

WESTBOUND WATER SUPPLY CORPORATION
DROUGHT CONTINGENCY PLAN

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 of other water supply emergency conditions the Westbound Water Supply Corporation adopts the following Drought Contingency Plan.

II. Public Involvement

Opportunity for the public and retail water customers to provide input into the preparation of the Plan was provided by Westbound WSC by means of the U.S. Postal Service.

III. Retail Water Customer Education

Westbound WSC will periodically provide retail 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 the U.S. Postal Service.

IV. Coordination with Regional Water Planning Groups

The water service area of Westbound WSC is located within the Brazos G Regional Water Planning Group and Westbound WSC has provided a copy of the Plan to the Brazos G Regional Water Planning Group.

V. Authorization

The executive director, or his 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 executive director, or his designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

VI. Application

The provision of the Plan shall apply to all customers utilizing water provided by Westbound WSC. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

VII. **Triggering Criteria for Initiation and Termination of Drought Response Stages**

The executive director, or his designee, shall monitor water supply and/or demand conditions on a weekly 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, telephone, or email. The news media will also be informed

The triggering criteria described below are based on the action of our supplier.

a) Stage 1 – Mild Water Shortage Conditions

Requirements for Initiation – Westbound WSC will recognize that a mild water shortage condition exists when total daily water demand equals or exceeds notification of restricted allocation of water supply from our suppliers.

Requirement 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 of notification of our supplier of termination of restricted allocations. Westbound WSC will notify its retail customers and the media of the termination of Stage 1 in the same manner as the notification of initiation of Stage 1 of the Plan.

b) Stage 2 – Moderate Water Shortage Conditions

Requirements for Initiation – Westbound WSC will recognize that a moderate water shortage condition exists when notified of restricted allocation of water from our supplier.

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 or notification by our supplier of termination of restricted allocations. Upon termination of Stage 2, Stage 1 becomes operative. Westbound WSC will notify its retail customers and the media of the termination of Stage 2 in the same manner as the notification of initiation of Stage 1 of the Plan.

c) Stage 3 – Severe Water Shortage Conditions

Requirements for initiation – Westbound WSC will recognize that a severe water shortage condition exists with notification of restricted allocation of water from our supplier.

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 or notification by our supplier of termination of restricted allocations. Upon termination of Stage 3, Stage 2 becomes operative. Westbound WSC will notify its retail customers and the media of the termination of Stage 2 in the same manner as the notification of initiation of Stage 3 of the Plan.

d) Stage 4 – Emergency Water Shortage Conditions

Requirements for initiation – Westbound WSC will recognize that an emergency water shortage condition exists when notification from our supplier of system failure, or failure of our own system, including linebreaks, pump failures and natural or man-made contamination of water 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 or notification of resolution from our suppliers. Westbound WSC will notify its retail customers and the media of the termination of Stage 4.

VIII. Drought Response Stages

The executive director, or his designee, shall monitor water supply and/or demand conditions and, in accordance with the triggering criteria set forth in Section VI, shall determine that mild, moderate, or severe water shortage conditions exist or that an emergency condition exists and shall implement the following actions:

Stage 1 – Mild Water Shortage Conditions

1. Goal: achieve a voluntary 5 percent reduction in total water use.

2. Supply Management Measures:

Describe measures, if any, to be implemented directly by the executive director, or his designee, to manage limited water supplies and/or reduce water demand. Examples include modifying reservoir operations procedures, interconnection with another water system, and use of reclaimed water for non-potable purposes. Daily monitoring of master meters and daily monitoring of our supplier.

3. Demand Management Measures:

a) The Executive Director, or his designee, will contact retail water customers to discuss water supply and/or demand conditions and will request that retail customers initiate voluntary measures to reduce water use.

b) The Executive Director, or his designee, will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Stage 2- Moderate Water Shortage Conditions

1. Goal: achieve 10 percent reduction in total water use.

2. Supply Management Measures:

Allocate water to 90% or lower rates of demand. Initiate curtailment of nonessential water use.

3. Demand Management Measures:

a) The Executive Director, or his designee, will initiate weekly contact with retail water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries.

b) The Executive director, or his designee, will request retail water customers to initiate mandatory measures to reduce non-essential water use.

c) The Executive Director, or his designee, will initiate preparations for the implementation of pro rata curtailment or water diversions and/or deliveries by preparing a monthly water usage allocation baseline for each retail customer according to the procedures specified in Section VI of the Plan.

d) The Executive Director, or his designee, will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand condition if drought conditions persist, and consumer information on water conservation measures and practices.

Stage 3 – Severe water Shortage Conditions

1. Goal: achieve a 25 percent reduction in total water use.

2. Supply Management Measures:

Initiate a 75% allocation of water to retail customer. Implement a surcharge for use of water over 75% of allocation.

4. Demand Management Measures:

a) The Executive Director, or his designee, will contact retail water customers to discuss water supply and/or demand conditions and will request that retail water customers initiate additional mandatory measures to reduce non-essential water use.

- b) The Executive Director, or his designee, will initiate pro rata curtailment of water diversions and/or deliveries for each retail customer according to the procedure specified in Section VI of The Plan.
- c) The Executive Director, or his designee, will provide a weekly report to news media with information regarding current water supply and/or demand condition, projected water supply and demand conditions if drought conditions persist and consumer information on water conservation measures and practices.

Stage 4 – Emergency Water Shortage Conditions

Whenever emergency water shortage conditions exist as defined in Section VII of the Plan, the Executive Director shall:

1. Assess the severity of the problem and identify the actions needed and time required to solve the problem.
2. Inform the utility director or other responsible official of each retail water customer by telephone or in person and suggest action, as appropriate, to alleviate problems.
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 Water Allocation

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 Executive Director is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures and actions.

- a) A retail customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by resolution of the Westbound WSC Board of Directors based on the Executive Director's assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be

adjusted periodically by resolution of the Westbound WSC Board of Directors as conditions warrant. Once pro rata allocation is in effect, water diversions by or deliveries to each retail customer shall be limited to the allocation established for each month.

b) A monthly water usage allocation shall be established by the Executive Director, or his designee, for each retail customer. The retail customer's water usage baseline will be computed on the average water usage by month for the 2006-2010 periods as shown in the example given under enforcement. If the retail water customer's billing history is less than 5 years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.

c) The Executive Director shall provide notice to the retail customers informing them of their monthly water usage allocations by U.S. Postal Service, word of mouth, email, on the internet, news media according to the situation. The executive director of The Texas Commission on Environmental Quality upon initiation of pro rata water allocation.

d) Upon request of the customer or at the initiative of the Executive Director, the allocation may be reduced or increased.

Section X: Enforcement

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

a) 2 times the normal water charge per 1,000 gallons for water diversions and/or deliveries in excess of the monthly allocation up through 5% above the monthly allocation.

b) 3 times the normal water charge per 1,000 gallons for water diversions and/or deliveries in excess of the monthly allocation up through 5% through 10% above the monthly allocation.

c) 4 times the normal water charge per 1,000 gallons for water diversions and/or deliveries in excess of the monthly allocation up through 10% through 15% above the monthly allocation.

d) 5 times the normal water charge per 1,000 gallons for water diversions and/or deliveries in excess of the monthly allocation more than 15% above the monthly allocation.

Section XI: Variances

The Executive Director, or his 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 Executive Director within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the Westbound WSC Board of Directors, and shall include the following:

- a) Name and address of the petitioner.
- 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 the 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 Westbound WSC Board of Directors shall be subject to the following conditions, unless waived or modified by the Westbound WSC 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 XII: Severability

It is hereby declared to be the intention of the Westbound WSC 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 the 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 Plan, since the same would not have been enacted by the Westbound WSC Board of Directors without the incorporation into this Plan of any unconstitutional phrase, clause, sentence, paragraph, or section.

Plan updated June, 2011