

DROUGHT CONTINGENCY
AND
EMERGENCY WATER DEMAND MANAGEMENT PLAN

A. INTRODUCTION

The goal of this Plan is to cause a reduction in water use in response to drought or emergency conditions so that 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 actions set forth herein.

The Lone Wolf Groundwater Conservation District Board of Directors (Board) will monitor usage patterns and public education efforts and will make recommendations on future conservation efforts, demand management procedures or any changes to this Plan. The Board will develop public awareness notices, information sheets, and other material that will serve as a constant reminder that water should be conserved at all times, not just during a drought or emergency. This Board will also review and evaluate any needed amendments or major changes to this Plan due to changes in the aquifer or other relevant circumstances. This review and evaluation will be done every other year unless conditions necessitate more frequent amendments.

The Plan will be implemented according to the three stages of rationing as imposed by the Board. Section C describes the conditions that will trigger these stages.

B. 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. In the adoption of this Plan, the Board considered all comments from landowners.

C. TRIGGER CONDITIONS

The Board is responsible for monitoring water supply and demand conditions on a quarterly basis (or more frequently as conditions warrant) and shall determine when conditions warrant initiation or termination of each stage of the Plan. The Board will monitor drawdown reports, water supply 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, and distribution capacities of the aquifer and usage based upon historical patterns.

- a. **Stage I- Mild Conditions:** Stage I water conservation measures may be implemented when the following condition exist:
The Texas Palmer Drought Index shows that the area has reached a level of Mild Drought Conditions.
- b. **Stage II- Moderate Conditions:** Stage II water conservation measures may be implemented when the following condition exist:
The Texas Palmer Drought Index shows that the area has reached a level of Moderate Drought Conditions.

- c. **Stage III- Severe Conditions:** Stage III water conservation measures may be implemented when one or more of the following conditions exist:
 - i. The Texas Palmer Drought Index shows that the area has reached a level of Severe Drought Conditions.
 - ii. Natural or man-made contamination of the water supply source(s).
 - iii. The declaration by the State or Federal Government of a state of disaster due to drought condition in a county or counties served by the District.
 - iv. Other unforeseen events which could cause imminent health or safety risks to the public.

D. STAGE LEVELS OF WATER ALLOCATIONS

The stage levels of water conservation are to be placed in effect by the triggers in Section C. The District may institute monitoring and enforce penalties for violations of the Drought Plan for each of the Stages listed below. The water conservation measures are summarized below.

- d. **Stage I- Mild Conditions**
 - i. Alternate day, time of day or duration restriction for outside water usage allowed. (District will notify public water utilities and landowners which restrictions are in effect)
 - ii. The public water utilities will reduce flushing operations.
 - iii. Reduction of water use will be encouraged through local media notices or other methods.
- e. **Stage II- Moderate Conditions**
 - i. All outside water use is prohibited (except for a livestock or other exemption or variance granted under this section).
 - ii. Public service announcements as conditions change via local media (TV, radio, newspapers, etc.).
- f. **Stage III- Severe Conditions**
 - i. All outside watering prohibited.
 - ii. District shall continue enforcement and educational efforts.

E. INITIATION AND TERMINATION PROCEDURES

Once a trigger condition occurs, the District, or its designated responsible representative, shall, based on recommendations from the Board, decide upon the appropriate stage of conservation to be initiated. The initiation may be delayed if there is a reasonable possibility the aquifer's performance will not be compromised by the condition. If water conservation is to be instituted, notice will be made via public local media (TV, radio, newspapers, etc.).

The notice shall contain the following information:

- a. The date water conservation shall begin,
- b. The expected duration,
- c. The stage (level) of water conservations to be employed, the penalty for violations of the water conservation program, and the affected area or areas.

If the water conservation program extends 30 days the Board President or General Manager shall present the reasons at the next scheduled Board Meeting and shall request the concurrence of the Board to extend the conservation period.

When the trigger condition no longer exists, the responsible official may terminate the water conservation provided that such an action is based on sound judgment. The end of conservation shall be given to landowners via local media (TV, radio, newspapers, etc.). A water conservation period may not exceed 60 days without extension by action of the Board.

F. PENALTIES FOR VIOLATIONS

- a. **First Violation-** The Violator will be notified by written notice of their specific violation and their need to comply with district rules. The notice will show the amount of penalty to be assessed for continued violations.
- b. **Second Violation-** The District may assess a penalty of up to \$2,500.
- c. **Subsequent Violations-** The District may assess a penalty of up to \$10,000 for violations continuing after Second Violation. Each day a violation exists shall be considered a separate, subsequent violation. The District may also install a flow restricting device in the violator's well to limit the amount of water that will pass through the well 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.

These provisions apply to all landowners/ operators within the District. Municipal water supplies are responsible for ensuring their customers comply with the provisions. Municipal water supplies shall be deemed to be the violator if a customer of the supplier violates this Plan.

G. EXEMPTIONS OR WAIVERS

The Board 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 of 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 reeducation in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the Board within 5 days after the Plan or 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 Board 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 Plan.
- 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, as requested by the Board.

Variations granted by the Board shall be subject to the following conditions, unless specifically waived or modified by the Board:

- a. Variations granted shall include a timetable for compliance.
- b. Variations granted shall expire when the water conservation is no longer in effect, unless the petitioner has failed to meet specified requirements. No variations allowed for a condition requiring water conservation will continue beyond the termination of water conservation under Section E. Any variations for subsequent water conservation must be repeted. The fact that a variance has been granted in response to a petition will have no relevance to the Board's decision on any subsequent petition.

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

H. SEVERABILITY

If any one or more of the provisions contained in these rules are for any reason held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability may not affect any other rules or provisions of these rules, and these rules must be construed as if such invalid, illegal or unenforceable rules or provision had never been contained in these rules.

I. IMPLEMENTATION

The Board established the DROUGHT CONTINGENCY AND EMERGENCY WATER DEMAND MANAGEMENT PLAN by Resolution. This Board will review the procedures in this Plan every other year or more frequently if necessary. Modifications may be required to accommodate system growth, changes in water use demand, available water supply, and/or other circumstances.

This Plan was adopted by the Lone Wolf Groundwater Conservation District Board at the properly noticed public meeting held on April 1, 2008.