Texas Commission on Environmental Quality
Water Availability Division
MC-160, P.O. Box 13087 Austin, Texas 78711-3087
Telephone (512) 239-4600, FAX (512) 239-2214

Drought Contingency Plan for a Retail Public Water Supplier

This form is provided as a model of a drought contingency plan for a retail public water supplier. 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 Availability Division at (512) 239-4600.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For publicly owned water systems plan adoption would be by resolution of the entity's board of directors adopting the plan as administrative rules. Each water supplier shall provide documentation of the formal adoption of their drought contingency plan.

Name:	Bear Springs Trails Water Supply Corporation
Address:	P.O. Box 63479, 997 Bear Springs Trail, Pipe Creek, TX 78063-3479
Telephone Number:	(830)688-2180 Fax: ( )
Water Right No.(s):	CCN# 12963
Regional Water Planning Group:	Plateau Water Planning Group (PWPJ) (Region J)
Form Completed by:	Jan W. Serene
Title:	Director/President
Person responsible for implementation:	Jan W. Serene Phone: (830) 688-2180
Signature:	Date: / /

Section I: 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 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, the Bear Springs Trails Water Supply Corporation hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) 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 Section X of this Plan.

Section II: Public Involvement
Opportunity for the public to provide input into the preparation of the Plan was provided by the Bear Springs Trails Water Supply Corporation (BSTWSC) by means of email notice to all members/customers, posting of the draft Plan on the BSTWSC website, and providing input by email or personal appearance at the regularly scheduled meeting of the Board of Directors on December 14, 2026.

Section III: Public Education
The BSTWSC 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 response measures to be implemented in each stage. This information will be provided by means of notation on monthly bills and discussion at monthly public Meetings of the Board of Directors and Annual Members' meetings.

Section IV: Coordination with Regional Water Planning Groups
The service area of the BSTWSC is located within the Plateau Water Planning Group (PWPJ) (Region J) and BSTWSC has provided a copy of this Plan to the PWPJ.

Section V: Authorization
The President 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 President, BSTWSC 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 persons, customers, and property utilizing water provided by the BSTWSC. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions
For the purposes 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 the BSTWSC.

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.

Foundation watering: an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

Household means the residential premises served by the customer's meter. "Persons per household" include only those persons currently physically residing at the premises and expected to reside there for the entire billing period.

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 rights-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 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 firefighting.

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

The President, BSTWSC or his/her designee shall monitor water supply and/or demand conditions monthly and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached.

The triggering criteria described below are based on: Drought level stages/determinations by the Bandera County River Authority and Groundwater District (BCRA&GD).

Utilization of alternative water sources and/or alternative delivery mechanisms:

Alternative water source for the BSTWSC is: Purchased water.

Stage 1 Triggers -- MILD Water Shortage/Abnormal Drought Restrictions 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 VII Definitions, when the Bandera County River Authority and Groundwater District gives notice of drought conditions and restrictions, which are incorporated here by reference.

Requirements for termination
Stage 1 of the Plan may be rescinded when the conditions listed as triggering events have ceased to exist by the BCRA&GD.

Stage 2 Triggers – MODERATE Water Shortage/Moderate Drought Restrictions Conditions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when BCRA&GD so determines.

Requirements for termination
Stage 2 of the Plan may be rescinded when BCRA&GD so determines. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers – SEVERE Water Shortage/Severe Drought Restrictions 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 BCRA&GD so determines.

Requirements for termination
Stage 3 of the Plan may be rescinded when BCRA&GD so determines. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 4 Triggers – CRITICAL Water Shortage/Extreme Drought Restrictions Conditions

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 BCRA&GD so determines.

Requirements for termination
Stage 4 of the Plan may be rescinded when BCRA&GD so determines. Upon termination of Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 5 Triggers – Exceptional Water Shortage/Exceptional Drought Restrictions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 5 of this Plan when BCRA&GD so determines.

Requirements for termination

Stage 5 of the Plan may be rescinded when BCRA&GD so determines. Upon termination of Stage 5, Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

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 the BSTWSC President 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 contamination of the water supply source(s).

Requirements for termination
Stage 5 of the Plan may be rescinded when the BSTWSC or his/her designee so determines.

Section IX: Drought Response Stages
The BSTWSC President 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 VIII 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
Notification of the Public:
The BSTWSC President or his/ her designee shall notify the customers/members by means of emails and texts.

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

Fire Chief & County Emergency Management Coordinator
(when emergency termination of water service of more than 12 hours is in effect)
TCEQ (required when mandatory restrictions are imposed)

Stage Responses

Plateau Water Planning Group approved gallons per capita daily (gpcd) goals for rural Bandera County (which includes the BSTWSC service area) before drought reductions: CY 2020 – 102 gpcd and CY 2030 thru CY 2080 – 97 gpcd. Drought reductions in daily (gpcd) & monthly (gpcm) (based on average 30.5 day month) based on the 2020 goal of 102 gpcd

Stage 1 Response – MILD Water Shortage Conditions

Target: Achieve a voluntary 10 percent reduction in total water usage: goals of 92 gpcd & 2,800 gpcm

Water Use Restrictions for Reducing Demand:

(a) Water customers shall limit the irrigation of landscaped areas and turf to after 6 pm and before 8 am.

(b) Water customers are to discontinue water use for the following non-essential purposes: washing down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas; washing don buildings or structures for purposes other than immediate fire protection; and failure to repair a controllable leak within a reasonable period after having been given notice directing the repair of such a leak.

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a 20 percent reduction in total water usage: goals of 82 gpcd & 2,289 gpcm

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

(a) Irrigation of landscaped areas and turf is limited to after 8 pm and before 8 am.

(b) In addition to the other restrictions of Stage 1, washing any motor vehicle, motorbike, boat, trailer, or other vehicle other than a public safety vehicle on a premises other than a commercial car wash or service station and not in the immediate interest of public health, safety, and welfare is prohibited. e

Stage 3 Response – SEVERE Water Shortage Conditions

Target: Achieve a 30 percent reduction in *total water use: goals of 71 gpcd & 2,177 gpcm*

Water Use Restrictions for Demand Reduction:
All requirements of Stage 2 shall remain in effect during Stage 3 and:

In addition to the water use restrictions of Stage 2, the filling of swimming pools is prohibited; however, pool levels may be maintained because of evaporation.

Stage 4 Response – CRITICAL/Extreme Water Shortage Conditions

Target: Achieve a 40 percent reduction in *total water use: goals of 61 gpcd & 1,867 gpcm*

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

(a) Irrigation is limited to one day a week.

(b) The filling, refilling, or adding of water to swimming pools is prohibited.

(c) Leakproof troughs shall be used to supply water to livestock.

Stage 5 Response – Exceptional Water Shortage Conditions

Target: Achieve a 50 percent reduction in *total water use: goals of 51 gpcd & 1,556 gpcm*

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

Irrigation of landscaped areas is prohibited.

Residential water customers shall pay surcharges as set forth in the published Tariff.

Section X: Enforcement

(a) No person shall knowingly or intentionally allow the use of water from the BSTWSC for residential, commercial, industrial, agricultural, 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 BCRA&GD or President, BSTWSC or his/her designee, in accordance with provisions of this Plan.

(b) During Stages 4 & 5, the BSTWSC Board of Directors can refer customers who fail to comply with the mandated drought restrictions to BCRA&GD for possible enforcement actions: impositions of fines up to $10,000 for each infraction. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is fined for three or more distinct violations of this Plan, the BSTWSC Board of Directors

shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge as set forth in the published tariff. In addition, suitable assurance must be given to the BSTWSC President or his/her designated representative 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 the BSTWSC, 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 in apparent control of the property committed 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 not have reasonably known of the violation.

(d) Any member of the BSTWSC Board of Directors or BSTWSC officer may issue a notice to a person he/she reasonably believes to be in violation of this Plan. The notice shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the violation suspected and shall advise him/her to respond to the BSTWSC Board of Directors by the date shown on the notice for which the date shall not be less than 5 days from the date the notice was issued. The alleged violator shall be served a copy of the notice. Service of the notice shall be complete upon delivery of the notice to the alleged violator, to an agent an alleged violator, or to a person over 14 years of age who is a member of the alleged violator's immediate family or is a resident of the violator's residence. If attempted personal delivery is unsuccessful, delivery of notice can be accomplished by leaving a copy of the notice at the residence and forwarding a copy by email, mail, or text.

(e) The alleged violator may file a written rebuttal to the facts alleged in the notice and/or request a personal appearance with the BSTWSC Board of Directors. Failure to respond will constitute the alleged violator's admission of the facts contained in the notification.

Section XI: Variances

The BSTWSC President 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 can file a petition for variance with the BSTWSC President or his/her designated representative within 5 days after the Plan is approved, a particular drought response stage has been invoked, or an alleged notice of violation has been received. All petitions for variances shall be reviewed by the BSTWSC President or his/her designee, and petitions shall include the following:

(a) Name and address of the petitioner(s).
(b) Purpose of water use.
(c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
(d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this 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.