



The Texas Water Company DBA SJWTX, INC.
CCN #10692

Plan for Drought Contingency and Emergency Conditions

WS ID 0460019 (Canyon Lake Shores)
WS ID 0460172 (Triple Peak)
WS ID 0460246 (Glenwood)
WS ID 0460235 (North Point)
WS ID 0160019 (Rust Ranch)
WS ID 0460223 (Texas Country Water)
WS ID 1300033 (Kendall West)
WS ID 1630048 (Summit Ridge)
WS ID 0100092 (Bridlegate)
WS ID 0100096 (Latigo Ranch)
WS ID 0460250 (Rockwall Ranch)

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Introduction

The Drought Contingency Plan (“the Plan”) dictates the implementation of water use restrictions designed to achieve immediate reductions in water use; such reductions are needed to manage and mitigate against drought and/or emergency conditions. Such conditions may occur as a result of demand- or supply-side challenges. The degree of restriction imposed correlates to the severity of the triggering condition.

Purpose

The purpose of the Plan is to identify clear strategies for maintaining safe and reliable water supply for the Texas Water Company (TWC) communities in the face of drought and/or other emergency conditions. The Plan is structured to meet or exceed requirements for continuous and adequate service during drought and/or emergency conditions as established by the Texas Commission on Environmental Quality (TCEQ).

Application

The provisions of this Plan shall apply to all customers utilizing water provided by the following TWC water systems: 0460019 (Candle Shores); 0460172 (Triple Peak); 0460246 (Glenwood); 0460235 (North Point); 0160019 (Rust Ranch); 0460223 (Texas County); 1300033 (Kendall West); 1630048 (Summit Ridge); 0100092 (Bridlegate); 0100096 (Latigo Ranch); [0460250 \(Rocky Hill\)](#); and any system operated by TWC which does not have its own state-approved Drought Contingency Plan. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, wholesale and all other legal entities.

Definitions

Retail

Single family residential, any person, firm, partnership, corporation, municipality, cooperative, organization, or governmental agency to which drinking water is provided with services by any retail public utility.

Bulk Water

Volume of water intended for potable uses which is stored and transported in a portable tank or vessel. The physical transportation of drinking water, by a vehicle having a permanently mounted or detachable water tank (e.g., tanker truck or “water buffalo”), from a source of supply for the purpose of human consumption. The transport vehicle may have pumps, hoses, and other equipment for the distribution of drinking water. Bulk water customers, who are also considered wholesalers under the TCEQ rules, may also be subject to Wholesale Customer requirements.

Wholesale

A specific contractual agreement between an individual and/or entity that for compensation supplies water to another for resale to the public for human consumption. Every wholesale water contract entered into or renewed after adoption of the Plan, including contracts entered into before the Plan, shall contain provisions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039. Wholesale customers are required to adopt and follow a state-approved Drought Contingency Plan. The Plan must require its customers to reduce use in the event that TWC enters into a drought stage. In the absence of a state-approved Drought Contingency Plan, wholesale customers must follow TWC’s Plan.

Pro Rata Water Allocation

In accordance with Texas Water Code Section 11.039, the President, General Manager, or their designee is hereby authorized to allocate water supplies on a pro rata basis.

Implementation

The President or their designee has the authority to implement the Plan. Implementation will be in accordance with the stages of drought and emergency conditions as outlined in the Plan and in conjunction with the Drought Contingency Plans of the Guadalupe Blanco River Authority (“the GBRA”), the Comal Trinity Groundwater Conservation District (“the CTGCD”), the Bandera County River Authority (“the BCRAGD”), the Medina County Groundwater Conservation District (“the MCGCD”), the Cow Creek Groundwater Conservation District (“the CCGCD”), the Blanco River Groundwater Conservation District (“the BRGCD”), and the

- c) Penalty for violations of the rationing program
- d) Identification of the affected area

Stages will be terminated based on sustained improvements in the triggering criteria as stated below. The Vice President of Operations may suspend or modify the restriction based on their sound professional judgment in finding that the triggering criteria that resulted in entering a Stage no longer exists and it is deemed unlikely the same or a different triggering criteria would occur immediately upon suspension or modification. Written notice of the changes in the restrictions shall be provided to retail and wholesale customers, meeting the requirements of the Drought Contingency Plan. Upon termination of a Drought Stage, the preceding Stage becomes operative.

The drought and emergency conditions, as they exist, will dictate the stage of the Plan to be implemented. Though drought and emergency conditions covered by this Plan are defined below, TWC may elect to enter a Stage or impose additional restrictions for reasons not expressly stated in this Plan if, after consulting with regulatory agencies and/or regional utilities and reviewing US Drought Monitor and other key data, it is determined that entering a Stage is necessary to support the health and quality of regional resources, and regional messaging about conserving water during droughts.

Public Involvement

TWC provided opportunity for the public to provide input into the preparation of the Drought Contingency Plan on the TWC website at www.txwaterco.com. The website described the reasons and methodology for the development of the Drought Contingency Plan, the process for obtaining a copy of the draft plan, the period for public comment and input on plan development and contact information to deliver comments and request additional information.

Public Awareness

TWC staff will develop public awareness notices, bill stuffers, and other methods of communication that will provide on-going education to the community regarding the importance of conservation. The Plan will be submitted to the South-Central Texas Regional Water Planning Group (Region L), the Plateau Regional Water Planning Group (Region J), and to GBRA for review and comment. The Plan will be reviewed and evaluated on a regular basis of every five years unless conditions call for more frequent amendments.

Demand Management Program

Year-Round Rules

Year-round rules exist for certain uses that can be better managed regardless of the presence of drought conditions. Those rules are categorized below. In addition, TWC has a prohibition on Water Waste, independent of any Stage or condition. For purposes of this Plan, Water Waste means:

Any intentional, known, or negligent act that results in or causes a non-beneficial use of water. This includes, but is not limited to: non-emergency landscape watering outside designated watering times; failure to repair a controllable leak; water runoff or overspray onto impervious surfaces from a sprinkler, irrigation system, or hose; landscape watering during or shortly after a rain event; or any use that violates or contradicts restrictions imposed under the conditions stated in this Plan.

Athletic Fields

Irrigation should follow a no more than twice per week schedule per irrigated area unless the athletic fields are used for organized sports, practice, competition, or exhibition events when irrigation outside of the standard weekly schedule is necessary to protect the health and safety of the players, staff, or officials present for the athletic event.

Ornamental landscape areas around facilities with athletic fields shall follow general landscape irrigation restrictions.

Hotels/Motels

The owner or operator of a hotel, motel short term rental or other establishment that offers or provides lodging or rental accommodations are encouraged to offer a towel and linen reuse water conservation option to its lodgers, renters, or customers. Signs should be maintained in each applicable guest room, suite, or property informational signage to communicate information relating to this requirement.

- All landscape watering should occur between 7:00 a.m. to 10:00 a.m. or 7:00 p.m. to 10:00 p.m., unless otherwise stated by TWC as needed.

ing Establishments

Restaurants, bars, and other commercial food or beverage establishments are encouraged not to provide drinking water to customers unless a specific request is made by the customer for drinking water.

ols

Filling and re-filling is permitted only onto pervious surfaces or onto a surface where water will be transmitted directly to a pervious surface, and only if:

- a) Draining excess water from pool due to rain in order to lower water to maintenance level;
- b) Repairing, maintaining, or replacing pool components that have become hazardous; or
- c) Repair of a pool leak.

Public/community swimming pools are allowed to fill or replenish water to maintain safe levels of water quality for human contact and maintenance as outlined above.

f Courses

All courses should develop a drought contingency plan that meets the minimum water reduction target set for each of the Drought Stages.

e Hydrants

In all stages of drought, the use of water from fire hydrants shall be prohibited for landscape irrigation, filling pools, operating fountains, car washing. Water should be transported only for the purposes of firefighting or providing minimal water needed for indoor use where auxiliary sources are inadequate and activities necessary to maintain public health, safety and welfare, or for construction. Transport of water other than for firefighting requires a variance and a water meter.

Drought Stage 1

9.II.i Initiating Drought Stage 1

Initiation: Customers shall adhere to the Stage 1 Drought Response Measures when one or a combination of such triggering criteria occurs.

Initiation of Stage 1 in the Comal County service area (PWS IDs 0460019, 0460172, 0460246, 0460235, 0160019, 0460250, and 0460202):

- a) Water consumption has reached 70 percent of daily maximum production averaged over three consecutive days.
- b) There is an extended period (at least (4) weeks) of below normal precipitation.
- c) State Well 68-07-407 drops to three hundred and twenty-five (325) feet below the land surface for a 10-day rolling average.
- d) US Drought Monitor declares Moderate Drought conditions for Comal County, Texas.
- e) ONLY APPLICABLE FOR PWS IDs 0460019, 0460172, 0460246: Canyon Reservoir water surface elevation drops to a level of 895 ft. msl or lower.

Initiation of Stage 1 in the Kendall County service area (PWS ID 1300033):

- a) Water consumption has reached 70 percent of daily maximum production averaged over three consecutive days.

- c) [US Drought Monitor declares Moderate Drought conditions for Bandera County, Texas.](#)
- d) BCRA GD declares Moderate Drought conditions.

Initiation of Stage 1 in the Medina County service area (PWS 1630048):

- a) Water consumption has reached 70 percent of daily maximum production averaged over three consecutive days.
- b) There is an extended period (at least (4) weeks) of below normal precipitation.
- c) US Drought Monitor declares Moderate Drought conditions for Medina County, Texas.

9.II.ii Response Measures and Target Reductions

- a) Reduction Goal: 10%
- b) Response Measures

Restrictions

All requirements from year-round rules are also in effect during Stage 1 with the following modifications and additions:

- ◆ All landscape watering for residential and commercial properties irrigation with a sprinkler or irrigation system is reduced to once a week according to the following, and may be subject to additional time-of-day and durational restrictions:
 - ◆ If the last digit of the address ends in:
 - 0, 2, or 4 the irrigation day is Monday.
 - ◆ If the last digit of the address ends in:
 - 6 or 8, the irrigation day is Thursday.
 - ◆ If the last digit of the address ends in:
 - 1 or 3, the irrigation day is Tuesday
 - ◆ If the last digit of the address ends in:
 - 5, 7 or 9, the irrigation day is Friday.
 - ◆ If there is no street address associated with the property, such as a parkway, or if there is more than one street address associated with a single contiguous property, the irrigation day is Monday.
 - ◆ [Hand watering, or watering by soaker hose, bucket, and drip irrigation is allowed any day of the week.](#)
- ◆ TWC should reduce flushing operations.
- ◆ TWC will raise awareness about opportunities for voluntary conservation and increase education efforts.
- ◆ If needed, all landscape watering may be further restricted to certain times of day and certain durations.
- ◆ Bulk customers will adjust the time at which they pull water from TWC's system as to avoid TWC's peak demand hours. Bulk customers can pull water from TWC's system from 9 a.m. to 4 p.m.

Initiation of Stage 2 in the Comal County service area (PWS IDs 0460019, 0460172, 0460246, 0460235, 0160019, 0460250, and 0460202):

- a) Water consumption has reached 75 percent of the available production capacity averaged over three consecutive days.
- b) There is an extended period (at least (8) weeks) of below normal precipitation.
- c) State Well 68-07-407 drops to three hundred and thirty-five (335) feet below the land surface for a 10-day rolling average.
- d) US Drought Monitor declares Severe Drought conditions for Comal County, Texas.
- e) ONLY APPLICABLE FOR PWS IDs 0460019, 0460172, 0460246: Canyon Reservoir water surface elevation drops to a level of 890 ft. msl or lower.

Initiation of Stage 2 in the Kendall County service area (PWS ID 1300033):

- a) Water consumption has reached 75 percent of daily maximum production averaged over three consecutive days.
- b) There is an extended period (at least (8) weeks) of below normal precipitation.
- c) Canyon Reservoir water surface elevation drops to a level of 890 ft. msl or lower.
- d) US Drought Monitor declares Severe Drought conditions for Kendall County, Texas.
- e) State Well 68-10-6~~1623~~ drops to ~~one thousand and seventy (1070)~~four hundred and forty-five (445) feet ~~msl or lower.~~below land surface for a 10-day rolling average.

Initiation of Stage 2 in the Bandera County service area (PWS IDs 0100092 and 0100096):

- a) Water consumption has reached 75 percent of daily maximum production averaged over three consecutive days.
- b) There is an extended period (at least (8) weeks) of below normal precipitation.
- c) US Drought Monitor declares Severe Drought conditions for Bandera County, Texas.
- d) BCRA GD declares Severe Drought conditions.

Initiation of Stage 2 in the Medina County service area (PWS 1630048):

- a) Water consumption has reached 75 percent of daily maximum production averaged over three consecutive days.
- b) There is an extended period (at least (8) weeks) of below normal precipitation.
- c) US Drought Monitor declares Severe Drought conditions for Medina County, Texas.

9.III.ii Response Measures and Target Reductions

- a) Reduction Goal: 20%

- ◆ If the last digit of the address ends in: 1 or 3, the irrigation day is Tuesday
- ◆ If the last digit of the address ends in: 5, 7 or 9, the irrigation day is Friday.
- ◆ If there is no street address associated with the property, such as a parkway, or if there is more than one street address associated with a single contiguous property, the irrigation day is Monday.
- ◆ Hand watering, or watering by soaker hose, bucket, and drip irrigation is allowed any day of the week.

Engagement

- ◆ TWC should increase customer communications and alerts regarding Stage 2 conditions.
- ◆ TWC should begin targeted outreach to high-use areas
- ◆ TWC should encourage retail customers to voluntarily reduce consumption in other ways.
- ◆ The President, or his/her designee(s), may initiate weekly contact with wholesale and bulk water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries.
- ◆ The President, or his/her designee(s), may request wholesale and bulk water customers to initiate mandatory measures to reduce non-essential water use.

Drought Stage 3

9.IV.i Initiating Drought Stage 3

Initiation: Customers shall adhere to the Stage 3 Drought Response Measures when one or a combination of such triggering criteria occurs.

Initiation of Stage 3 in the Comal County service area (PWS IDs 0460019, 0460172, 0460246, 0460235, 0160019, 0460250, and 0460202):

- a) Water consumption has reached 80 percent of the maximum production capacity averaged over three consecutive days.
- b) Water consumption of 80 percent of the maximum production capacity and water storage levels in the system are unable to recover in one 24-hour period.
- c) There is an extended period (at least (12) weeks) of below normal precipitation.
- d) State Well 68-07-407 drops to three hundred and forty-five (345) feet below the land surface for a 10-day rolling average.
- e) US Drought Monitor declares Extreme Drought conditions for Comal County, Texas.
- f) ONLY APPLICABLE FOR PWS IDs 0460019, 0460172, 0460246: Canyon Reservoir water surface elevation drops to a low of 8850 ft. msl or lower.

Initiation of Stage 3 in the Kendall County service area (PWS ID 1300033):

- a) Water consumption has reached 80 percent of daily maximum production averaged over three consecutive days.
- b) Water consumption of 80 percent of the maximum production capacity and water storage levels in the system are unable to recover in one 24-hour period.
- c) There is an extended period (at least (12) weeks) of below normal precipitation.

- d) US Drought Monitor declares Extreme Drought conditions for Bandera County, Texas.
- e) BCragd declares Extreme Drought conditions.

Initiation of Stage 3 in the Medina County service area (PWS 1630048):

- a) Water consumption has reached 80 percent of daily maximum production averaged over three consecutive days.
- b) Water consumption of 80 percent of the maximum production capacity and water storage levels in the system are unable to recover in one 24-hour period.
- c) There is an extended period (at least (12) weeks) of below normal precipitation.
- d) US Drought Monitor declares Extreme Drought conditions for Medina County, Texas.

9.IV.ii Response Measures and Target Reductions

- a) Reduction Goal: 30%
- b) Response Measures

Restrictions

All requirements from year-round rules through Stage 2 are also in effect during Stage 3 with the following modifications and additions:

- ◆ All landscape watering for residential and commercial properties irrigation with a sprinkler or irrigation system is reduced to every other week beginning the week that is designated by TWC after Stage 3 conditions have been declared according to the following schedule, and may be subject to additional time-of-day and durational restrictions:
 - ◆ If the last digit of the address ends in: 0, 2, or 4 the irrigation day is Monday.
 - ◆ If the last digit of the address ends in: 6 or 8, the irrigation day is Thursday.
 - ◆ If the last digit of the address ends in: 1 or 3, the irrigation day is Tuesday.
 - ◆ If the last digit of the address ends in: 5,7 or 9, the irrigation day is Friday.
 - ◆ If there is no street address associated with the property, such as a parkway, or if there is more than one street address associated with a single contiguous property, the irrigation day is Monday.
 - ◆ Hand watering, or watering by soaker hose, bucket, and drip irrigation is allowed any day of the week.
- ◆ Filling of swimming pools is prohibited however, customers can top off their pools with water. Public/community swimming pools may be exempt from this prohibition to maintain safe levels of water quality for human contact.
- ◆ Car washing is only allowed at commercial car wash facilities that recycle water.
- ◆ Pressure washing is prohibited, but pressure washing may be allowed for health and safety purposes only. Pressure washing equipment must be fitted with a spray nozzle that does not use more than 3.5 gallons of water per minute and has a trigger gun.

interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

Drought Stage 4

9.V.i Initiating Drought Stage 4

Initiation: Customers shall adhere to the Stage 4 Drought Response Measures when one or a combination of such triggering criteria occurs.

Initiation of Stage 4 in the Comal County service area (PWS IDs 0460019, 0460172, 0460246, 0460235, 0160019, 0460250, and 0460202):

- a) Water consumption has exceeded 85 percent or more of the maximum production capacity averaged over three consecutive days.
- b) Water consumption of 85 percent of the maximum production capacity and water storage levels in the system are unable to recover in one 24-hour period.
- c) There is an extended period (at least (16) consecutive weeks) of below normal precipitation.
- d) State Well 68-07-407 drops to three hundred and fifty-five (355) feet below the land surface for a 10-day rolling average.
- e) US Drought Monitor declares Exceptional Drought conditions for Comal County, Texas.
- f) ONLY APPLICABLE FOR PWS IDs 0460019, 0460172, 0460246: Canyon Reservoir water surface elevation drops to a level of 880 ft. msl or lower.
- g) The President, or his/her designee, determines that there are critical water shortage conditions.

Initiation of Stage 4 in the Kendall County service area (PWS ID 1300033):

- a) Water consumption has reached 85 percent of daily maximum production averaged over three consecutive days.
- b) Water consumption of 85 percent of the maximum production capacity and water storage levels in the system are unable to recover in one 24-hour period.
- c) Canyon Reservoir water surface elevation drops to a level of 880 ft. msl or lower.
- d) There is an extended period (at least (16) weeks) of below normal precipitation.
- e) US Drought Monitor declares Exceptional Drought conditions for Kendall County, Texas.
- f) State Well 68-10-6~~1623~~ drops to ~~one thousand and forty (1040)~~four hundred and sixty-five (465) feet ~~msl or lower, below~~ land surface for a 10-day rolling average.
- g) The President, or his/her designee, determines that there are critical water shortage conditions.

Initiation of Stage 4 in the Bandera County service area (PWS IDs 0100092 and 0100096):

- b) Water consumption of 85 percent of the maximum production capacity and water storage levels in the system are unable to recover in one 24-hour period.
- c) There is an extended period (at least (16) weeks) of below normal precipitation.
- d) US Drought Monitor declares Exceptional Drought conditions for Medina County, Texas
- e) The President, or his/her designee, determines that there are critical water shortage conditions.

Whenever critical water shortage conditions exist, the President shall:

- a) Assess the severity of the problem and identify the actions needed and time required to solve the problem.
- b) Inform the utility director or other responsible official of each wholesale and bulk water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems (e.g., notification of the public to reduce water use until service is restored).
- c) If appropriate, notify city, county, and/or state emergency response officials for assistance.
- d) Undertake necessary actions, including repairs and/or clean-up as needed.
- e) Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.
- f) Emergency conditions declared by the GBRA that may impact TWC customers.

9.V.ii Response Measures and Target Reductions

- a) Reduction Goal: 40%
- b) Response Measures

Restrictions

All requirements from year-round rules through Stage 3 are also in effect during Stage 4, with the following modifications and additions:

- ◆ All outside water use is prohibited, except for uses necessary to sustain livestock.
- ◆ Any additional restrictions or measures deemed necessary to protect public health and safety.

Engagement

- ◆ TWC should increase customer communications and alerts regarding Stage 4 conditions.
- ◆ TWC should increase targeted outreach to high-use areas.
- ◆ TWC should encourage retail customers to voluntarily reduce consumption in other ways.
- ◆ The President, or his/her designee(s), may initiate weekly contact with wholesale and bulk water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries.
- ◆ Wholesale and bulk water customers shall initiate mandatory measures to reduce non-essential water use.
- ◆ The President, or his/her designee(s), may implement pro rata curtailment of water diversions and/or deliveries by preparing a monthly water usage allocation baseline for each wholesale and bulk water customer according to the procedures specified in the plan.
- ◆ The President, or his/her designee(s), may initiate use of alternative water sources and/ or alternative delivery mechanisms with the prior approval of the executive director of the Texas Commission on Environmental Quality as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).”

- a) Canyon Reservoir water surface elevation drops to a level of 865 ft. msl or lower.

9.VI.ii Response Measures and Target Reductions

- a) Reduction Goal: 50%
b) Response Measures

Restrictions

All requirements from year-round rules through Stage 4 are also in effect during Stage 5.

Emergency Stage (Supply Management)

10.I. Initiating and Terminating Emergency Conditions

Initiation:

- a) 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; or
- b) The water level in any of the water storage tanks cannot be adequately replenished for three consecutive days; or
- c) Emergency conditions declared by the GBRA that may impact TWC customers; or
- d) System and/or system component failures such as major water line breaks, insufficient treatment plant conditions, or major pump failures, and related; or
- e) Any system failure occurs while in a Drought Stage; or
- f) Other unforeseen events which could cause imminent health or safety risks to the public such as contamination events.

Termination may occur when: TWC determines that the triggering criteria is resolved, is unlikely to occur again within 7 days, and no other triggering criteria are likely to occur.

10.II. Response Measures and Target Reductions

Response Measures

Restrictions: Any combination of the restrictions stated in this plan may be put in place in order to manage emergency conditions in a way that prevents any harm to public health or safety. Restrictions will be determined by the potential impact of the condition on customers. The Vice President of Operations has authority to institute any additional restrictions not stated in this Plan if necessary to manage the impact of emergency conditions.

Engagement

- TWC should ramp up customer communications and alerts regarding the triggering criteria and TWC's response to those criteria
- The President, or his/her designee(s), may initiate use of alternative water sources and/ or alternative delivery mechanisms with the prior approval of the executive director of the Texas Commission on Environmental Quality as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.)."

- ◆ 150 percent of the normal water charge per acre-foot for water diversions and/or deliveries in excess of the monthly allocation up through 10 percent above the monthly allocation.
- ◆ 200 percent of the normal water charge per acre-foot for water diversions and/or deliveries in excess of the monthly allocation more than 10 percent above the monthly allocation.
- ◆ The above surcharges shall be cumulative.

Exemptions or Waivers

1 Retail

TWC may grant exemptions or waivers for individuals that can demonstrate just cause for outside or other uses of water other than that permitted by this Rationing Program. Some examples may include no other source of water for livestock, for business purposes, for planned construction or improvements already in progress at the time notice is given, etc. Such exemptions are granted at the discretion of TWC. Landscape variances may be available in limited circumstances and where certain criteria are met. To be considered for a variance request, retail customers must have a current backflow device inspection and a completed customer service inspection. Variances allow daily watering between the hours of 7:00 – 10:00 am or 7:00 – 10:00 pm for up to two weeks. The variance application can be found on our website.

2 Wholesale and Bulk Water Customers

The President, or his/her designee, may, in writing, grant a temporary variance to the pro rata water allocation policies provided by this Plan if it is determined that failure to grant such 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 emergency 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.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the Vice President of Operations within 5 business days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by TWC. Petitions shall include the following:

- a) Name and address of the 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 or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- c) Description of the relief requested.
- d) Period of time for which the variance is sought.
- e) Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- f) Other pertinent information.

Variances granted by the TWC shall be subject to the following conditions, unless waived or modified by the TWC or its designee:

- a) Variances granted shall include a timetable for compliance.

Severability

It is hereby declared to be the intention of the TWC that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the TWC without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.