

DROUGHT CONTINGENCY PLAN
FOR
BUENA VISTA-BETHEL SPECIAL UTILITY DISTRICT

Adopted: August 15th, 2000
Updated: October 21, 2014

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water district 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 Buena Vista-Bethel Special Utility District 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 of this Plan.

Section II: Coordination with Regional Water Planning Groups

The service area of the Buena Vista-Bethel Special Utility District is located within the Regional C Water Planning area and Buena Vista-Bethel Special Utility District has provided a copy of this Plan to the North Texas Municipal Water District P.O. Box 2408 Wylie, TX 75098-2408.

Section III: 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 IV: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the Buena Vista-Bethel Special Utility District. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section V: 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 Buena Vista-Bethel Special Utility District.

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.

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.

Livestock: water use for all livestock will be available-monitor water troughs, water float devices should be monitored for possible problems of overflowing.

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

Section VI: 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 the known water system limits and the vulnerability of the water source under drought conditions.

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section IV–Definitions, when average daily well pump run time is eighteen (18) hours for three (3) consecutive days.

Consideration will be given to weather conditions, time of year and customer complaints of low water pressure.

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 three (3) consecutive days.

RESPONSE:

Voluntary water use restrictions

(a) Water customers are requested to voluntarily limit the watering of lawns and any unnecessary water usage. Water only between the hours of midnight and 8:00 am and 8:00 pm to midnight.

(b) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes

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 IV of this Plan when average daily well pump run time is twenty (20) hours for three (3) consecutive days and the net water storage is continually decreasing on a daily basis.

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 three (3) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

RESPONSE:

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

(a) No watering with sprinklers or automatic sprinkler systems – hand held hoses, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation is permitted.

(b) No vehicle washing with open ended hose-bucket washing and hand-held hose with positive shutoff nozzle is allowed.

(c) No water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools.

(d) No watering golf courses or recreational ball fields.

(e) All non-essential watering is restricted and defined as follows:

1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard surface 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 Triggers – SEVERE/EMERGENCY 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 average daily well pump run time is twenty-two (22) hours for three (3) consecutive day.

The imminent or actual failure of a major component of the system, which would cause an immediate health or safety hazard.

Water demand is exceeding the supply capacity for three (3) consecutive days.

All available water supply (water wells) level is so low that the pumps can not pump and meet the daily water demand.

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 three (3) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

RESPONSE:

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

- (a) All outside watering is absolutely prohibited.
- (b) All vehicle washing is absolutely prohibited.
- (c) Limit fire hydrant water use to firefighting use only.

Section VII: 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 VI 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 billing inserts, public radio announcement and/or direct mail to each customer.

Additional Notification:

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

District Board of Directors

Ellis County Commissioner

Fire Chiefs

TNRCC

Ellis County Emergency Management Coordinator

DROUGHT CONTINGENCY MEASURES

The District has rules and regulations in which water can be partially or totally restricted, in the judgement of the general manager and as necessitated by the emergency.

The manager can amend, add or delete any of these rules and regulations and shall notify the Board of Directors at the Districts regular or special session meetings.

Any violations of the rules and regulations adopted by the District shall carry a penalty fine and termination of water service.

During Stage 1 MILD water shortage conditions there will be no fines assessed, as this is mainly a voluntary conservation measure.

During Stage 2 MODERATE water shortage conditions there will a fine of \$100.00 and a reconnect fee of \$60.00 will be charged for each violation. Full payment of fine and water service charges must be paid before service will be reinstated.

During Stage 3 SEVERE/EMERGENCY water shortage conditions water service will be terminated and fines will be assessed as follows:

First Offense	\$ 500.00 fine
Second Offense	\$1,000.00 fine
Third Offense	\$1,500.00 fine

MANDATORY STAGE 2 -- OUTSIDE WATERING SCHEDULE

1. Customers NORTH of FM 1446 can water on MONDAYS

2. Customers North of FM 66 and South of FM 1446 can water on TUESDAYS

3. NO watering on WEDNESDAYS

4. Customers North of FM 876 can water on THURSDAYS

5. Customers South of FM 876 can water on FRIDAYS

NO WATERING ON WEDNESDAYS, SATURDAYS OR SUNDAYS.
The cycle will be repeated starting the following week

Section VIII: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the Buena Vista-Bethel Special Utility District 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 general manager, or his/her designee, in accordance with provisions of this Plan.

Section IX: Variances

The Board of Directors, 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 Buena Vista-Bethel Special Utility District 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.

Variances granted by the Buena Vista-Bethel Special Utility District shall be subject to the following conditions, unless waived or modified by the Board of Directors or the manager.

(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.

ADOPTION OF WATER CONSERVATION & A DROUGHT CONTINGENCY PLAN

RESOLUTION NO 2014-003

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BUENA VISTA-BETHEL SPECIAL UTILITY DISTRICT ADOPTING OF A WATER CONSERVATION & DROUGHT CONTINGENCY PLAN.

WHEREAS, the Board recognizes that the amount of water available to the BUENA VISTA-BETHEL SPECIAL UTILITY DISTRICT and its water utility customers is limited and subject to depletion during periods of extended drought;

WHEREAS, the Board recognizes that the natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes;

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water systems in Texas to prepare a drought contingency plan; and

WHEREAS, the BUENA VISTA-BETHEL SPECIAL UTILITY DISTRICT desires to comply with the rules of the Texas Water Development Board financial assistance programs found in Title 31, Texas Administrative Code Chapter 363; and

WHEREAS, as authorized under law, and in the best interests of the customers of the BUENA VISTA-BETHEL SPECIAL UTILITY DISTRICT, 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 BUENA VISTA-BETHEL SPECIAL UTILITY DISTRICT:

SECTION 1. That the Water Conservation & Drought Contingency Plan attached hereto as Exhibit "A" and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of BUENA VISTA-BETHEL SPECIAL UTILITY DISTRICT.

SECTION 2. That Joe Buchanan, the General Manager is hereby directed to implement, administer, and enforce the Water Conservation & Drought Contingency Plan.

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

DULY PASSED BY THE BOARD OF DIRECTORS OF THE BUENA VISTA-BETHEL SPECIAL UTILITY DISTRICT ON THIS 21 day of October, 2014.

President, Board of Directors

ATTESTED TO:

Secretary, Board of Directors