



Texas Commission on Environmental Quality
Water Availability Division
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**Drought Contingency Plan
For a Retail Public Water Supplier**

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Water Right No.(s):	1780006	
Regional Water Planning Group:	N	
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**Nueces County Water
Control & Improvement
District #4
Drought Contingency Plan**

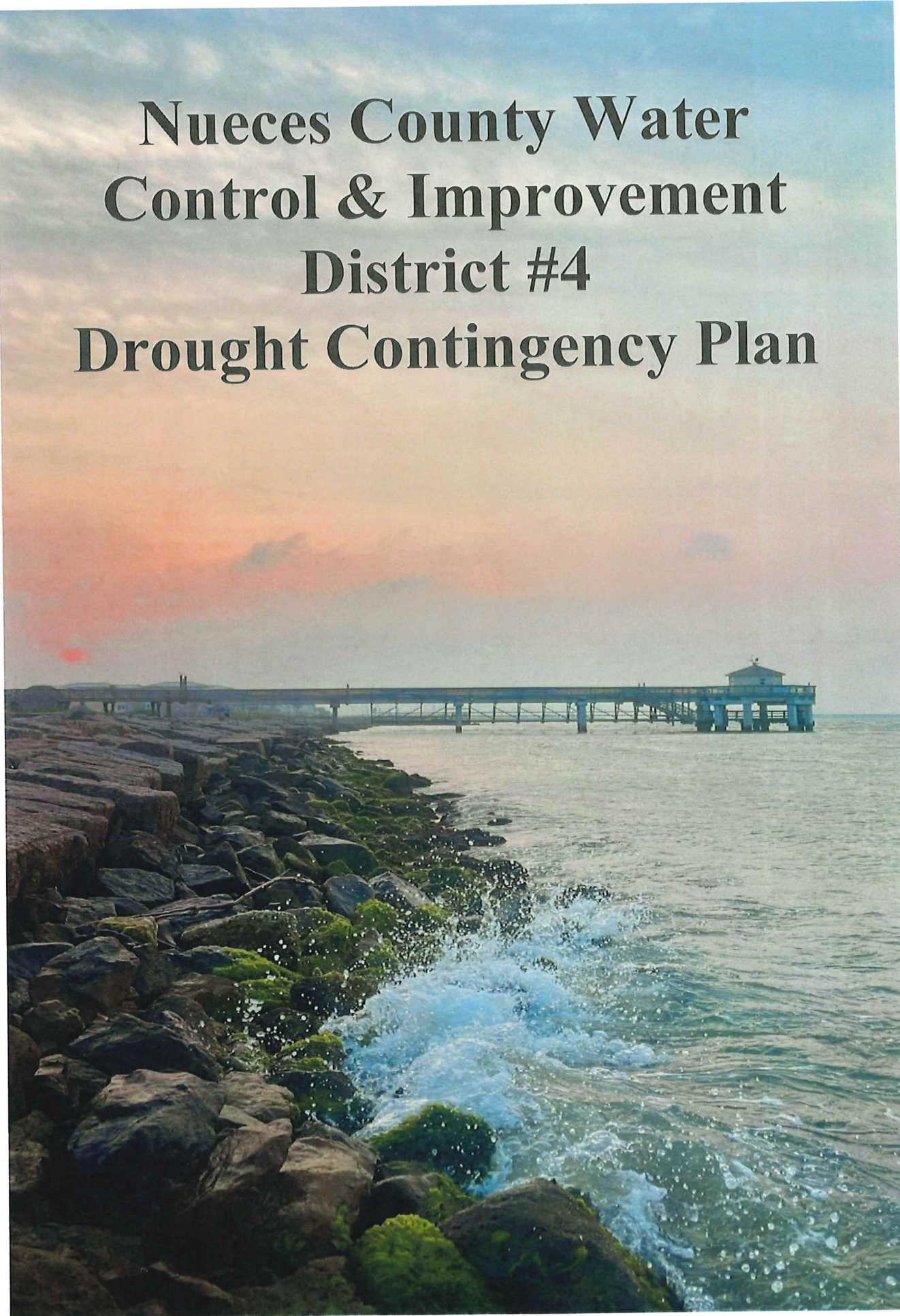


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Section 1: Declaration of Policy and Reason

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 Nueces County Water District #4 (hereinafter referred as the District) hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (DCP) 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 this DCP.

Nueces County Water Control and Improvement #4 obtains water from the City of Corpus Christi and therefore is contractually obligated to adhere to drought provisions set forth by that entity.

Section 2: Public Involvement

A public meeting to receive comments on the DCP was held at a Special Meeting of the Board of Directors, March 28, 2025.

Section 3: Public Education

The District will periodically provide the public with information about the DCP, including information about the conditions under which each stage of the DCP 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 utility bill statements, notifications in the South Jetty (local newspaper), and under the conservation page of the District's website. (www.ncwcid4.org)

Notification to the public about when drought stages go into effect or when restrictions are lifted.

Section 4: Coordination with Regional Water Planning Groups

The service area of the District is located within the Coastal Bend Regional Water Planning Area (Region N) and District has provided a copy of this DCP to Region N in care of the Nueces County River Authority.

The District shall review and update, as appropriate, the DCP at least every five years based on new or updated information, such as the adoption or revision of the regional water plan.

Section 5: Authorization

The District Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of this DCP upon determination that such implementation is necessary to protect public health, safety, and welfare. The District 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 DCP. The District Manager/designee, shall notify the Board of Directors before implementing any measures. Any non-emergency changes to the drought stages and restrictions outside this DCP must have the Board of Directors approval.

Section 6: Application

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

Section 7: Definitions

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

Aerobic irrigation system: an irrigation system that utilizes a home or business’ treated wastewater from an aerobic septic system.

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.

Contract (end-user) water customers: a private entity that has a contract with the City of Corpus Christi and paying a retail water bill.

Customer: any person, company, or organization using water supplied by the District.

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.

Drip Irrigation: a method of water plants using a network of tubes, pipes, valves, and emitters that slowly drips water to the roots of plants to minimize evaporation. Soaker hoses are not a substitute for a proper drip system.

Large Volume account/Industrial user: utility accounts of entities who use more than 10,000,000 gallons of water a month for processes designed to convert material of lower value into having greater usability and use.

Irrigation account/meter: a meter connected solely to an irrigation system. This type of meter does not incur wastewater fees on water used through this meter. All irrigation meters are subject to backflow prevention rules through the City's code of ordinance.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned. Including residential, commercial lawns, gardens, golf courses, parks rights-of-way, athletic fields, 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 or flushing needed to maintain chlorination levels and protect public health.

Reservoir Capacity: the combined reservoir storage levels of Choke Canyon Reservoir and Lake Corpus Christi, as measured in percentage of the full combined volume.

Surcharge: temporary rate to manage demand in times of drought.

Water well: any facility, device, or method used to withdraw ground water from a groundwater reservoir.

Wholesale customers: any public or private utility that has a contract with the City of Corpus Christi to receive raw or treated water supplies and authority (through contracts) to resell this water to other users.

Section 8: Criteria for Initiation and Termination of Drought Response Stages

The City Manager of the City of Corpus Christi 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 each stage of the DCP, that is, when the specified “triggers” are reached. As the City of Corpus Christi deems initiation necessary the District will follow accordingly.

The triggering criteria to be monitored for determining reservoir system response stages is the combined reservoir storage levels of Choke Canyon Reservoir and Lake Corpus Christi, based on the TCEQ 2001 Agreed Order (amended April 17, 2001) relating to inflows into Nueces Bay and Estuary.

8.1 Water Shortage Watch

Trigger for initiation: Customers shall be requested to voluntarily conserve water and adhere to prescribed conditions on specific water uses when the combined storage levels of Choke Canyon Reservoir and Lake Corpus Christi fall below 50%

Trigger for termination: The watch may be terminated when the combined storage levels of Choke Canyon reservoir and lake Corpus Christi increase above 50% for 15 consecutive calendar days.

8.2 Stage 1– Mild Water Shortage

Triggers for initiation: Stage 1 begins when the combined reservoir storage level declines below 40%. Customers shall be required to comply with the requirement and restrictions on certain non-essential water used when the combined storage level declines to below 40 percent.

Triggers for termination: Stage 1 of the DCP may be rescinded when the combined storage levels increase above 50 percent.

8.3 Stage 2 – Moderate Water Shortage

Triggers for initiation: Stage 2 begins when the combined storage level declines below 40%. Customers shall be required to comply with the requirement and restrictions on certain non-essential water use.

Trigger for termination: Stage 2 may be terminated when the combined storage levels increase about 40%. Upon termination of Stage 1, Stage 2 becomes operative.

8.4 Stage 3 – Critical Water Shortage

Triggers for initiation: Stage 3 begins when the combined storage level declines below 20%. Customers shall be required to comply with the requirements and restrictions on certain non-essential water use.

Requirements for termination: Stage 3 of the Plan may be rescinded when the combined storage levels increase to above 30 percent. Upon termination of Stage 3, Stage 2 becomes operative.

8.5 Stage 4– Emergency Water Shortage

Level 1 Water Emergency

Triggers for initiation: A Level 1 Water Emergency begins when the District Manager/designee determines that the is within 180 days of its total water supply not meeting the water demands. The 180-day trigger is in accordance with Texas Administrative Code Title 30 Rule §290.4(b)(1) for water resources. The District Manager/designee can modify the timing of triggering a Level 1 Water Emergency if the regional demands can be fully met with alternative water sources other than then combined reservoir storage. Other sources may include water from the Mary Rhodes Pipeline or future water supplies such as the Inner Harbor Seawater Desalination Treatment Facility.

Trigger for termination: The Level 1 Water Emergency may be terminated when the District Manager/designee, determines that the City’s total water supply can meet the total regional demands for more than 180 days.

Level 2 Water Emergency

Trigger for initiation: A Level 2 Water Emergency begins when the District Manager/designee determines that a water supply emergency exists, which causes the demand to exceed the supply, subsequently leading to imminent failure to maintain pressure that meets TCEQ minimum standards, including but not limited to:

- a. Major catastrophic infrastructure failure including but not limited to; failure of a dam or spillway structure, failure of a major water line such as the MRP or other large diameter water lines, and/or failure of the City’s water treatment facilities like O.N. Stevens or other critical re-pump stations; or
- b. Water production or distribution system limitations; or
- c. Natural or man-made contamination of the water supply source occurs.

Trigger for termination: The water emergency water shortage condition may be rescinded when the City of Corpus Christi deems appropriate.

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

Section 9: Drought Stage Notification

The District Manager/designee shall monitor water supply and/or demand conditions on a weekly basis and, in accordance with the triggering criteria set forth in Section VIII of this chapter, shall determine that a mild, moderate, critical, or a water emergency exists and shall implement the following notification procedures:

Notification of the Public:

The District Manager, or designee, shall notify the public for every change in drought stage status by any or all of the following:

- District's website (www.ncwcid4.org)
- Publication in the South Jetty
- Notice on the monthly billing
- Signs posted in public places
- District social media platforms

Additional Notification:

The District Manager, or designee shall, at a minimum, notify directly, or cause to be notified directly, the following individuals and entities for every change in drought stage status:

- Mayor and members of the City Council
- Fire Chief
- City and/or County Emergency Management Coordinator
- County Judge and Commissioner(s)
- Major water users (such as industries)
- Critical water users (such as hospitals)
- Parks/street superintendents and public facilities managers
- Texas Commission on Environmental Quality (TCEQ) – note TCEQ executive director **MUST** be informed within five (5) business days of mandatory water use restrictions being imposed

Section 10 : Drought Stages: Best Management Practices per Stage

A summary of water use reduction targets for reach drought stage is presented in the following table. Further discussion on best management practices and implementation practices associated with each stage of drought is included below. During Stages 1, 2, and 3; requests for exemptions may be presented to the District Manager/designee.

	CCR/LCC Combined Reservoir Storage Level	Target Demand Reduction Levels
Water Storage Watch	<50%	5%
Stage 1-Mild	<40%	5%
Stage 2-Moderate	<30%	10%
Stage 3-Critical	<20%	15%
Stage 4-Emergency		
Level 1	Not Applicable	25%
Level 2	Not Applicable	50%

10.1: Water Shortage Watch

Target: Achieve a voluntary 5% reduction in daily water with the water use conditions below.

Best Management Practices for Supply Management:

The District will enact voluntary measures to reduce or discontinue the flushing of water mains if practicable and utilize reclaimed water for non-potable uses to the greatest extent possible. The District will prioritize sources of supply not impacted by drought conditions, when available, including interruptible supplies from Lake Texana during times when Lake Texana water level is at or above 43 mean seal level in accordance with Lavac-Navidad River Authority (LRNA) contract. The District will actively promote education messages in the media about how to reduce water use through conservation practices, and rules of the drought stages.

Water Use Conditions for Reducing Demand:

- d. Water customers are requested to voluntarily limit the irrigation of landscaped areas to once per week.
- e. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.
- f. All operation of the City of Corpus Christi shall adhere to water use restrictions prescribed for Stage 1.
- g. Water smart techniques will be promoted by District leadership, Board of Directors, and City departments.

Section 10.2: Stage 1 Response-Mild Water Shortage

Target: During Stage1, achieve a 5% reduction in daily water demand with the water use restrictions found below.

Best Management Practices for Supply Management:

Under Stage 1, the District will:

- Use more repair crews if necessary to allow for a quicker response time for water-line leak repair; and
- District crews will begin monitoring customers' compliance with Stage 1 restrictions during the course of their daily rounds.
- In addition to the restrictions outlined below, the District will make every effort to conserve water, including no new landscaping installation, no filling of ponds, and reducing the cue of District-owned ornament fountains.
- Increase targeted outreach to high-consumption industrial and commercial customers to urge water use reductions.
- Use metering technology to track and eliminate leaks
- Increase public education and outreach regarding water use reduction by using the following practices:
 - Use an aerator and/or a water flow-reducer attachment on your tap to reduce water usage
 - When brushing your teeth, turn water off while you are brushing. Use short burst of water to clean your brush
 - When washing or shaving, partially fill the sink and use that water rather than running the tap continuously.
 - Use wither low-flow shower heads or adjustable flow-reducer devices on your shower heads
 - Take shorter showers

- You can reduce water usage by 40% to 50% by installing low-flush toilets.
- When hand washing dishes, never run water continually
- If you have a dishwasher appliance, use it only t was full loads, and use the shortest cycle possible
- Repair leaks quickly
- Clean outdoor surfaces with a broom, not a hose.
- Water during the cool part of the day, in the morning or evening
- Do not over water in anticipation of a shortage. Soil cannot store extra water.

Water Use Restrictions for Demand Reduction

Under threat of penalty for violation, the following water use restrictions shall apply to all persons during Stage 1:

- a. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to **once per week**. The watering schedule will be determined by the District Manager or designee. Customers will be made aware of their designated watering day. However, irrigation of landscaped areas is permitted on any day if it is by means of a hand-held hose (with positive shutoff nozzle), a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system with a positive shutoff device.
 - a.1 Exceptions for this restriction may be permitted, upon review and approval by the District Manager or designee, for the following uses: new plantings (for up to 60 days), vegetable gardens, athletic playing fields, and botanical gardens. In addition, this restriction does not apply to customers irrigating with well water.
- b. No watering or irrigating of landscaped areas by the hose-end sprinkler or automatic irrigation systems will be allowed between the hours of 10:00 am and 6:00 p.m to prevent evaporative loss.
- c. 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 the District.
- d. Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days. However, if the golf course utilizes treated effluent or a water source other than that provided through the District's infrastructure, the facility shall not be subject to these regulations.
- e. The use of water to maintain integrity of building foundations is limited to designated watering days and is only permitted by use of hand-held hose or drip irrigation.
- f. The use of water maintain the integrity of building foundations is limited to designated watering days.

Stage 10.3: Stage 2 Response – Moderate Water Shortage Conditions

Target: During Stage 2, achieve a 10% or greater reduction in total daily treated water demand relative to treated water demand with the water use restrictions below.

Best Management Practices for Supply Management:

In addition to the best management practices for supply management listed under Stage 1, the District will also do the following during Stage 1:

- a. Eliminate the flushing of water mains unless required for decontamination and/or public safety; and
- b. Review customers' water usage for compliance based on the previous month's water use and notify violators verbally or in writing as the situation dictates.
- c. Increase public education and outreach regarding water use reduction by using the following practices:
 - Use an aerator and/or a water flow-reducer attachment on your tap to reduce water usage
 - When brushing your teeth, turn water off while you are brushing. Use short burst of water to clean your brush
 - When washing or shaving, partially fill the sink and use that water rather than running the tap continuously.
 - Use wither low-flow shower heads or adjustable flow-reducer devices on your shower heads
 - Take shorter showers
 - You can reduce water usage by 40% to 50% by installing low-flush toilets.
 - When hand washing dishes, never run water continually
 - If you have a dishwasher appliance, use it only t was full loads, and use the shortest cycle possible
 - Repair leaks quickly
 - Clean outdoor surfaces with a broom, not a hose.
 - Water during the cool part of the day, in the morning or evening
 - Do not over water in anticipation of a shortage. Soil cannot store extra water.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 1 and Stage 2 shall remain in effect during Stage 3 except as modified below:

- a. Irrigation of landscaped areas with hose-end sprinklers and automatic irrigation systems shall be limited to **once every other week**. The watering schedule will

be determined by the District Manager or designee. Customers will be made aware of their designated watering day. However, irrigation of landscaped areas is permitted on any day if it is by means of a hand-held hose (with positive shutoff nozzle), a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system with a positive shutoff device.

- a. 1 Exceptions for this restriction may be permitted, upon review and approval by the District Manager or designee, for the following uses: new plantings (for up to 60 days), vegetable gardens, athletic playing fields, and botanical gardens. In addition, this restriction does not apply to customers irrigating with well water.
- b. The watering of golf course fairways with potable water is prohibited. The watering of greens and tees are limited to once every other week unless the golf course utilizes treated effluent or a water source other than that provided through the District or done by means of hand-held hoses, hand-held buckets, or drip irrigation.
- c. A person or entity who owns, leases or manages an outdoor swimming pool (Including District -owned pools) shall begin preparation for Stage 3 requirement to have approximately 100 percent of the pool surface area covered when not in use.
- d. Hotels, motels, and other lodgings must offer and clearly notify guests of a "linen/towel change on request only" program
- e. Use of water to wash a motor vehicle, not occurring on the premises of a commercial car wash, is allowed on a designated Stage 2 Watering Day.

Optional Measures:

During Stage 2, the following measures are optional water use restrictions that may be implemented by the District/designee with Board of Directors approval, as conditions warrant:

- A) The following surcharge will be added to a customer's water bill:
 - I. For all irrigation accounts, a surcharge of \$1.00 per 1,000 gallons will be added to customer's bill
 - II. For residential accounts, a surcharge of \$1.00 per 1,000 gallons over 7,000 gallons will be added to the customer's bill
 - III. For commercial accounts, a surcharge of \$1.00 per 1,000 gallons over 55,000 gallons will be added to the customer's bill.
 - IV. For non-exempt large volume accounts a surcharge of \$3.00 per 1,000 gallons over 12,842,000 gallons will be added to the customer's bill.
 - V. For wholesale customers, a surcharge of \$1.00 per 1,000 gallons for volumes exceeding the last 12-month average usage by 25% for the 12-

month billing prior to the implementation of Stage 2 will be added to the customers bill, except as otherwise provide by contract.

10.4 Stage 3 Response – CRITICAL Water Shortage Conditions

Target: During Stage 3, achieve a 15% or greater reduction in daily treated water demand relative to treated water demand with the water use restrictions below.

Best Management Practices for Supply Management:

In addition to the best management practices for supply management listed under Stage 2, the District will also do the following during Stage 3:

- Upon written notice, disconnect the water meters of willful violators if absolutely necessary to prevent the deliberate wasting of water.
- Increase public education and outreach regarding water use reduction by using the following practices:
 - Use an aerator and/or a water flow-reducer attachment on your tap to reduce water usage
 - When brushing your teeth, turn water off while you are brushing. Use short burst of water to clean your brush
 - When washing or shaving, partially fill the sink and use that water rather than running the tap continuously.
 - Use wither low-flow shower heads or adjustable flow-reducer devices on your shower heads
 - Take shorter showers
 - You can reduce water usage by 40% to 50% by installing low-flush toilets.
 - When hand washing dishes, never run water continually
 - If you have a dishwasher appliance, use it only t was full loads, and use the shortest cycle possible
 - Repair leaks quickly
 - Clean outdoor surfaces with a broom, not a hose.
 - Water during the cool part of the day, in the morning or evening
 - Do not over water in anticipation of a shortage. Soil cannot store extra water.
 -

Water Use Restrictions for Demand Reduction:

All requirements of Stage 1 and 2 shall remain in effect during Stage 3 except as modified below:

- Irrigation of landscaped areas shall be **prohibited at all times**.
- Drip irrigation for foundations and landscaped beds is allowed every other wee on

the designated watering schedule. The water schedule will be determined by District Manager/designee. Customers will be made aware of their designated water day.

- Watering of trees, vegetable beds, shrubs, and potted plants is permitted on any day if it is by the means of a handheld hose (with a positive shutoff nozzle), a faucet-filled bucket, or a watering can of five (5) gallons or less
- Exceptions for Stage3 restriction may be permitted up to 30 days, upon review and approval of the District Manager/designee for new plantings. In addition, this restriction does not apply to customer irrigating with well water or an aerobic septic system. Customer irrigation with well water or an aerobic septic system shall still apply for an exemption with The District. An exception certificate should be prominently posted on the premises with two (2) feet of the street number located on the premises.
- Use of water to wash a motor vehicle, not occurring on the premises of a commercial car wash station, is allowed by hand, with a five (5) gallon bucket or less on the designated watering day.
- The filling, draining and refilling of an existing swimming pool, Jacuzzi and hot tubs is prohibited except to maintain structural integrity.
- A person or entity who owns, leases, or manages an outdoor swimming pool (including District-owned pools) shall have approximately 100% of the pool surface area covered when not in use. A request for an exemption or variance from this provision for pools that have a water-saving feature may be submitted.
- Operators of water parks must seek approval from the District prior to the filling, refilling, or adding water to water parks.
- All fountains shall only operate to circulate water in order to maintain equipment.
- Hotels, motels, and other lodgings must offer and clearly notify guests of a "linen/towel change on request only" program.

Optional Measures:

During Stage 3, the following measures are optional water use restrictions that may be implemented by District Manager/designee, with the Board of Directors approval, as conditions warrant:

- a) The following surcharge will be added to a customer's water bill:
 - i. For all irrigation accounts, a surcharge of \$2.00 per 1,000 gallons will be added to customer's bill

- ii. For residential accounts, a surcharge of \$2.00 per 1,000 gallons over 7,000 gallons will be added to the customer's bill
- iii. For commercial accounts, a surcharge of \$2.00 per 1,000 gallons over 55,000 gallons will be added to the customer's bill.
- iv. For non-exempt large volume accounts a surcharge of \$12.00 per 1,000 gallons over 12,842,000 gallons will be added to the customer's bill.
- v. For wholesale customers, a surcharge of \$2.00 per 1,000 gallons for volumes exceeding the last 12-month average usage by 25% for the 12-month billing prior to the implementation of Stage 2 will be added to the customer's bill, except as otherwise provide by contract.

10.5 Stage 4 Response – Emergency Water Shortage Conditions

Level 1 Water Emergency

In the event that the triggering criteria, Level 1 emergency of the DCP is met the District Manager/Designee is hereby authorized to implement pro-rata curtailment of water supplies to all customers in accordance with Texas Water Code §11.039. The initiation of pro-rata curtailment preparations shall begin during Stage 3.

Target: During a Level 1 Water Emergency, pro-rata curtailment will be required and may start at 5% or greater reduction of total water demand, depending on the forecasted water supply conditions. Surcharges and allocations are enforceable during a Water Emergency.

Best Management Practices for Supply Management:

In addition to the best management practices for supply management listed under Stage 3, the District will also do the following:

- Implement a planned public campaign to inform all customers of the water emergency and to mandate the immediate curtailment of water.
- Contact wholesale water customers to discuss water supply and/or demand their water consumption as necessary.
- Contact large volume/industrial users to discuss water supply and/or demand conditions and inform them about the initiation of mandatory measures to curtail their water consumption as necessary.

Water Use Restrictions for Demand Reduction:

During a Level 1 Water Emergency, all requirements of Stage 1, 2 3 shall remain in effect except as modified below:

- a. Irrigation of landscaped areas is absolutely prohibited.
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is absolutely prohibited.
- c. Associated uses of water not related to business process which are discretionary, such as equipment washing, shall be deferred until the Stage 4 emergency has been terminated.

Level 2 Water Emergency

Target: During a level 2 Water Emergency, achieve the necessary reduction in daily water demand to meet minimum system pressure requirements with the below water use restrictions. In addition, during a Level 2 Water Emergency all requirements from

Level 1 Water Emergency may be authorized under this section. Surcharges and curtailments are enforceable during a Water Emergency.

During a water emergency such as a catastrophic failure of infrastructure or cross-connection contamination, the District shall implement all necessary measures to protect public health and safety.

For a water emergency associated with contamination of Nueces Basin stored supplies, the District, under the District Manager/designee's direction, will cease pumping from the Nueces River and will contact the LNRA to identify additional, temporary water needs. For a water emergency associated with contamination of Lake Texana supplies, the District Manager/designee direction, will cease pumping from the Mary Rhodes Pipeline.

Water Use Restrictions for Demand Reduction:

During a water emergency, all requirements of Stage 1, 2, 3 shall remain in effect except as modified below:

- a) Irrigation of all landscaped areas is absolutely prohibited.
- b) Use of water to wash any motor vehicle, motorbike, bot, trailer, or other vehicle is absolutely prohibited.
- c) Associated uses of water not related to business process which are discretionary, such as equipment washing, shall be deferred until the wat er emergency has been terminated.

Optional Measures:

During a Level 1 or 2 Water Emergency, the following measures is an optional water use restriction that may be implemented by the District Manager/Designee

- a) 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 applicates are hereby suspended for such time as this drought stage shall be in effect.

- b) The following surcharge will be added to a customer's water bill:
- i. For all irrigation accounts, a surcharge of \$4.00 per 1,000 gallons will be added to customer's bill
 - ii. For residential accounts, a surcharge of \$4.00 per 1,000 gallons over 7,000 gallons will be added to the customer's bill
 - iii. For commercial accounts, a surcharge of \$4.00 per 1,000 gallons over 55,000 gallons will be added to the customer's bill.
 - iv. For non-exempt large volume accounts a surcharge of \$12.00 per 1,000 gallons over 12,842,000 gallons will be added to the customer's bill.
 - v. For wholesale customers, a surcharge of \$4.00 per 1,000 gallons for volumes exceeding the last 12-month average usage by 25% for the 12-month billing prior to the implementation of Stage 2 will be added to the customer's bill, except as otherwise provide by contract.
- i.

Section 11: Surcharges for Drought Stages 2, 3, Water Emergency and Service Measures

a) General

1. The surcharges established herein are solely intended to regulate and deter the use of water during a period of serious drought in order to achieve necessary water conservation. The District expressly finds that the drought poses a serious and immediate threat to the public and economic health and general welfare of this community, and that the surcharges and other measures adopted herein are essential to protect said public health and welfare.
2. This section, and the surcharges and measures adopted herein, are an exercise of the District's regulatory and police power, and the surcharges and connection fees are conservation rates intended to meet fixed costs as a result of lost revenue.
3. With the Board of Directors, District Manager/designee, is authorized to determine trigger points or allocations and surcharges during Stage 2, 3, and a Water Emergency.
4. A customer may appeal a drought surcharge established under this section to the Board of Directors, District Manager/designee on grounds of unnecessary hardship, through the process outlined in Section 12.

(b) During Stage 2 the following surcharge will be added to a customer's bill

For all irrigation accounts, a surcharge of \$1.00 per 1,000 gallons will be added to customer's bill:

- i. For residential accounts, a surcharge of \$1.00 per 1,000 gallons over 7,000 gallons will be added to the customer's bill
- ii. For commercial accounts, a surcharge of \$1.00 per 1,000 gallons over 55,000 gallons will be added to the customer's bill.
- iii. For non-exempt large volume accounts a surcharge of \$3.00 per 1,000 gallons over 12,842,000 gallons will be added to the customer's bill.
- iv. For wholesale customers, a surcharge of \$1.00 per 1,000 gallons for volumes exceeding the last 12-month average usage by 25% for the 12-month billing prior to the implementation of Stage 2 will be added to the customer's bill, except as otherwise provide by contract.

(c) During Stage 3 the following surcharge will be added to a customer's water bill:

- i. For all irrigation accounts, a surcharge of \$2.00 per 1,000 gallons will be added to customer's bill
- ii. For residential accounts, a surcharge of \$2.00 per 1,000 gallons over 7,000 gallons will be added to the customer's bill
- iii. For commercial accounts, a surcharge of \$2.00 per 1,000 gallons over 55,000 gallons will be added to the customer's bill.
- iv. For non-exempt large volume accounts a surcharge of \$12.00 per 1,000 gallons over 12,842,000 gallons will be added to the customer's bill.
- v. For wholesale customers, a surcharge of \$2.00 per 1,000 gallons for volumes exceeding the last 12-month average usage by 25% for the 12-month billing prior to the implementation of Stage 2 will be added to the customer's bill, except as otherwise provide by contract.

(d) During a Water Emergency, the following surcharge will be added to a customer's water bill:

- i. For all irrigation accounts, a surcharge of \$4.00 per 1,000 gallons will be added to customer's bill
- ii. For residential accounts, a surcharge of \$4.00 per 1,000 gallons over 7,000 gallons will be added to the customer's bill
- iii. For commercial accounts, a surcharge of \$4.00 per 1,000 gallons over 55,000

- gallons will be added to the customer's bill.
- iv. For non-exempt large volume accounts a surcharge of \$12.00 per 1,000 gallons over 12,842,000 gallons will be added to the customer's bill.
 - v. For wholesale customers, a surcharge of \$4.00 per 1,000 gallons for volumes exceeding the last 12-month average usage by 25% for the 12-month billing prior to the implementation of Stage 2 will be added to the customer's bill, except as otherwise provide by contract.

Section 12: Requests for Exemptions and Variances

- a) The Chief Operating Officer/designee may, in writing, grant a temporary variance to any of the provisions for water users found in this DCP upon determination that failure to gran such variance would cause an emergency condition adversely affecting the public health, sanitation, or fire protection for the public or per person requesting such a variance.
- b) A person requesting an exemption or variance from the provision of this Ordinance shall file a request on the District provided application for an exemption/variance with NCWCID4 withing 5 Days after a particular drought response stage has been invoked. All request forms shall be reviewed by the Chief Operating Officer/designee, and shall include the following:
 - 1. Name an address of water user(s)
 - 2. Purpose of water use
 - 3. Specific provision(s) of the Ordinance from which the water user is requesting relief.
 - 4. Detailed statement as to how the specific provision of the Ordinance adversely affects the water user or what damage or harm will occur to the water user or other is water user complies with this DCP.
 - 5. Description of the exemption requested
 - 6. Period of time for which the exemption is sought.
 - 7. Alternative water use restricts or other measures the water user is taking or proposes to take to meet the intent of this DCP and the compliance date.
 - 8. Other pertinent information; or as required on exemption application.
- c) No exemption nor variance shall be retroactive or otherwise justify and violation of the DCP occurring prior to the issuance of the exemption/variance.
- d) The Chief Operating Officer for the District/designee shall consider requests of water users for special consideration to be given as to their respective particular circumstances and is hereby authorized to, in special cases, grant such variance from the terms of this DCP in such compliance would cause an emergency condition adversely affecting the public health, sanitation, or fire protection for the public or person requesting such a variance as will not be contrary to the public interest, where, owing to special cónditions, a literal enforcement to the provisions of this DCP

will result in unnecessary hardship, and so the spirit of the DCP shall be observed and substantial justice done.

- e) Should an exemption for special exception be granted, it shall be in effect from the time of granting through the termination of the then current stage, unless revoked by the Chief Operating Officer/designees for noncompliance; of the street number located on the premises.
- f) A person denied a request for permit or exception from these rules may appeal the decision to the Chief Officer/designee by submitting a written request for appeal to the Chief Officer within five business days from issuance of denial. The decision of the Chief Office of the District shall be final.
- g) Violation of any permit conditions may be enforced.

Section 13: Enforcement

No person shall knowingly or intentionally allow the use of water from the District for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this DCP, 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 Manager. Any person that violates requirements set forth by this DCP shall be subjected to the following penalties:

Water Restriction Violations:

1st Offense: Written Notice

2nd Offense: Disconnect service with a \$150.00 reconnect fee

3rd Offense: Disconnect service with a \$300.00 reconnect fee

4th Offense: Disconnect service with a \$500.00 reconnect fee

5th Offense: Disconnect service with no reconnect (customer may file an appeal to the Water Allocation and Review Committee)

Any person whose name is on file with the utilities billing office as the customer on the water account for the property where the violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on said premises shall constitute prima facie evidence that the customer committed the violation, but said customer shall have the right to show that he did not commit the violation.

Section XIII: Variances

Section 14: Variances

A temporary variance for existing water uses otherwise prohibited under this DCP may be obtained through the process outlined in Section 12.

Section 15: Severability

It is hereby declared to be the intention of the District that the sections, paragraphs, sentences, clauses, and phrases of this DCP are severable and, if any phrase, clause, sentence, paragraph, or section of this DCP shall be declared unconstitutional by valid judgment or decree of any court or competent jurisdiction, such declaration shall not affect any of the remaining phrases, clause, sentences, paragraphs, and sections of this DCP, since the same would not have enacted by the District without the incorporation into this DCP of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 16: Adoption of Plan

On March 28, 2025 the Drought Contingency Plan was discussed at a public meeting of the Board of Directors. The Board Meeting agenda was posted along with other items as part of the normal dissemination of the Board Meeting agenda. At this time the Board of Directors adopted the Drought Contingency Plan. District Manager, Scott Mack was named enforcement agent. Office Manager, Katie Barrett will be responsible for the annual reporting of the utility profile in accordance to TWDB and TCEQ.

RESOLUTION NO. 2025-2

**A RESOLUTION OF THE NUECES COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 4 CONCERNING THE APPROVAL OF THE
DROUGHT CONTINGENCY PLAN
FOR A RETAIL PUBLIC WATER PROVIDER**

WHEREAS, the Nueces County Water Control and Improvement District No. 4, hereinafter referred to as the “District”, is a water control and improvement district and political subdivision in the State of Texas organized pursuant to Article 16, Chapter 59, of the Texas Constitution; and,

WHEREAS, the District pursuant to Chapters 49 and 51 of the Texas Water Code has the authority to adopt rules and regulations which govern methods, terms and conditions of water and sewer service, within its certificated area as defined in its Certificates of Convenience and Necessity issue by the Texas Commission Environmental Quality for the providing of water and sewer service to parcels or tracts of land in the District; and,

WHEREAS, the District, in order to preserve 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, adopted a Drought Contingency Plan (the “Plan”) containing regulations and restrictions on the delivery and consumption of water within the service area of the District; and,

WHEREAS, the Plan adheres to the Drought Contingency Plan adopted by the City of Corpus Christi, Texas; and,

WHEREAS, the Nueces County Water Control and Improvement District No. 4 entered into a Treated Water Supply Contract with the City of Corpus Christi (the “Contract”) on April 1, 2010 wherein the City of Corpus Christi (the “City”) agreed to provide to the District a fresh supply of potable water subject to the District abiding by the provisions of said Contract; and,

WHEREAS, the Contract provided that the City would have, as a result of rules of the Texas Commission on Environmental Quality, a drought contingency plan and that any entity that the City has an agreement with to provide either treated or raw water would also have a contractual obligation to adopt a drought contingency plan consistent with the City’s plan; and,

WHEREAS, The City of Corpus Christi has advised its retail water suppliers, including the District, that it will not implement the surcharges provided or in its Drought Contingency Plan at this time; and,

WHEREAS, the City of Corpus Christi on March 18, 2025 adopted a revised Drought Contingency Plan; and,

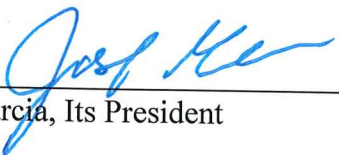
NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Nueces County Water Control and Improvement District No. 4, that it hereby adopts a revised Drought

Contingency Plan drawn to be consistent with the revised Contingency Plan Adopted by the City of Corpus Christi on March 18, 2025.

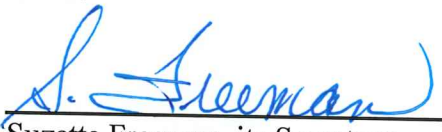
BE IT FURTHER RESOLVED that the revised Drought Contingency Plan shall be effective immediately after its adoption by the Board of Directors.

DULY ADOPTED on this 28th day of March 2025.

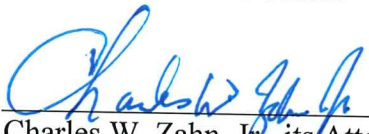
**NUECES COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. 4**

By: 
Josh Garcia, Its President

ATTEST:

By: 
Suzette Freeman, its Secretary

APPROVED AS TO FORM:

By: 
Charles W. Zahn, Jr., its Attorney