

# DROUGHT CONTINGENCY PLAN

## WICKSON CREEK SUD

### BRAZOS, GRIMES AND ROBERTON COUNTIES

Name:	Wickson Creek Special Utility District	
Address:	P O Box 4756 Bryan Texas 77805	
Telephone Number:	(979) 589-3030	Fax: (936) 878-6255
Water Right No. (s):	PWS#0210005, PWS#0930003, PWS#1980010	
Regional Water Planning Group:	Region G Water Planning Group	
Form Completed by:	Karen Theiss, email: karen@wicksoncreek.com	
Title:	Office Manager	
Water Conservation Coordinator responsible for implementation:	Kyle Eppler General Manager kyle@wicksoncreek.com	Phone: (979-589-3030)
Signature:	<i>Kyle Eppler</i>	Updated: 06/15/2023

## **Section I: 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, to protect and preserve public health, welfare, and safety and minimize the adverse impacts of a water supply shortage or other water supply emergency conditions, the Wickson Creek SUD 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 non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

## **Section II: Public Involvement**

The opportunity for the public to provide input into the preparation of the Plan was provided by the Wickson Creek SUD using the posted Agenda for the Board Meetings on the Third Thursday of each month.

## **Section III: Public Education**

The Wickson Creek SUD 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 the following means:

- Posting of the Notice of the Drought Conditions
- General circulation to the newspaper
- Notifying local radio stations
- Posted on the Wickson Creek SUD Website

## **Section IV: Coordination with Regional Water Planning Groups**

The service area of the Wickson Creek SUD is located within the Texas Water Development Region G Planning Group and Wickson Creek SUD has provided a copy of this Plan to the Texas Water Development Board Region G Planning Group.

## **Section V: Authorization**

The General Manager or designee is hereby authorized and directed to implement the applicable provisions of this Plan upon the determination that such implementation is necessary to protect public health, safety, and welfare. The General Manager or

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 persons, customers, and property utilizing water provided by Wickson Creek SUD. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

### **Section VII: Definitions**

For this Plan, the following definitions shall apply:

Aesthetic water use: water used for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use 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 Wickson Creek SUD.

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 addresses: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Hand Irrigation: Is defined as using a “Handheld” watering device or a hose to apply water directly to a lawn, shrub, or tree. No open-ended hose or water sprinkler applying water directly to the lawn and left unattended.

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:

- irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan.
- use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicles.
- use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
- use of water to wash down buildings or structures for purposes other than immediate fire protection.
- flushing gutters or permitting water to run or accumulate in any gutter or street.
- use of water to fill, refill or add to any indoor or outdoor swimming pools or Jacuzzi-type pools.
- use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life.
- failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- use of water from hydrants for construction purposes or any other purposes other than firefighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Soaking: Is defined as using a tree watering bag, a water hose with a very slow water release, or a soaker hose to water a lawn, tree, shrubs, or house foundation. A water sprinkler turned down to a very low rate of flow can be used to soak trees, shrubs, and the house foundation.

### **Section VIII: Criteria for Initiation and Termination of Drought Response Stages**

The General Manager or designee shall monitor water supply and/or demand conditions daily and shall determine when conditions warrant initiation or termination of each stage of the Plan, when the specified “triggers” are reached.

The triggering criteria described below are based on the 5 stages of rationing as imposed by the Board. The following trigger conditions indicate when drought contingency measures will be put into effect. Trigger conditions will be set for mild, moderate, severe, critical, and emergency conditions.

Additionally, if the triggering criteria specified in stages 1-5 have been met, the General Manager is hereby authorized to initiate the allocation of water supplies on a **pro-rata basis** in accordance with the Texas Water Code, 11.039.

### **Stage 1 Triggers – Mild Water Shortage Conditions**

#### Requirements for initiation

- 1) Average daily water use reaches 85% of system capacity for 5 consecutive days.
- 2) AND/OR An event occurs where water demand exceeds the supply and **mild** conservation measures will maintain the ability to provide the proper level of service as determined by the General Manager.

#### Requirements for termination

- Stage 1 of the plan may be rescinded when water use is reduced to 70% of system capacity for 5 consecutive or as determined by the General Manager.

### **Stage 2 Triggers – Moderate Water Shortage Conditions**

#### Requirements for initiation

- 1) Water demand exceeds 85% of system capacity for 5 consecutive days and Stage 1 is currently in effect.
- 2) AND/OR An event occurs where water demand exceeds the supply and **moderate** conservation measures will maintain the ability to provide the proper level of service as determined by the General Manager.

#### Requirements for termination

- Stage 2 of the plan may be rescinded when water use is reduced to 70% of system capacity for 5 consecutive or as determined by the General Manager.



### Stage 3 – Severe Water Shortage Conditions

#### Requirements for initiation

- 1) Water demand exceeds 85% of system capacity for 5 consecutive days and Stage 2 is currently in effect.
- 2) AND/OR An event occurs where water demand exceeds the supply and **severe** conservation measures will maintain the ability to provide the proper level of service as determined by the General Manager.

#### Requirements for termination

- Stage 3 of the plan may be rescinded when system capacity is reduced to 70% of system capacity for 5 consecutive days or as determined by the General Manager.

### Stage 4 – Critical Water Shortage Conditions

#### Requirements for initiation

- 1) Water demand exceeds 90% of the system's capacity for 5 consecutive days.
- 2) AND/OR An event occurs where water demand exceeds the supply and **critical** conservation measures will maintain the ability to provide the proper level of service as determined by the General Manager.

#### Requirements for termination

- Stage 4 of the plan may be rescinded when water use is reduced to 70% of system capacity for 5 consecutive or as determined by the General Manager.  
Stage 3

### Stage 5 – Emergency – System Failure Water Shortage Conditions

#### Requirements for initiation

- 1) Water demand exceeds 97% of system capacity for 5 consecutive days.
- 2) Major water line breaks or pump or system failures occur, which cause unprecedented loss of capability to provide water service.
- 3) A natural or man-made disaster.

- 4) A natural or man-made contamination of the water supply.
- 5) A natural or man-made contamination of the water supply.
- 6) AND/OR An event occurs where water demand exceeds the supply and **emergency water** conservation measures will maintain the ability to provide the proper level of service as determined by the General Manager.

Requirements for termination

- Stage 5 of the plan may be rescinded when system capacity is reduced to 90% of system capacity for 5 consecutive days or as determined by the General Manager.

**Section IX: Drought Response Stages**

The General Manager or designee, shall monitor water supply and/or demand conditions daily and, by the triggering criteria outlined in Section VIII of this Plan, shall determine that mild, moderate, severe, critical, or emergency conditions exist and shall implement the following notification procedures:

Notification of the Public:

The General Manager or his/ her designee shall notify the public using:

- Posted on the Wickson Creek SUD website: [www.wicksoncreek.com](http://www.wicksoncreek.com)
- Publication in a newspaper of general circulation
- Posting the notice of the drought conditions
- Direct mail or email to each customer
- Notify local radio stations.

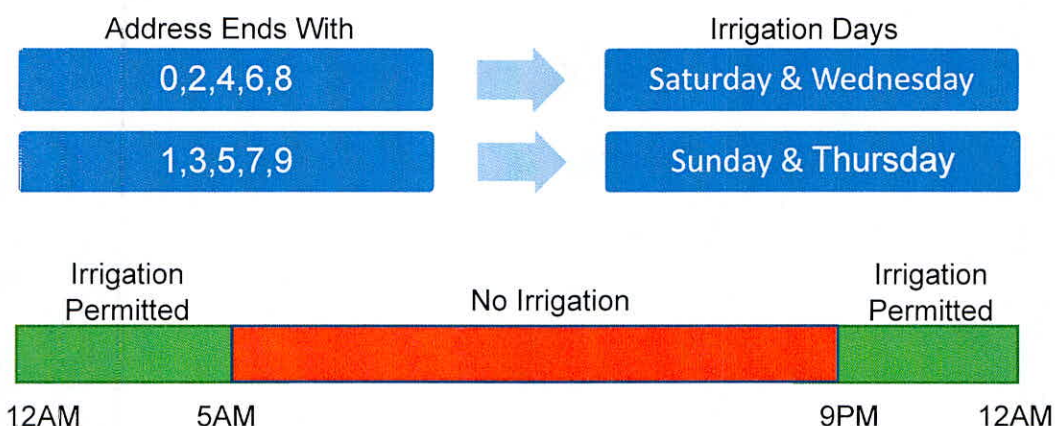
Additional Notification:

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

- Mayor / Chairman and members of the City Council / Utility Board  
Fire Chief(s)
- City and/or County Emergency Management Coordinator(s)  
County Judge & Commissioner(s)

## Stage 1: Mild Water Shortage

Outdoor irrigation is restricted to **2 days per week**.



### Prohibited

- Irrigation on days that are not designated for address.
- Irrigation between the hours of 5 AM –9 PM.

### Allowed

- Lawn irrigation is limited to 2 days per week based on the designated days and timeframes above.
- Use of automated irrigation systems or handheld irrigation systems with timers.
- Watering and caring for livestock, trees, and shrubs.
- **\*Soaking** of the house foundation during designated days and timeframe.
- Implement water conservation practices in landscape irrigation, exterior cleaning, personal hygiene, and cooking around the home or business.

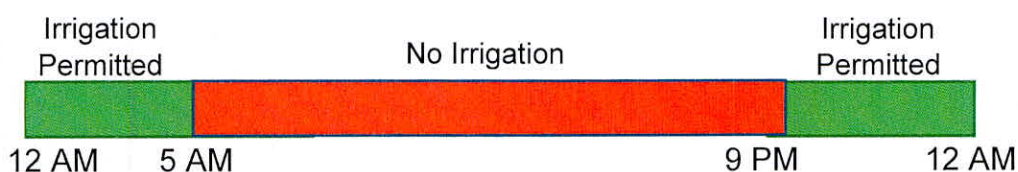
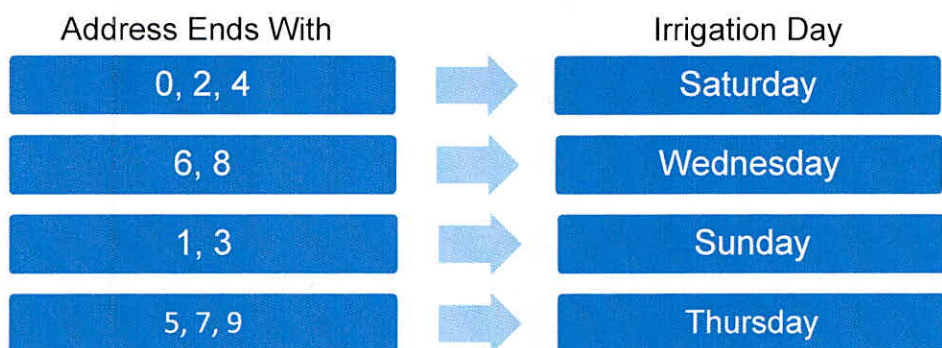
### Objective

- Achieve a 15% reduction in water demand. This is achieved through load-leveling water usage across multiple days, which allows the system to replenish water reserves.



## Stage 2: Moderate Water Shortage

Outdoor irrigation is restricted to **1 day per week.**



### Prohibited

- Irrigation on days that are not designated for address.
- Irrigation between the hours of 5 AM – 9 PM.

### Allowed

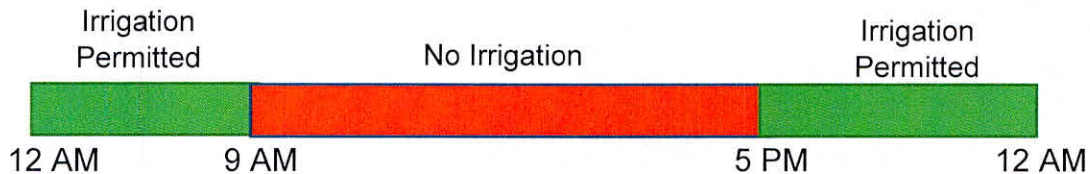
- Lawn irrigation is limited to 1 day per week based on the designated days and timeframes.
- Use of automated irrigation systems or handheld irrigation systems with timers.
- Watering and caring for livestock, trees, and shrubs.
- **\*Soaking** of the house foundation during the designated day and timeframe.
- Implement water conservation practices in landscape irrigation, exterior cleaning, personal hygiene, and cooking around the home or business.

### Objective

- Achieve a 30% reduction in water demand. This is achieved through load-leveling water usage across multiple days, which allows the system more time to replenish water reserves.

### Stage 3: Severe Water Shortage

Outdoor irrigation is restricted to **\*Hand Irrigation** Only.



#### Prohibited

- **\*Hand irrigation** between the hours of 9 AM – 5 PM.
- Use of an automated sprinkler systems
- Open-ended hose
- Water sprinklers
- Use of any device for exterior house cleaning.

#### Allowed

- Hand irrigation is allowed all days of the week during the allowed time frame.
- **\*Soaking** of the house foundation during the designated time frame.
- Watering and caring for livestock.
- Increase water conservation practices in landscape irrigation, exterior cleaning, personal hygiene, and cooking around the home or business.
- Implement conservation practices related to filling pools to reduce evaporation loss.

#### Objective

- Achieve a total reduction of water demand by 45% throughout the system.

### Stage 4: Critical Water Shortage

Lawn irrigation is prohibited.

#### No Irrigation



#### Prohibited

- Use of automated watering systems, open-end hoses, water sprinklers, or handheld irrigating.
- Any use of water to clean automobiles, farm equipment, or building exteriors.

#### Allowed

- **\*Soaking** of house foundation for a maximum of 2 hours per week.
- Watering trees with a nozzle or tree bag for a maximum of 2 hours per week.
- Watering and caring for livestock.
- Watering trees with a nozzle or tree bag for a maximum of 2 hours per week.
- Limit filling of pools to **2” above** the skimmer line and implement measures to reduce pool evaporation.
- Increase water conservation practices in outdoor water use, personal hygiene, and cooking around the home or business.

#### Objective

- Achieve a total reduction of water demand by 55% throughout the system.



## Stage 5: Water Emergency – System Failure

### **NO EXTERIOR WATER USE**

No Irrigation



#### Prohibited

- Any use of water outside the home or business other than for the purpose of keeping livestock and animals alive.

#### Allowed

- Practice water conservation when using water for personal hygiene, clothes washing, and cooking in the home or business.

#### Objective

- Achieve a total reduction of water demand by 60% throughout the system.

#### Note:

- For safety purposes, a boil water notice may be in effect for interior drinking and cooking use due to water infrastructure failure or the system experiencing pressure below the State mandated requirement.

**Section X: Enforcement –**

No Person shall knowingly or intentionally allow the use of water from the Wickson Creek SUD for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount more than permitted by the drought response stage in effect at the time under action taken by the General Manager or designee, by provisions of this plan.

A. Any person who violates this Plan is subject to a civil penalty of up to \$500 for each day the violation continues, with each day constituting a separate and distinct violation, with the total not to exceed the jurisdiction of a justice court as provided by Section 27.031, Government Code.

B. If a person has been cited for three or more violations of this Plan in a calendar year or fails to pay an assessed penalty, the General Manager or designee shall, upon due notice to the customer, is 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 of \$50 and all assessed penalties. In addition, suitable assurance submitted in writing must be given by the customer to the General Manager, or designee, that the same violations shall not be repeated while the existing water restrictions are in effect.

C. If the District has reason to believe that a person is using water in a manner that is not in accordance with this plan, staff will be directed to retrieve time-stamped usage history from the meter in question. If the retrieved data indicates that water was used in violation of this plan, the person responsible shall be notified of the facts and evidence of the alleged violation of this plan. The District will abide by the following violation procedures:

- First Violation: Verbal and written warning outlining the penalties listed below if the violation continues to occur.
- Second Violation: \$250 Fee
- Third Violation: \$500 Fee and discontinuance of water service to the premises where such violations occur.

All fees assessed shall be applied to the following month's water bill. Any customer assessed a penalty under this Plan, who believes the penalty has been wrongly or erroneously assessed, shall have the opportunity to present evidence and arguments as to the validity of the assessed penalty, and if the matter is not resolved following a meeting with the General Manager, the customer shall have the right to appear and present such evidence and arguments to the Board of Directors at the next regularly scheduled meeting.

D. Any customer or District employee may initiate a complaint concerning violations of this Plan by contacting the District office. The complaint shall contain the name and address of the alleged violator, if known, as well as the details of the alleged violation, and shall submit the complaint to District staff. If the complaint is supported by the independent review of the General Manager and District staff and if it is the first violation in the calendar year, then a warning shall be issued and such warning shall state the specific details of the violation and provide a District contact for assistance with efforts to remediate the violation.

## **Section XI: Variances**

The General Manager or designee, may, in writing, grant a 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:

- Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other conditions for which the Plan is in effect.
- 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 Wickson Creek SUD 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:

- 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 the petitioner complies with this Ordinance.
- Description of the relief requested.
- Period for which the variance is sought.
- Alternative water uses restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- Other pertinent information.



