

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 1 of 14

---

**Section I  
Adoption, 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 Board of Directors of the District adopts the following rules, regulations, policies and restrictions concerning the delivery and consumption of water.

This Drought Contingency Plan (this "Plan") shall be effective from and after the date of its adoption.

Water uses regulated or prohibited under this 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 XI of this Plan.

**Section II  
Public Involvement**

Opportunity for the public to provide input into the preparation of this Plan was provided by the District by means of holding a public meeting, for which proper notice was given, to accept input on this Plan.

**Section III  
Public Education**

The District will periodically provide or make available to the public information about this Plan, including information about the conditions under which each stage of this Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by various methods, as the Board of Directors deems appropriate from time to time, including but not limited to utility bill inserts.

**Section IV  
Coordination with Regional Water Planning Groups and  
the Texas Commission on Environmental Quality**

The service area of the District is located within the Region H Regional Water Planning Group and the District will provide a copy of this Plan to such regional water planning group within ten (10) days following its adoption. Further, to the extent required by 30 TAC §288.30, the

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 2 of 14

---

District shall submit this Plan to, or make it available for inspection by, the Executive Director of the Commission (as hereinafter defined) within ninety (90) days of its adoption, or sooner if required by 30 TAC §288.30. The District shall notify the Executive Director of the Commission within five (5) days of the implementation of any stage of this Plan, other than Stage 1.

**Section V  
Authorization**

The District's General Manager 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 District's General Manager shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan. The District's General Manager shall take such required actions after consultation with the Division Manager or its designated representative of the San Jacinto River Authority.

**Section VI  
Application**

To the extent that the District is a Retail Public Water Supplier, as that term is defined in Texas Administrative Code Title 30, Section 288.1(12), as amended from time to time, the applicable provisions of this Plan shall apply to all Retail Water Customers of the District. Additionally, to the extent that the District is a Wholesale Public Water Supplier, as that term is defined in Texas Administrative Code Title 30, Section 288.1(15), as amended from time to time, the applicable provisions of this Plan shall also apply to all Wholesale Water Customers of the District.

**Section VII  
Definitions**

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

The term "Aesthetic Water Use" shall mean water use for ornamental, decorative or recreational purposes such as fountains, amenity lakes, reflecting pools, swimming pools, hot tubs, fish ponds and water gardens.

The term "Commercial and Institutional Water Use" shall mean water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, medical facilities, hotels and motels, restaurants, and office buildings.

The term "Commission" shall mean the Texas Commission on Environmental Quality, or its successor.

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 3 of 14

---

The term "Conservation" shall mean 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.

The term "Customers" shall mean all Retail Water Customers, if any, and all Wholesale Water Customers, if any.

The term "Drought of Record" shall mean the historic period of record for the watershed in which the District is located, in which the lowest flows were known to have occurred based on naturalized stream flow.

The term "Domestic Water Use" shall mean 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.

The term "Even Numbered Address" shall mean street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

The term "Household" shall mean the residential premises served by the Retail Water Customer's meter.

The term "Industrial Water Use" shall mean the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

The term "Landscape Irrigation Use" shall mean potable 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.

The term "Non-essential Water Use" shall mean water uses that are not essential nor required for the protection of public, health, safety, and welfare, including but not limited to (a) Landscape Irrigation Use, except as 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) Aesthetic Water Use, including, without limitation, use of water to fill, refill, or add to any indoor or outdoor swimming pools or hot tubs and use of water in a fountain, lake or pond for aesthetic or scenic purposes except where necessary to support aquatic life, (g) failure to repair a controllable leak(s) within a reasonable period after having actual knowledge of or having been given notice by

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 4 of 14

---

the District directing the repair of such leak(s), and (h) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

The term "Odd Numbered Address" shall mean street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

The term "Person" shall include individuals, corporations, partnerships, associations, and all other legal entities.

The term "Rate Order" shall mean the District's rules, regulations and policies concerning the provision of water supply services, as adopted and amended by the District's Board of Directors from time to time.

The term "Retail Water Customers" shall mean any Person using water supplied by the District except for Wholesale Water Customers.

The term "Wholesale Water Customers" shall mean any Person receiving water from the District for resale to the public, except said term shall not apply when the water is received through an emergency water interconnect between the District and another district which normally remains closed.

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

The District's General Manager shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of this Plan as set forth below. Public notification of the initiation or termination of drought response stages shall be by means of either publication in a newspaper of general circulation within the District, direct mail to each Customer, signs posted in the place or places within the District designated for posting notices of public meetings of the District or such other method as the District shall determine to be appropriate under the then existing circumstances. Notification procedures have been developed and are attached titled "Drought Contingency Plan – Public Notification Actions and Procedures".

The triggering criteria described below are based on an analysis performed by the District's General Manager concerning the vulnerability of the District's water source under Drought of Record conditions.

**A. STAGE 1 – MILD WATER SHORTAGE CONDITIONS**

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 5 of 14

---

1. **Requirements for Initiation** - The District will recognize that a mild water shortage condition exists when (i) combined pumpage from the water plants supplying water to the District is in excess of 70% of current production capacity for three (3) consecutive days or (ii) pumpage from one plant in excess of 80% of current production capacity of three (3) consecutive days or (iii) monitoring of water demands and weather forecasts indicate an earlier initiation is necessary.

2. **Requirements for Termination** - Stage 1 of this Plan may be rescinded when the condition listed as the triggering event has ceased to exist for a period of three (3) consecutive days and monitoring of weather forecasts indicate imminent significant rainfall and/or high temperatures consistently trending downward. Upon the termination of Stage 1, District operations shall return to normal.

3. **Reduction Goal** – The goal for reduction in water use for Stage 1 of the Plan is to reduce the consumption by 10% to below 70% of the production capacity.

**B. STAGE 2 – MODERATE WATER SHORTAGE CONDITIONS**

1. **Requirements for Initiation** – The District will recognize that a moderate water shortage condition exists when (i) combined pumpage from the water plants supplying water to the District is in excess of 75% of current production capacity for three (3) consecutive days or 85% of current production capacity for one (1) day, or (ii) pumpage from one water plant is in excess of 85% of current production capacity for three (3) consecutive days, or (iii) when continually falling elevated storage tank or ground storage tank levels occur and storage cannot be maintained to at least 75% of the maximum tank volume overnight.

2. **Requirements for Termination** – Stage 2 of this Plan may be rescinded when the condition listed as the triggering event has ceased to exist for a period of three (3) consecutive days and monitoring of weather forecasts indicate imminent significant rainfall and/or high temperatures consistently trending downward. The District will notify its Customers of the termination of Stage 2 in any of the same manners as authorized for the notification of initiation of Stage 2 of this Plan. Upon the termination of Stage 2, Stage 1 becomes operative, if the condition listed as the triggering event exists for such stage.

3. **Reduction Goal** – The goal for reduction in water use for Stage 2 of the Plan is to reduce the consumption by 10 % to below 75% of the production capacity.

**C. STAGE 3 – SEVERE WATER SHORTAGE CONDITIONS**

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 6 of 14

---

1. **Requirements for Initiation** – The District will recognize that a severe water shortage condition exists when (i) combined pumpage from the water plants supplying water to the District is in excess of 85% of current production capacity for three (3) consecutive days or 90% of current production capacity for one (1) day, or (ii) pumpage from one water plant is in excess of 90% of current production capacity for three (3) consecutive days, or (iii) when continually falling elevated storage tank or ground storage tank levels occur and storage cannot be maintained to at least 70% of the maximum tank volume overnight.

2. **Requirements for Termination** – Stage 3 of this Plan may be rescinded when all of the conditions listed as the triggering events have ceased to exist for a period of three (3) consecutive days and monitoring of weather forecasts indicate imminent significant rainfall and/or high temperatures consistently trending downward. The District will notify its Customers of the termination of Stage 3 in any of the same manners as authorized for the notification of the initiation of Stage 3. Upon termination of Stage 3, Stage 2 or Stage 1, as applicable, becomes operative if the conditions listed as the triggering event exist for any such stage.

3. **Reduction Goal** – The goal for reduction in water use for Stage 3 of the Plan is to reduce the consumption by 5% to below 85% of the production capacity.

**D. STAGE 4 - CRITICAL WATER SHORTAGE CONDITIONS**

1. **Requirements for Initiation** – The District will recognize that a critical water shortage condition exists when (i) combined pumpage from the water plants supplying water to the District is in excess of 90% of current production capacity for three (3) consecutive days or 95% of current production capacity for one (1) day, or (ii) pumpage from one water plant is in excess of 95% of current production capacity for three (3) consecutive days or (iii) when continually falling elevated tank or ground storage tank levels occur and storage cannot be maintained to at least 70% of the maximum tank volume overnight, or (iv) a major line break or a pump or system failure occurs that causes pressures to drop significantly, or (v) when there is a prolonged power outage.

2. **Requirements for Termination** – Stage 4 of this 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 and monitoring of weather forecasts indicate imminent significant rainfall and/or high temperatures consistently trending downward. Upon termination of all conditions that triggered Stage 4, a less critical stage may be resumed, as conditions warrant.

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 7 of 14

---

3. **Reduction Goal** – The goal for reduction in water use for Stage 4 of the Plan is to reduce the consumption by 5% to below 90% of the production capacity.

**E. ADDITIONAL TRIGGERING EVENTS**

Further, to the extent that at least Stage 1 of this Plan is not otherwise triggered, then the appropriate stage, as determined by the District's General Manager, shall be triggered upon the District having received notice from the county in which the District is located, in accordance with Texas Water Code, Section 16.055(g)(2)(B), as amended, that a state of disaster in such county has been declared.

**Section IX  
Drought Response Stages**

The District's General Manager shall, in accordance with the triggering criteria set forth in Section VIII of this Plan above, implement the following actions upon the giving of notice as set forth in Section VIII.

**A. STAGE 1 – MILD WATER SHORTAGE CONDITIONS**

1. **Supply Management Measures** – The District's General Manager shall (a) request by any appropriate means Customers to voluntarily limit the amount of water used, (b) increase monitoring of water supply versus water demand, (c) increase leak detection and repair efforts, and (d) undertake any actions which it deems necessary, including reducing system pressure and/or reducing interconnection with another water system.

**B. STAGE 2 - MODERATE WATER SHORTAGE CONDITIONS**

1. **Supply Management Measures** – The District's General Manager shall undertake any actions that it deems necessary, including reducing system pressure, interconnection with another water system and/or a pro-rata curtailment of water supply to Customers.

2. **Voluntary Water Use Restrictions Applicable to Retail Water Customers** – The following voluntary water use restrictions shall apply to all Retail Water Customers:

(a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be voluntarily limited to Sundays and Thursdays for Retail Water Customers with an Even Numbered Address and Retail Water Customers responsible for watering common areas such as esplanades and sports fields, and to Saturdays and Wednesdays for Retail Water Customers with an Odd Numbered

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35

**SUBJECT:** DROUGHT CONTINGENCY PLAN

**EFFECTIVE DATE:** May 2010

**PAGE:** 8 of 14

---

**Address, and irrigation of said areas is further voluntarily limited to the hours designated in the notice of initiation of Stage 2.**

- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle shall be voluntarily limited to the days and hours designated in the notice of initiation of Stage 2. Such washing, when allowed, should be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station.**
- (c) Use of water to fill, refill, or add to any Aesthetic Water Use should be voluntarily limited to the days and hours designated in the notice of initiation of Stage 2.**
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes shall be voluntarily limited to the days and hours designated in the notice of initiation of Stage 2.**
- (e) Use of water from hydrants should 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 the District.**
- (f) Use of water for the irrigation of golf course greens, tees, and fairways should be voluntarily limited to the days and hours designated in the notice of initiation of Stage 2. However, if the golf course utilizes a water source for irrigation other than that provided by the District's potable water supply system, the golf course shall not be subject to this restriction.**
- (g) All restaurants are encouraged to refrain from serving water except upon request.**
- (h) To the extent not otherwise provided or otherwise in conflict with any of the above, all other Non-essential Water Uses should be voluntarily limited to the days and hours designated in the notice of initiation of Stage 2.**

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35

**SUBJECT:** DROUGHT CONTINGENCY PLAN

**EFFECTIVE DATE:** May 2010

**PAGE:** 9 of 14

---

**C. STAGE 3 – SEVERE WATER SHORTAGE CONDITIONS**

1. **Supply Management Measures** – The District's General Manager shall undertake any actions which he deems necessary, including reducing system pressure, interconnection with another water system and/or a pro-rata curtailment of water supply to Customers.

2. **Water Use Restrictions Applicable to Retail Water Customers** – All water use restrictions for Stage 2 shall remain in effect during Stage 3, except as further restricted below, and shall be mandatory. First time violators will receive a warning. Repeat violators shall be subject to the penalties set forth in Section XI of this Plan:

- (a) Irrigation of landscaped areas shall be limited to twice per week based on the following schedule: Sundays and Thursdays for Retail Water Customers with an Even Numbered Address and Saturdays and Wednesdays for Retail Customers with an Odd Numbered Address during the hours designated in the notice of initiation of Stage 3.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash or commercial service station is prohibited. Further, such washing may be granted a variance from this restriction in accordance with Section XII of this Plan 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. Such vehicle washing at commercial car washes and commercial service stations shall be allowed only during the hours designated in the notice of initiation of Stage 3.
- (c) The filling, refilling, or adding of water to any Aesthetic Water Use is prohibited.

**D. STAGE 4 – CRITICAL WATER SHORTAGE CONDITIONS**

1. **Supply Management Measures** – The District's General Manager shall undertake any actions which he deems necessary, including reducing system pressure, interconnection with another water system and/or a pro-rata curtailment of water supply to Customers.

2. **Water Use Restrictions Applicable to Retail Water Customers** – All water use restrictions for Stage 3 shall remain in effect during Stage 4 except as further restricted below. All violators shall be subject to the penalties set forth in Section XI of this Plan:

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 10 of 14

---

- (a) Irrigation of landscaped areas shall be prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited at all times. Further, such washing may be granted a variance from this restriction in accordance with Section XII of this Plan 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. Such vehicle washing shall be permitted at commercial car washes and commercial service stations only and shall be allowed only during the hours designated in the notice of initiation of Stage 4.
- (c) No applications 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 allowed or approved.

**Section X  
Emergency Water Allocation and Surcharges**

This Section Reserved for emergency water allocations for future wholesale customers, if any, as the District does not currently supply wholesale water to any entity.

**Section XI  
Enforcement and Penalties**

The District's General Manager will administer and enforce the Plan, and will oversee and be responsible for the execution and implementation of all elements of the Plan. The General Manager shall keep adequate records for Plan verification. The District's operator shall report to the Board of the District, at meetings of the Board, regarding actions taken and which need to be taken under the Plan.

**A. Retail Water Customers. The following shall apply to Retail Water Customers.**

1. No Retail Water Customer shall knowingly or intentionally allow the use of water supplied by the District through the Retail Water Customer's meter for any 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 District's General Manager, in accordance with provisions of this Plan.
2. Any Person who, after receipt of a warning of violation of this Plan, again violates this Plan during the same triggering event, commits an offense punishable by a fine of not less than fifty dollars (\$50.00) and not more than two hundred dollars (\$200.00) for each

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 11 of 14

---

offense. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If, after receipt of a warning of violation of this Plan, three or more additional violations of this Plan occur at the same premises to which the District supplies water, the District's General Manager shall, upon due notice to the Retail Water Customer, as set forth for termination of service in the Rate Order, be authorized to discontinue water service to the premises where such violations occurred. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as established by the District's Rate Order, plus all outstanding water and sewer service charges pursuant to the Rate Order and surcharges pursuant to this Plan, any other costs incurred by the District in discontinuing service, and all fines imposed hereunder. In addition, suitable assurance must be given to the District's General Manager that no further violations of this Plan will occur at said premises while any stage of this Plan is in effect. Compliance with this Plan may also be sought through injunctive relief or any other legal or equitable remedies.

3. For the purposes of imposing the fines and penalties set forth in Section XI (A)(2) above, any Person, including a person classified as a Retail Water Customer of the District, 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 such person did not commit the violation by the presentation of objective evidence to the satisfaction of the Board of Directors of the District. For the purposes of imposing the fines and penalties set forth in Section XI (A)(2) above, 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 the parent proves to the satisfaction of the Board of Directors of the District, that the parent 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 or prevented the violation.

4. Any appeal of fines, surcharges, penalties and/or termination of service imposed pursuant to this Plan shall be implemented in accordance with the procedure for appeals of District charges as set forth in the Rate Order.

Unless a different time is designated by the District's Board of Directors, the surcharges described herein shall commence on the first day and shall terminate on the last day of the billing cycle during the calendar month Stage 2 or Stage 3, as appropriate, has been initiated or terminated, as applicable.

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 12 of 14

---

**Section XII  
Variances**

The District's General Manager may, in writing, grant a temporary variance for a period not to exceed fifteen (15) days, and not more than two (2) such variances within any 30-day period, for a specific existing water use otherwise prohibited under this Plan if it is determined by objective evidence, to the satisfaction of the District's General Manager, that failure to grant such variance would cause an emergency condition adversely affecting the health, safety, sanitation, fire protection or welfare of the public or the Customer requesting such variance and if one or both of the following conditions are met:

- (a) Compliance with this Plan cannot, in the General Manager's determination, reasonably be accomplished during the duration of the applicable stage for which this Plan is in effect or would violate applicable laws or regulations related to the health, safety or welfare of the public.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Customers requesting an extended or permanent variance from this Plan, including Customers to which a temporary variance has been granted as set forth above, shall file a petition for the variance with the District's Board of Directors at the District's administrative offices within five (5) days after this Plan or a particular drought response stage (as applicable to the variance requested) has been invoked. All petitions for variances shall be reviewed by the District's Board of Directors as set forth below, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of this Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to why this Plan cannot be technically accomplished or how the specific provision of this Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan, including, if applicable, the specific law or regulation which may be violated by compliance with this Plan.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 13 of 14

---

- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the requirements of this Plan and the compliance date.
- (h) Other pertinent information and other information specifically requested by the District's Board of Directors.

The District's Board of Directors shall consider the petition at the first meeting held following receipt of the petition and shall provide the petitioner with notice of the date, time and place of the meeting and an opportunity to address the Board of Directors at said meeting. The District's Board of Directors may elect, in its sole and absolute discretion, not to impose any penalties for violations of this Plan which occur following the date the petition is filed and before the date a final determination is made by the District's Board of Directors with respect to the granting or denial of the variance.

Variations granted by the District's Board of Directors shall be subject to the following conditions, unless waived or modified by the District:

- (a) Variations granted shall include a timetable for compliance.
- (b) Variations granted shall expire at the earlier of their specified termination date or when this Plan is no longer in effect unless the District's Board of Directors determines, in its sole discretion, to continue a variance under a new or amended Plan; provided, however, if the petitioner has failed to meet requirements specified in the variance, the variance may be immediately revoked by the Board of Directors of the District.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance, unless specifically agreed to by the District's Board of Directors, in its sole discretion.

**Section XIII  
Severability, Amendment and Revocation of Prior Plan**

It is hereby declared to be the intention of the District 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 invalid, unenforceable or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity, unenforceability, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, which shall be enforceable as if the same had been enacted by the District without the incorporation into this Plan of any such invalid, unenforceable or unconstitutional phrase, clause, sentence, paragraph, or section.

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35  
**SUBJECT:** DROUGHT CONTINGENCY PLAN  
**EFFECTIVE DATE:** May 2010  
**PAGE:** 14 of 14

---

The District has and specifically reserves the right to change, alter or amend any provision of this Plan at any time. The District shall renew and update, as appropriate, this Plan at least every five (5) years, based on new or updated information, such as adoption or revision of any applicable regional water plan.

All prior drought contingency plans, including any such plan related to Wholesale Water Customers, as herein defined, adopted by the District shall be revoked and no longer in force and effect as of said date.

## **Drought Contingency Plan**

### *Public Notification Actions and Procedures*

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

1. WJPA will post voluntary conservation message on WJPA Website.
2. Water Bill inserts will be mailed to each customer.
3. Local media notification
4. WJPA e-blast notice
5. WJPA will prepare press release and send to Houston Chronicle, The Courier, The Woodlands Villager, K-Star Radio, Channel 2, 11 and 13.

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

1. WJPA will post voluntary conservation message on WJPA Website detailing a recommended watering schedule.
2. WJPA e-blast notification of water shortage will be sent to those customers in our database
3. Water bill inserts will request voluntary compliance with the 2-day watering schedule.
4. WJPA will prepare press release and send to Houston Chronicle, The Courier, The Woodlands Villager, K-Star Radio, Channel 2, 11 and 13.
5. A Stage 2 water shortage notice (postcard) will be mailed to each customer.

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

1. “Water Restrictions in Effect” signage will be open throughout The Woodlands.

**THE WOODLANDS MUNICIPAL UTILITY DISTRICTS  
POLICY MANUAL**

**POLICY NUMBER:** R&S-35

**SUBJECT:** DROUGHT CONTINGENCY PLAN

**EFFECTIVE DATE:** May 2010

**PAGE:** 15 of 14

---

2. WJPA will prepare press release and send to Houston Chronicle, The Courier, The Woodlands Villager, K-Star Radio, Channel 2, 11 and 13.
3. WJPA will mail water shortage notice to all customers outlining watering schedules and penalty for non-compliance.
4. WJPA e-blast and website notice
5. Utilize The Woodlands Township public notice system

**Stage 4 – Critical Water Shortage Conditions**

1. “Water Restrictions in Effect” signage will remain open throughout The Woodlands.
2. WJPA will prepare press release and send to Houston Chronicle, The Courier, The Woodlands Villager, K-Star Radio, Channel 2, 11 and 13.
3. WJPA will prepare radio announcements/public service messages and send to KSTAR Radio 99.7
4. WJPA will mail Stage 4 water shortage notice (postcard) to all customers prohibiting all outdoor water use and outlining penalty for non-compliance.
5. WJPA e-blast and website notice
6. Utilize The Woodlands Township public notice system

May 2010