

**DROUGHT CONTINGENCY PLAN
FOR
COMANCHE COUNTY WATER SUPPLY CORP**

Adopted by Board of Directors on: June 18, 2019

Section I: 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, CCWSC 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 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 X of this plan.

Section II: Public Involvement

Opportunity for the public to get information and/or copy of the Plan was provided by the CCWSC putting notices in the newspapers and a note on customer bills.

Section III: Public and Wholesale Water Customer Education

The CCWSC Board 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 means of press release, utility bill notes, or other means sufficient to inform the public.

The CCWSC will periodically provide wholesale water customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of maintaining a copy of the Plan for review by the public in the CCWSC office.

Section IV: Coordination with Regional Water Planning Groups

The service area of the CCWSC is located within the Brazos G Water Planning Group and the CCWSC has provided a copy of this Plan to the Brazos G Water Planning Group and TCEQ.

Section V: Authorization

The Board President or Operations Supervisor 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 Board President or Operations Supervisor shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers (wholesale & retail), and property utilizing water provided by CCWSC. The terms “person” and “customer” as used in the Plan include individuals, wholesale water customers, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

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

Aesthetic water use: water use for ornamental or decorative purpose 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.

Customer: any person, wholesale water customer, company, or organization using water supplied by the CCWSC.

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: soaker hoses, or other low water emitter devices

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 right-of-ways and medians.

Member Cities: Comanche, De Leon, Dublin, Gorman, Hamilton and CCESC, GCWSC, and WSCS Water Supply Corps.

MSL: Mean Sea Level

Non-essential water use: water uses that are neither 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-surface 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)
- (i) use of water from fire hydrants for construction purposes or any other purposes other than firefighting

Even number addresses: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, 8, and locations without addresses shall water on Mondays and Thursdays.

Odd numbered addresses: street addresses, box numbers, or rural postal route numbers ending 1, 3, 5, 7, 9 shall water on Tuesdays and Fridays.

Water Wells: water well is an excavation or structure created in the ground by digging, driving, boring or drilling to access groundwater in underground aquifers. The well water is by an electric submersible pump, a vertical turbine pump, a hand pump or a mechanical pump.

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

The Board President or Operations Supervisor shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Public notification of the initiation or termination of drought response stages shall be by means of publication in a newspaper of general circulation, direct mail to each customer and/or signs posted in public areas or radio and TV. Wholesale customers will be notified both by telephone and mail; or best possible means.

The triggering criteria described below are based on the hydrology of Lake Proctor and past experience during drought periods. Triggering criteria will be initiated by Proctor Lake obtaining levels detailed in Section IX of this plan, or by notice from ULRMWD, and will be implemented by the CCWSC with respect to CCWSC customers. CCWSC is

contracted with Upper Leon Municipal Water District (ULRMWD) for the purchase of treated water. Therefore, the drought contingency measures taken by ULRMWD will also impact the measures taken by CCWSC; as such, the CCWSC will have authority to either skip or delay triggering Stages and their respective Response Levels based on information provided by ULRMWD

Notification from Westbound will also decide when to imitate termination of Drought Response Stages.

Section IX: Drought Trigger and Response Stages

The Board President or Operations Supervisor shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, critical, or emergency water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The Board President or Operations Supervisor shall notify the public by means of:

- Publication in the newspapers of general circulation
- Public information spots on a local/area radio station
- Signs posted in public places

Additional Notification:

The Board President or Operations Supervisor shall notify directly, or cause to be notified directly, the following individuals and entities:

- Members of the CCWSC Board
- Fire Chief(s)
- County and/or County Emergency Management Coordinator(s)
- TCEQ (*required when mandatory restrictions are imposed*)
- Major water users
- Critical water users, i.e. hospitals, nursing homes

The above individuals or entities shall be directly notified only when Stage III or IV is to be implemented.

Stage 1 Trigger & Response:

Triggers – MILD Water Shortage Condition

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 – Definitions, when water supply of Proctor Lake reaches 1157 feet MSL or if reservoir is at or below 60% of water supply capacity and the storage is expected to be reduced to 50% within the next 12 month

period. [These levels, not the percentage, are subject to change based on notification by the Brazos River Authority or Upper Leon Municipal Water District levels]. Each city is responsible for notification of trigger point to other member cities.

Westbound will recognize that a mild water shortage condition exists when total daily water demand equals or exceeds notification of restricted allocation of water supply from suppliers.

Requirements for termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days or determined by designee.

Response - MILD Water Shortage Conditions

Goal: Achieve a voluntary reduction in daily water demand.

Supply Management Measures:

The following measures are to be implemented directly by CCWSC to help manage water supplies and encourage the public to prevent wasteful uses of water during STAGE I:

- *Reduced flushing of water mains*
- *Reduced irrigation of public landscaped areas.*

Voluntary Water Use Restrictions:

Water customers are requested to voluntarily conserve water by using best management practices that include the following:

- a) Consider Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems be limited to (3) three days per week and that irrigation of landscaped areas be permitted at any time if it is by means of:
- A hand-held hose
 - A faucet filled bucket or watering can of five (5) gallons or less
 - Drip irrigation system

Consider not watering between the hours of 11:00 a.m. and 6:00 p.m., due to high evaporation. Individuals irrigating from a water well, are encouraged to place a sign on their property notifying that, "Irrigation is being done by Water Well."

- b) Good conservation practices would include limiting use of water to wash any:
- motor vehicle
 - motorbike
 - boat
 - trailer
 - airplane
 - or other vehicle

When done, such washing, would include being done with:

- A hand-held bucket
 - A hand-held hose equipped with a positive shutoff nozzle for quick rinses.
- c) Manage the use of water to fill, refill, or add to any:
- indoor or outdoor swimming pools
 - wading pools
 - or Jacuzzi-type pools
- Do not leave hoses unattended while filling.
- d) Consider reducing operation of any ornamental fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life and where such fountains or ponds are equipped with a recirculation system.
- e) Use of water from fire 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 supervision and by the guidelines of the CCWSC.
- f) Refrain from unnecessary use of water for the irrigation of golf course greens, tees, and fairways..
- g) Restaurants are encouraged to serve water only upon request of the patron.
- h) The following uses of water are defined as non-essential and should be limited.
1. wash down of 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.
- i) Controllable leak(s) should always be repaired within a reasonable period after having been given notice of such leak(s)

Stage 2 Trigger & Response:

Triggers – MODERATE Water Shortage Condition

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 water supply of Proctor Lake reaches 1154 feet MSL or if reservoir is at or below 50% of water supply capacity and the storage is expected to be reduced to 40% within the next 12 month period. *[subject to change based on Brazos River Authority or Upper Leon Municipal Water District levels].* Each city is responsible for notification of trigger point to other member cities.

Westbound will recognize that a moderate water shortage condition exists when total daily water demand equals or exceeds notification of restricted allocation of water supply from suppliers.

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 days or determined by designee. Upon termination of Stage 2, Stage 1 becomes operative.

Response - MODERATE Water Shortage Conditions

Goal: Achieve a voluntary minimum of 15% percent reduction in daily water demand.

Supply Management Measures:

The following measures are to be implemented directly by CCWSC to manage limited water supplies and/or reduce water demand during STAGE II:

- *Reduced flushing of water mains*
- *Reduced irrigation of public landscaped areas.*

Voluntary Water Use Restrictions:

Water use restrictions are strongly encouraged for all water users and should include:

- a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems be limited to (2) two days per week. Use Watering days designated by the Board of Directors. Irrigation of landscaped areas is permitted at anytime if it is by means of:
 - a hand-held hose
 - a faucet filled bucket or watering can of five (5) gallons or less
 - or drip irrigation system

Consider not, watering at all between the hours of 11:00 a.m. and 6:00 p.m., due to high evaporation. Individuals irrigating from a water well, must place a sign on their property notifying that, "Irrigation is being done by Water Well."

- b) You are strongly encouraged not to wash any:
 - motor vehicle
 - motorbike
 - boat
 - trailer
 - airplane
 - or other vehicle

except on designated watering days between the hours of 7:00 a.m. and 9:00 a.m. and between 6:00 p.m. and 8:00 p.m.. Such washing, when done shall 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. 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) Consider suspending any use of water to fill, refill, or add to any:
 - swimming pools
 - wading pools
 - or Jacuzzi-type poolsexcept on designated watering day between the hours of 7:00 a.m. and 9:00 a.m. and between 6:00 p.m. and 8:00 p.m..
- d) Consider suspending any operation of ornamental fountains or ponds for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life and where such fountains or ponds are equipped with a recirculation system.
- e) Use of water from fire hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare. The use of water from fire hydrants for construction purposes will be limited and only permitted as approved by CCWSC in advance.
- f) Only watering to sustain the life of golf courses will be allowed and is strongly suggested that it be done on designated watering day between the hours of 7:00 a.m. and 9:00 a.m. and between 6:00 p.m. and 8:00 p.m. However, if the golf course utilizes a water source other than that provided by CCWSC, the facility shall not be subject to these regulations.
- g) All restaurants should strongly consider not serving water except upon request of the patron.
- h) The following uses of water are defined as non-essential are strongly recommended not to be done.
 1. wash down of 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

- i) Controllable leak(s) shall be repaired within a reasonable period after having been given notice of such leak(s). Failure to do so can prevent any financial relief for water consumed and may incur penalties.

Stage 3 Trigger & Response:

Triggers – CRITICAL Water Shortage Condition

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 water supply of Proctor Lake reaches 1149 feet MSL or if reservoir is at or below 30% of water supply capacity, or if notified by ULRMWD of the need to trigger Stage III *[subject to change based on Brazos River Authority or Upper Leon Municipal Water District levels]*. Each city is responsible for notification of trigger point to other member cities.

Westbound will recognize that a severe water shortage condition exists when total daily water demand equals or exceeds notification of restricted allocation of water supply from suppliers.

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 a period of 30 days or determined by designee. Upon termination of Stage 3, Stage 2 becomes operative.

Response - CRITICAL Water Shortage Conditions

Goal: Achieve a 30% reduction in daily water demand

Supply Management Measures:

The following measures are to be implemented directly by CCWSC to manage limited water supplies and/or reduce water demand:

- *Reduced flushing of water mains*
- *Reduced irrigation of public landscaped areas.*

Mandatory Water Use Restrictions:

All requirements of Stage 2 shall remain in effect during Stage 3 and certain water uses become RESTRICTED or PROHIBITED and penalties may be implemented and enforced by CCWSC.

- a) Irrigation of landscaped areas is restricted to (1) one time a week and divided into zones. Watering day and zones are to be designated by CCWSC. Individuals irrigating from a water well, must place and maintain a sign on their property notifying that, “Irrigation is being done by Water Well.”

- b) Use of water to wash any:
- motor vehicle, motorbike
 - boat
 - trailer
 - airplane
 - or other vehicle

is absolutely prohibited.

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) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life and where such fountains or ponds are equipped with a recirculation system.
- d) 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 reviewed by CCWSC and may be denied, or approval postponed, until the current drought stage has been terminated.

Stage 4 Trigger & Response:

Triggers – EMERGENCY Water Shortage Conditions-Water Allocation

Requirements for initiation

All mandatory restrictions of Stage III will remain in effect. In addition, when deemed necessary, customers shall be required to comply with Stage 4 water allocation plan prescribed in Section IX of this Plan, when the Board President or Operations Supervisor determines that a water supply emergency exists based on :

1. When water supply of Proctor Lake reaches a level or conditions that triggers the ULRMWD Drought Emergency Conditions.
2. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service;
3. Natural or man-made contamination of the water supply source(s).

Westbound will recognize that a mild water shortage condition exists when total daily water demand equals or exceeds notification of restricted allocation of water supply from suppliers, also when notification from suppliers of system failure, or failure of our own system, including line breaks, pump failures and natural or man-made contamination of water source.

Requirements for termination

Stage 4 and water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 days or determined by designee. Upon termination of Stage 4, Stage 3, becomes operative.

Response - EMERGENCY – WATER ALLOCATION

In the event that water shortage conditions exist that limit the amount of water available to CCWSC or that threaten public health, safety, and welfare, the Board President or Operations Supervisor are hereby authorized to allocate water according to a water allocation plan. The plan may be implemented by The Board President or Operations Supervisor at any time during Stage 4 when it has been determined necessary to achieve meeting any restrictions imposed on CCWSC water supply. The water allocation plan under Section IX, Stage 4 Trigger & Response may be amended by act of the Board of Directors at any time in order to achieve meeting restrictions or limitations on CCWSC water supply. Notice will be provided to the Public by all necessary means.

Water used over 3000 gallons will be billed at a rate of \$15.00 per thousand

Water used over 5000 gallons will be billed at a rate of \$20.00 per thousand

Section X: Enforcement

1. No person or entity shall knowingly or intentionally allow the use of water from CCWSC for residential, commercial, institutional, industrial, agricultural, governmental, recreational, wholesale, or any other 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 the Board President or Operations Supervisor in accordance with provisions of this Plan;
2. A CCWSC code enforcement officer, police officer, or other official designated by the Board President or Operations Supervisor may issue a written Notice of Violation to a person or entity he/she reasonably believes to be in violation of this Plan.

For subsequent violations following written notice:

- a) The utility may issue a citation (Class C misdemeanor);
- b) The utility may install a flow restricting device in the line to limit the amount of water which will pass through the meter in a 24-hour period. The utility may charge the customer for the actual cost of installing and removing the flow restricting device, not to exceed fifty dollars (\$50.00);

- c) The utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal reconnect fee of the utility will apply for restoration of service;

Any water customer who violates this Plan is guilty of and may be charged with a misdemeanor and, upon conviction shall be punished by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) or as amended in ordinance. 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 Board President or Operations Supervisor 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 fifty dollars (\$50.00), and any other CCWSC costs incurred by the CCWSC in discontinuing service. In addition, suitable assurance must be documented with

3. The Board President or Operations Supervisor 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;
4. Any water customer of CCWSC, 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 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.

Section XI: Variances

The Board President or Operations Supervisor may, in writing, grant 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, excessive economic hardship 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 condition for which the Plan is in effect.
- b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with CCWSC within (5) five business days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Board President or Operations Supervisor 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 petitioner complies with this Ordinance
- e) Description of the relief requested
- f) Period of time for which the variance is sought
- g) Alternative water use 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

Variances granted by the CCWSC shall be subject to the following conditions, unless waived or modified by the :

- a) Variances granted shall include a timetable for compliance
- b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section XII: Severability

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

Section XIII: Plan Update

The Board President or Operations Supervisor shall review, update, and seek Board authorization for this Drought Contingency Policy, as appropriate, at least every five (5) years, or if conditions, such as adoption or revision of a regional water plan or any new or

updated information, warrants . As a minimum, the Plan will be updated again before June 18, 2024 and every five (5) years thereafter.

Section XIV: Effective Date

This Drought Contingency Plan shall take effect immediately upon approved minutes provided by Board of Directors.

Note: City of Comanche is on ULRMWD, the same as CCWSC
Westbound Water Supply comes from different places