

SECTION H.
DROUGHT CONTINGENCY AND
EMERGENCY WATER DEMAND MANAGEMENT PLAN
FOR G&W WATER SUPPLY CORPORATION

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, the G&W WSC 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 provide input into preparation of the Plan was provided by the G&W WSC by means of scheduling and providing public notice of a public meeting to accept input on the Plan. Notice of the meeting was provided to all customers.

Section III: Public Education

The G&W WSC 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 website postings and printed on utility bills.

Section IV: Coordination with Regional Water Planning Groups

The service area of the G&W WSC is located within the Grimes/Waller County areas and G&W WSC has provided a copy of this Plan to each Regional Water Planning Group.

Section V: Authorization

The Corporation Manager, or his designee, 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 Corporation Manager, or his designee, 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, and property utilizing water provided by the G&W WSC. The term “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

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Section VII: Definitions

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

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.

Customer: any person, company, or organization using water supplied by G&W WSC

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;

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- (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.

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

The Corporation Manager or his 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 Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on the vulnerability of the water source under drought of record conditions; the production, treatment and distribution capacities of the system and customer usage based upon historical patterns.

Stage 1 Triggers- MILD Water Shortage Conditions

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

- (1) Water consumption has reached 80 percent of daily maximum supply for three (3) consecutive days,
- (2) Water supply is reduced to a level that is only 20 percent greater than the average consumption for the previous month,
- (3) When the static water level in wells 3 or 4 falls 5 feet from the historic normal level for that well for the time period in consideration,
- (4) There is an extended period (at least eight (8) weeks) of low rainfall and daily use has risen 20 percent above the use for the same period during the previous year.

Requirements for termination

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

Stage 2 Triggers-MODERATE Water Shortage Conditions

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:

- (1) Water consumption has reached 90 percent of the amount available for three (3) consecutive days,

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- (2) The water level in any of the water storage tanks cannot be replenished for two (2) consecutive days. Example: The highest recorded water level drops five (5) feet or more for two (2) consecutive days,
- (3) The static water level in wells 3 or 4 falls five (5) feet from the historical normal level for that well for the time period in consideration.

Requirements for termination

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

Stage 3 Triggers- SEVERE Water Shortage Conditions

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

- (1) Water consumption has reached 95 percent of the amount available for three (3) consecutive days,
- (2) The water level in any of the water storage tanks cannot be replenished for three (3) consecutive days. Example: The highest recorded water level drops ten (10) feet or more for three (3) consecutive days,
- (3) The static water level in wells 3 or 4 falls 20 feet from the historical normal level for that time period in consideration.

Requirements for termination

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

Stage 4 Triggers- CRITICAL Water Shortage Conditions

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

- (1) Failure of a major component of the system or an event which reduces the minimum residual pressure in the system below 20 psi for a period of 24 hours or longer,
- (2) Water consumption of 100 percent of the maximum available and the water storage levels in the system drop during one 24-hour period,
- (3) Natural or man-made contamination of the water supply source (s),
- (4) The declaration of a state of disaster due to drought conditions in a country or counties served by the Corporation,
- (5) Other unforeseen events which could cause imminent health or safety risks to the public.

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Requirements for termination

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

Stage 5 Triggers- EMERGENCY Water Shortage Conditions

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the Corporation Manager, or his designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. 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 a period of three (3) consecutive days.

Sections IX: Drought Response Stages

The Corporation Manager, or his designee, 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, severe, critical, emergency, or water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The Corporation Manager, or his designee, shall notify the public by means of:

- (1) Direct mail to customers,
- (2) Signs posted in public places, and
- (3) Website postings

Additional Notification:

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

- (1) TCEQ (required when mandatory restrictions are imposed),
- (2) Major water users,

Stage 1 Response- MILD Water Shortage Conditions

Target: Achieve a voluntary 5 percent reduction in 10,000 gallons

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Best Management Practices for Supply Management:

Initiate public education measures to increase customer awareness of the benefits of water conservation and efficient water use by notifying customers of voluntary conservation measures and providing conservation information.

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 hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
- (b) All operations of the G&W WSC shall adhere to water use restrictions prescribed for Stage 2 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 a 10 percent reduction in 20,000 gallons

Best Management Practices for Supply Management:

The system will reduce flushing operations. System will notify customers of water use restrictions.

Water Use Restrictions for Demand Reductions:

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 the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a handheld hose, a faucet filled bucket, or watering can of five (5) gallons or less, or 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 handheld bucket or handheld hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the

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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 is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicle used to transport food and perishables.

- (c) Use of water to fill, refill, or add indoor or outdoor swimming pools, wading pools, Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 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 G&W WSC.
- (f) Use of water for irrigation of golf course greens, tees, and fairways 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. However, if the golf course utilizes a water source other than that provided by the G&W WSC, 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 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; 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 a 25 percent reduction in 50,000 gallons

Best Management Practices for Supply Management:

System will notify customers of water use restrictions in effect.

Water Use Restrictions for Demand Reduction:

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

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- (a) Irrigation of landscaped areas shall be limited to 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 and shall be by means of handheld hoses, handheld buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the G&W WSC.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 Response- CRITICAL Water Shortage Conditions

Target: Achieve a 50 percent reduction in 100,000 gallons

Best Management Practices for Supply Management:

System will notify customers of water use restrictions in effect.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and Stage 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering 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 by means of handheld hoses, handheld buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle not occurring on the premises of a commercial car wash 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 hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10:00 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is 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 the 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

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Target: Achieve a 65 percent reduction in 130,000 gallons

Best Management Practices for Supply Management:

System will notify customers of water use restrictions in effect.

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

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the G&W WSC for residential, commercial, industrial, agricultural, governmental, 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 Corporation Manager, or his designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by fine at a minimum of \$50.00. 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 Corporation 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 \$50.00 and any other costs incurred by the G&W WSC in discontinuing service. In addition, suitable assurance must be given to the Corporation Manager 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 G&W WSC, 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 of 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 have not reasonably known of the violation.

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- (d) Any employee of the G&W WSC or other G&W WSC employee designated by the Corporation Manager, may issue a citation to a person he/she reasonably believes to be in violation of 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 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 in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

Section XI: Variances

The Corporation Manager, or his designee, 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, 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 the G&W WSC within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Corporation Manager, or his 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 petitioner complies with this ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.

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- (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.

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

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when applicable Best Management Practice Stage is no longer in effect, unless the petitioner has failed to meet specified requirements. No variance allowed for a condition requiring water demand reduction measures will continue beyond termination of the applicable Best Management Practice Stage under Section H. Any variance for a subsequent water reduction measure must be petitioned again. The fact that a variance has been granted in response to a petition will have no relevance on any subsequent petition.