



Drought Contingency Plan For the Brinker Water Supply Corporation

May 2019

**Texas Commission on
Environmental Quality**

DROUGHT CONTINGENCY PLAN FOR BRINKER WATER SUPPLY

**Brinker Water Supply
4534 I 30 E Sulphur Springs, TX 75482
CCN # 10489
PWS # 1120011
May 2019**

Section 1 Declaration of Policy, Purpose, and Intent

In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure, temporary restrictions may be instituted to limit nonessential water usage. The purpose of the Drought Contingency Plan is to encourage customer conservation in order to maintain supply, storage, or pressure or to comply with the requirements of a court, government agency or other authority.

Please note: Water restriction is not a legitimate alternative if a water system does not meet the Texas Commission on Environmental Quality (TCEQ) capacity requirements under normal conditions or if the utility fails to take all immediate and necessary steps to replace or repair malfunctioning equipment.

Section 2 Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by: BRINKER WATER SUPPLY CORPORATION by means of scheduling and providing public notice of a public meeting to accept input on the Plan. The opportunity was listed on the Agenda for the June 2014 Board of Directors Monthly Meeting.

The meeting took place at: Redneck Roadhouse in Sulphur Springs, Texas, at 6:00 P.M. on June 12th, 2014.

Section 3 Public Education

The Brinker 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. This information will be provided by means of public meeting, press release, direct mailings, or on our website.

Section 4 Coordination with Regional Water Planning Groups

The service area of the Brinker Water Supply Corporation is located within Regional Water Planning Group (RWPG) region D. Brinker Water Supply has less than 3,300 meters so there is not a requirement for a copy to RWPG.

Section 5 Notice Requirements

Written notice will be provided to each customer **prior to implementation or termination of each stage of the water restriction program**. Mailed notice must be given to each customer 72 hours prior to the start of water restriction. If notice is hand delivered, the utility cannot enforce the provisions of the plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

1. The date restrictions will begin.
2. Expected duration.
3. The circumstances that triggered the restrictions.
4. The stages of response and explanation of the restrictions to be implemented.
5. An explanation of the consequences for violations.

The utility must notify the TCEQ by telephone at (512) 239-4691, or electronic mail at watermon@tceq.state.tx.us prior to implementing Stage II and must notify in writing the Public Drinking Water Section at MC - 155, P.O. Box 13087, Austin, Texas 78711-3087 within five (5) working days of implementation including a copy of the utility's restriction notice. The utility must file a status report of its restriction program with the TCEQ at the initiation and termination of mandatory water use restrictions.

Section 6 Violations

1. First violation - The customer will be notified by written notice of their specific violation. The notice will show the amount of penalty to be assessed for continued violations.
2. Second Violation: The Corporation will assess a penalty of \$50.00.
3. Subsequent Violations: The Corporation will assess an additional penalty of \$75.00 for violations continuing after second violation.
 - a. After written notice, the utility 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. The utility may

charge the customer for the actual cost of installing and removing the flow restricting device, not to exceed \$50.00.

- b. After written notice, the utility 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 the utility will apply for restoration of service.
4. Termination: After written notice, the utility may discontinue service at the meter for a period of Seven (7) days, or until the end of the calendar month, whichever is less. Service will remain off until Any delinquent penalty or other assessment is fully paid including a charge for the service call to restore service.

Section 7 Exemptions or Variances

The utility may grant any customer an exemption or variance from the drought contingency plan for good cause **upon written request**. Persons requesting an exemption or variance from 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 as 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:

- Name and address of the petitioner(s).
- Purpose of water use.
- Specific provision(s) of the Plan from which the petitioner is requesting relief.
- 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 plan.
- Description of the relief requested.
- Period of time for which the variance is sought.
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.
- Other pertinent information, as requested by the Committee.

A customer who is refused an exemption or variance may appeal such action of the utility in writing to the Texas Commission on Environmental Quality. The utility will treat all customers 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 8 Response Stages

Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or severe condition, the utility 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 – MILD CONDITIONS

The water utility will implement Stage I when any one of the selected triggers is reached:

- Water consumption has reached 80% of daily maximum supply for three (3) consecutive days.

- Water supply is reduced to a level that is only 20 % greater than the average consumption for the previous month.
- There is an extended period (at least eight (8) weeks) of low rainfall and daily use has risen 20% above the use for the same period during the previous year.

Utility Measures:

This announcement will be designed to increase customer awareness of water conservation, implement restrictions 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.

Water Use Restrictions:

Water customers are restricted to limit the use of water for nonessential purposes and to practice water conservation.

1. Restricted Hours: Outside watering is allowed daily, but only during periods specifically described in the customer notice; between 10:00 p.m. and 5:00 a.m.
2. Restricted Days/Hours: Water customers are requested to limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. Customers are requested to limit outdoor water use to Mondays for water customers with a street address ending with the numbers 1, 2, or 3, Wednesdays for water customers with a street address ending with the numbers 4, 5, or 6, and Fridays for water customers with a street address ending with the numbers 7, 8, 9, or 0. 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 any time 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; or
3. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Mondays for water customers with a street address ending with the numbers 1, 2, or 3, Wednesdays for water customers with a street address ending with the numbers 4, 5, or 6, and Fridays for water customers with a street address ending with the numbers 7, 8, 9, or 0. 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 any time 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.
4. 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.
5. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or a jacuzzi@ type pool 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.

6. 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.
 7. Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.
 8. Use of water for the irrigation of golf courses, parks, and green belt area is prohibited except by hand-held hose and only on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight.
 9. 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.
3. Other uses that waste water such as water running down the gutter.

STAGE II - MODERATE CONDITIONS

Target: Achieve consumption of 90% of the maximum daily water production capabilities.

The water utility will implement Stage II when any one of the selected triggers is reached:

- Consumption has reached 90% of the amount available for three consecutive days.
- The water level in any of the storage tanks cannot be replenished for three (3) consecutive days. Example: The highest recorded water level drops 1 foot or more for three (3) consecutive days.

Upon initiation and termination of Stage II, the utility will mail a public announcement to its customers. Notice to TCEQ required.

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. Monthly review of customer use records and

follow-up on any that have unusually high usage. Reduce flushing of water mains.

A second water source for Brinker Water Supply Corporation is purchased water from the City of Sulphur Springs.

Water Use Restrictions:

1. All outside water use is prohibited. (except for livestock or other exceptions or variances granted under this section)

STAGE III – SEVERE CONDITIONS

Target: Achieve consumption of 95% of the maximum daily water production capabilities.

The water utility will implement Stage III when any one of the selected triggers is reached:

- 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.
- Water consumption of 95% or more of the maximum available for three (3) consecutive days.
- Water consumption of 100% of the maximum available and the water storage levels in the system drop during one 24 hour period.
- Natural or manmade contamination of the water supply sources.
- The declaration of a state of disaster due to drought conditions in a county of counties served by the Corporation.
- Reduction of wholesale water supply due to drought conditions.
- Other unforeseen events which could cause imminent health or safety risks to the public.

Upon initiation and termination of Stage III, the utility will mail a public announcement to its customers. Notice to TCEQ required.

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:

1. All outside watering is prohibited.
2. Water use will be restricted to a percentage of each member's prior month usage.

This percentage may be adjusted as needed according to demand on the system. Notice of this amount will be sent to each customer.

Note: There may be additional enforcement imposed by Governmental Entities
Meters will be read as often as necessary to insure compliance with this program for the benefit of all customers.

SYSTEM OUTAGE or SUPPLY CONTAMINATION

Notify TCEQ Regional Office immediately.

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

RESOLUTION NO. I

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BRINKER
WATER SUPPLY CORPORATION ADOPTING A DROUGHT CONTINGENCY
PLAN.

WHEREAS, the Board recognizes that the amount of water available to the Brinker Water Supply Corporation and its water utility customers 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 customers of the Brinker 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 BRINKER 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 Brinker 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 BRINKER WATER SUPPLY CORPORATION, ON THIS 14th day of October, 2018.


President, Board of Directors

ATTESTED TO:


Secretary, Board of Directors