

1.0 HURST CREEK MUD Water Utilities Drought Contingency Plan

1.1 Permanent Water Use Restrictions

The following restrictions apply to the HURST CREEK MUD water utility system on a year-round basis, regardless of water supply or water treatment plant production conditions. According to the restrictions, a water user must not:

- (1) Fail to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;
- (2) Operate an irrigation system with:
 - (a) a broken head;
 - (b) a head that is out of adjustment and the arc of the spray head is over a street or parking area ; or
 - (c) a head that is fogging or misting because of excessive water pressure; or
- (3) During irrigation, allow water:
 - (a) to run off a property and form a stream of water in a street for a distance of 50 feet or greater; or
 - (b) to pool in a street or parking lot to a depth greater than one-quarter of an inch.

1.2 Triggering Criteria for Initiation and Termination of Drought Response Stages

The General Manager or his designee shall monitor water supply and demand conditions on a daily basis and shall determine when conditions warrant initiation and termination of each stage of the HURST CREEK MUD Water Utility Drought Contingency Plan. Water supply conditions will be determined by the availability of the source of supply for the HURST CREEK MUD surface water treatment facility, system capacity, and weather conditions. Demand will be measured by the peak daily demands on the system.

Public notification of the initiation or termination of drought response stages may be by local media, direct mail to each customer, and signs posted at HURST CREEK MUD utility offices and other public places, including the HURST CREEK MUD Web site (www.hurstcreekmud.org).

The following triggering criteria shall apply to the HURST CREEK MUD water utility system:

- (1) **Stage 1 - Mild Water Shortage Conditions (Voluntary Measures)**

Requirements for initiation—Customers shall be requested to conserve water voluntarily and adhere to the Stage 1 Drought Response Measures when one or a combination of such triggering criteria occurs:

- (a) When the total daily water demand equals or exceeds 80 percent of the total design capacity of the HURST CREEK MUD water treatment plant for three consecutive days, or 85 percent on a single day; or
- (b) When the total volume of the stored potable water is less than 50 percent of the total stored capacity for three days; or
- (c) When combined storage of lakes Buchanan and Travis is less than 1.6 million acre-feet.

Requirements for termination— **Stage 1 of the plan may be rescinded when:**

- (a) The water treatment plant capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
- (b) When combined storage of lakes Buchanan and Travis is greater than 1.6 million acre-feet.

(2) Stage 2—Moderate Water Shortage Conditions (Mandatory Measures)

Requirements for initiation — Customers shall be required to comply with the Stage 2 Drought Response Measures of this plan when the following triggering criteria are met:

- (a) When total daily water demand equals or exceeds 93 percent of the total design capacity of the HURST CREEK MUD water treatment plant for three consecutive days or 95 percent on a single day; or
- (b) When combined storage of lakes Buchanan and Travis is less than 900,000 acre-feet.

Requirements for termination — **Stage 2 of the Plan may be rescinded when:**

- (a) The water treatment plant capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
- (b) When combined storage of lakes Buchanan and Travis is greater than 900,000 acre-feet.

Upon termination of Stage 2, Stage 1 becomes operative.

(3) Stage 3 - Severe Water Shortage Conditions (Emergency Measures)

Requirements for initiation - Customers shall be required to comply with Stage 3 Drought Response Measures of this plan when severe water shortage conditions exist. HURST CREEK MUD will recognize that a severe water shortage condition exists when either of the following criteria is met:

- (a) When total daily water demand equals or exceeds 95 percent of the total design capacity of the HURST CREEK MUD water treatment plant for three consecutive days, or 97 percent on a single day; or
- (b) When combined storage of lakes Buchanan and Travis is less than 600,000 acre-feet.

Requirements for termination — Stage 3 of the Plan may be rescinded when:

- (a) The water treatment plant capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
- (b) When combined storage of lakes Buchanan and Travis is greater than 600,000 acre-feet.

Upon termination of Stage 3, Stage 2 becomes operative.

(4) Stage 4 - Emergency Water Conditions

Initiation and termination of water emergencies will be controlled by the General Manager or his designee and may include, but are not limited to, the following:

- (a) Major water line breaks, loss of distribution pressure, or pump system failures that cause substantial loss in its ability to provide water service,
- (b) Natural or man-made contamination of the water supply source, or
- (c) Any other emergency water supply or demand issue the HURST CREEK MUD General Manager or the HURST CREEK MUD Board determine to warrant the declaration of Stage 4.

(5) Pro-rata curtailment of water

Pro-rata curtailment of water will occur if the LCRA declares a drought worse than the drought of record in accordance with the LCRA Drought Contingency Plan.

1.3 Drought Response Measures

The General Manager or his designee shall monitor reports of water supply and demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section 1.2 of the HURST CREEK MUD Water Utilities Drought Contingency Plan, shall determine that a mild, moderate, severe, or emergency condition exists and shall implement the following measures upon publication of notice in local media.

1.3.1 Targets for Water-Use Reductions

The target for the HURST CREEK MUD water utility system is to limit daily water demand to 80 percent of water treatment or pumping capacity.

1.3.2 Retail Customers

(1) Stage 1 - Mild Water Shortage - Voluntary Measures

Supply Management Measures:

HURST CREEK MUD water utility system will review system operations and identify ways to improve system efficiency and accountability.

Demand Management Measures:

- (a) Provide consumer information and materials on water conservation measures and practices to retail customers
- (b) Request that customers voluntarily comply with every other day irrigation using even number addresses for Monday, Wednesday, Friday and odd number addresses for Tuesday, Thursday, Saturday to reduce peak demand.

(2) Stage 2 - Moderate Water Shortage - Mandatory Measures

Supply Management Measures:

In addition to measures implemented in Stage 1 of the plan, the affected HURST CREEK MUD water utility system will:

- (a) Discontinue water main and line flushing unless necessary for public health reasons; and
- (b) Keep customers and the news media informed about issues regarding current and projected water supply and demand conditions.

Demand Management Measures:

Under threat of penalty, the following water-use restrictions shall apply to all retail water customers:

- (a) Irrigation of landscaped areas with hose-end sprinklers or irrigation systems shall be limited to a twice weekly watering schedule based on odd/even address. Even number addresses will be Monday, Thursday and odd number addresses will be Tuesday, Friday.
- (b) Outdoor watering is not allowed between 10 a.m. and 7 p.m. This prohibition does not apply to irrigation of landscaped areas if it is by means of:
 - (1) a hand-held hose;
 - (2) a faucet-filled bucket or watering can of five gallons or less; or
 - (3) a drip irrigation system.
- (c) New landscapes may be installed under these specific criteria:
 - (1) A completed variance form for new landscapes has been submitted to the HURST CREEK MUD and has been approved prior to the installation of the landscape; and
 - (2) irrigation of the new landscape follows the schedule identified in the new landscape variance:
 - (a) once a day for the first 10 days after installation;
 - (b) once every other day before 10 a.m. and after 7 p.m. for days 11 through 20 after installation;
 - (c) once every third day before 10 a.m. and after 7 p.m. for days 21 through 30 after installation

Note: A variance for new landscapes may be issued for no more than 30 days from the day of issuance. Any variance is not an exemption from compliance with the permanent water use restrictions under section 1.1 of this plan.
- (d) 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 during the designated watering hours.
- (e) The following non-essential uses of water are prohibited at all times during periods in which restrictions have gone into effect:
 - (1) Washing sidewalks, walkways, driveways, parking lots, tennis courts, and other hard-surfaced areas;
 - (2) Washing buildings or structures for purposes other than immediate fire protection;
 - (3) Controlling dust, unless there is a demonstrated need to do so for reasons of public health and safety;

- (4) Flushing gutters or allowing a substantial amount of water to run off a property and accumulate in a gutter, street, or parking lot to a depth greater than one-fourth of an inch; and,
- (5) Failing to repair a controllable leak, including but not limited to broken irrigation or sprinkler head, leaking valve, or leaking faucet, within a reasonable period after having been given notice directing the repair of such leak.

(3) **Stage 3 - Severe Water Shortage**

Supply Management Measures:

In addition to measures implemented in the preceding stages of the plan, the HURST CREEK MUD water utility system will explore additional emergency water supply options.

Demand Management Measures:

Under threat of penalty, all retail customers are required to further reduce non-essential water uses as follows. All requirements of Stage 2 shall remain in effect during Stage 3, with the following modifications and additions:

- (a) Irrigation of landscaped areas with hose-end sprinklers or irrigation systems shall be limited to a weekly watering schedule. Addresses ending in 1 or 2 will water on Mondays. Addresses ending in 3 or 4 will water on Tuesdays. Addresses ending in 5 or 6 will water on Wednesdays. Addresses ending in 7 or 8 will water on Thursdays. Addresses ending in 9 or 0 will water on Fridays. Outdoor watering is not allowed between 10 a.m. and 7 p.m.
- (b) No new landscapes may be installed.
- (c) Use of water to wash any motor vehicle, such as a motorbike, boat, or trailer is prohibited except on designated watering days. Outdoor water use is not allowed between 10 a.m. and 7 p.m. Such activity, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle.
- (d) The filling or refilling of swimming pools, wading pools, and Jacuzzi-type pools is prohibited. Adding water to maintain level is permitted on designated watering days during the designated watering hours.
- (e) No applications for new, additional, expanded, or larger water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be allowed or approved.

(4) Stage 4 - Emergency Measures

Under threat of penalty for violation, all retail customers are required to reduce non-essential water uses during an emergency. All requirements of Stages 1 through 3 are also in effect during stage 4, with the following modifications and additions:

- (a) Irrigation of landscaped areas is prohibited.
- (b) Use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Additional measures may be added as needed.

(5) Pro-rata curtailment

Drought response measures listed in Stages 1-4 , as well as any other measure, will be considered in order to meet the pro-rata curtailment targets required by the HURST CREEK MUD in a drought worse than the drought of record.

1.4 Drought Contingency Plan Implementation

1.4.1 Public Notification

HURST CREEK MUD will periodically provide information about the drought contingency components of this plan, including (1) the conditions under which each stage of the plan is to be initiated or terminated, and (2) the drought response measures to be implemented at each stage. This information will be provided by various means depending on the audience, including articles in the local media and special materials mailed to customers, HURST CREEK MUD website, and available at the HURST CREEK MUD utility office.

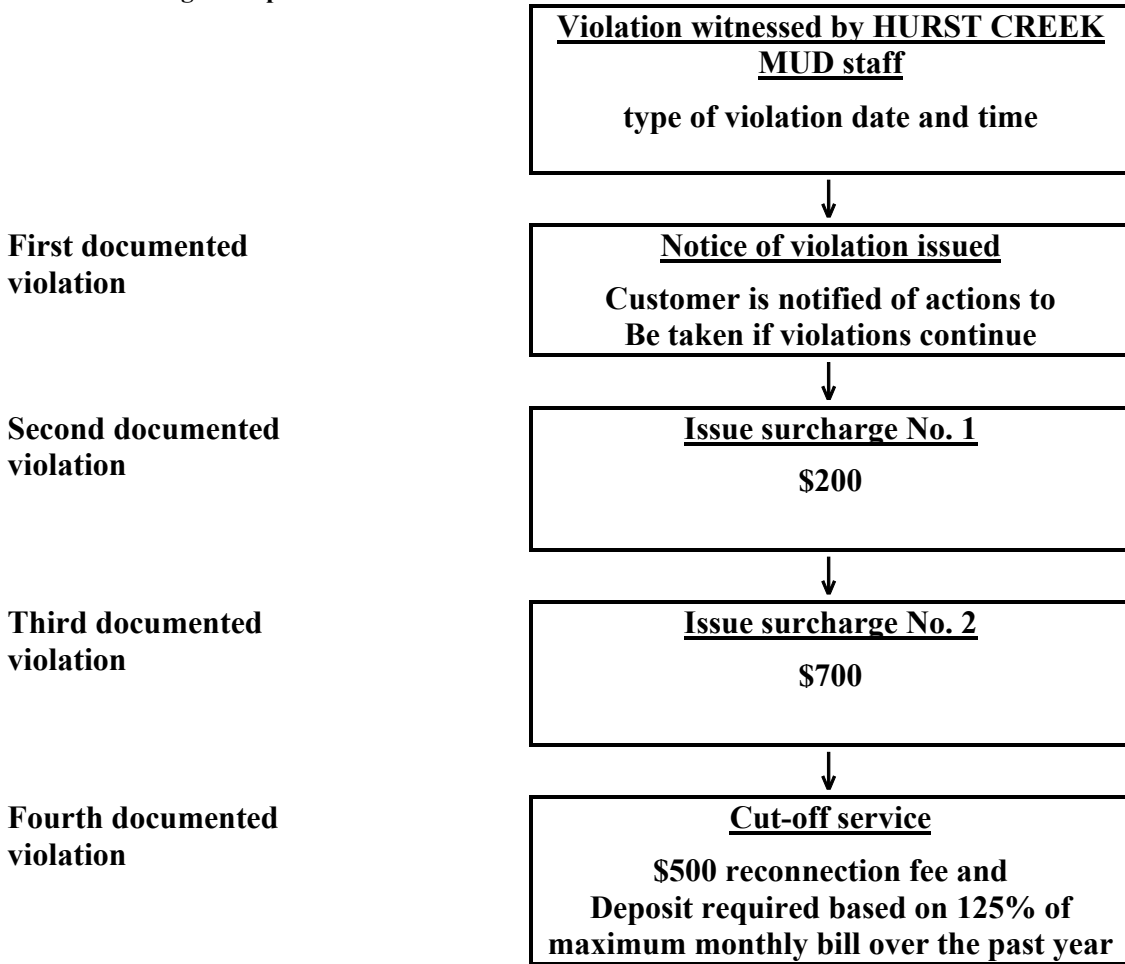
1.4.2 Enforcement for Retail Customers

The following enforcement provisions shall apply to all HURST CREEK MUD retail water customers:

- (1) No person shall knowingly or intentionally allow the use of water from the HURST CREEK MUD water utility system 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.
- (2) Any person who violates this plan shall be subject to the following surcharges and conditions of service:

- (a) Following the first documented violation, the violator shall be given a notice specifying the type of violation and the date and time it was observed. Surcharges and restrictions on service that may result from additional violations;
 - (b) Following the second documented violation, the violator shall be sent by certified mail a notice of violation and may be assessed a surcharge of \$200;
 - (c) Following the third documented violation, the violator shall be sent by certified mail a notice of violation and may be assessed a surcharge of \$700;
 - (d) Following the fourth documented violation, HURST CREEK MUD's General Manager or his designee shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge, hereby established at \$500, and any other costs incurred by an HURST CREEK MUD water utility system in discontinuing service, and any outstanding charges including late payment fees or penalties. In addition, suitable assurance in the amount of a deposit of 125% of the maximum monthly bill over the past year must be given to the General Manager, or his designee, that the same action shall not be repeated while the plan is in effect. The General Manager, or his designee, may apply the deposit to any surcharges or penalties subsequently assessed under this plan against a customer. The deposit, if any, shall be returned to the customer at the time of the customer's voluntary disconnection from the utility system.
- (3) Compliance with this plan also may be sought through injunctive relief in district court.
- (4) Each day that one or more of the provisions in this plan is violated shall constitute a separate violation. Any person, including one classified as a water customer of HURST CREEK MUD water utility system, in apparent control of the property where a violation occurs or originates, shall be presumed to be the violator. Any such person, however, shall have the right to show that he did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children, but any such parent may be excused if he proves that he had previously directed the child not to use the water in violation of this plan and that there is no reasonable expectation that parent could have known about the violation. Table 1-1 shows a diagram of the drought response enforcement process.

Table 1-1 Drought Response Retail Enforcement Process



1.4.4 Variances

The General Manager, or his designee, may grant in writing temporary variances for existing water uses otherwise prohibited under this plan if it is determined that failure to do so would cause an emergency adversely affecting the public health, sanitation, or fire protection.

Persons requesting a variance from the provisions of this plan shall file a petition for variance with the HURST CREEK MUD water utility system any time the plan or a particular drought response stage is in effect. The General Manager or his designee will review petitions for variances. The petitions shall include the following:

- (1) Name and address of the petitioner
- (2) Purpose of water use
- (3) Specific provision of the plan from which the petitioner is requesting relief.

- (4) Detailed statement as to how the specific provision of the plan adversely affects the petitioner or what damage or harm the petitioner or others will sustain if petitioner complies with this plan
- (5) Description of the relief requested
- (6) Period of time for which the variance is sought
- (7) 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
- (8) Other pertinent information

Variances granted by the HURST CREEK MUD water utility system shall be subject to the following conditions, unless waived or modified by the General Manager, or his designee:

- (1) Variances granted shall include a timetable for compliance.
- (2) Variances granted shall expire when the plan, or its requirements, is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise excuse any violation occurring before the variance was issued.

1.4.5 Plan Updates

The plan will be reviewed consistent with TCEQ rules and updated based on developments in HURST CREEK MUD's water service area.

Appendix A Definitions

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

Aesthetic water use: water use for ornamental or decorative features such as fountains, reflecting pools and water gardens.

Conservation: those practices, techniques, and technologies that reduce water consumption; reduce the loss or waste of water; improve the efficiency in water use; and increase the recycling and reuse of water so that supply is conserved and made available for future use.

Customer: any person, company, or organization using water supplied by an HURST CREEK MUD utility system.

Domestic water use: use of water by an individual or a household to support its domestic activity. Such use may include consumption, washing, or cooking; irrigation of lawns, family garden or orchard; consumption by animals; and recreation including fishing, swimming, and boating. If the water is diverted, it must be diverted solely through the

efforts of the user. Domestic use does not include water used to support activities for which consideration is given or received or for which the product of the activity is sold.

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.

“New landscape” means:

- (a) Installed during construction of a new house or commercial building;
- (b) Installed as part of a governmental entity’s capital improvement project; or
- (c) Alters more than one-half of the area of an existing landscape.

Non-essential water use: water uses that are not essential or are not required for the protection of public health, safety and welfare, such as:

- (a) Irrigating landscape areas, including parks, and athletic fields, except for as otherwise provided under this plan;
- (b) Washing any motor vehicle, motorbike, boat trailer, or other vehicle;
- (c) Washing any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) Washing 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) Filling or refilling any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) Filling a fountain or pond for aesthetic or scenic purposes except when necessary to support aquatic life;
- (h) Failure to repair a controllable leak within a reasonable period after having been directed to do so by formal notice; and
- (i) Drawing from hydrants for construction purposes or any other purposes other than fire fighting or protecting public drinking water supplies.

Retail Water Customer: an individual or entity that purchases water from an HURST CREEK MUD water utility for its consumption.