



# WATERING RULES REVIEW

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### WHY NOW?

#### **Why do we need changes to the watering rules?**

SAWS has a permit from the Edwards Aquifer Authority and is required to reduce the amount of water pumped from the aquifer during drought. Watering rules and restrictions help reduce the demand for discretionary water during peak months and help avoid the need for costly new water supply projects for our community.

In 2022, our community's water use was 9% higher than expected given Stage 2 drought enforcement - around 10 billion gallons more than expected, enough water to fill 20,000 Olympic-size pools. Recent extreme heat has resulted in the biggest increase in per person water use in 10 years. San Antonio is also growing quickly – and almost all new homes have irrigation and use more water. When irrigation systems are poorly installed, they waste thousands of gallons of water, costing both the customer and the utility. The combination of more people, more use per person (due to outdoor watering), and prolonged drought conditions require a change to rules to ensure a sustainable future for our city's water resources.

#### **What are the advantages to adopting the proposed drought management changes?**

The drought rules address several major issues:

- The new rules will apply equally to all SAWS customers, regardless of where they reside. Current rules only apply to customers inside City Limits and the Extraterritorial Jurisdiction.
  - Shifting to a fee on the bill will be more efficient as the criminal process for enforcement is time-consuming for everyone involved. It will also be less stressful for customers who are concerned about a possible criminal record. Customers will still have an opportunity to appeal a fee applied to them with an independent committee, but without having to go to court. The
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high use surcharge will shift the financial burden of an increased need for water resources from the entire community to those who primarily cause the increase in demand.

- Treating drip irrigation the same as spray irrigation will prevent drip from being used as a loophole in the watering rules that results in high water use.
- Lastly, enforcing existing state and local irrigation standards on new systems will ensure efficiency from the start, benefitting both the new homeowners and the community at large due to decreased water demand.

## **DROUGHT RULE ENFORCEMENT**

### **Do drought rules and enforcement efforts work?**

Yes, they work when they are followed. The good news is that about 90% of customers follow the watering rules. For those who receive a violation at a single-family home, we see a savings of 3,000 gallons/month following notification of the violation. However, we know that when we are under drought rules, 5-9% of customers are violating. Updating the rules will help gain additional adherence.

Unfortunately, the citation amount for both commercial and residential users is the same. That amount has not changed in nearly two decades and data indicates the citation amount is not as effective as it once was. This is especially so for some of the highest users as the cost of a violation is very low in comparison to their large water bills.

### **Which SAWS customers do not have to follow rules today?**

All SAWS customers should follow watering rules during drought as a shared responsibility. However, the consequence for violating the rules currently depends on a City of San Antonio Municipal Citation. These cannot be issued to citizens who reside in separately incorporated cities or outside of the extra-territorial jurisdiction. As SAWS has grown there have been more households and businesses who are in these areas. Often water usage is higher where there is no current enforcement consequence, yet the cost to supply water during high demand periods is distributed across all SAWS customers.

### **How can SAWS clarify that every SAWS customer must follow drought rules regardless of where they live?**

SAWS can clarify the need for all SAWS customers to follow drought related regulations in something called "Utility Service Regulations." Utility Service Regulations exist so that water utilities can provide reliable, safe water services to the community being served. This idea that watering rules are tied to a utility rule is not new among water utilities. Other regional water providers similarly make this clear. For example, New Braunfels and Georgetown have clarified that all customers must follow watering rules.

### **When would these changes take effect?**

We are currently getting feedback on the proposed changes. Depending on that feedback, it could be possible to get changes completed by spring 2024. Some changes, such as the enforcement of state and local irrigation standards, will be phased in over a couple of years.

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**Will I be impacted by these changes?**

90% of SAWS customers will be unaffected by these changes because they are already following the rules. The new process of enforcement will impact customers who have previously not been following watering rules during drought periods.

**Many of these changes affect residential customers, but what action does SAWS take to reduce commercial water consumption? In addition, I often see commercial properties violating the watering rules. How is SAWS addressing this issue?**

Seven percent of accounts are commercial accounts. These violations may be more easily observed as the properties are typically in highly visible locations. Irrigation-only commercial accounts with multiple citations may be subject to shut-off until violations are resolved.

Approximately 4,000 commercial accounts are required to complete the Annual Irrigation Checkup to ensure systems are in good working order with no water waste. If the checkup is not completed by the May 1 deadline, there is a failure to comply fee and an additional monthly volumetric rate on irrigation consumption until the account is in compliance.

Commercial rebates are available to assist properties with their conservation efforts.

**My HOA (Homeowners Association) tells me I have to keep green grass in my yard in spite of the drought – is there anything I can do about this?**

There are regulations in local and state statute that discourage this action by HOAs. SAWS has made outreach efforts and is actively working to communicate to HOAs that they may not require installation of grass and watering it in excess to keep it green.

## **CHANGES TO THE VIOLATION PROCESS**

**If there is not a citation, what is the consequence of a violation?**

Many utilities have a fee associated with violations of watering rules. Instead of a citation, the new process would be a fee assessed on the SAWS bill. All SAWS fees must be approved by the City of San Antonio, and the fee would reflect the cost of service, including drought enforcement and the system costs of high discretionary water use.

**Will I receive a warning before a violation is issued?**

Information about watering rules is communicated through bill inserts, the SAWS website, emails, local newspapers, TV, radio, and social media. Under the proposed system, SAWS can offer residential customers the opportunity to complete an online Water Education Class and avoid the fee for their first violation. If new watering hours are instituted, a warning will be issued for a first-time, wrong-time violations. Making sure the contact information is correct on your SAWS account is one of the best ways to ensure you don't miss announcements about changes to the watering hours. You can log in to your SAWS MyAccount profile or call Customer Service at (210) 704-7297.

**How much would the fee be for people who violate the watering rules under this new proposal?**

There is still analysis going into answering this question. Updates will be posted as they are available. SAWS fees must be authorized by the City of San Antonio. Fees could escalate with repeated violations and deeper stages of drought. Fees would reflect the cost of service, including drought enforcement

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and the system costs of high discretionary water use. The goal is to have fees be reasonable but reflect the urgency of the stage of drought as well as be meaningful to very high users.

**What will the process be to dispute a fee on the bill?**

It is always important that there be an opportunity to question a violation to prevent errors. In this proposal, customers may dispute a fee on their bill directly with SAWS rather than going through a lengthy court process. SAWS will be able to provide photographs and notes to concerned customers to ensure there was no error. Customers who do not find the evidence compelling will have an opportunity to dispute their violation through a formal appeals process.

## **DROUGHT STAGE 3 SURCHARGE**

**Why is SAWS proposing a drought surcharge in Stage 3 instead of every other week watering?**

Full compliance with once per week watering would yield tremendous savings and make it unlikely that more onerous rules would be needed in the future. The surcharge would be designed to impact only the top 5% of water use accounts and would encourage more careful use of discretionary water. In contrast, the current Stage 3 of every other week watering would be very difficult for many people who are already following the watering rules. It seems fairer to encourage a small number of customers to comply before imposing more regulations on everyone.

**Who used the most water in summer 2022?**

SAWS serves over 500,000 residential accounts. The top 6% of residential customers used 21% of the community's water in 2022. The bottom 52% of residential customers used 23% of water. Analysis indicates that 5-9% of homes are watering more than once a week in Stage 2.

**How much water does a residence have to use to be subject to the stage 3 water surcharge?**

This is still being analyzed. One proposal is to look at a level around 18,000-20,000 gallons per month because 90% of watering bills are lower than this level.

**What about large families? Would they be impacted by a surcharge?**

No. There have been studies on indoor water usage for family size. Even a home with 10 adults and 10 children would still not reach 18,000 of indoor water consumption in a month. This level of usage is almost always reflecting discretionary uses of water.

**I have to fill my pool frequently during the summer. Will I get the surcharge?**

Uncovered pools often lose one to two inches of water per week to evaporation in the summer. This is typically around 500-750 gallons of water for an average pool although it depends on pool size and airflow. In comparison, an average irrigation system uses 2,000 gallons each time it runs. Draining and refilling a pool could use more than 20,000 gallons and should be avoided during severe droughts, if possible.

**What if I had a terrible leak? Would this result in a surcharge?**

No, leaks could be reported to SAWS to prevent a surcharge. There is an existing leak adjustment policy where households can provide information to SAWS to request a bill credit. More information is available at [saws.org/leakadjust](https://saws.org/leakadjust). Additionally, in a few short years all households will have the benefit

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of a ConnectH2O meter that can document how much water went to a leak, as well as notify a customer early on when a leak begins.

**I have a large lot and I'm unable to water it all in one day. What do I do, and will I get the surcharge?**

Many landscapes have drought-tolerant plants that require less water. Homeowners may also be able to identify areas that are not as high profile where they could water less frequently during a drought. We recommend you schedule an [Irrigation Consultation](#) with our licensed irrigators for help with your watering schedule. Low-water-use plant selections can be found on [GardenStyleSA.com](#).

**Would commercial accounts also be subject to these surcharges if the new Stage Three were declared?**

All commercial water that is billed as irrigation would be subject to the surcharges. Water at businesses that is for indoor uses is billed differently and would not be subject to the surcharge. SAWS commercial accounts often have dedicated irrigation meters separate from indoor ones to easily facilitate this process. An analysis of average commercial irrigation accounts is being done to determine reasonable surcharge levels.

## **CHANGES TO IRRIGATION RULES**

**How does improving new irrigation systems help customers?**

Texas has rigorous irrigation licensing and standards in place, and the industry supports their enforcement. Homeowners will see significant water and bill savings over time with improved irrigation – on average, a poorly designed irrigation system will cause homeowners to use 20% more in water use for the lifetime of that system. By requiring that any irrigation newly attached to SAWS water services must follow all standards, we will reduce water usage and water bills for customers.

**Why are new watering hours being proposed? How will SAWS manage the transition?**

Our community's current watering hours are 7-11 a.m. and 7-11 p.m. during Stage 2. According to ERCOT, there are challenges with high demand of the energy grid from 7-9 p.m. during the summer. SAWS uses more energy during this time as many people start watering their landscapes and high-service pumps are turned on to refill our elevated tanks and maintain pressure. The new proposed hours would be 5-10 a.m. and 9 p.m. to midnight, but customers using hose-end sprinklers could apply for a variance to water 7-9 p.m.

If the proposal is adopted, SAWS will notify the community through our bill inserts, emails and website as well as local newspapers, radio, TV and social media. If a violation is reported, one warning will be issued.

**Will my landscape be able to survive once a week watering?**

Yes! Since 2006, homebuilders and developers have been required to offer a drought-tolerant landscape option or install an approved drought-tolerant turfgrass. That being said, it's normal for grass to not be green in summer or times of drought in San Antonio. Grass may turn yellow as it goes dormant, but that doesn't mean it's dead! Mature trees have survived many droughts before and have deep roots that are skilled at keeping them thriving. For more tips and tricks on watering effectively, visit [GardenStyleSA.com](#).

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**I heard I can get a variance for watering my new landscape. Is that true?**

New landscape variances are available for new construction or in cases where renovation or construction has damaged at least half of an existing landscape. During drought conditions variances are not given to replace dead plants or grass that is not lush. Establishment of new grass and plants is very difficult in the hottest months in San Antonio. It is better to wait through the drought to milder conditions.

**Does SAWS offer programs to help transition to a more drought-tolerant landscape?**

SAWS offers several water-saving programs that you can find at [GardenStyleSA.com](http://GardenStyleSA.com).

## **CHANGES TO RULES FOR DRIP IRRIGATION**

**Why is there a proposed change to drip watering rules? I thought drip uses almost no water?**

Drip irrigation has grown in popularity in recent years in large part because current watering rules allow it to be used eight hours a day, every day. It is a big misunderstanding that drip de facto uses very little water. Drip is often sold on the basis that it is efficient, which can be true but is not an absolute. Drip can apply water directly to the roots right where plants need it, resulting in less evaporation. But if it's designed or maintained poorly — particularly when it is set to run more often than necessary — it can be much less efficient than traditional irrigation methods. In fact, the application rate from drip irrigation can be on par with that of spray irrigation. We often see homes and businesses with drip using very large amounts of water during drought because it is often perceived as using very little water. In some cases, drip is seen and used as a “loophole” in the drought watering rules. This needs to change so that drip is used appropriately to maintain plants and not as a mechanism to use more water.

**But don't I need to run drip for hours for it to be effective?**

No. It is one of the misunderstandings about drip irrigation. Typical drip installations apply water at the same rate as spray irrigation. With either spray or drip, it is important to know the application rate to set the timing appropriately. Because many people believe drip should run for hours, they often use excessive water operating it more than twice as much as is logical.

**My vegetable garden is watered with drip irrigation. Will it be limited to one day a week?**

No, the proposed rule changes allow additional use of drip for gardens meeting the definition of vegetable gardens. The proposed changes continue to define vegetable gardens as “any non-commercial vegetable garden planted primarily for household use; “non-commercial” includes incidental direct selling of produce from such a vegetable garden to the public.”

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