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Texas Commission on Environmental Quality

Water Availability Division

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Drought Contingency Plan for a Wholesale Public Water Supplier

This form is provided as a model of a drought contingency plan for a wholesale public water supplier. If you need assistance in completing this form or in developing your plan, please contact the Conservation Staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For example, adoption by a city council as an ordinance or by resolution of the entity's board of directors adopting the plan as administrative rules.

Name:	Lakeview Hills (POA) Water Utility, PWS 2040021		
Address:	110 Lakeview Drive Loop		
Telephone Number:	(713) 859-7481	Fax:	
Water Right No.(s):			
Regional Water Planning Group:	TCEQ Region 10, Beaumont, TX		
Form Completed by:	Mark York		
Title:	Water Committee Chairman, Lakeview Hills POA		
Person responsible for implementation:	Mark E. York	Phone:	(713) 859-7481
Signature:		Date:	7/28/2022

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and/or to 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 Lakeview Hills POA Water Utility adopts the following Drought Contingency Plan (the Plan).

Section II: Public Involvement

Opportunity for the public and wholesale water customers to provide input into the preparation of the Plan was provided by Lakeview Hills POA Water Utility by means of POA Meetings .

Section III: Wholesale Water Customer Education

The Lakeview Hills POA Water Utility 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 US mail and E-mail.

Section IV: Coordination with Regional Water Planning Groups

The water service area of the Lakeview Hills POA Water Utility is located within the Texas Gulf Coast and the Lakeview Hills POA Water Utility has provided a copy of the Plan to the TCEQ Regional Office No. 10, Beaumont, TX.

Section V: Authorization

The POA President & water plant operator, 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 POA President & water plant operator, 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 customers utilizing water provided by the Lakeview Hills POA Water Utility. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

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

The POA President & water operator, 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. Customer notification of the initiation or termination of drought response stages will be made by mail or telephone. The news media will also be informed.

The triggering criteria described below are based on the amount of rain over an extended period of time, water usage, static level of groundwater reservoir, and amount of treated water in storage.

Utilization of alternative water sources and/or alternative delivery mechanisms:

Alternative water sources for Lakeview Hills POA Water Utility are: Purchasing potable water from supplier, inter-connection with another system, etc.

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation - The Lakeview Hills POA Water Utility will recognize that a mild water shortage condition exists when the following occurs:

- 1) Little or no rain for 2 months creating very dry conditions.
- 2) Water usage averages 7 thousand gallons per day for consecutive weeks.
- 3) Reservoir static water level drops 5% below normal level.
- 4) Treated water storage drops to 2.5 days of reserve.

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 30 consecutive days. The Lakeview Hills POA Water Utility notify its wholesale customers.

Stage 2 Triggers -- MODERATE Water Shortage Conditions

Requirements for initiation - The Lakeview Hills POA Water Utility will recognize that a moderate water shortage condition exists when the following occurs:

- 1) Little or no rain for 3 months creating abnormally dry conditions.
- 2) Water usage averages 10 thousand gallons per day for consecutive weeks.
- 3) Reservoir static water level drops 10% below normal level.
- 4) Treated water storage drops to 1.5 days of reserve.

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 30 consecutive days. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative. The Lakeview Hills POA Water Utility will notify its wholesale customers of the termination of Stage 2.

Stage 3 Triggers -- SEVERE Water Shortage Conditions

Requirements for initiation - The Lakeview Hills POA Water Utility will recognize that a severe water shortage condition exists when the following occurs:

- 1) Little or no rain for 4 months creating exceedingly dry conditions.
- 2) Water usage averages 15 thousand gallons per day for consecutive weeks.
- 3) Reservoir static water level drops 15% below normal level.
- 4) Treated water storage drops to 1 day of reserve.

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 30 consecutive days. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative. The Lakeview Hills POA Water Utility will notify its wholesale customers of the termination of Stage 3.

Stage 4 Triggers -- CRITICAL Water Shortage Conditions

Requirements for initiation - The Lakeview Hills POA Water Utility will recognize that an emergency water shortage condition exists when the following conditions occur:

- 1) Major water line breaks, or pump or system failures occur.
- 2) Drought conditions cause unprecedented loss of ability to provide water service to 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 for a period of 30 consecutive days. The Lakeview Hills POA Water Utility will notify its wholesale customers of the termination of Stage 4.

Section VIII: Drought Response Stages

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

Stage 1 Response -- MILD Water Shortage Conditions

Target: Achieve a voluntary 30% percent reduction in daily water demand

Best Management Practices for Supply Management:

The POA President & water operator, or his/her designee(s), will monitor the water supplies and all operations to properly maintain the water system as directed by the TCEQ. They will also encourage the customers to reduce water demand by the use of reclaimed water for nonpotable purposes. If drought conditions continue, reservoir operation procedures could possibly be modified by interconnection with another water system.

Water Use Restrictions for Reducing Demand:

(a) The POA President & water operator, his/her designee(s), will contact water customers to discuss water supply and/or water demand conditions and will request that all water customers initiate voluntary measures to reduce water use.

(b) The POA President & water operator, his/her designee(s), will provide a weekly report to water customers with information regarding current water supply and/or demand conditions. Information will also be provided as to projected water supply, projected demand conditions, and water conservation measures and practices.

Stage 2 Response -- MODERATE Water Shortage Conditions

Target: Achieve a mandatory 50% percent reduction in daily water demand.

Best Management Practices for Supply Management:

To manage limited water supplies and/or reduce water demand. The POA President & water operator, or his/her designee(s), will suggest modifying reservoir operation procedures, interconnecting with another water system, and the use of reclaimed water for non-potable purposes.

Water Use Restrictions for Reducing Demand:

(a) The POA President & water operator, or his/her designee(s), will request water customers to initiate mandatory measures to reduce non-essential water use

(b) The POA President & water operator, or his/her designee(s), will initiate weekly contact with water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries.

(c) The POA President & water operator, or his/her designee(s), will further prepare for the implementation of pro rata curtailment of water diversions and/or deliveries by preparing a monthly water usage allocation baseline for each water customer.

(d) The POA President & water operator, or his/her designee(s), will provide a weekly report to water customers with information regarding current water supply and/or demand conditions, projected water supply and demand conditions and consumer information on water conservation measures and practices if drought conditions persist.

Stage 3 Response -- SEVERE Water Shortage Conditions

Target: Achieve a mandatory 75 percent reduction in daily water demand.

Best Management Practices for Supply Management:

To manage limited water supplies and/or reduce water demand the POA President & water operator, or his/her designee(s), will modifying reservoir operation procedures, present the cost of interconnection with another water system and/or the purchase of potable water. The use of reclaimed water for non-potable purposes will be required.

Water Use Restrictions for Reducing Demand:

(a) The POA President & water operator, or his/her designee(s), will contact water customers to discuss water supply and/or demand conditions and will request that all water customers initiate additional mandatory measures to reduce non-essential water use.

(b) The POA President & water operator, or his/her designee(s), will initiate pro rata curtailment of water diversions and/or deliveries for each wholesale customer.

(c) The POA President & water operator, or his/her designee(s), will provide a weekly report to water customers with information regarding current water supply and demand conditions and projected water supply and demand. Consumer information on water conservation measures and practices will also be presented.

Stage 4 Response -- EMERGENCY Water Shortage Conditions

Whenever emergency water shortage conditions exist as defined in Section VII of the Plan, the POA President & water operator shall:

1. Assess the severity of the problem and identify the actions needed and time required to solve the problem.
2. Inform each water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems, and greatly reduce water use until full service is restored.
3. If appropriate, notify city, county, and/or state emergency response officials for assistance.
4. Undertake necessary actions, including repairs and/or clean-up as needed.
5. Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.

Section IX: Pro Rata Curtailment

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 POA President & water operator, is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code, §11.039.

Section X: Contract Provisions

The Lakeview Hills POA Water Utility will include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

Section XI: Enforcement

During any period when pro rata allocation of available water supplies is in effect, wholesale customers shall pay the following surcharges on excess water diversions and/or deliveries:

Example of surcharge:

Two (2) times the normal water charge per 1000 gallons for water diversions and/or deliveries in excess of the monthly allocation from 25 percent through 75 percent above the monthly allocation.

Section XII: Variances

The POA President & water operator, 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 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 Plan shall file a petition for variance with the POA President within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the Lakeview Hills POA Board of Directors, and shall include the following:

- (a) Name and address of the petitioner(s).
- (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 Lakeview Hills POA Board of Directors shall be subject to the following conditions, unless waived or modified by the Lakeview Hills POA 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 this Plan occurring prior to the issuance of the variance.

Section XIII: Severability

It is hereby declared to be the intention of the Lakeview Hills POA 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 of 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 Lakeview Hills POA Board of Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**Lakeview Hills P.O.A.
Water Service Agreement**

1. **PURPOSE:** The **Lakeview Hills P.O.A.** is responsible for protecting the drinking water supply from contamination or pollution which could result from improper private water distribution system construction or configuration. The purpose of this service agreement is to notify each customer of the restrictions that are in place to provide this protection. The utility enforces these restrictions to ensure public health and welfare. Each customer must sign this agreement before **Lakeview Hills P.O.A.** will begin service. In addition, when service to an existing connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of this agreement on file.

2. **RESTRICTIONS:** The following unacceptable practices are prohibited by State Regulations:
 - a. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.
 - b. No cross connection between the public drinking water supply and a private water system is permitted. These potential threats to the public water supply shall be eliminated at the service connection by the installation of an air-gap or reduced pressure-zone backflow prevention device.
 - c. No connection which allows water to be returned to the public drinking water supply is permitted.
 - d. No pipe or pipe fitting which contains more than **0.25%** lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
 - e. No solder or flux which contains more than **0.2%** lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

3. **SERVICE AGREEMENT:** The following are the terms of the service agreement between **Lakeview Hills P.O.A. (Water System)** and _____ (Customer).
 - a. The Water System will maintain a copy of this agreement as long as the Customer and/or premises is connected to the water system.
 - b. The Customer shall allow his property to be inspected for possible cross-connections and other potential contamination hazards. These inspections shall be conducted by the Water System or designated agent prior to initiating new water service; when there is reason to believe cross-connections or potential contaminations exist; or after any major changes to the private water distribution facilities. The inspections shall be conducted during normal business hours.
 - c. The Water System shall notify the Customer in writing of any cross-connection or other potential contamination hazard which has been identified during the initial inspection or periodic re-inspection.
 - d. The Customer shall immediately remove or adequately isolate any potential cross-connections or potential contamination hazards on his premises.
 - e. The Customer shall at his expense; properly install, test and maintain any backflow prevention device required by the Water System. Copies of all testing and Maintenance records shall be provided to the Water System.

4. **ENFORCEMENT:** If the Customer fails to comply with the terms of the Service Agreement, the Water System shall, at its option, terminate service or properly install, test and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this agreement shall be billed to the Customer.

I agree to the above Service Agreement Restrictions and Requirements;

CUSTOMER'S SIGNATURE _____

DATE: _____

LAKEVIEW HILLS PROPERTY OWNERS ASSOCIATION
110 Lakeview Drive Loop
Coldspring, Texas 77331

WATER SERVICE APPLICATION

Date: _____

Applicant Name: _____

Co-Applicant Name: _____

Address of Service: _____

Lot # _____

Billing Address: _____

E-mail Address: _____

Phone: Home # _____ **Cell #** _____

NOTE: Where a new tap is required for service, the applicant will be required to submit a diagram, map, or plat showing the location where the applicant desires the service connection to be made. The final location will be governed by utility and TCEQ regulations. The tap connection will be made at the nearest utilities service main. The meter location must be at the applicant's property line, easily accessible for servicing and meter reading, and secure from damage by vehicles and mowers.