

**WATER CONSERVATION  
AND  
DROUGHT CONTINGENCY PLAN**

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**APPROVED**

**February 1, 2010**

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# SIESTA SHORES WCID

## Water Conservation and Drought Contingency Plan Resolution

Adopted February 1, 2010

### Resolution for Adopting **Water Conservation and Drought Contingency Plan**

Recognizing the need to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, 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, **Siesta Shores WCID** hereby adopts the Water Conservation and Drought Contingency Plan.

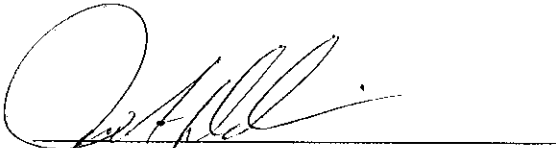
The **District** will enforce regulations and restrictions on the delivery and consumption of drinking water as outlined by the Water Conservation and Drought Contingency Plan.

Passed, approved, and adopted by the Board of Directors of **Siesta Shores WCID** this 1<sup>th</sup> day of February 2010.

Acknowledgement:



Secretary



President

## **SECTION 1: DECLARATION OF POLICY, PURPOSE, AND INTENT**

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, 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, **Siesta Shores WCID** hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under the Water Conservation Plan (the Plan) are considered to be non-essential and continuation of such used 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 Section XI of this Plan.

## **SECTION 2: PUBLIC INVOLVEMENT**

Opportunity for the public to provide input into the preparation of the Water Conservation Plan and the Drought Management Plans was provided by **Siesta Shores WCID** by means of once a month regular meetings. The agenda for these meetings are posted in accordance with the Texas Open Meetings Act, with items listed for discussion and items to be acted on by the Corporation. Meetings are open to the public and the public is given an opportunity to speak and voice their views and opinions.

## **SECTION 3: PUBLIC EDUCATION AND INFORMATION**

The **Siesta Shores WCID** will periodically provide the public 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 to response measures to be implemented in each stage. This information will be provided by means of a fact sheet explaining the conservation plan which will be mailed to all water customers.

## **SECTION 4: COORDINATION WITH REGIONAL WATER PLANNING GROUPS**

The service area of **Siesta Shores WCID** is located within Rio Grande Regional Water Planning Group (Region M) and **Siesta Shores WCID** has provided a copy of this water conservation plan to the Rio Grande Regional Water Planning Group.

## **SECTION 5: AUTHORIZATION**

The Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of thus 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 6: APPLICATION**

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by **Siesta Shores WCID**. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

## **SECTION 7: SEVERABILITY**

It is hereby declared to be the intention of the Board of Directors of **Siesta Shores WCID** 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 Board of Directors of **Siesta Shores WCID** with the incorporation of this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

## **SECTION 8: UTILITY PROFILE**

**Siesta Shores WCID** utility profile and water rates are found under Appendix A to this Water Conservation Plan.

## **SECTION 9: DEFINITIONS**

For the purpose of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by **Siesta Shores WCID**.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street address, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and right-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash away any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd number address: street addresses, box numbers or rural postal route numbers ending in 1, 3, 5, 7, or 9.

## SECTION 10 WATER CONSERVATION PLAN

### 10.1 Specification of Conservation Goals and Objectives

In accordance with 30 TAC Part 1, Chapter 288, Subchapter C, Rule 288.2 (a)(1)(C) the following objectives and five (5) and ten (10) year targets have been established:

The objectives of this water conservation plan are as follows:

- To reduce water consumption from the levels that would prevail without conservation efforts.
- To reduce the loss and waste of water.
- To improve efficiency in the use of water.
- To document the level of recycling and reuse in the water supply.

#### Five-year targets based on 5-year rolling averages

1. Reduce per capita per day consumption by 3%
2. Reduce the level of unaccounted water losses to 15%.

#### Ten-year targets based on 5-year rolling averages

1. Reduce per capita per day consumption by an additional 3%.
2. Reduce the level of unaccounted water losses to 12%.

To accomplish these goals the **Siesta Shores WCID** will utilize the programs and policies in this Plan such as accurate metering devices, universal metering, meter testing and repair, periodic meter replacement, control of unaccounted water, public education, non-promotional water rates, and leak detection and repair.

### 10.2 Metering Devices

**Siesta Shores WCID** currently monitors water consumption and inspects meters which vary from its previously established norms. In addition, **Siesta Shores WCID** has established the following meter maintenance and replacement programs: Customer pays for replacement, District pays for meter repairs.

<u>Meter Type</u>	<u>Replacement or Calibration Period</u>
Master Meters	Annually
Commercial Meters & Meters larger than 1" 1" and Smaller	Annually or as needed Every 8 years or as needed

### 10.3 Determination and Control of Unaccounted for Water

**Siesta Shores WCID** personnel associated with meter reading and billing monitor monthly water consumption. This monitoring has become an important tool in water distribution system management. **Siesta Shores WCID** will continue to use modern leak detection techniques in locating and reducing leaks. A continuous leak detection and repair program is vital to the **Siesta Shores WCID** water conservation plan.

Unaccounted for water will be targeted for a 15% reduction per year during the first two (2) years of the water conservation program. **Siesta Shores WCID** is aware that assistance in leak detection surveys can be obtained from the Texas Water Development Board staff and they will be called upon for advice and assistance as necessary.

Meter classification and aggressive follow-up on repair of detected leaks will aid in diminishing the amount of unaccounted for water. The current detection program consists of the following observations and activities.

- Leaks reported by citizens
- Leak detection by meter readers
- Continual checking and servicing of production, pumping and storage facilities.
- Rapid response by staff to reported problems.

#### **10.4 Water Rates**

Within this Water Conservation Plan, **Siesta Shores WCID** also has a Drought Contingency Plan, whereby if activated, rates increase significantly if the customer exceeds specified amounts. Attached is a copy of the current water rate structure and other fees.

#### **10.5 Plumbing Standards**

In 1991, the Texas Legislature passed legislation requiring that plumbing fixtures sold in Texas after January 1, 1992 meet certain standards. The legislation imposed requirements directly on the manufacturers, importers, and suppliers of new fixtures in Texas. The standards are:

- Shower Heads: No more than 2.75 gpm at 80 psi pressure.
- Lavatory/Sink Faucets and Aerators: No more than 2.2 gpm at 60 psi pressure.
- Wall Mounted, Flushometer Toilets: No more than 2 gpf.
- All Other Toilets: No more than 1.6 gpf.

- Drinking Water Fountains: Must be self closing.

In addition, **Siesta Shores WCID** encourages the following water conservations measures:

- Hot Water Pipes: Hot water lines not in or under a concrete slab should be insulated.
- Pressure Reduction Valves: Pressure reduction valves may be installed by a licensed plumber at the customer's expense where system pressures exceed 80 psi.
- Swimming Pools: Swimming pools should have recirculating filtration equipment.
- Automatic Dishwashers: Automatic dishwashers installed in residential dwellings should be a design that uses a maximum of 6 gallons of water per cycle.
- Automatic Clothes Washers: Automatic clothes washers installed in residential dwellings should be a design that uses a maximum of 14 gallons of water per cycle.

## **SECTION 11 DROUGHT CONTINGENCY PLAN**

### **Criteria For Initiation And Termination Of Drought Response Stages**

The 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 which stage of the Plan, that is, when the specified "triggers" are reached.

The triggering criteria described below are based on the water system capacity of the **Siesta Shores WCID**. The District will initiate drought contingency measures upon occurrence of the following conditions:

#### **Stage 1 Triggers – Mild Water Shortage Conditions**

##### Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section 9 - Definitions, annually, beginning on May 1 through September 30 of each year.

##### Requirements for termination

Stage 1 of the Plan may be rescinded each October 1st.

#### **Stage 2 Triggers – Moderate Water Shortage Conditions**

##### Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain



non-essential water uses provided in Section 9 of this Plan when Stage 2 water shortage conditions as described in Section 9 of this Plan are initiated by the **Siesta Shores WCID**. Stage 2 shall be initiated when Falcon Lake level drops below 265 Ft above sea level or daily water demand exceeds 60% of supply capacity for three consecutive days.

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggers events have ceased to exist and Falcon Lake level rises above 265 ft above sea level for a period of thirty (30) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

**Stage 3 Triggers – Severe Water Shortage Conditions**

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when Stage 3 water shortage conditions as described in Section 9 of this Plan are initiated by the **Siesta Shores WCID**. Stage 3 shall be initiated when Falcon Lake level drops below 260 ft above sea level or daily water demand exceeds 70% of supply capacity for three consecutive days.

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggers events have ceased to exist and Falcon Lake level rises above 260ft above sea level for a period of thirty (30) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

**Section 4 Triggers – Critical Water Shortage**

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when Stage 4 water shortage conditions as described in Section 9 of this Plan are initiated by the **Siesta Shores WCID**. Stage 4 shall be initiated when Falcon Lake level drops below 255ft above sea level or daily water demand exceeds 80% of supply capacity for three consecutive days.

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggers events have ceased to exist and Falcon Lake level rises above 255ft above sea level for a period of thirty (30) consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

**Stage 5 Triggers – Emergency Water Shortage Conditions**

#### Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when Manager, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contaminating of the water supply source(s).

#### Requirements for termination

Stage 5 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.

### **Stage 6 Triggers – Water Allocation**

#### Requirements for initiation

Customers shall be required to comply with the water allocation plan described in Stage 6 of the drought response of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when Stage 6 water shortage conditions are initiated by the **Siesta Shores WCID**.

#### Requirements for termination

Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

### **Drought Response Stages**

The Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

#### **Notification**

The Manager or his/her designee shall notify the public by means of publication in a newspaper of general circulation or by direct mail to each customer.

#### Additional Notification

The Manager or his/her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- Fire Chiefs
- City and/or County Emergency Management Coordinator(s)

County Judge & Commissioner(s)

### **Stage 1 Response – Mild Water Shortage Conditions**

Goal: Achieve a voluntary 10% reduction in daily water use.

Supply Management Measures:

**Siesta Shores WCID** in order to manage limited water supplies and/or reduce demand, will reduce or discontinue flushing of water mains.

Voluntary Water Use Restrictions:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7, or 9), and to irrigate landscapes only between the hours of 12:00 midnight and 10:00 a.m. and 8:00 p.m. to 12:00 midnight on designated watering days.
- (b) All operations of **Siesta Shores WCID** shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

### **Stage 2 Response – Moderate Water Shortage Conditions**

Goal: Achieve a 25% reduction in total water use and daily water demand.

Supply Management Measures:

**Siesta Shores WCID** in order to manage limited water supplies and/or reduce demand will reduce or discontinue flushing of water mains and irrigation of landscaped areas.

Water Use Restrictions: Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and

Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7, or 9), and to irrigate landscapes only between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime 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.

- (b) 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 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. 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 rises. 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 garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight.
- (d) 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.
- (e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from **Siesta Shores WCID**.
- (f) Use of water for irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by **Siesta Shores WCID**, the facility shall

not be subject to these regulations.

- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
  1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  3. use of water for dust control;
  4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
  5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

### **Stage 3 – Severe Water Shortage Conditions**

Goal: Achieve a 30% reduction in total water use.

Supply Management Measures:

**Siesta Shores WCID** in order to manage limited water supplies and/or reduce demand will reduce or discontinue flushing of water mains and irrigation of landscaped areas.

Water Use Restrictions: All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (b) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, handheld buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

### **Stage 4 Response – Critical Water Shortage Conditions**

Goal: Achieve a 40% reduction in total water use and daily demand.

Supply Management Measures:

**Siesta Shores WCID** in order to manage limited water supplies and/or reduce demand will reduce or discontinue flushing of water mains and irrigation of landscaped areas.

Water Use Restrictions: All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (d) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (e) Use of water to wash any motor vehicle, motorbike, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10:00 p.m.
- (f) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (g) 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.
- (h) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

**Stage 5 Response – Emergency Water Shortage Conditions**

Goal: Achieve a 50% reduction in total water use and daily water demand.

Supply Management Plan:

**Siesta Shores WCID** in order to manage limited water supplies and/or reduce demand, will reduce or discontinue flushing of water mains and irrigation of landscaped areas.

Water Use Restrictions: All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (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.

**Stage 6 Response – Water Allocation**

In the event that water shortage conditions threaten public health, safety, and welfare, the Manager is hereby authorized to allocate water according to the following water allocation plan:

**Single-Family Residential Customers**

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

<b>Persons per Household</b>	<b>Gallons per Month</b>
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

“Household” means the residential premises served by the customer’s meter. “Persons per household” includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer’s household is comprised of two (2) persons unless the customer notifies **Siesta Shores WCID** of a greater number of persons per household on a form prescribed by the Manager. The Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility

to go to **Siesta Shores WCID** offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the Manager. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify **Siesta Shores WCID** on such form and change will be implemented in the next practical billing period. If the number of persons in a household is reduced, the customer shall notify **Siesta Shores WCID** in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the Manager shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify **Siesta Shores WCID** of a reduction in the number of persons in a household shall be fined not less than \$50.00.

Residential water customers shall pay the following surcharges:

\$4.00 for the first 1,000 gallons over allocation.

\$4.25 for the second 1,000 gallons over allocation.

\$4.50 for the third 1,000 gallons over allocation.

\$5.00 for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

### **Master-Metered Multi-Family Residential Customers**

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (e.g. apartments, mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer notifies **Siesta Shores WCID** of a greater number on a form prescribed by the Manager. The Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to **Siesta Shores WCID** offices to complete and sign the form claiming more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the Manager. If the number of dwelling units served by a master meter is reduced, the customer shall notify **Siesta Shores WCID** in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the Manager shall adopt methods to insure the accuracy of the claims. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify **Siesta Shores WCID** of a reduction in the number of



persons in a household shall be fined not less than \$50.00. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

- \$5.00 for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.
- \$5.25 thereafter, for each additional 1,000 gallons over allocation up through a second 1,000 gallons over allocation unit.
- \$5.50 thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.
- \$6.00 thereafter for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

### **Commercial Customers**

A monthly water allocation shall be established by the Manager or his/her designee, for each non-residential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer's allocation shall be approximately 75% of the customer's usage for corresponding month's billing period for the previous twelve (12) months. If the customer's billing history is shorter than twelve (12) months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. Provided, however, a customer, 100 percent of whose monthly usage is less than 3,000 gallons, shall be allocated 3,000 gallons. The Manager shall give his/her best effort to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact **Siesta Shores WCID** to determine the allocation. 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 customer's normal water usage, (2) one non-residential customer agrees to transfer part of its allocation to another non-residential 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 Manager. Non-residential commercial customers shall pay the following surcharges:

Customers whose allocation is 3,000 gallons through 9,000 gallons per month:

- \$5.00 per thousand gallons for the first 1,000 gallons over allocation.
- \$5.25 per thousand gallons for the second 1,000 gallons over allocation.
- \$5.50 per thousand gallons for the third 1,000 gallons over allocation.
- \$6.00 per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is 10,000 gallons per month or more:

- \$1.05 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- \$1.10 times the block rate for each 1,000 gallons from 5% through 10 % above allocation.
- \$1.20 times the block rate for each 1,000 gallons from 10% through 15% above allocation.
- \$1.30 times the block rate for each 1,000 gallons more than 15% above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

### **Industrial Customers**

A monthly water allocation shall be established by the Manager, or his/her designee, for each industrial customer, which uses water for processing purposes. The industrial customer's allocation shall be approximately 90% of the customer's water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer's allocation shall be further reduced to 85% of the customer's water usage baseline. The industrial customer's water baseline will be computed on the average water use for the twelve (12) month period ending prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer's billing history is shorter than twelve (12) months, 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. The Manager shall give his/her best effort to see that notice of each industrial customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact **Siesta Shores WCID** to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the Manager, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer's normal water use because the customer had shutdown a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shutdown or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such that the ability to further reduce water use is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated

allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Manager. Industrial customers shall pay the following surcharges:

Customers whose allocation is 3,000 gallons through 9,000 gallons per month:

\$5.00 per thousand gallons for the first 1,000 gallons over allocation.

\$5.25 per thousand gallons for the second 1,000 gallons over allocation.

\$5.50 per thousand gallons for the third 1,000 gallons over allocation.

\$6.00 per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is 10,000 gallons per month or more:

\$1.05 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.

\$1.10 times the block rate for each 1,000 gallons from 5% through 10 % above allocation.

\$1.20 times the block rate for each 1,000 gallons from 10% through 15% above allocation.

\$1.30 times the block rate for each 1,000 gallons more than 15% above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

## **Enforcement**

- (A) No person shall knowingly or intentionally allow the use of water from the **Siesta Shores WCID** for residential, commercial, industrial, agriculture, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Manager, or his/her designee, in accordance with provisions of this Plan.
- (B) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than fifty dollars (\$50) and not more than fifty dollars (\$50). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Manager shall, upon due notice to the customer, be authorized to discontinue water services to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby

established at \$30, and any other costs incurred by **Siesta Shores WCID** in discontinuing services. In addition, suitable assurance must be given to the Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.

- (C) Any person, including a person classified as a water customer of **Siesta Shores WCID**, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person shall have the right to show that he/she did not commit the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could have not responsibly known of the violation.
  
- (D) Any employee of **Siesta Shores WCID**, police officer, or other employee designated by the Manager, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the Zapata County Municipal Court on the date shown on the citation for which the date shall not be less than three (3) days nor more than five (5) days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in Zapata County Municipal Court to enter a plea of guilty or not guilty for the violation of this Plan.

## **Section 12: Variances**

The Manager (designated official), or his/her designee, 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, sanitation, or fire protection 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.
- (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 Ordinance shall file a petition for variance with **Siesta Shores WCID** within five (5) days after the Plan or a particular drought response stage that has been invoked. All petitions for variances shall be reviewed by the General Manager, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specified provision(s) if 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 Ordinance.
- (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.

Variances granted by **Siesta Shores WCID** shall be subject to the following conditions, unless waived or modified by the Manager or his/her 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.

# Appendix A

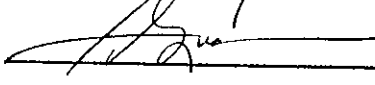
## SIESTA SHORES WCID UTILITY PROFILE, WATER RATES AND OTHER FEES



Texas Commission on Environmental Quality

**UTILITY PROFILE & WATER CONSERVATION  
PLAN REQUIREMENTS  
FOR MUNICIPAL WATER USE BY PUBLIC WATER  
SUPPLIERS**

This form is provided to assist entities in water conservation plan development for municipal water use by a retail public water supplier. Information from this form should be included within a water conservation plan for municipal use. If you need assistance in completing this form or in developing your plan, please contact the conservation staff of the Resource Protection Team in the Water Supply Division at (512) 239-4691.

Name of Entity: Siesta Shores WCID  
Address & Zip: P.O. Box 321, Zapata, Tx. 78076  
Telephone Number: (956) 765-4988 Fax: (956) 765-6107  
Form Completed By: Neida I. Guerra  
Title: Secretary  
Signature:  Date: 1/11/10  
Name and Phone Number of Person/Department responsible for implementing a water conservation program: (956) 765-4988

**UTILITY PROFILE**

**I. POPULATION AND CUSTOMER DATA**

**A. Population and Service Area Data**

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN). Enclosed
2. Service area size (square miles): 1.3 sq miles

3. Current population of service area: 1,530

4. Current population served:

a. water 100%  
b. wastewater 95%

5. Population served by water utility for the previous five years:

6. Projected population for service area in the following decades:

Year	Population	Year	Population
<u>2005</u>	<u>1,490</u>	<u>2010</u>	<u>1,530</u>
<u>2006</u>	<u>1,490</u>	<u>2020</u>	<u>1,700</u>
<u>2007</u>	<u>1,630</u>	<u>2030</u>	<u>1,900</u>
<u>2008</u>	<u>1,800</u>	<u>2040</u>	<u>2,100</u>
<u>2009</u>	<u>1,530</u>	<u>2050</u>	<u>2,300</u>

7. List source/method for the calculation of current and projected population:

State water plan and Region 11 plan

### B. Active Connections

1. Current number of active connections. Check whether multi-family service is counted as Residential 485 or Commercial 11

Treated water users:	Metered	Not-metered	Total
Residential	<u>499</u>	<u>—</u>	<u>499</u>
Commercial	<u>11</u>	<u>—</u>	<u>11</u>
Industrial	<u>—</u>	<u>—</u>	<u>—</u>
Other	<u>—</u>	<u>—</u>	<u>—</u>



2. List the net number of new connections per year for most recent three years:

Year	<u>2007</u>	<u>2008</u>	<u>2009</u>
Residential	<u>12</u>	<u>16</u>	<u>21</u>
Commercial	<u>—</u>	<u>1</u>	<u>1</u>
Industrial	<u>—</u>	<u>—</u>	<u>—</u>
Other	<u>—</u>	<u>—</u>	<u>—</u>

**C. High Volume Customers**

List annual water use for the five highest volume customers (indicate if treated or raw water delivery)

	Customer	Use (1,000gal./yr.)	Treated/Raw Water
(1)	<u>J. W. Lopez</u>	<u>923,900</u>	<u>Treated</u>
(2)	<u>_____</u>	<u>_____</u>	<u>_____</u>
(3)	<u>_____</u>	<u>_____</u>	<u>_____</u>
(4)	<u>_____</u>	<u>_____</u>	<u>_____</u>
(5)	<u>_____</u>	<u>_____</u>	<u>_____</u>

**II. WATER USE DATA FOR SERVICE AREA**

**A. Water Accounting Data**

1. Amount of water use for previous five years (in 1,000 gal.):

Please indicate :      Diverted Water ✓  
    Treated Water \_\_\_\_\_

Year	<u>2009</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>	<u>2005</u>
January	<u>3878</u>	<u>3957</u>	<u>3810</u>	<u>3669</u>	<u>3227</u>
February	<u>3528</u>	<u>3426</u>	<u>3484</u>	<u>3811</u>	<u>3180</u>
March	<u>4373</u>	<u>4084</u>	<u>3941</u>	<u>4877</u>	<u>3671</u>

April	4873	5082	4226	4543	4409
May	4065	4674	4165	4742	4887
June	5250	5232	4283	4409	5197
July	6150	4259	3939	4067	4769
August	5981	3749	4592	5320	4862
September	4741	3194	3173	3418	4172
October	4660	3197	4879	3442	3618
November	4155	2927	4062	3703	4025
December	4058	3400	3451	3227	3323
<b>Total</b>	<b>55712</b>	<b>47181</b>	<b>48005</b>	<b>49228</b>	<b>49340</b>

Indicate how the above figures were determined (e.g., from a master meter located at the point of a diversion from the source or located at a point where raw water enters the treatment plant, or from water sales).

Master meter located at a point where raw water enters treatment plant.

2. Amount of water (in 1,000 gallons) delivered (sold) as recorded by the following account types for the past five years.

Year	Residential	Commercial	Industrial	Wholesale	Other	Total Sold
09	✓	✓	—	—	—	43135
08	✓	✓	—	—	—	36661
07	✓	✓	—	—	—	32415
06	✓	✓	—	—	—	36976
05	✓	✓	—	—	—	37149

3. List previous five years records for water loss (the difference between water diverted (or treated) and water delivered (or sold))

Year	Amount (gal.)	%
09	11568	20.76
08	9561	20.27
07	14207	29.59
06	10524	21.38
05	10752	21.79

4. Municipal water use for previous five years:

Year	Population	Total Water Diverted or Pumped for Treatment (1,000 gal.)
09	1,530	43,135
08	1,800	36,661
07	1,630	32,415
06	1,490	36,974
05	1,490	37,149

**B. Projected Water Demands**

If applicable, attach projected water supply demands for the next ten years using information such as population trends, historical water use, and economic growth in the service area over the next ten years and any additional water supply requirement from such growth.

**III. WATER SUPPLY SYSTEM DATA**

**A. Water Supply Sources**

List all current water supply sources and the amounts authorized with each:

	Source	Amount Authorized
Surface Water:	2 certificates Falcon Lake Reservoir	165 + 62.5 acre-feet
Groundwater:		acre-feet
Contracts:		acre-feet
Other:		acre-feet

**B. Treatment and Distribution System**

- Design daily capacity of system: 0.504 MGD
- Storage Capacity: Elevated 539,031 MGD, Ground .160 MGD
- If surface water, do you recycle filter backwash to the head of the plant?  
Yes \_\_\_\_\_ No . If yes, approximately N/A MGD.
- Please attach a description of the water system. Include the number of

treatment plants, wells, and storage tanks. If possible, include a sketch of the system layout. *System is a single treatment plant with 350 gpm capacity.*

**IV. WASTEWATER SYSTEM DATA**

**A. Wastewater System Data**

1. Design capacity of wastewater treatment plant(s): N/A MGD

2. Is treated effluent used for irrigation on-site N/A, off-site N/A, plant washdown \_\_\_\_\_, or chlorination/dechlorination \_\_\_\_\_? If yes, approximately \_\_\_\_\_ gallons per month.

3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed of. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and, if wastewater is discharged, the receiving stream. If possible, attach a sketch or map which locates the plant(s) and discharge points or disposal sites. *All sewer collected directed to Zapata County wastewater plant for treatment.*

**B. Wastewater Data for Service Area**

1. Percent of water service area served by wastewater system: 95 %

2. Monthly volume treated for previous three years (in 1,000 gallons):

Year	2009	2008	2007
January	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
<b>Total</b>			

**SIESTA SHORES W.C.I.D.  
P.O. BOX 321  
ZAPATA, TX 78076  
PHONE: (956)765-4988  
FAX: (956)765-6107**

**145732**

General Description of Siesta Shores W.C.I.D. Service Area - CCN No. 11684

The boundaries of the Siesta Shores W.C.I.D. include as follows:

The Siesta Shores W.C.I.D. serves the Siesta Shores Subdivision located in Zapata County approximately three (3) miles South of the intersection of Hwy 83 and Hwy 16. The Siesta Shores service area includes approximately 802 acres bound North, West and South by Siesta Lane and East by Hwy 83.







**SIESTA SHORES WATER CONTROL &  
IMPROVEMENT DISTRICT**

P.O. BOX 321  
ZAPATA, TX 78076  
(956)765-4988

**\*\*\*\*\***  
EFFECTIVE OCTOBER 2008

- \$22.50 MINIMUM MONTHLY SERVICE AVAILABILITY CHARGE FOR 2,500 GALLONS OF WATER PAYABLE UPON RECEIPT OF BILL BY ALL CUSTOMERS REGARDLESS OF WATER USED. THIS SERVICE CONTRACT IS REQUIRED OF ALL CUSTOMERS.
- 1.75 PER ADDITIONAL THOUSAND GALLONS FOR ALL WATER USED OVER 2,500 TO 7,000 GALLONS
- 2.50 PER ADDITIONAL THOUSAND GALLONS FOR ALL WATER USED OVER 7,000 TO 10,000 GALLONS
- 3.25 PER ADDITIONAL THOUSAND GALLONS FOR ALL WATER USED OVER 10,000 TO 20,000 GALLONS
- 4.00 PER ADDITIONAL THOUSAND GALLONS FOR ALL WATER USED IN EXCESS OF 20,000 GALLONS
- 12.50 MONTHLY SEWER SERVICE FEE – PER CUSTOMER/ PER CONNECTION

**\*\*\*\*\***

- 25.00 RETURNED CHECK FEE FOR ALL RETURNED CHECKS PAYABLE IN CASH OR MONEY ORDER. (IF A CHECK IS RETURNED, PERSONAL CHECKS WILL NO LONGER BE ACCEPTED AS PAYMENT ON YOUR ACCOUNT)
- 25.00 RECONNECTION FEE
- 10.00 NAME CHANGE FEE
- 10.00 REREAD METER FEE – A FEE OF \$10.00 WILL BE ASSESSED IF IT IS FOUND THAT THE INITIAL READING WAS CORRECT. THERE WILL BE NO FEE IF AN ERROR WAS FOUND IN THE ORIGINAL READING.
- 5.00 LATE CHARGE FEE AFTER 15<sup>th</sup> OF EACH MONTH.

**\*\*\*\*\***

- 25 – 30<sup>th</sup> METERS ARE READ  
1<sup>st</sup> BILLING IS MAILED – PAYMENT IS DUE UPON RECEIPT  
15<sup>th</sup> ACCOUNT DELINQUENT IF UNPAID BY 15<sup>th</sup> OF THE FOLLOWING MONTH  
23 – 24<sup>th</sup> WATER SERVICE IS DISCONTINUED ON THESE DATES OF 2<sup>nd</sup> MONTH IF STILL DELINQUENT