



Drought Contingency Plan

Benton City Water Supply Corporation

**Texas Commission on
Environmental Quality**

**DROUGHT CONTINGENCY PLAN
FOR
Benton City Water Supply Corporation**

**980 FM 3175
Lytle, Texas 78052**

CCN# 12587

PWS# TX1630034

May 2019

Section 1 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 Benton City Water Supply Corporation 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 of water which subjects the offender(s) to penalties.

Section 2 Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by means of website, alerts (text messaging or emailing) and newspaper.

Scheduling and providing public notice of a public meeting to accept input on the Plan. The meeting took place at:

Date: April 9, 2019 Time: 6:00 p.m. Location: 980 FM 3175, Lytle, TX

Section 3 Public Education

The Benton City Water Supply Corporation 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.

Drought plan information will be provided by:

- Annual Mailing every January; Benton City Water website
- Annual Meeting held the second Tuesday of April every year

Section 4 Coordination with Regional Water Planning Groups

The service area of the Benton City Water Supply Corporation is located within Regional L Water Planning Group (RWPG) South Central Texas Regional L Water Planning Group.

Benton City Water Supply Corporation has mailed a copy of this Plan to the RWPG.

Section 5 Authorization

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 6 Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by BENTON City Water Supply Corporation. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section 7 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 Benton City Water Supply Corporation.

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 meters: meter numbers ending in 0, 2, 4, 6, or 8.

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 meters : meter numbers ending in 1, 3, 5, 7, or 9.

Section 8 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 monthly 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

Stage 1 Triggers -- 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 7 Definitions, when

Annually, beginning on April 1 through September 30.

Requirements for termination

Stage 1 of the Plan may be rescinded and terminated on September 30th.

Stage 2 Triggers -- Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses, when 85 % of production capacity.

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

Stage 3 Triggers – 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 90% of production capacity.

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 3 . or the corporation can maintain levels in storage tanks for a week. 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 3 of this Plan when 95% of production capacity.

Benton City Water Supply Corporation will implement Stage IV when:

1. The imminent or actual failure of a major component of the system which would interrupt water delivery for a prolonged period, or cause an immediate health or safety hazard.
2. Water demand exceeds 97% of the system production capacity for three consecutive days.
3. Water demand exceeds 95% of production capacity for 30 days.
4. Other unforeseen events which could immanent health or safety risks to the public.

Upon initiation and termination of Stage IV, Benton City Water Supply Corporation will mail a public announcement to its members. Benton City Water Supply Corporation will notify TCEQ.

Requirements for Termination:

Stage IV 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 IV, Stage III 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 General Manager, or his/her designee, determines that a water supply emergency exists based on:

1. Failure of water system, or

2. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; **or**
3. Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Section 9: 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 8 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:

Monthly billing statement
Publication in a newspaper
Website: www.bentoncitywater.com
Alert system

Additional Notification:

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

Board of Directors
TCEQ
County Fire Marshalls

Section 10: Violations

1. First violation - The member will be notified by written notice of their specific violation.
2. Subsequent violations:
 - a. After written notice, Benton City Water Supply Corporation 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. Benton City Water Supply Corporation may charge the member for the actual cost of installing and removing the flow restricting device, not to exceed \$50.00.
 - b. After written notice, Benton City Water Supply Corporation 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 Benton City Water Supply Corporation will apply for restoration of service.

Section 11: Exemptions or Variances

Benton City Water Supply Corporation may grant any member an exemption or variance from the drought contingency plan or good cause **upon written request**. A member who is refused an exemption or variance may appeal such action of Benton City Water Supply Corporation in writing to the Texas Commission on Environmental Quality. Benton City Water Supply Corporation will treat all members equally concerning exemptions and variances, and shall not discriminate in granting exemptions and variances. No exemption or variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section 12: Response Stages

Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or severe condition, Benton City Water Supply Corporation will initially declare Stage I restrictions. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, reduce the risk of outages, or comply with restrictions required by a court, government agency or other authority, Stage II may be implemented with Stage III to follow if necessary.

STAGE I - MEMBER AWARENESS

Stage I will begin: Every April 1st

Benton City Water Supply Corporation will mail a public announcement to its members.

Stage I will end: Every September 30th

Benton City Water Supply Corporation will mail a public announcement to its members.

Utility Measures:

This announcement will be designed to increase member awareness of water conservation and encourage the most efficient use of water. A copy of the current public announcement on water conservation awareness shall be kept on file available for inspection by the TCEQ.

Voluntary Water Use Restrictions:

Water members are requested to voluntarily limit the use of water for nonessential purposes and to practice water conservation.

STAGE II - VOLUNTARY WATER CONSERVATION:

Target: Achieve a 10% (percent) reduction in total water use.

Benton City Water Supply Corporation will implement State II when:

1. Average daily water usage reaches 85% of system production capacity for three consecutive days.
2. Consideration will be given to weather conditions, time of year and customer complaints of low water pressure.

3. There is an extended period (at least 8 weeks) of low rainfall and daily use has risen 20% above the use for the same period during the previous year.

Upon initiation and termination of Stage II, Benton City Water Supply Corporation will mail a public announcement to its members. Benton City Water Supply Corporation will notify TCEQ.

Requirements for Termination:

Stage II of the Plan may end 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 II, Stage I becomes operative.

Utility Measures:

Visually inspect lines and repair leaks on a daily basis; reduced flushing of water mains; monthly review of member use records and follow-up on any that have unusually high usage.

Voluntary Water Use Restrictions:

1. **Restricted Hours: Outside watering is allowed daily, but only during periods specifically described in the member notice; between 6 - 10 a.m., and 8 - 10 p.m. weekdays.**
2. **Restricted Days/Hours: Water members are requested to voluntarily limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. Members are requested to limit outdoor water use to 6 - 10 a.m., and 8 - 10 p.m. weekdays. The meters that end with even numbers (or zero) are to water on even days, and the members with odd numbers will water on odd days of the month with no watering on weekends. 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.**

STAGE III - MANDATORY WATER USE RESTRICTIONS:

Target: Achieve a 20% reduction in total water use.

Benton City Water Supply Corporation will implement Stage III when:

1. Average daily water use reaches 90% of system water production capacity for three consecutive days.
2. Net water storage is continually decreasing on a daily basis, and falls below 80% storage for 48 hours.
3. Water pressures fall to below 49 psi in the water distribution system, during non-peak water usage hours, as measured by the distribution line gages.

Upon initiation and termination of Stage III, Benton City Water Supply Corporation will mail a public announcement to its members. Benton City Water Supply Corporation will notify TCEQ.

Requirements for Termination:

Stage III of the Plan may end 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 III, Stage II becomes operative.

Utility Measures:

Visually inspect lines and repair leaks on a regular basis. Flushing is prohibited except for dead end mains.

Mandatory Water Use Restrictions:

The following water use restrictions shall apply to all members:

- 1. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. The meters that end with even numbers (or zero) are to water on even days, and the members with odd numbers will water on odd days of the month. Irrigation of landscaped areas is further limited to the hours of 6 a.m. – 10 a.m., and 8 p.m. – 10 p.m. on designated watering weekdays with no watering on weekends. 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.**
- 2. 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 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.**
- 3. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or “jacuzzi” type pool is prohibited except on designated watering days between the hours of 6 a.m. – 10 a.m., and 8 p.m. – 10 p.m.**
- 4. 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.**
- 5. Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.**
- 6. The following uses of water are defined as nonessential and are prohibited:**
 - a. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;**
 - b. use of water to wash down buildings or structures for purposes other than immediate fire protection;**
 - c. use of water for dust control;**

- d. **flushing gutters or permitting water to run or accumulate in any gutter or street;**
- e. **failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and**
- f. **any waste of water.**

Utility Measures:

Benton City Water Supply Corporation shall visually inspect lines and repair leaks on a daily basis. Flushing is prohibited except for dead end mains and only between the hours of 9:00 p.m. and 3:00 a.m. Emergency interconnects or alternative supply arrangements shall be initiated. All meters shall be read as often as necessary to insure compliance with this program for the benefit of all the members.

Mandatory Water Use Restrictions: (all outdoor use of water is prohibited)

1. Irrigation of landscaped areas is absolutely prohibited.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Exemptions or Waivers

The Drought/Emergency Management Committee may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it determined that failure to grant such variance would cause an emergency condition adversely affecting the health or sanitation 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 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 the water use.
- c. A confined animal feeding operation.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the Drought/Emergency Management Committee within 5 days after the Plan or a particular drought response stage has been invoked or after a condition justifying the variance first occurs. All petitions for variances shall be reviewed by the Committee and shall include the following:

1. Name and address of the petitioners.
2. Purpose of water use.
3. Specific provisions of the Plan from which the petitioner is requesting relief.
4. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damaged or harm will occur to the petitioner or others if petitioner complies with this Plan.
5. Description of the relief requested.
6. Period of the time for which the variance is sought.
7. Alternative water use restrictions or other measures the petitioner is taking or purposes to take to meet the intent of this Plan and the compliance date
8. Other pertinent information, as requested by the Committee.

Variations granted by the Committee shall be subject to the following conditions, unless specifically waived or modified by the Committee or Board of Directors:

1. Variations granted shall include a time for compliance.
2. Variations granted shall expire when the water allocation is no longer in effect, unless petitioner has failed to meet specified requirements. No Variance allowed for a condition requiring water allocation will continue beyond the termination of water allocation under Section F. Any variance for a subsequent water allocation must be petitioned again. The fact that a variance has been granted in response to a petition will no relevance to the Committee's decision on any subsequent petition.

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

Implementation

The Board assigns the General Manager by Resolution. The General Manager will be responsible to make Drought Contingency Water Plan actions. The General Manager will review the procedures in this plan at least every five years unless the conditions necessitate amendments that are more frequent. Modifications may be requires to accommodate system growth, changes in water use demand, available water and/or other circumstances.

**RESOLUTION FOR ADOPTION OF A
DROUGHT CONTINGENCY PLAN**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BENTON CITY WATER
SUPPLY CORPORATION ADOPTING A DROUGHT CONTINGENCY PLAN.**

WHEREAS, the Board recognizes that the amount of water available to the Benton City Water Supply Corporation and its water utility members are limited and subject to depletion during periods of extended drought;

WHEREAS, the Board recognizes that 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 supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the members of the Benton City Water Supply Corporation, 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;

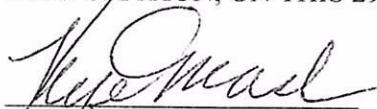
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BENTON CITY WATER SUPPLY CORPORATION:

SECTION 1. That the 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 the Benton City Water Supply Corporation.

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

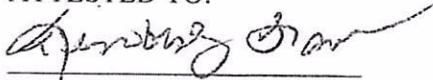
SECTION 3. That this resolution shall take effect immediately upon its passage.

DULY PASSED BY THE BOARD OF DIRECTORS OF THE BENTON CITY WATER SUPPLY CORPORATION, ON THIS 29TH day of April 2019.



President, Board of Directors

ATTESTED TO:



Secretary, Board of Directors