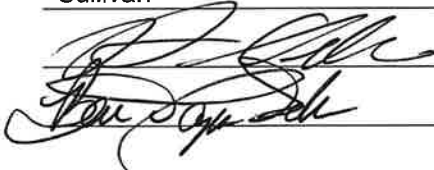
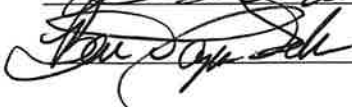




## Drought Contingency Plan for a Wholesale Public Water Supplier

Name:	Bexar Medina Atascosa Counties Water Control and Improvement District No. 1	
Address:	PO Box 170 Natalia, Texas 78059	
Telephone Number:	(830)-665-2132	Website: <a href="http://bmawater.org">bmawater.org</a>
Water Right No.(s):	2130-604	
Regional Water Planning Group:	Region L South-Central Texas	
Form Completed by:	Bonnie Tapp Sallee / Brian Sullivan	
Title:	Office Manager / Field Manager	
Person responsible for implementation:	Bonnie Tapp Sallee & Brian Sullivan	Phone: (830)-665-2132
Signature:		Date: 4/22/2024
		Date: 4/22/2024

### Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and/or to protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the Bexar Medina Atascosa Counties Water Control and Improvement District No. 1 adopts the following Drought Contingency Plan (the Plan).

**Section II: Public Involvement**

Opportunity for the public and wholesale water customers to provide input into the preparation of the Plan was provided by Bexar Medina Atascosa Counties Water Control and Improvement District No. 1 by means of Public Board Meeting held on March 11, 2024 and April 22, 2024.

**Section III: Wholesale Water Customer Education**

The Bexar Medina Atascosa Counties Water Control and Improvement District No. 1 may periodically provide wholesale water 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 may be provided by means of request and may be posted on the Bexar Medina Atascosa Counties Water Control and Improvement District No. 1 website.

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

The water service area of the Bexar Medina Atascosa Counties Water Control and Improvement District No. 1 is located within the South Texas Region L Area and Water Planning Group and the Bexar Medina Atascosa Counties Water Control and Improvement District No. 1 has provided a copy of the Plan to the South Texas Region L Water Planning Group.

**Section V: Authorization**

A 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. A 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 Bexar Medina Atascosa Counties Water Control and Improvement District No. 1. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

**Section VII: Criteria for Initiation and Termination of Drought Response Stages**

A **Manager**, or his/her designee, shall monitor water supply and/or demand conditions on a 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 **website notification on current stages and in office notification.**

The triggering criteria described below are based on the volume of water contained in Medina Lake and the average monthly water demand for all Municipal Water Use Customers.

Stage	Requirements for Initiation	Requirements for Termination
1 – Mild Water Shortage	Water Storage in Medina Lake is equal to or less than 78,000 acre-feet for 30 consecutive days.	Stage may be rescinded when water storage in Medina Lake exceeds 78,000 acre-feet for 30 consecutive days.
2 – Moderate Water Shortage	Water in storage in medina Lake is equal to or less than 66,000 acre-feet for 30 consecutive days.	Stage may be rescinded when water storage in Medina Lake exceeds 66,000 acre-feet for 30 consecutive days.
3 – Severe Water Shortage	Water in storage in medina Lake is equal to or less than 56,000 acre-feet for 30 consecutive days.	Stage may be rescinded when water storage in Medina Lake exceeds 56,000 acre-feet for 30 consecutive days.
4 – Critical Water Shortage	Water in storage in medina Lake is equal to or less than 46,000 acre-feet for 30 consecutive days.	Stage may be rescinded when water storage in Medina Lake exceeds 46,000 acre-feet for 30 consecutive days.

**Section VIII: Drought Response Stages**

The Bexar Medina Atascosa Counties Water Control and Improvement District No. 1, A Manager, or his/her designee, shall monitor water supply and/or demand conditions and, in accordance with the triggering criteria set forth in Section VII, shall determine that mild, moderate, severe, or critical water shortage conditions exist or that an emergency condition exists and shall implement the following actions:

Stage	Target Reduction	Water Use Restriction
1 – Mild Water Shortage	Achieve 10% reduction in average daily water demand.	Manager will contact wholesale water customers to discuss water supply and/or demand conditions and will request the wholesale customers initiate voluntary measures to reduce water use.
2 – Moderate Water Shortage	Achieve 20 % reduction in average daily water demand.	Manager will contact wholesale water customers to discuss water supply and/or demand conditions and will request the wholesale customers to provide progress reports on reduction of water use.
3 – Severe Water Shortage	Achieve 30% reduction in average daily water demand.	Manager will contact wholesale water customers to discuss water supply and / or demand conditions and will request the wholesale customers to seek alternate water supplies
4 – Critical Water Shortage	Achieve 40% reduction in average daily water demand.	Manager will assess the severity of the problem and identify actions needed and undertake necessary actions including termination of water supply and prepare post-event assessment report.

**Section IX: Pro Rata Curtailment**

In the event that the triggering criteria specified in Section VII of the Plan for Stage 3 – Severe Water Shortage Conditions have been met, A Manager of Bexar Medina Atascosa Counties Water Control and Improvement District No. 1 is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code, §11.039. Every wholesale water contract entered into or renewed after the adoption of the plan, including contract extensions, that is in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code section 11.039.

**Section X: Variances**

A Manager of Bexar Medina Atascosa Counties Water Control and Improvement District No. 1 or his/her designee, may, in writing, grant a temporary variance to the pro rata water allocation policies provided by this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the public health, welfare, or safety and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other 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 a **Manager of Bexar Medina Atascosa Counties Water Control and Improvement District No. 1** within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the BMA Board of Directors, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (c) Description of the relief requested.
- (d) Period of time for which the variance is sought.
- (e) Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (f) Other pertinent information.

Variances granted by the **Bexar Medina Atascosa Counties Water Control and Improvement District No. 1** Board of Directors shall be subject to the following conditions, unless waived or modified by the Bexar Medina Atascosa Counties Water Control and Improvement District No. 1 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 XI: Severability**

It is hereby declared to be the intention of the **Bexar Medina Atascosa Counties Water Control and Improvement District No. 1** 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 **Bexar Medina Atascosa Counties Water Control and Improvement District No. 1** without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEXAR-  
MEDINA-ATASCOSA WATER CONTROL AND IMPROVEMENT  
DISTRICT NO. ONE ADOPTING THE UPDATED WATER  
CONSERVATION PLAN

WHEREAS, the Board of Directors recognizes that the amount of water available to the Bexar-Medina-Atascosa Counties Water Control & Improvement District No. One and its customers is limited and subject to depletion during periods of extended drought; and

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality (as may be periodically amended) require all water supply systems in Texas to prepare and periodically update a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the customers of the Bexar-Medina-Atascosa Counties Water Control & Improvement District No. One, the Board deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BEXAR-MEDINA-ATASCOSA WATER CONTROL AND IMPROVEMENT DISTRICT NO. ONE:

SECTION 1. That the Water Conservation Plan attached hereto as Exhibit "A" and made a part hereof for all purposes be, and the same is hereby, adopted as the official policy of the Bexar-Medina-Atascosa Counties Water Control & Improvement District No. One.

SECTION 2. That the Manager is hereby directed to implement, administer and enforce the Water Conservation and Drought Contingency Plan.

SECTION 3. That this resolution shall take effect immediately upon its passage.

PASSED this 22<sup>nd</sup> day of April, 2024.

  
\_\_\_\_\_  
President, Board of Directors

Attest:  
  
\_\_\_\_\_  
Secretary, Board of Directors