

CSWR-Texas Drought Contingency Plan

1 INTENT

In compliance with State Regulation 30 TAC §288.20 – Texas finds it necessary 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 by adopting a Drought Contingency Plan (DCP) for the public water system.

2 PURPOSE

Groundwater is a priceless resource used in everyday life including personal consumption, household use, industry, and farming. The purpose of this policy is to conserve the available water supply in relation to water supply shortages or other water supply emergency conditions. This document establishes the minimum acceptable DCP practices for the water purveyor.

Water uses regulated or prohibited under this DCP 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 in *Section 7 ENFORCEMENT OF DCP* of this plan.

The requirements of this DCP shall apply to all persons, customers, and property utilizing water provided by Central States Water Resources. In accordance with state requirements, this DCP will be revised every five (5) years.

3 DEFINITIONS

- Addresses means street addresses, box numbers, or rural postal route numbers as identified as either “even numbered” or “odd numbered”.
 - Even numbered means addresses ending in 0, 2, 4, 6, or 8 and locations without addresses.
 - Odd numbered means addresses ending in 1, 3, 5, 7, or 9.
- Customer(s)/Person(s)/Public means individuals, corporations, partnerships, associations, properties, and all other legal entities which potable or non-potable water is served by the water purveyor.
- Non-essential water use means water uses that are not essential nor required for the protection of public, health, safety, or welfare, including:
 - Aesthetic water use;
 - Irrigation/Landscape water use;
 - Wash-down water use;
 - Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
 - Using water from hydrants for any purposes other than fire-fighting.
- Non-potable Water means water not approved by the TCEQ for human consumption and may include:
 - Aesthetic water used for ornamental/decorative purposes in fountains, pools/jacuzzis, gardens, etc.
 - Industrial water used for production of materials of lower value into forms having greater usability or value.
 - Irrigation/Landscape water used for maintenance of landscaped areas, lawns, gardens, golf courses, parks, right-of-ways, or medians.
 - Wash-down water used for cleaning motorized vehicles (cars, boats, airplanes, etc.), trailers, gutters, walk/driveways, buildings, parking lots, hard-surfaced areas (tennis/basketball courts), etc..

- Potable Water means water which complies with the requirements of TAC 290, the quality of which is approved by the TCEQ for human consumption and may include:
 - Commercial and Institutional use in retail establishments, hotels, motels, restaurants, or office buildings.
 - Domestic use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning residences/businesses/etc..
- Public Education means information about the plan delivered to the public by means of direct customer communication. Information will include 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.
- Public Involvement means an opportunity for the public (persons or businesses (customers) served water by the Water Purveyor), to provide input into the preparation of the plan by means of direct customer communication.
- Texas Commission on Environmental Quality (TCEQ) means the regulatory body which oversees all federally and state mandated drinking water regulations in the State of Texas.
- Trigger(s) means a predetermined set of criteria to be used by the water purveyor to determine when to implement each stage of the drought contingency plan. Triggers are listed below with associated Stage:
 - Stage 1 Triggers:
 - Annual period from May 1 – September 30; and/or
 - Long-term weather pattern monitoring indicates potential for drought conditions.
 - Stage 2 Triggers:
 - System is producing 50% of the purchase agreement requirements (if applicable);
 - System is producing 50% of the total daily demand of the safe operating capacity;
 - Static water level monitoring indicates 15% water level decline;
 - Drawdown water level monitoring indicates 15% water level decline; and/or
 - Well specific capacity monitoring indicates a 15% change.
 - Stage 3 Triggers:
 - System is producing 75% of the purchase agreement requirements (if applicable);
 - System is producing 75% of the total daily demand of the safe operating capacity;
 - Static water level monitoring indicates 25% water level decline;
 - Drawdown water level monitoring indicates 25% water level decline; and/or
 - Well specific capacity monitoring indicates a 25% change.
 - Stage 4 Triggers:
 - System is producing 100% of the purchase agreement requirements (if applicable);
 - System is producing 100% of the total daily demand of the safe operating capacity;
 - Static water level monitoring indicates 50% water level decline;
 - Drawdown water level monitoring indicates 50% water level decline;
 - Well specific capacity monitoring indicates a 50% change; and/or
 - Well pump functionality monitoring indicates a 50% change in functionality.
 - Stage 5 Triggers:
 - Static water level monitoring indicates greater than 50% water level decline;
 - Drawdown water level monitoring indicates greater than 50% water level decline;
 - Well specific capacity monitoring indicates a greater than 50% change; and/or
 - Well pump functionality monitoring indicates a greater than 50% change in functionality.
- Water Purveyor means the owner, operator, or individual in responsible charge of a public water system.

4 STAGES, IMPLEMENTATION, & TERMINATION OF DCP

The water purveyor or his/her designee shall monitor water supply and/or demand conditions on a monthly basis (or more frequently as needed during drought periods) and shall determine when conditions warrant initiation or termination of each stage of the plan when specified triggers are reached.

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 when certain trigger(s) are met. See *Section 3 DEFINITIONS* (above).

Requirements for Termination:

Stage 1 of the plan may be rescinded when all of the conditions listed as Stage 1 Triggers have ceased to exist for a period of seven (7) consecutive days.

Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for Initiation:

Customers shall be required to comply with the requirements and restriction on certain non-essential water uses of this plan when certain trigger(s) are met. See *Section 3 DEFINITIONS* (above).

Requirements for Termination:

Stage 2 of the plan may be rescinded when all of the conditions listed as Stage 2 Triggers have ceased to exist for a period of fifteen (15) consecutive days. Upon termination of Stage 2, Stage 1 of this plan will become operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for Initiation:

Customers shall be required to comply with the requirements and restriction on most non-essential water uses of this plan when certain trigger(s) are met. See *Section 3 DEFINITIONS* (above).

Requirements for Termination:

Stage 3 of the plan may be rescinded when all of the conditions listed as Stage 3 Triggers have ceased to exist for a period of twenty (20) consecutive days. Upon termination of Stage 3, Stage 2 then, subsequently, Stage 1 of this plan will become operative.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for Initiation:

Customers shall be required to comply with the requirements and restriction on all non-essential water uses of this plan when certain trigger(s) are met. See *Section 3 DEFINITIONS* (above).

Requirements for Termination:

Stage 4 of the plan may be rescinded when all of the conditions listed as Stage 4 Triggers have ceased to exist for a period of twenty-five (25) consecutive days. Upon termination of Stage 4, Stage 3 then, subsequently, Stage 2 and Stage 1 of this plan will become operative.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for Initiation:

Customers shall be required to comply with the requirements and restriction on all non-essential water uses of this plan when certain trigger(s) are met. See *Section 3 DEFINITIONS* (above).

Requirements for Termination:

Stage 5 of the plan may be rescinded when all of the conditions listed as Stage 5 Triggers have ceased to exist for a period of thirty (30) consecutive days. Upon termination of Stage 5, Stage 4 then, subsequently, Stage 3, Stage 2, and Stage 1 of this plan will become operative.

5 IMPLEMENTATION & NOTIFICATION OF DCP

The Water Purveyor shall monitor water supply and/or demand conditions on a regular basis to determine Stages of the DRP using the triggering criteria set forth in *Section 4 STAGES, IMPLEMENTATION, & TERMINATION OF DCP* (above).

Upon determining the appropriate Stage of the DCP, the Water Purveyor shall notify the public by means of direct customer communication and website announcements. Public restrictions shall be as follows:

Stage 1 Response – MILD Water Shortage Conditions

Voluntarily compliance with the following restrictions shall apply as follows:

1. Water customers are required to limit the irrigation of landscaped areas to Sundays and Thursdays for customers with street addresses ending in an even number and Tuesdays and Saturdays for customers with street addresses ending in an odd number.
Irrigation times shall be limited to the hours of 00:00 – 05:00 (midnight – 5am) and 21:00 – 00:00 (9pm – midnight) during the appropriately designated day.
2. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.
3. All operations of the Water Purveyor shall adhere to water use restrictions prescribed for Stage 1 of the plan unless critical conditions warrant deviation.

Stage 2 Response – MODERATE Water Shortage Conditions

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

1. Irrigation of landscaped areas shall be limited to Sundays and Thursdays for customers with street addresses ending in an even number and Tuesday and Saturdays for customers with street addresses ending in an odd number.
Irrigation times shall be limited to the hours of 00:00 – 05:00 (midnight – 5am) and 21:00 – 00:00 (9pm – midnight) during the appropriately designated day.
2. 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.
3. 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 00:00 – 05:00 (midnight – 5am) and 21:00 – 00:00 (9pm – midnight).
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 00:00 – 05:00 (midnight – 5am) and 21:00 – 00:00 (9pm – 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.
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 or vehicles used to transport food and perishables. Customers are required to consult with Central States Water Resources using the format listed in *Section 7 EXEMPTIONS FROM DCP* (below) to determine if they are applicable for an exemption.
5. Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare. Use of water from designated fire hydrants for construction purposes may be applicable for an exemption by consulting with Central States Water Resources using the format listed in *Section 7 EXEMPTIONS FROM DCP* (below).
6. All non-essential water uses as defined in *Section 3 DEFINITIONS*, except as expressed above, is prohibited.

Stage 3 Response – SEVERE Water Shortage Conditions

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

1. All requirements of Stage 2 shall remain in effect during Stage 3 except:
 2. Irrigation of landscaped areas shall be limited to Sundays and Thursdays for customers with street addresses ending in an even number and Tuesday and Saturdays for customers with street addresses ending in an odd number.
Irrigation times shall be limited to the hours of 00:00 – 05:00 (midnight – 5am) and 21:00 – 00:00 (9pm – midnight) during the appropriately designated day.
Further, irrigation shall be conducted by means of hand-held hoses, hand-held buckets, or drip irrigation systems only. Use of hose-end sprinklers and automatic sprinkler systems are prohibited at all times.
3. The use of water from designated fire hydrants for construction purposes is prohibited and no longer able to request exemption.

Stage 4 Response – CRITICAL Water Shortage Conditions

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

1. All requirements of Stages 2 and 3 shall remain in effect during Stage 4 except:
 2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle, unless the vehicle is used for the health, safety, and welfare of the public, is prohibited.
Vehicles exempted from washing restrictions shall be limited to Sundays and Thursdays for customers with street addresses ending in an even number and Tuesday and Saturdays for customers with street addresses ending in an odd number.
Wash times shall be limited to the hours of 00:00 – 05:00 (midnight – 5am) and 21:00 – 00:00 (9pm – midnight) during the appropriately designated day.
3. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited.
4. 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.

Stage 5 Response – EMERGENCY Water Shortage Conditions

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

1. All requirements of Stages 2, 3, and 4 shall remain in effect during Stage 5 except:
 2. Irrigation of landscaped areas is absolutely prohibited.

6 ENFORCEMENT OF DCP

No person shall knowingly or intentionally allow the use of water 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 Central States Water Resources, or designee, in accordance with provisions of this plan.

Any person who violates this plan is guilty of a misdemeanor and, upon conviction, shall be punished by a fine to be determined based upon the severity of the violation and relation to the drought Stage. Each day that one or more of the provisions in this plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this plan, Central States Water Resources shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge and any other costs incurred by the Water Purveyor in discontinuing service. In addition, suitable assurance must be given to the Water Purveyor that the same action shall not be repeated while the plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

Any person 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 person's 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 they did not commit the violation. I.e. 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 they prove that they 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 or prevented the violation.

Any employee of the Water Purveyor or other designated representative may issue a citation to a person reasonably believed to be in violation of this policy. The citation shall be prepared in duplicate and shall contain the name (if known) and address of the alleged violator, the offense charged, and shall direct the violator to consult with the Water Purveyor for punitive action(s) (see Attachment A). The alleged violator shall be served a copy of the citation and service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over fourteen (14) years of age who is a member of the violator's immediate family or is a resident of the violator's residence. Failure to consult with the Water Purveyor may result in escalated punitive actions, including, but not limited to, court injunctions or termination of water service.

7 EXEMPTIONS FROM DCP

Central States Water Resources may, in writing or through our website, 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:

1. 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.
2. 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 Central States Water Resources through our website <https://www.centralstateswaterresources.com/texas/community-tariff-information/> or by emailing support@cswrtexasuoc.com within three (3) business days after the plan or a particular drought response stage has been invoked (see Attachment B).

All petitions for variances shall be reviewed by Central States Water Resources and shall include the following information:

- (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 plan.
- (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.

Upon review of the request for an exemption waiver, the customer will be provided a letter either approving or denying the variance (see Attachment C).

This policy shall have full force and effect from and after its date of passage.



Central States Water Resources – Texas
Drought Contingency Plan – Citation

Date of Alleged Violation: _____ Stage of Drought Plan: 1 2 3 4 5
Alleged Violator Name: _____
Alleged Violator Address: _____
Offense Charge: _____
Person Serving Citation: _____

In accordance with the Central States Water Resources – Texas (CSWR-TX) Drought Contingency Plan (DCP) *Section 6 ENFORCEMENT OF DCP*, no person shall knowingly or intentionally allow the use of water 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.

Any person who violates this plan is guilty of a misdemeanor and, upon conviction, shall be punished by a fine to be determined based upon the severity of the violation and relation to the drought Stage. Each day that one or more of the provisions in this plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this plan, Central States Water Resources shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge and any other costs incurred by the Water Purveyor in discontinuing service. Compliance with this plan may also be sought through injunctive relief in the district court.

In addition, suitable assurance must be given to the Water Purveyor that the same action shall not be repeated while the plan is in effect. As such, you (alleged violator) must contact Central States Water Resources – Texas personnel by emailing support@cswrtexasuoc.com or by calling 866-301-7725 to discuss this citation.

 Central States Water Resources
1650 Des Peres Rd. Suite 303
Des Peres, MO 63131

 314-380-8544

 centralstateswaterresources.com




Central States Water Resources – Texas
Drought Contingency Plan – Citation (*duplicate*)

Date of Alleged Violation: _____ Stage of Drought Plan: 1 2 3 4 5
Alleged Violator Name: _____
Alleged Violator Address: _____
Offense Charge: _____
Person Serving Citation: _____

In accordance with the Central States Water Resources – Texas (CSWR-TX) Drought Contingency Plan (DCP) *Section 6 ENFORCEMENT OF DCP*, no person shall knowingly or intentionally allow the use of water 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.

Any person who violates this plan is guilty of a misdemeanor and, upon conviction, shall be punished by a fine to be determined based upon the severity of the violation and relation to the drought Stage. Each day that one or more of the provisions in this plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this plan, Central States Water Resources shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge and any other costs incurred by the Water Purveyor in discontinuing service. Compliance with this plan may also be sought through injunctive relief in the district court.

In addition, suitable assurance must be given to the Water Purveyor that the same action shall not be repeated while the plan is in effect. As such, you (alleged violator) must contact Central States Water Resources – Texas personnel by emailing support@cswrtexasuoc.com or by calling 866-301-7725 to discuss this citation.

 Central States Water Resources
1650 Des Peres Rd. Suite 303
Des Peres, MO 63131

 314-380-8544

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Central States Water Resources – Texas Drought Contingency Plan – Exemption Waiver Request

Date of Waiver Request: _____ Stage of Drought Plan: 1 2 3 4 5

Name: _____

Address: _____

Purpose of Water Use: _____

Provision of Plan for Waiver Request: _____

Adverse Effect(s) of the Provision of Plan: _____

Description of Relief Requested: _____

Description of Intention to Comply with Plan: _____

Other Information: _____

In accordance with the Central States Water Resources – Texas (CSWR-TX) Drought Contingency Plan (DCP) *Section 7 EXEMPTIONS FROM DCP*, customers may request a temporary variance for existing water uses otherwise prohibited under the Drought Contingency Plan. Exemptions must be requested within three (3) business days after the plan or a particular drought response stage has been invoked. Further, exemption requests must be resubmitted if at any time the drought Stage increases from the currently invoked exemption.



Central States Water Resources – Texas
Drought Contingency Plan – Exemption Waiver

Dear _____,

Central States Water Resources – Texas (CSWR-TX) received your request to grant you an exemption waiver for [pick one] using water to wash any motorized vehicle/airplane/boat/trailer during times outside the prescribed times [OR] due to the nature of the vehicle use [OR] using water from a hydrant for construction purposes under Stage 2 [OR] 3 [OR] 4 of our Drought Contingency Plan for the _____public water system.

CSWR-TX hereby approves and grants your request for the above-mentioned waiver. If at any point in the future the Stage of the Drought Contingency Plan increases, you must resubmit your request for an exemption.

If you have any questions about this letter or your waiver, feel free to contact us at 866-301-7725 or at support@cswrtexasuoc.com.

[OR]

CSWR-TX hereby denies your request for the above-mentioned waiver. Due to the severity of the drought we are unable to comply with your request at this time. If at any point in the future the Stage of the Drought Contingency Plan is decreased, you can resubmit your request for an exemption and we will review your request.

If you have any questions about this letter, feel free to contact us at 866-301-7725 or at support@cswrtexasuoc.com.

Sincerely,

NAME

TITLE

Central States Water Resources – Texas