



**MANVILLE WATER SUPPLY CORPORATION  
DROUGHT CONTINGENCY PLAN  
(RETAIL AND WHOLESALE)**

*Adopted October 19, 2023  
Amended September 19, 2024*

## **Manville Water Supply Corporation Drought Contingency Plan**

### **Section I: Declaration of Policy, Purpose & 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, Manville Water Supply Corporation (“Manville”) adopts the following Drought Contingency Plan (“Plan”). **The Plan regulates or prohibits water uses considered to be non-essential and will be strictly enforced against any violations thereof, including retail and wholesale customers alike.**

Under this Plan, “non-essential” uses include, but are not limited to:

- Use of water for landscaping and lawns, other than on designated time and day;
- Use of water to wash sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- Use of water to wash buildings or structures for purposes other than immediate fire protection;
- Use of water for dust control at construction, demolition, or other sites of development;
- Use of water to wash vehicles (includes aircraft), fountains and filling of new pools;
- Use of water to flush gutters or permitting water to run or accumulate in any gutter or street; and
- Failure to repair a controllable leak(s) within a reasonable period after receiving notice directing the repair of such leak(s).

Continued use of non-essential water subjects the offender(s) to penalties as defined in the Enforcement section of this policy.

### **Section II: Public Involvement**

Opportunity for the public and wholesale water customers to provide input into the preparation of the Plan was provided by Manville by means of scheduling a public meeting to accept input on the Plan on October 19, 2023.

### **Section III: Wholesale and Member (Retail) Water Customer Education**

Manville will periodically provide wholesale water and retail customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided in the systems consumer confidence report.

#### **Section IV: Coordination with Regional Water Planning Groups**

The water service area of Manville is located within the Region G & K Planning Areas. Manville WSC has provided a copy of the Plan to the Region G & K Planning Group.

#### **Section V: Authorization**

The manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

#### **Section VI: Application**

The provisions of this Plan shall apply to all customers utilizing water provided by the Manville WSC. The terms "a person" and "a customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

#### **Section VII: Automatic Seasonal Watering Restrictions**

In addition to the drought stages below, Manville has implemented an automatic, mandatory summer watering restriction effective from May 1 to September 30 of every year.

#### **Section VIII: Triggering Criteria for Initiation and Termination of Drought Response Stages**

The triggering criteria described below are based on analysis of the vulnerability of Manville's water sources and system under drought conditions.

The manager or his/her designee shall monitor water supply and/or demand conditions on a regular (e.g., weekly, monthly) 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 or telephone.

Manville may impose drought rate surcharge for Stage 3 & Stage 4, as provided in Manville's tariff, and fees for any violations of use restrictions provided under Stage 2, 3 and Stage 4.

##### **(a) Stage 1 - Mild Drought Conditions**

Requirements for initiation - Manville will recognize that a mild drought condition exists when one or more of the following conditions exist:

- a. Average daily water use has reached 75 percent of system & production capacity for three (3) consecutive days.
- b. Total production of wells drops by 20%.

Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist and an emergency no longer exists.

The Manville WSC will notify its wholesale and retail customers of the termination of Stage 1 in the same manner as the notification of initiation of Stage 1 of the Plan.

### **(b) Stage 2 - Moderate Drought Conditions**

Requirements for initiation - The Manville WSC will recognize that a moderate drought condition exists when one or more of the following conditions exist:

- a. Average daily water use is 90 percent of system and production capacity and continues for three (3) consecutive days.
- b. Net storage in water tanks decreases for three (3) consecutive days. Example: The highest recorded water level drops 10 feet or more for three (3) consecutive days.
- c. Total production of wells falls by an additional 15%.

Requirements for termination - Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist and an emergency no longer exists. Upon termination of Stage 2, Stage 1 becomes operative. The Manville WSC will notify its wholesale and retail customers of the termination of Stage 2 in the same manner as the notification of initiation of Stage 1 of the Plan.

### **(c) Stage 3 - Severe Drought Conditions**

Requirements for initiation - The Manville WSC will recognize that a severe drought condition exists when one or more of the following conditions exist:

- a. Failure of a major component of the system or an event that would cause an immediate health or safety hazard.
- b. Water demand exceeds system capacity for more than 24 hours.
- c. Production is at 100% and storage tank levels are decreasing at a rate exceeding 5% per day.
- d. Total production of wells falls by an additional 15%.

Requirements for termination - Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative. The Manville WSC will notify its wholesale and retail customers and the media of the termination of Stage 2 in the same manner as the notification of initiation of Stage 3 of the Plan.

### **(d) Stage 4 - Emergency Water Shortage Conditions**

Requirements for initiation - The Manville WSC will recognize that an emergency water shortage condition exists when one or more of the following conditions exist:

- a. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
- b. Natural or man-made contamination of the water supplies source(s).

Requirements for 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 time required to correct the situation. The Manville WSC will notify its retail and wholesale customers and the media of the termination of Stage 4.

## **Section IX: Drought Response Stages**

The manager or his/her designee, shall monitor water supply and/or demand conditions and, in accordance with the triggering criteria set forth in Section VI, shall determine that mild, moderate, or severe water shortage conditions exist or that an emergency condition exists and shall implement the following actions:

### **Stage 1 - Mild Drought Conditions**

1. Stage I (voluntary) curtailment will allow Manville to request users to restrict the use of water for outdoor watering, automobile washing, pool filling, etc., on alternating days as determined by the last digit of the physical address of the property. Customers living in subdivisions/neighborhoods that have the same physical address should go by the lot number that refers to their property.
2. The Manager or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use (e.g., implement Stage 1 of the customer's drought contingency plan).

### **Stage 2 - Moderate Drought Conditions**

In addition to the measures Manville may implement under Stage 1, Stage 2 (Mandatory) curtailment will allow Manville to restrict the non-essential use of water, as defined above, on alternating days as determined by the last digit of the physical address of the property. Customers living in subdivisions/neighborhoods that have the same physical address should go by the lot number that refers to their property. Manville may also suspend any construction water contracts that may be in effect at the time. No new construction water contracts will be issued under this stage.

1. Demand Management Measures:
  - (a) The manager or his/her designee(s), will initiate monthly contact with wholesale water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries.
  - (b) The manager or his/her designee(s) will request wholesale water customers to initiate mandatory measures to reduce non-essential

water use as authorized by existing contracts (e.g., implement Stage 2 of the customer's drought contingency plan).

- (c) The manager or his/her designee(s), will initiate preparations for the implementation of pro rata curtailment of water diversions and/or deliveries by preparing a monthly water usage allocation baseline for each wholesale customer according to the procedures specified in Section VI of the Plan.
2. The quantified target for water use reduction to be achieved by Stage 2 enactment is the reduction of average daily water use by 10%.

### **Stage 3 - Severe Drought Conditions**

1. In addition to the measures Manville may implement under Stages 1 and 2, Stage 3 (Mandatory) curtailment will allow Manville to prohibit all outdoor watering and outdoor water use except for those customers who depend on the water for the livelihood of their businesses. Manville may also prohibit the filling of newly constructed pools, the watering of any newly installed lawns and the washing of automobiles. Any existing bulk water supply agreements (construction water contracts) that may be in effect at the time will be terminated and bulk meters will be removed.
2. The manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate additional mandatory measures to reduce non-essential water use (e.g., implement Stage 3 of the customer's drought contingency plan).
3. The quantified target for water use reduction to be achieved by Stage 3 enactment is the reduction of average daily water use by 15%.

### **Stage 4 - Emergency Water Shortage Conditions**

Whenever emergency water shortage conditions exist as defined in Section VII of the Plan, the manager shall:

1. Assess the severity of the problem and identify the actions needed and time required to solve the problem.
2. Inform the utility director or other responsible official of each wholesale 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).
3. If appropriate, notify city, county, and/or state emergency response officials for assistance.

4. Undertake necessary actions, including repairs and/or clean up as needed.
5. The manager, or his/her designee(s), will initiate pro rata curtailment of water diversions and/or deliveries for each wholesale customer according to the procedures specified in Section VI of the Plan.

#### **Section X: Pro Rata Water Allocation; Alternative Water Sources**

In the event that the triggering criteria specified in Section VII of the Plan for Stage 4 — Emergency Water Shortage Conditions have been met, the manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures as allowed by current and future wholesale water contracts:

- (a) A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by resolution of the board of directors based on the manager's assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by resolution of the board of directors as conditions warrant. Once pro rata allocation is in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.
- (b) The manager, or his/her designee, for each wholesale customer shall establish a monthly water usage allocation. The wholesale customer's water usage baseline will be computed on the average water usage by month for the 1994-1998 period as shown in the example given below. If the wholesale water customer's billing history is less than 5 years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.
- (c) All wholesale contracts entered into or amended subsequent to the effective date of this Drought Contingency Plan shall contain a provision mandating that, in the event of shortage of water resulting from drought, water supply must be allocated on a pro rata basis, pursuant to Section 11.039, Texas Water Code.
- (d) For purposes of complying with 30 Tex. Admin. Code §§ 288.20 and 288.22, in the event that it becomes necessary, the Corporation shall utilize such alternative water sources and/or alternative delivery mechanisms as Lost Pines Groundwater Conservation District may provide, or other sources or means approved by the Executive Director of the Texas Commission on Environmental Quality.

## Example Calculation of Monthly Allocation for a Hypothetical Wholesale Water Customer

	1994	1995	1996	1997	1998	SUM	AVE	ALLOCATION PERCENTAGE	MONTHLY ALLOCATION
Jan	133	137	146	148	156	719	144	75%	108
Feb	115	122	133	133	147	650	130	75%	98
March	130	150	146	149	159	734	147	75%	110
April	130	167	168	157	187	808	162	75%	122
May	160	152	179	183	171	845	169	75%	127
June	226	184	172	205	249	1,035	207	75%	155
July	235	274	232	314	246	1,301	260	75%	195
Aug	222	203	206	337	309	1,277	255	75%	191
Sept	199	160	196	229	198	982	196	75%	147
Oct	165	172	197	165	185	884	177	75%	133
Nov	139	142	149	153	162	745	149	75%	112
Dec	142	143	150	156	165	755	151	75%	113
Total	1,995	2,006	2,072	2,330	2,333		2,333		

\*UNITS IN ACRE-FEET

- (e) The manager shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media and the executive director of the Texas Natural Resource Conservation Commission upon initiation of pro rata water allocation.
- (f) Upon request of the customer or at the initiative of the manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the wholesale customer's normal water usage; (2) the customer agrees to transfer part of its allocation to another wholesale customer; or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Manville WSC Board of Directors.

### Section XI: Enforcement

- (a) For the first violation of Drought Response — Stage 2 measures and above, a written and/or verbal notice of the violation shall be issued. The employee giving notice will turn off the faucet/spicket or meter that supplies water to the irrigation system, sprinkler or hose. Manville may install a flow restrictor in the water line to limit the amount of water which is allowed to pass through the meter in a 24-hour period and charge the customer.
- (b) A second violation will result in immediate termination of water service until the next business day and charged Manville's current reconnection charge to restore service, customer will receive a written and/or verbal notice.
- (c) For subsequent violations, Manville may terminate service, subject to contract provisions for wholesale customers, for up to 7 days and Manville's current reconnection



charge to restore service. In this event Manville will provide customer with written and/or verbal notice.

(d) Any violation under Stage 4 will result in immediate termination of service for up to 7 days and the imposition of Manville's current reconnection charge to restore service. In this event Manville will provide customer with written and/or verbal notice.

## **Section XII: Variances**

The manager, or his/her designee, may, in writing, grant a temporary variance to the plan including 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 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 manager within 5 days after drought response stage has been invoked and notice has been given. All petitions for variances 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 Manville will be subject to the following conditions, unless waived or modified by the board of directors or its designee:

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

### **Section XIII: Severability**

It is hereby declared to be the intention of the Manville WSC 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 Manville WSC without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

### **Section XIV:**

For good cause shown, the Board may grant variances or exceptions to compliance with any stage of curtailment for the benefit of a public or private educational institution, upon such conditions as the Board may deem reasonable and appropriate and in furtherance of the educational purposes of such institutions.



## NOTICE

### **Mandatory Seasonal Outdoor Watering Policy**

As we approach the summer months, Manville WSC would like to remind our Members/Customers that water conservation is critical in order to meet our long term and short-term water demands. Manville WSC has historically experienced high demand during the summer irrigation season. In an effort to conserve our precious resource and manage the effect created by the summer peak demand, the Manville WSC Board has adopted the following mandatory summer watering policy.

### **Watering Schedule**

#### **Effective Yearly**

**May 1st – September 30<sup>th</sup>**

#### ***Residential***

Odd # addresses: Wed. and/or Sat.

Even # addresses: Thurs. and/or Sun.

#### ***Commercial/Multi-family***

All addresses – Tues. & or Friday

**All Customers - Operation of irrigation systems or hose-end sprinklers  
should be before 10am & after 7pm.**

Hand watering is allowed any day and any time.

#### **Enforcement**

1<sup>st</sup> offense - written and/or verbal notice of the violation shall be issued, the water source that supplies water to the sprinkler, irrigation system or hose will be turned off.

2<sup>nd</sup> offense - written and/or verbal notice of the violation shall be issued, immediate termination of water service until the next business day and charged the current reconnect fee to restore service.

Subsequent violations - written and/or verbal notice of the violation shall be issued, Manville WSC may terminate service for up to 7 business days and charge the Corporations current reconnection charge to restore service.

**A RESOLUTION OF THE BOARD OF DIRECTORS OF MANVILLE WATER SUPPLY CORPORATION; AMENDING DROUGHT CONTINGENCY PLAN; PROVIDING FINDINGS OF FACT; PROVIDING FOR OPEN MEETING**

**A.** Pursuant to Section 11.1272, Texas Water Code, the Board of Directors (“**Board**”) of Manville Water Supply Corporation (“**Corporation**”) is required to establish and enforce a Drought Contingency Plan (“**DCP**”) for the Corporation’s facilities and services.

**B.** Pursuant to Texas Water Code, Chapter 11 and Title 30, Texas Administrative Code (TAC), Chapter 288, the Corporation is required to update its DCP every five years and to make the adopted DCP available for inspection by the Texas Commission on Environmental Quality (“**TCEQ**”).

**C.** The Board amended and adopted the DCP on October 19, 2023.

**D.** Herein, the Board further amends the DCP to address the Corporation’s and its wholesale customers’ obligations with respect to the distribution and division of water in the event of water source shortages and related alternative delivery mechanisms.

**E.** On the date of this Resolution, during a meeting that was duly noticed and open to the public, the Board provided an opportunity for public comment on the DCP and the amendments provided herein.

**NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF DIRECTORS OF MANVILLE WATER SUPPLY CORPORATION:**

**1. Findings of fact.** The preceding recitals are the Board’s true and correct findings of fact and are made part of this Resolution for all purposes.

**2. Amendment.** The DCP is hereby amended and readopted as provided at Exhibit “A” hereto.

**3. Filing required.** The Corporation’s General Manager is hereby directed to file a copy of this Resolution in the principal office of the Corporation and with TCEQ. This Resolution shall be and remain in full force and effect from and after the effective date indicated below.

**4. Repealer.** This Resolution repeals and supersedes any previous drought contingency plans adopted by the Corporation.

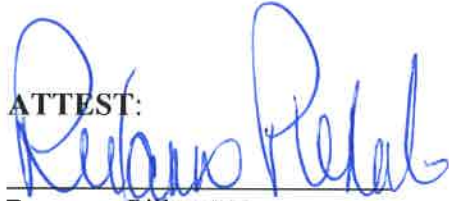
**5. Open meeting.** The Board considered this Resolution in a duly noticed meeting that was open to the public, in compliance with Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

**APPROVED and EFFECTIVE** this 19th day of September 2024.



Jack Atterstrom, President

**ATTEST:**



Rexanne Pilkenton,  
Assistant General Manager