

SECTION H.

EMERGENCY WATER DEMAND MANAGEMENT PLAN

1. ***Introduction.*** The goal of this plan is to cause a reduction in water use in response to emergency conditions so that the water availability can be preserved. Since emergency conditions can occur rapidly, responses must also be enacted quickly. This plan has been prepared in advance considering conditions that will initiate and terminate the rationing program.

A Conservation Committee consisting of two Board Members and the System Manager will monitor usage patterns, public education efforts and make recommendations to the Board on future conservation efforts. The Committee will develop public awareness notices, bill stuffers, and other methods that will begin and continue as a constant type of reminder that water should be conserved at all times, not just during an emergency. This Committee will review and evaluate any needed amendments or major changes due to changes in the LHMWSC service area population, distribution system or supply. This review and evaluation will be done on a regular basis of five (5) years unless conditions necessitate more frequent amendments.

The plan will be implemented according to the three stages of rationing as imposed by the Board. The next section describes the conditions which will trigger these stages.

2. ***Public Involvement.*** Opportunity for the public to provide input into the preparation of the Plan was provided by the Board by scheduling and providing public notice of a public meeting to accept input on the Plan. Notice of the meeting was provided to all customers. In the adoption of this plan, the Board considered all comments from customers.
3. ***Trigger Conditions.*** The Drought Emergency Management Committee is responsible for monitoring water supply and demand conditions on a monthly basis (or more frequently if conditions warrant) and shall determine when conditions warrant initiation or termination of each stage of the plan, that is, when the specified triggers are reached. The Committee will monitor monthly operating reports, water supply or storage tank levels and/or rainfall as needed to determine when trigger conditions are reached. The triggering conditions described below take into consideration: the vulnerability of the water source under drought of record conditions, the production, treatment and distribution capacities of the system, and member usage based upon historical patterns.
 - A. **Stage I - Mild Condition:** Stage I may be implemented when one or more of the following conditions exist:
 - 1) Water consumption has reached 80 percent of daily maximum supply for three (3) consecutive days.
 - 2) Water supply is reduced to a level that is only 20 percent greater than the average consumption for the previous month.
 - 3) There is an extended period (at least eight (8) weeks) of low rainfall and daily use has risen 20 percent above the use for the same period during the previous year.

- B. Stage II - Moderate Conditions:** Stage II rationing condition may be implemented when one of the following conditions exist:
- 1) Water consumption has reached 90 percent of the amount available for three consecutive days.
 - 2) The water level in any of the water storage tanks cannot be replenished for three (3) consecutive days. Example: The highest recorded water level drops _____ () feet or more for _____ () consecutive days.
- C. Stage III - Severe Conditions:** Stage III rationing conditions may be implemented when one of the following four conditions exist:
- 1) Failure of a major component of the system or an event which reduces the minimum residual pressure in the system below 20 psi for a period of 24 hours or longer.
 - 2) Water consumption of 95 percent or more of the maximum available for three (3) consecutive days.
 - 3) Water consumption of 100 percent of the maximum available and the water storage levels in the system drop during one 24 hour period.
 - 4) Other unforeseen events which could cause imminent health or safety risks to the public.
 - 5) Natural or man-made contamination of the water supply source(s).
 - 6) The declaration of a state of disaster due to drought conditions in a county or counties served by the Corporation.
4. ***Stage Levels of Rationing.*** The stage levels of rationing are to be placed in effect by the triggers in Section H. 3. The System shall institute monitoring and enforce penalties for violations of the Rationing Program for each of the Stages listed below. The rationing measures are summarized below.
- A. Stage I - Mild Conditions**
- 1) Alternate day, time of day, or limiting of time restrictions for outside water usage allowed. (System will notify Customers which restriction is in effect)
 - 2) The system should reduce flushing operations.
 - 3) Encourage reduction of water use through the notice on bills or other method.
- B. Stage II - Moderate Conditions**
- 1) All outside water use is prohibited (except for livestock or other exemption or variance granted under this section).
 - 2) Make public service announcements as conditions change via local media (TV, radio, newspapers, etc.).
- C. Stage III - Severe Conditions**
- 1) All outside watering prohibited and the system
 - 2) Water use will be restricted to a percentage of each member's prior month's usage. This percentage may be adjusted as needed according to demand on the system. Notice of this amount will be sent to each customer.

3) Corporation shall continue enforcement and educational efforts.

NOTE:

- I. Refer to your water purchase contract for additional restrictions/requirements that may be imposed by stipulations from the wholesale supplier.
- II. There may be additional restrictions imposed by Governmental Entities.
- III. Meters will be read as often as necessary to insure compliance with this program for the benefit of all the customers.

5. ***Initiation and Termination Procedures.*** Once a trigger condition occurs, the Corporation, or its designated responsible representative, shall, based on recommendation from the Chairperson of the Conservation Committee, decide if the appropriate stage of rationing shall be initiated. The initiation may be delayed if there is a reasonable possibility the water system performance will not be compromised by the condition. If rationing is to be instituted, written notice to the customers shall be given.

Written notice of the proposed rationing shall be mailed or delivered to each affected customer. Notice may be sent by email only if the customer chooses the option to receive email notices instead of mailed notices and provides a valid email address. In addition, upon adoption of Stage II or Stage III, placed in a local newspaper or announced on a local radio or television station and posted on the Corporations website and office bulletin board. The customer notice shall contain the following information:

- A. The date rationing shall begin,
- B. The expected duration,
- C. The stage (level) of rationing to be employed,
- D. Penalty for violations of the rationing program, and
- E. Affected area to be rationed.

A sample Customer Notice of Water Restrictions conditions is included in Section K. Miscellaneous Transaction Forms B. of this tariff.

If the rationing period extends 30 days then the Chairperson of the Conservation Committee or manager shall present the reasons for the rationing at the next scheduled Board Meeting and shall request the concurrence of the Board to extend the rationing period.

When the trigger condition no longer exists then the responsible official may terminate the rationing provided that such an action is based on sound judgment. Written notice of the end of rationing shall be given to customers. A rationing period may not exceed 60 days without extension by action of the Board.

6. ***Penalties for Violations.***

- A. **First Violation.** The Corporation will assess a penalty of \$ _____. The customer/member will be notified by a written notice of their specific violation and their need to comply with the tariff rules. The notice will show the amount of penalty * to be assessed and inform the customer that failure to pay the penalty will result in termination of service. Reconnection will require payment of the penalty and a charge for the service call to restore service. The notice will also

inform the customer that additional violations will trigger more severe penalties and may result in termination of service regardless of whether the customer pays the penalties.

- B. **Second Violation.** The Corporation will assess a penalty * of \$ _____. The notice of second violation will show the amount of penalty to be assessed and will inform the customer that failure to pay the penalty will result in termination of service to be restored only upon payment of penalty and service call to restore service. The notice will also inform the customer that additional violations will trigger more severe penalties and may result in termination of service regardless of whether the customer pays the penalties
- C. **Subsequent Violations.** The Corporation will assess an additional penalty * of \$ _____ for violations continuing after the Second Violation. The notice of subsequent violation will show the amount of the penalty to be assessed and will inform the violator that failure to pay the penalty will result in termination of service to be restored only upon payment of penalty and service call to restore service. The notice will also inform the customer that the Corporation may also install a flow restricting device in the customer's meter service to limit the amount of water that will pass through the meter in a 24-hour period. The costs of this procedure will be for the actual work and equipment and shall be paid by the customer. Removal of this device will be considered Meter Tampering and will result in disconnection of service without further notice. The notice of subsequent violation will also inform the customer that additional penalties will be assessed for additional violations; and in addition to penalties, that water service will be terminated for a period of three (3) days regardless of whether the customer pays the penalties for the additional violations.
- D. **Termination.** For each continuing violation, the Corporation will assess an additional penalty of \$ _____. Service will also be terminated for a period of three (3) days. The notice of termination will show the date on which water service will be terminated and the date on which service will be restored, unless the customer has failed to pay delinquent penalties, assessments or charges. Service will remain off until any delinquent penalty or other assessment is fully paid including a charge for the service call to restore service. These provisions apply to all customers of the Corporation.

* **NOTE: PENALTY.** A WSC is allowed to charge a reasonable penalty to customers that fail to comply with the water use restriction procedures in accordance with 16 TAC 291.41(j) if:

- 1) the penalty is clearly stated in the tariff;
- 2) the penalty is reasonable and does not exceed six (6) times the minimum monthly bill stated in the water supply corporation's current tariff; and
- 3) the water supply corporation has deposited the penalty in a separate account dedicated to enhancing water supply for the benefit of all the water supply corporation's customers.

7. **Exemptions or Waivers.** The Drought/Emergency Management Committee 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 or sanitation 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. 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 Plan shall file a petition for variance with the Drought/Emergency Management Committee within five (5) days after the Plan or a particular drought response stage has been invoked or after a condition justifying the variance first occurs. All petitions for variances shall be reviewed by the Committee and shall include the following:
 - 1) Name and address of the petitioner(s).
 - 2) Purpose of water use.
 - 3) Specific provision(s) 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 will occur to the petitioner or others 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, as requested by the Committee. Variances granted by the Committee shall be subject to the following conditions, unless specifically waived or modified by the Committee or Board of Directors.
 - 9) Variances granted shall include a timetable for compliance.
 - 10) Variances granted shall expire when the water allocation is no longer in effect, unless the petitioner has failed to meet specified requirements. No variance allowed for a condition requiring water allocation will continue beyond the termination of water allocation under Section F. Any variance for a subsequent water allocation must be petitioned again. The fact that a variance has been granted in response to a petition will have no relevance to the Committee's decision on any subsequent petitionNo variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.
8. **Implementation.** The Board shall establish a Conservation Resolution. The Board of Directors shall be responsible to make Emergency Water Management actions. This Board should also review the procedures in this plan annually so that modifications can be made to accommodate system growth changes in water use demand, available water supply and/or other circumstances.

The provisions which affect customers in this Plan were adopted by the Board.
These procedures will be put into effect by the Board or its designated representative.
This Plan was adopted by the Board at a properly noticed meeting held on _____.

Board of Directors

President

Secretary Treasurer

Vice President

Director

Director