

DROUGHT CONTINGENCY PLAN

WICKSON CREEK SUD BRAZOS, GRIMES AND ROBERTON COUNTIES

Name:	Wickson Creek Special Utility District
Address:	P O Box 4756 Bryan Texas 77805
Telephone Number:	(979) 589-3030 Fax: (979) 589-3275
Water Right No. (s):	PWS#0210005, PWS#0930003, PWS#1980010
Regional Water Planning Group:	Region G Water Planning Group
Form Completed by:	Karen Theiss, email: karen@wicksoncreek.com
Title:	Office Manager
Water Conservation Coordinators Responsible Implementation:	Kent Watson, General Manager watson@wicksoncreek.com Phone: 979-589-3030 Kyle Eppler, Assistant General Manager kyle@wicksoncreek.com Phone: 979-589-3030
Signature:	<i>Kent Watson</i>

Section I: Declaration of Policy, Purpose, and Intent

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, to protect and preserve public health, welfare, and safety and minimize the adverse impacts of a water supply shortage or other water supply emergency conditions, the Wickson Creek SUD hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

Section II: Public Involvement

The opportunity for the public to provide input into the preparation of the Plan was provided by the Wickson Creek SUD using the posted Agenda for the Board Meetings on the Third Thursday of each month.

Section III: Public Education

The Wickson Creek SUD will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by the following means:

- Posting of the Notice of the Drought Conditions
- General circulation to the newspaper
- Notifying local radio stations
- Posted on the Wickson Creek SUD Website

Section IV: Coordination with Regional Water Planning Groups

The service area of the Wickson Creek SUD is located within the Texas Water Development Region G Planning Group and Wickson Creek SUD has provided a copy of this Plan to the Texas Water Development Board Region G Planning Group.

Section V: Authorization

The General Manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon the determination that such implementation is necessary to protect public health, safety, and welfare. The General Manager or his/her designee shall have the authority to initiate, change or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by Wickson Creek SUD. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For this Plan, the following definitions shall apply:

Aesthetic water use: water used for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by Wickson Creek SUD.

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.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan.
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle.
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection.
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street.
- (f) use of water to fill, refill or add to any indoor or outdoor swimming pools or Jacuzzi-type pools.
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life.
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than firefighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Even numbered address: street addresses, box numbers, or rural postal route numbers ending in 2, 4, 6, 8, or 10.

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

The General Manager or his/her designee shall monitor water supply and/or demand conditions daily and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is when the specified “triggers” are reached.

The triggering criteria described below are based on the three stages of rationing as imposed by the Board. The following trigger conditions indicate when drought contingency measures will be put into effect. Trigger conditions will be set for mild, moderate, severe, critical, and emergency conditions.

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII B Definitions, when:

- Average daily water use exceeds 90% of the system capacity (5.7mgd) for three consecutive days.

Requirements for termination

Stage 1 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for 3 consecutive days.

Stage 2 Triggers -- MODERATE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when:

- Average daily water use reaches system capacity (6.3mgd) for 3 consecutive days
- Net ground storage of treated water is continually decreasing daily such that a more serious problem may develop.

Requirements for termination

Stage 2 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for 3 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when:

- The imminent or actual failure of a major component of the system which would cause an immediate health or safety hazard.
- Water demand exceeds the system’s capacity on two consecutive days (6.3mgd).

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for 3 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

Stage 4 Triggers - CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when:

- Water is being pumped from the District treated water storage reservoirs and replenishment of storage has stopped.

Requirements for termination

Stage 4 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for 3 consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

Stage 5 Triggers -- EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 4 of this Plan when the General Manager or his/her designee, determines that a water supply emergency exists based on:

- Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; **or**
- Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for 3 consecutive days.

Section IX: Drought Response Stages

The General Manager or his/her designee, shall monitor water supply and/or demand conditions daily and, by the triggering criteria outlined in Section VIII of this Plan, shall determine that a mild, moderate, severe, or emergency exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The General Manager or his/ her designee shall notify the public using:

- publication in a newspaper of general circulation
- posting of the Notice of the Drought Conditions
- direct mail to each customer
- notify local radio stations

Additional Notification:

The General Manager or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- Mayor / Chairman and members of the City Council / Utility Board, Fire Chief(s)
- City and/or County Emergency Management Coordinator(s) County Judge & Commissioner(s)

Stage 1 Response -- MILD Water Shortage Conditions

Target: Achieve a voluntary 10 percent reduction in daily water demand.

Best Management Practices for Supply Management:

Additional Measures will be implemented directly by the General Manager or his/her designee to manage and or limit water supplies and or reduce water demand:

- reduced or discontinued flushing of water mains, activation, and use of an alternative supply source(s)
- use of reclaimed water for non-potable purposes.

Voluntary Water Use Restrictions for Reducing Demand:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6, or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
- (b) All operations of the Wickson Creek SUD shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response -- MODERATE Water Shortage Conditions

Target: Achieve an additional 10 percent reduction in the daily water demand for a total reduction of 20% in the daily water demand.

Best Management Practices for Supply Management:

Additional Measures will be implemented directly by the General Manager or his/her designee to manage and or limit water supplies and or reduce water demand:

- reduced or discontinued flushing of water mains, activation, and use of an alternative supply source(s)
- use of reclaimed water for non-potable purposes.
- Change or modify days and times to irrigate.

Water Use Restrictions for Demand Reduction:

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

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6, or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to start no earlier than 9 p.m. and stop no later than 6 a.m. with irrigation systems running a maximum of 20 minutes per zone on the designated watering days. However, irrigation of landscaped areas is permitted at any time if it is using a hand-held hose, a faucet-filled bucket, a watering can of five (5) gallons or less, or a drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to firefighting, 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 Wickson Creek SUD.
- (f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the Wickson Creek SUD, the facility shall not be subject to these regulations.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.

(h) The following uses of water are defined as non-essential and are prohibited:

1. wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
2. use of water to wash down buildings or structures for purposes other than immediate fire protection.
3. use of water for dust control.
4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response -- Severe Water Shortage Conditions

Target: Achieve an additional 10 percent reduction of the daily water demand for a total reduction of 30% in the daily water demand.

Best Management Practices for Supply Management:

Additional Measures will be implemented directly by the General Manager or his/her designee to manage and or limit water supplies and or reduce water demand:

- reduced or discontinued flushing of water mains, reduced or discontinued irrigation of public landscaped areas.
- use of an alternative supply source(s)
- use of reclaimed water for non-potable purposes.
- Change or modify days and times to irrigate.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Watering of lawns with irrigation systems or hose end sprinklers is prohibited
- (b) Watering of trees, shrubs, flower beds is limited to the hours of 8pm to 8am on the designated watering days with only handheld hoses, buckets, tree watering bags, or drip irrigation.
 - i If your street address ends with an even number (0, 2, 4, 6, or 8) watering is limited to Sunday and Thursday.
 - ii If your street address ends with an odd number (1, 3, 5, 7, or 9), watering is limited to Saturday and Wednesday.
 - iii All outside watering is prohibited on Monday, Tuesday, and Friday for all customers.
- (c) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the Wickson Creek SUD.
- (d) The use of water for construction purposes from designated fire hydrants under the special permit is to be discontinued.

Stage 4 Response -- CRITICAL Water Shortage Conditions

Target: Achieve an additional 10 percent reduction in daily water demand for a total reduction of 40% in the daily water demand.

Best Management Practices for Supply Management:

Additional Measures will be implemented directly by the General Manager or his/her designee to manage and or limit water supplies and or reduce water demand:

- reduced or discontinued flushing of water mains, reduced or discontinued irrigation of public landscaped areas
- use of an alternative supply source(s)
- use of reclaimed water for non-potable purposes.
- Change or modify days and times to irrigate.

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

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be using hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems is always prohibited.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicles not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools are prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) 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 applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response -- EMERGENCY Water Shortage Conditions

Target: Achieve an additional 10 percent reduction in daily water demand, for a total reduction of 50% in the daily water demand.

Best Management Practices for Supply Management:

Additional Measures will be implemented directly by the General Manager or his/her designee to manage and or limit water supplies and or reduce water demand:

- reduced or discontinued flushing of water mains, reduced or discontinued irrigation of public landscaped areas
- use of an alternative supply source(s)
- use of reclaimed water for non-potable purposes.
- Change or modify days and times to irrigate.

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

- (a) Irrigation of landscaped areas is prohibited.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the Wickson Creek SUD for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount more than that permitted by the drought response stage in effect at the time under action taken by the General Manager or his/her designee, by provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than two hundred and fifty dollars (\$250) and not more than five hundred dollars (\$500), each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the General Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$50, and any other costs incurred by the Wickson Creek SUD in discontinuing service. In addition, suitable assurance must be given to the General Manager or his or her designee that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the Wickson Creek SUD, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on the property within the parents' control shall constitute a

rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

- (d) Any employee of the Wickson Creek SUD, police officer, or other law enforcement employee designated by the General Manager or his or her designee may issue a citation to a person he/she reasonably believes to violate this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator if known, the offense charged, and shall direct him/her to appear in the Brazos County Municipal Court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued instead of an arrest warrant. These cases shall be expedited and given a preferential setting in municipal court before all other cases.

Section XI: Variances

The General Manager or his/her designee, may, in writing, grant a temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other conditions for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the Wickson Creek SUD within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the General Manager, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if the petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) period for which the variance is sought.
- (g) Alternative water uses restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.