

Houston County WCID # 1  
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Directors:

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Floyd Patton, Secretary  
Dr. Joe Holcomb, Member  
Dr. Don Knight, Member

**Drought Contingency Plan**  
for a  
**Wholesale Public Water Supplier**

Water Right No. 08-5097

East Texas Regional Water Planning Group  
Region 1

Completed by Russell Bond  
General Manager

Person Responsible for Implementation:  
Russell Bond

  
\_\_\_\_\_

4-1-19  
date

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## **DROUGHT CONTINGENCY PLAN FOR THE HOUSTON COUNTY WCID # 1**

### **Section I: Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and/or 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 Houston County WCID # 1 adopts the following Drought Contingency Plan (The Plan).

### **Section II: Public Involvement**

There was opportunity for the public and wholesale water customers to provide input into the preparation of the original Plan as provided by the Houston County WCID # 1 by a newspaper ad to inform the public about the preparation of the Plan, and to ask for suggestions and comments in writing. Also a letter to each of our customers to ask for input.

### **Section III: Wholesale Water Customer Education**

The Houston County WCID # 1 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 a personal letter to each customer.

### **Section IV: Coordination with Regional Water Planning Groups**

The water service area of the Houston County WCID # 1 is located within the Deep East Texas Water Planning Region, and the Houston County WCID #1 has provided a copy of the Plan to the Deep East Texas Water Planning Regional Office. The documentation enclosed acknowledges their receipt.

### **Section V: Authorization**

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

# Houston County WCID # 1

P.O. Box 1246  
Crockett, Texas 75835  
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## **Section VI: Application**

The provisions of this Plan shall apply to all customers utilizing water provided by the Houston County WCID # 1. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

## **Section VII: Triggering Criteria for Initiation and Termination of Drought Response Stages**

The Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Customer notification of the initiation or termination of drought response stages will be made by telephone and by mail. The news media will also be informed.

TCEQ’s Public Water System’s Drought Contingency Plan Reporting Form shall be filled out immediately upon any change in stages.

TCEQ’s Outdoor Water Restrictions:

V- Voluntary water schedule.

1- Mandatory watering schedule.

2- No outside watering. Limited hand-held hose use only.

3- No outside water use except for livestock.

NA- Not applicable. Not currently implementing our Drought Contingency Plan.

TCEQ’s Level of Concern:

W- Watch - Over 180 day water supply.

C- Concern - 180 day supply or less.

P- Priority - 90 day supply or less.

E- Emergency - 45 day supply or less.

O- Out - No water available.

R- Resolved - All drought related issues have been resolved.

The triggering criteria described below are based on water demand, weather conditions, past history of the reservoir under drought conditions, firm capacity of the Plant, and prudent and rational thinking.

### **(a) Stage 1 Mild Water Storage Conditions**

Requirements for Initiation: The Houston County WCID # 1 will recognize that a mild water shortage condition exists when 1. Water demand has reached 90% of the capacity of the system for three consecutive days with the plant operating at 100% of the rated production. 2. Weather conditions that will result in reduced water supply available from the Houston County Lake for an extended period of time. 3. Water level at the Lake drops below 258 feet above mean sea level, which is 2 feet below pool. (260 feet mean sea level).

# Houston County WCID # 1

P.O. Box 1246  
Crockett, Texas 75835  
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Requirements for Termination: Stage I of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 14 consecutive days. The Houston County WCID # 1 will notify its wholesale customers and the media of the termination of Stage I in the same manner as the notification of initiation of Stage I of the Plan.

## **(b) Stage 2 Moderate Water Shortage Conditions**

Requirements for Initiation: The Houston County WCID # 1 will recognize that a moderate water shortage condition exists when 1. Water demand has reached 100% of the capacity of the system for three consecutive days with the plant operating at 100% of the rated production. 2. Weather conditions that result in Lake levels falling to 256 mean sea level, which is 4 feet below pool. 3. Water supply storage facilities are not maintaining a constant level with the plant operating at 100% of the rated production.

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 14 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative. The Houston County WCID # 1 will notify its wholesale customers and the media of the termination of Stage 2 in the same manner as the notification of initiation of Stage 2 of the Plan.

## **(c) Stage 3 Severe Water Shortage Conditions**

Requirements for Initiation: The Houston County WCID # 1 will recognize that a severe water shortage condition exists when: 1. The treatment plant is non-operational due to a malfunction at the site. 2. Water levels drop at the reservoir to a point where pumping equipment will not function properly.

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 14 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative. The Houston County WCID # 1 will notify its wholesale customers and the media of the termination of Stage 3 in the same manner as the notification of initiation of Stage 3 of the Plan.

## **(d) Stage 4 Emergency Water Conditions**

Requirements for Initiation: The Houston County WCID # 1 will recognize that an emergency water shortage condition exists when 1. A major water line breaks which causes considerable water loss. 2. Pumps or system failures occur which causes the inability to obtain the water from the Lake, treat the water adequately, or supply the water to our customers. 3. Natural or man-made contamination of the water supply source.

Requirements for Termination: Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist. The Houston County WCID # 1 will notify its wholesale customers and the media of the termination of Stage 4.

# Houston County WCID # 1

P.O. Box 1246  
Crockett, Texas 75835  
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## **Section VIII: Drought Response Stages**

The Manager, or his/her designee, shall monitor water supply demand conditions, and, in accordance with the triggering criteria set forth in Section VII, shall determine that mild, moderate, or severe water shortage conditions exist, or that an emergency conditions exists, and shall implement the following actions:

### **Stage 1 Mild Water Shortage Conditions**

1. Goal: Achieve a voluntary 10% reduction in daily water demand. (TCEQ-V-Voluntary)

2. Demand Management Measures:

(a) The Manager, or his/her designee, will contact wholesale water customers to discuss water supply demand conditions, and will request that wholesale water customers initiate voluntary measures to reduce water use. (Initiate Stage I of the customer's Drought Contingency Plan).

(b) The Manager, or his/her designee, will provide a weekly report to news media with information regarding current water supply and demand conditions, projected water supply and demand, if drought conditions persist, and consumer information on water conservation measures and practices.

### **Stage 2 Moderate Water Shortage Conditions**

1. Goal: Achieve a 20% reduction in daily water demand. (TCEQ-1-Mandatory water schedule).

2. Demand Management Measures:

(a) The Manager, or his/her designee, will initiate weekly contact with wholesale water customers to discuss water supply and demand conditions, and the possibility of pro rata curtailment of water sales.

(b) The Manager, or his/her designee, will request wholesale water customers to initiate mandatory measures to reduce non-essential water usage as per TCEQ-2. (No outside watering. Limited hand-held hose use only). (Initiate Stage 2 of the customer's Drought Contingency Plan).

(c) The Manager, or his/her designee, will initiate preparations for the implementation of pro rata curtailment of water sales by preparing a monthly water usage allocation baseline for each wholesale customer.

(d) The Manager, or his/her designee, will provide a weekly report to news media with information regarding current water supply and demand conditions, projected water supply and demand, if drought conditions persist, and consumer information on water conservation measures and practices.

# Houston County WCID # 1

P.O. Box 1246  
Crockett, Texas 75835  
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## **Stage 3 Severe Water Shortage Conditions**

1. Goal: Achieve a 30% reduction in daily water demand. (TCEQ-3- No outside watering, except for livestock).
2. Demand Management Measures:
  - (a) The Manager, or his/her designee, will contact wholesale water customers to discuss water supply and demand conditions, and will request that wholesale water customers initiate additional mandatory measures to reduce non-essential water use as per TCEQ-3. (No outside watering except for livestock).
  - (b) The Manager, or his/her designee, will initiate pro rata curtailment of water sales for each wholesale customer.
  - (c) The Manager, or his/her designee, will provide a weekly report to news media with information regarding current water supply and demand conditions, projected water supply and demand, if drought conditions persist, and consumer information on water conservation measures and practices.

## **Stage 4 Emergency Water Shortage Conditions**

Whenever emergency water shortage conditions exist as defined in Section VII of the Plan, the Manager shall:

1. Assess the severity of the problem, and identify the actions needed and time required to solve the problem.
2. Inform the responsible official of each wholesale water customer by telephone or in person, and suggest actions, as appropriate, to alleviate the problem.
3. If necessary, notify city, county, and/or state emergency response officials for assistance.
4. Undertake necessary actions as needed.
5. Prepare a post-event assessment report on the incident, and critique of emergency response procedures and actions.

## **Section IX: Pro Rata Water Allocation**

Every wholesale contract entered into or renewed after adoption of the Plan, including contract extensions, shall have water distributed in accordance with Texas Water Code Section 11.039.

In the event that the triggering criteria specified in Section VII of the Plan for Stage 3, Severe Water Shortage Conditions, have been met, the Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039, and according to the following water allocation policies and procedures:

# Houston County WCID # 1

P.O. Box 1246  
Crockett, Texas 75835  
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(a) A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by resolution of the Board of Directors, based on the Manager's assessment of the severity of the water shortage conditions, and the need to curtail water diversions, and may be adjusted periodically by resolution of the Board of Directors as conditions warrant. Once pro rata allocation is in effect, water diversions to each wholesale customer shall be limited to the allocation established for each month.

(b) A monthly water usage allocation shall be established by the Manager, or his/her designee, for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by the month for the last two years. If the wholesale customer's billing history is less than two years, the monthly average for the period for which there is a record, shall be used for any monthly period for which no billing history exists.

(c) The Manager shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations, and shall notify the news media, and the Executive Director of the Texas Commission on Environmental Quality upon initiation of pro rata water allocation.

(d) Upon request of the customer, or at the initiative of the Manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the wholesale customer's normal water usage; (2) the customer agrees to transfer part of its allocation to another wholesale customer; or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established to the Board of Directors of the Houston County WCID#1.

## **Section X: Enforcement**

During any period when pro rata allocation of available water supplies is in effect, wholesale customers shall pay a 10% surcharge of the baseline which will be added to the normal billing.

## **Section XI: Variances**

The Manager, or his/her designee, may, in writing, grant a temporary variance to the pro rata water allocation policies provided by this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the public health, welfare, or safety 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.



# Houston County WCID # 1

P.O. Box 1246  
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Persons requesting an exemption from the provisions of the Plan shall file a petition for variance with the Manager within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the Board of Directors, and shall include the following:

- (a) Name and address of the petitioner.
- (b) Detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (c) Description of the relief requested.
- (d) Period of time for which the variance is sought.
- (e) Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (f) Other pertinent information.

Variances granted by the Board of Directors shall be subject to the following conditions, unless waived or modified by the Board of Directors or its designee:

- (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 the Plan occurring prior to the issuance of the variance.

## **Section XII: Severability**

It is hereby declared to be the intention of the Board of Directors that the sections, paragraphs, sentences, clauses, and phrases of this Plan 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 or 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.



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P.O. Box 1246  
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**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE HOUSTON COUNTY WCID # 1  
ADOPTING A DROUGHT CONTINGENCY PLAN**

WHEREAS, the Board recognizes that the amount of water available to the Houston County WCID # 1, and to its wholesale water customers is limited and subject to depletion during periods of extended drought;

WHEREAS, the Houston County WCID # 1 recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply of all purposed;

WHEREAS, Section 12.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a Drought Contingency Plan;

WHEREAS, Section 11.039 of the Texas Water Code authorizes water suppliers to distribute available water supplies on a pro rata basis during times of water supply shortage: and

WHEREAS, as authorized under law, and in the best interests of the customers of the Houston County WCID # 1, the Board deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HOUSTON COUNTY WCID # 1:

SECTION 1. That the Drought Contingency Plan attached hereto, is adopted as the official policy of the Houston County WCID # 1.

SECTION 2. That the General Manager is hereby directed to implement, administer, and enforce the Drought Contingency Plan.

SECTION 3. That this Resolution shall take effect immediately upon its passage.

Houston County WCID # 1

P.O. Box 1246  
Crockett, Texas 75835  
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**DROUGHT CONTINGENCY PLAN**

**REVIEWED, REVISED, AND ADOPTED**

DULY PASSED BY THE BOARD OF DIRECTORS OF THE HOUSTON COUNTY  
WATER CONTROL AND IMPROVEMENT DISTRICT # 1.

This the 17<sup>th</sup> day of April, 2019.



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Sonny Rollo, President



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Floyd Patton, Secretary