitions for variances shall be reviewed by the RAWS Board, and shall include the following:

- (a) Name and address of petitioner(s);
- (b) Detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage and harm will occur to the petitioner or others if petitioner complies with this Plan;
- (c) Description of the relief requested;
- (d) Period of time for which the variance is sought;
- (e) Alternative measures the petitioner is taking or proposing to take to meet the intent of this Plan and the compliance date.
- (f) Other pertinent information

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

**XIII. Violations, Penalty and Enforcement**

- 1. Any person violating any provision of this plan shall be deemed guilty and must pay a penalty as specified in the following table for the first offense.
  - A. 0 gallons to 8,000 gallons: no penalty.
  - B. \$5.00 for the first 1,000 gallons over allocation.
  - C. \$6.00 for the second 1,000 gallons over allocation.
  - D. \$7.00 for the third 1,000 gallons over allocation.
  - E. \$8.00 for the fourth 1,000 gallons over allocation.
  - F. \$9.00 for the fifth 1,000 gallons over allocation.
  - G. \$10.00 for each additional 1,000 gallons over allocation.
- 2. Second offense: will be the fine established in table 1 and an additional \$50.00.
- 3. Third offense: service will be disconnected.
- 4. Customers billed with multiple connections will have the rule applied to each connection or unit on each master meter.

Example: 8 connections or units x 8,000 = 64,000 gallons per month.

**XIV. Water Use Reduction Target Goals During Water Shortages and Drought**

- 1. Five Year Goal (Year 2015): RAWS will attempt to reduce water consumption during water shortages and drought such that the average water use per capita is less than or equal to 97.5% of the State average as calculated by the Texas Commission on Environmental Quality.

2. Ten Year Goal (Year 2020): RAWS will attempt to reduce water consumption during water shortages and drought such that the average water per capita is less than or equal to 97.5% of the State average as calculated by the Texas Commission on Environmental Quality.

**XV. Resolution of Board of Directors**  
(See Attached.)