

Drought Contingency Plan

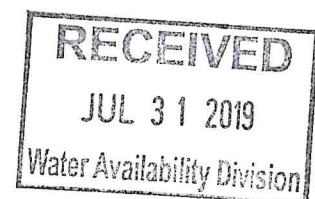
Orange County Water Control and Improvement District # 1

460 East Bolivar St., Vidor, Texas, 77662

CCN # 10115

PWS# 1810005

04/15/2019



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, Orange County Water Control And Improvement District #1 (The District) hereby adopts the following regulations and restrictions on the delivery and consumption of water through a resolution.

Water uses regulated or prohibited under this Drought Contingency Plan are considered to be 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 laid out in Section X.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan are provided at regular meetings of the Board of Directors, which are held the third Monday of every month. Public notices of the meetings are posted at the District office in Vidor, at the County Courthouse in Orange and on the Districts website @ www.ocwc1.com. The meetings are open to the public and any member of the public may speak to the Board of Directors at that time.

Section III: Public Education

The District 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:

Distribution of educational materials – Information on water conservation practices and the Districts Drought Contingency Plan are available on the Districts website, and printed information is available at the District office.

Regular articles will be published in the local newspaper as warranted by conditions that affect the Districts water supply and delivery capabilities.

Section IV: Coordination with Regional Water Planning Groups

The service area of Orange County Water Control and Improvement District #1 is located in the East Texas Region I Water Planning Group and a copy of this Drought Contingency Plan has been submitted to them.

Section V: Authorization

The General Manager, or his/her 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 General 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.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by Orange County Water Control and Improvement District #1. The terms person and customer as used in the Plan include individuals, 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 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 Orange County Water Control and Improvement District #1.

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 fire fighting.

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 General 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, that is, when the specified triggers are reached.

The triggering criteria described below are based on known system capacity limits:

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 Definitions, when total daily water demands equals or exceeds 1.5 million gallons for 3 consecutive days, or 1.6 million gallons in a single day. Or when the pumping water level in the Districts water well #5 is equal to or more than 68 feet below mean sea level.

Requirements for termination

Stage 1 of the Plan may be terminated when Stage 1 conditions no longer exist and would be unlikely to recur upon termination.

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 total daily water demands equals or exceeds 1.6 million gallons for 3 consecutive days, or 1.65 million gallons in a single day. Or when the pumping

water level in the Districts water well #5 is equal to or more than 69.5 feet below mean sea level.

Requirements for termination

Stage 2 of the Plan may be terminated when Stage 2 conditions no longer exist and would be unlikely to recur upon termination. 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 total daily water demands equals or exceeds 1.65 million gallons for 5 consecutive days, or 1.7 million gallons in a single day. Or when the pumping water level in the Districts water well #5 is equal to or more than 70.5 feet below mean sea level.

Requirements for termination

Stage 3 of the Plan may be terminated when Stage 3 conditions no longer exist and would be unlikely to recur upon termination. 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 total daily water demands equals or exceeds 1.65 million gallons for 8 consecutive days, or 1.75 million gallons in a single day. Or when the pumping water level in the Districts water well #5 is equal to or more than 71.5 feet below mean sea level.

Requirements for termination

Stage 4 of the Plan may be terminated when Stage 4 conditions no longer exist and would be unlikely to recur upon termination. 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 5 of this Plan when the General Manager, or his/her 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 terminated when Stage 5 conditions no longer exist and would be unlikely to recur upon termination.

Stage 6 Triggers -- WATER ALLOCATION

Requirements for initiation

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when the pumping water level in the Districts water well #5 is equal to or more than 73 feet below mean sea level.

Requirements for termination - Stage 6 of the Plan may be terminated when Stage 6 conditions no longer exist and would be unlikely to recur upon termination.

Section IX: Drought Response Stages

The General Manager, or his/her 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 General Manager or his/ her designee shall notify the public by means of:

Publication in a newspaper of general circulation,

Public service announcements.

Public will be notified with Blackboard Connect.

Additional Notification:

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

Mayor and members of the City Council

Orange County Water Control and Improvement District #1 board of Directors

County Judge and Commissioners

TCEQ (required when mandatory restrictions are imposed)

Fire Chief

Major water users

Critical water users, i.e. Health care facilities

Stage 1 Response -- MILD Water Shortage Conditions

Target: Achieve a voluntary 10 percent reduction in total water use.

Best Management Practices for Supply Management:

Additional measures to be implemented by the District to manage limited water supplies and /or reduce water demand will be reduced or discontinued flushing of water mains.

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 Orange County Water Control and Improvement District #1 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 15 percent reduction in total water use.

Best Management Practices for Supply Management:

Additional measures to be implemented by the District to manage limited water supplies and/or reduce water demand will be reduced or discontinued flushing of water mains. Discontinued irrigation of public landscaped areas.

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 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 hand-held 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 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 is 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 fire fighting, 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 Orange County Water Control and Improvement District #1.
- (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 Orange County Water Control and Improvement District #1, 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 20 percent reduction in total water use

Best Management Practices for Supply Management:

Additional measures to be implemented by the District to manage limited water supplies

and/or reduce water demand will be reduced or discontinued flushing of water mains.
Discontinued irrigation of public landscaped areas.
Discontinued bulk water sales.

Water Use Restrictions for Demand Reduction:

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

- (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 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held 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 Orange County Water Control And Improvement District #1.
- (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 25 percent reduction in total water use.

Best Management Practices for Supply Management:

Additional measures to be implemented by the District to manage limited water supplies and/or reduce water demand will be flushing of water mains only when necessary.
Discontinued irrigation of public landscaped areas.

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 by means of hand-held hoses, hand-held 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 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 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 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.
- (f) Residential customers and Commercial customers will be allowed a maximum of 6,000 gallons per month per connection unless different arrangements are made showing an absolute necessity for additional water.
- (g) Stage 4 Drought Condition Water Rates as laid out in Section X may be initiated by the District Manager and Board Of Directors.
- (h) Suspension of service may be enforced for willful violators after a written notice of violation is delivered.

Stage 5 Response -- EMERGENCY Water Shortage Conditions

Target: Achieve a 30 percent reduction in total water use.

Best Management Practices for Supply Management:

- Additional measures to be implemented by the District to manage limited water supplies and/or reduce water demand will be flushing of water mains only when necessary.
- Discontinued irrigation of public landscaped areas.
- Discontinued bulk water sales.

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 Orange County Water Control and Improvement District #1 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 General Manager, or his/her designee, in accordance with provisions of this Plan.
- (b) Any person, including a person classified as a water customer of Orange County Water Control and Improvement District #1, 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 persons 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.

Any person who is found to be in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the General Manger, or his/her designee, in accordance with the provisions of this plan shall pay surcharges as follows:

Residential water customers shall pay the following surcharges:

- 3% of base for the first 1,000 gallons over allocation.
- 5% of base for the second 1,000 gallons over allocation.
- 10% of base for the third 1,000 gallons over allocation.
- 25% of base for each additional 1,000 gallons over allocation.

Customers billed from a master meter under this provision shall pay the monthly surcharges:

- 3% of base for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.
- 5% of base thereafter, for each additional 1,000 gallons over allocation up through a second 1,000 gallons for each dwelling unit.
- 10% of base thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.
- 25% of base thereafter for each additional 1,000 gallons over allocation.

Non-residential commercial customers shall pay the following surcharges:

- 5% of base per thousand gallons for the first 1,000 gallons over allocation.
- 10% of base per thousand gallons for the second 1,000 gallons over allocation.
- 20% of base per thousand gallons for the third 1,000 gallons over allocation.
- 25% of base per thousand gallons for each additional 1,000 gallons over allocation.

Industrial customers shall pay the following surcharges:

- 5% of base per thousand gallons for the first 1,000 gallons over allocation.
- 10% of base per thousand gallons for the second 1,000 gallons over allocation.
- 20% of base per thousand gallons for the third 1,000 gallons over allocation.
- 25% of base per thousand gallons for each additional 1,000 gallons over allocation.

Section XI: Variances

The General Manager, or his/her 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 Orange County Water Control and Improvement District #1 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 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.