



Conservation and Drought  
Contingency Plan  
For  
Kendall West Utility, LLC  
October 2018

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# **Conservation and Drought Contingency Plan For Kendall West Utility, LLC**

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## **I. Mission Statement:**

### **A. Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and/or to protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions. Kendall West Utility will actively pursue water supply projects that will diversify our water resource bank to ensure our customer expectation both in supply and quality are always exceeded.

Water uses regulated or prohibited (under this conservation and emergency drought management division) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in this division.

Water restriction is not a legitimate alternative if water system does not meet the TCEQ capacity requirements under normal conditions or if the utility fails to take all immediate and necessary steps to replace or repair malfunctioning equipment.

### **B. Public Education**

KWU will periodically provide water customers with information about the Plan, including information about the conditions under which each state of the Plan is to be initiated or terminated and the drought response measure to be implemented in each state. This information will be provided by means of the KWU website, press releases, utility bill notifications and /or other methods noted herein.

### **C. Coordination with Regional Water Planning Groups**

The water service area of KWU is located within Regional Water Planning Group (RWPG) L. KWU has provided a copy of the Plan to all members of the South Central Texas Region group for their review and comment.

## **II. Water Sources**

The primary water sources for Kendall West Utility are Utility Company owned wells from the Trinity Aquifer and The Canyon Reservoir through the Guadalupe Blanco River Authority (GBRA) as part of the Western Canyon Regional Water Supply Project. Kendall West Utility also supplies treated effluent to The Tapatío Springs Golf Course for golf course irrigation.

### **A. Guadalupe-Blanco River Authority — [www.grbra.org](http://www.grbra.org)**

GBRA supplies stored water to Residents, industries, and agricultural users under a permit issued by the Texas Commission on Environmental Quality (TCEQ). GBRA provides stewardship for the water resources in its ten-county statutory district, which begins near the headwaters of the Guadalupe and Blanco Rivers, ends at San Antonio Bay, and includes Kendall, Comal, Hays, Caldwell, Guadalupe, Gonzales, DeWitt, Victoria, Calhoun and Refugio counties. Planning and resource development efforts are carefully coordinated within the broader consideration of regional and statewide water needs in order to fulfill GBRA's primary responsibilities of developing, conserving and protecting the water resources of the Guadalupe River Basin.

Kendall West Utility has participated in the Western Canyon Project of GBRA. This project takes water from the Canyon Reservoir and thru a series of pipelines distributes water back up the river basin to customers. This water is currently being used to help supplement our base flow demand.

**B. Trinity Aquifer - [www.ccgcd.org](http://www.ccgcd.org)**

The Trinity Aquifer has been our predominant source of water for 31 years, over the years we have seen the production from this aquifer gradually decrease. We are currently using this source for summer peaking within our system through series of wells that are governed by the CCGCD. Kendall West Utility works closely with CCGCD relative to well production and aquifer status. We monitor our supplies by evaluating the well levels and well production capability within our system. The Cow Creek Groundwater Conservation District (CCGCD) was created for the purpose of conserving, preserving, recharging, protecting and preventing waste of groundwater from the aquifers within Kendall County. The District will conduct administrative and technical activities and programs to achieve these purposes. The District will collect and archive water well and aquifer data, regulate water well drilling and production from permitted, non-exempt wells, promote the capping or plugging of abandoned wells, provide information and education material to local property owners, interact with other governmental or organizational entities, and incorporate other groundwater-related activities that may help meet the purposes of the District.

**C. Recycled Effluent**

Kendall West Utility currently provides reclaimed water to the Tapatio Springs Golf Course as part of its discharge permit from the existing sewer treatment plant. We are actively pursuing the expansion of our discharge permit to both increase the quantity and quality of our reclaimed water so that we can continue to make this a viable resource in the future.

**III. General Water Conservation Guidelines**

The Utility Company recognizes its obligations to work with new developments to ensure that proper water planning guidelines have been established with the deed restrictions of new subdivisions to ensure the Utility Companies on going responsibility and customer expectations of water service are communicated at time of subdivision inception. Each new subdivision shall work closely with the Utility Company to ensure that proper water supplies have been secured to serve the new developments. Along with these supplies shall also be deed restrictions that promote water conservation.

**IV. Drought Response Stages**

The General Manager, or his/her designee, shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Customer notification of the initiation or termination of drought response stages will be made by mail, website posting, or telephone. The news media will also be informed. The triggering criteria for KWU described below are based on a statistical analysis of the vulnerability of the water source under drought of record conditions.

**A. Stage 1 — Customer Awareness**

Stage 1 will begin:

Every April 1<sup>st</sup>, the utility will mail a public announcement to its customers. No notice to TCEQ required.

Stage 1 will end:

Every September 30<sup>th</sup>, the utility will mail a public announcement to its customers. No notice to TCEQ required.

Utility Measures:

This announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water. A copy of the current public announcement on water conservation awareness shall be kept on file available for inspection by the TCEQ.

Voluntary Water Use Restrictions:

Water customers are requested to voluntarily limit the use of water for non-essential purposes and to practice water conservation. Identify and eliminate defective plumbing in a home, business establishment or any location where water is used on the premises to avoid wasting of any water by such defective plumbing.

**B. Stage 2 — Water Conservation:**

1. Triggers - Initiation

The water utility will implement Stage 2 when any one of the selected triggers is reached:

Supply-Based Triggers

- Well 87 level reaches 1085 ft mean sea level (m.s.l.)

Demand-or Capacity-Based Triggers

- Total daily demand as % of pumping capacity exceeds 36%
- Pump hours per day exceeds 18 hrs.

**Upon initiation and termination of Stage 2, the Utility will mail a public announcement to its customers. A notice to TCEQ is required.**

2. Triggers - Termination:

Stage 2 of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

3. Guidelines for Measures:

All of the restriction of Stage 1 shall apply in addition to those hereinafter set forth.

*Utility Company Measures:*

Visually inspect lines and repair leaks on a daily basis

Monthly review of customer use records and follow-up on any that have unusually high usage.

*Utility Customer Measures:*

1. Landscape irrigation - Restricted Days/Hours: irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system. Water customers are requested to voluntarily limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems; but only during periods specifically described in the customer notice; between 10:00pm and 5:00am.

Customers are requested to limit outdoor water use to:

*For Potable Irrigation Customers:*

Mondays and Thursdays for street address ending with the numbers 1, 2, or 3,  
Tuesdays and Fridays for street address ending with the numbers 4, 5, or 6, and  
Wednesdays and Saturdays for street address ending with the numbers 7, 8, 9 or 0.

*For Effluent Blended Irrigation Customers:*

Mondays and Thursdays for street address ending with the numbers 1, 2, or 3,  
Tuesdays and Fridays for street address ending with the numbers 4, 5, or 6, and  
Wednesdays and Saturdays for street address ending with the numbers 7, 8, 9 or 0.

2. Other uses that waste water such as water running down the gutter.
3. All ornamental fountains, waterfalls, and similar amenities shall provide for a recirculating system.
4. All washing of automobiles, trucks, trailers, recreational vehicles, boats, airplanes and other mobile equipment shall be done with a hand-held bucket. Hand-held hoses should be equipped with a positive shut-off nozzle.
5. Identify and eliminate defective plumbing in a home, business establishment or and location where water is used.

### **C. Stage 3 — Mandatory Water Use Restrictions:**

#### 1. Triggers Initiation

The water utility will implement Stage 3 when the selected trigger is reached:

##### Supply-Based Triggers

- Well level reaches 1070 ft mean sea level (m.s.l)

##### Demand-or Capacity-Based Triggers

- Total daily demand as % of pumping capacity exceeds 28%
- Pump hours per day exceeds 18 hrs.

**Upon initiation and termination of Stage 3, the utility will mail a public announcement to its customers. A notice to TCEQ is required.**

#### 2. Triggers - Termination:

Stage 3 of the Plan may end when all of the conditions listed as triggering event have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

#### 3. Guidelines for Measures:

All of the restriction of Stage 2 shall apply in addition to those hereinafter set forth.

##### *Utility Company Measures:*

Visually inspect lines and repair leaks on a regular basis.  
Flushing is prohibited except for dead end mains. Focus on  
Public Education about Supply Issues

*Utility Customer Measures:*

Mandatory Water Use Restrictions: The following water use restrictions shall apply to all customers.

1. Landscape Irrigation - Restricted Days/Hours: irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system. Water customers are requested to voluntarily limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems; but only during periods specifically described in the customer notice; between 10:00pm and 5:00am. Customers are requested to limit outdoor water use to:

*For Potable Irrigation Customers:*

Mondays for street address ending with the numbers 1, 2, or 3, Wednesdays for street address ending with the numbers 4, 5, or 6, and Fridays for street address ending with the numbers 7, 8, 9 or 0.

*For Effluent Blended Irrigation Customers:*

Mondays and Thursdays for street address ending with the numbers 1, 2, or 3, Tuesdays and Fridays for street address ending with the numbers 4, 5, or 6, and Wednesdays and Saturdays for street address ending with the numbers 7, 8, 9 or 0.

2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 8:00 PM and 10:00am. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as a garbage trucks and vehicles used to transport food and perishables.
3. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or "Jacuzzi" hot tube type pools is prohibited except on designated watering days between the hours of 8:00pm 10:00am.
4. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
5. Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.
6. The following uses of water are defined as non-essential and are prohibited:
  - i. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - ii. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - iii. Use of water for dust control other than from re-use water sources;
  - iv. Flushing gutters or permitting water to run or accumulate in any gutter or street;
  - v. Failure to repair a controllable leak (s) within a reasonable period after having been given notice directing the repair of such leak (s); and

- vi. Any waste of water.

**D. Stage 4 — Critical Water Use Restrictions:**

1. Triggers Initiation

The water utility will implement Stage 4 when the selected triggers are reached:

Supply-Based Triggers

- Well level reaches 1055 ft mean sea level (m.s.l.)
- Supply contamination

Demand-or Capacity-Based Triggers

- Total daily demand as % of pumping capacity exceeds 19 %
- Pump hours per day 18 hrs
- System outage

**Upon initiation and termination of Stage 4, the utility will mail a public announcement to its customers. A notice to TCEQ is required.**

2. Triggers - Termination:

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

3. Guidelines for Measures:

All of the restriction of Stage 3 shall apply in addition to those hereinafter set forth.

*Utility Company Measures:*

The utility shall visually inspect lines and repair leaks on a daily basis. Flushing is prohibited except for dead end mains and only between the hours of 9:00pm and 3:00am. Emergency interconnects or alternative supply arrangements shall be initiated. All meters shall be read as often as necessary to insure compliance with this program for the benefit of all customers.

*Utility Customer Measures:*

Mandatory Water Use Restrictions: All outdoor use of water is prohibited except for irrigation systems supplied by blended effluent.

- a. Irrigation of landscaped areas is absolutely prohibited.
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

*For Potable Irrigation Customers:*

Irrigation of landscaped areas is absolutely prohibited.

*For Effluent Blended Irrigation Customers Only:*

Irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system. Water customers are requested to limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems; but only during periods specifically described in the customer notice; between 10:00pm and 5:00am.

Customers are requested to limit outdoor water use to:

Mondays for street address ending with the numbers 1, 2, or 3, Wednesdays for street address ending with the numbers 4, 5, or 6, and Fridays for street address ending with the numbers 7, 8, 9 or 0.

## **V. Enforcement**

1. First Violation - The Customer will be notified by written notice of their specific violation.
2. Subsequent Violations-
  - a. After written notice, the utility may install a flow restricting device in the line to limit the amount of water which will pass through the meter in a 24-hour period. The utility may charge the customer for the actual cost of installing and removing the flow restricting device, not to exceed \$50.00
  - b. After written notice, the utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is less. The normal reconnect fee of the utility will apply for restoration of service.

The provisions of this Plan shall apply to all contracts for commitment of water from storage executed after the date of approval of this Plan by the TCEQ and to divisions of water from and shall be enforceable by the General Manager, or his/her designee, with assistance from the South Texas Watermaster.

## **VI. Variances**

The General Manager, 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:

1. Compliance with the Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
2. 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 General Manager within 5 days after pro rata allocation has been provoked. All petitions for variance shall be reviewed by KWU, and shall include the following:

1. Name and address of the petitioner(s).
2. 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 the Ordinance.
3. Description of the relief requested.
4. Period of time for which the variance is sought.
5. Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and compliance date.
6. Other pertinent information.

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

1. Variations granted shall include a timetable for compliance.
2. Variations granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.  
No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

## **VII. Severability**

It is hereby declared to the intention of KWU's Board of Directors 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 or 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 KWU's Board of Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.