

# **DROUGHT CONTINGENCY PLAN**

**MSEC Enterprises, Inc.  
P.O. Box 1266 Montgomery, TX 77356**

**CCN: 12887**

**Crown Ranch Water System (1700781)  
Montgomery Trace Water System (1700638)  
Stillwater Estates Water System (1700677)**

**Updated in May 2019**

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## **DROUGHT CONTINGENCY PLAN**

### **For**

### **MSEC Enterprises, Inc.**

#### **Section I - 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 non-essential water usage. The purpose of the Drought Contingency Plan (the "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.

Water restriction is not a legitimate alternative when the water system does not meet the Texas Commission on Environmental Quality (TCEQ) capacity requirements under normal conditions, nor when the utility fails to take all immediate and necessary steps to replace or repair malfunctioning equipment.

This plan will apply to all water systems operated by MSEC Enterprises, Inc. (MSEC). The implementation of this plan for each water system will be on an individual basis (i.e. one system may be in Stage I and one may be in Stage III). The plan will be reviewed and updated as necessary at a minimum of every five (5) years.

#### **Section II - Definitions**

For the purpose of this plan, the following definitions shall apply:

**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 MSEC.

**Landscape Irrigation Use:** water used for the irrigation and maintenance of landscaped areas, whether privately or publicly owned, including residential and commercial lawns, gardens, golf courses, parks, 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 landscaped areas, including parks, athletic fields, and golf courses, except as otherwise provided by this Plan.

Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle.

Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas except to maintain health and safety conditions.

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 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).

Use of water from hydrants for construction purposes or any other purposes other than firefighting.

**Outdoor Water Use:** included but is not limited to watering lawns, shrubs, and other types of outdoor vegetation; washing vehicles, boats, and trailers; use of landscape irrigation systems; the refilling or adding water to swimming pools or wading pools or ponds; the operation of any ornamental fountain or other similar structure; the use of water from fire hydrants for uses other than firefighting or other activities necessary to maintain health and safety conditions; the washing down of patios, driveways, parking areas, streets, tennis courts, sidewalks or other paved areas; and the washing down of ground foundations.

**Xeriscape:** a method of landscaping which conserves water through the use of specific principles of design, plant selection, installation, maintenance, and irrigation methods.

### **Section III - Public Education**

The MSEC Enterprises, Inc. 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:

Annual Meeting - A booth will be setup to provide information regarding water conservation

information and literature.

Utility Bill Inserts - Print notices on bills regarding current drought stage.

World Wide Web ([www.midsouthsynergy.com](http://www.midsouthsynergy.com)) - Post current drought stage conditions for respective water systems. Provide links to websites that provide water conservation information.

Social Media (Facebook, Twitter, Instagram, etc.) - Post current drought stage conditions for respective water systems. Provide links to websites that provide water conservation information.

Electronic Mail (Email Blast) - Post current drought stage conditions for respective water systems. Provide links to websites that provide water conservation information.

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

The service area of the MSEC is located within the Texas Water Development Board (TWDB) Houston Region (Region H) water planning area. has provided a copy of this Plan to the Region H office located in Conroe, Texas.

## **Section V - 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. The circumstances that triggered the restrictions;
3. The stages of response and explanation of the restrictions to be implemented, and;
4. An explanation of the consequences for violations.

**The utility must notify the TCEQ by telephone at (512) 239-4691, or vial electronic mail at [watermon@tceq.texas.gov](mailto:watermon@tceq.texas.gov) prior to implementing Stage III 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 (i.e., Stages III and IV).**

## **Section VI - Violations**

1. First violation - The customer will be notified by written notice of their specific violation.
2. Subsequent violations:
  - 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.

## **Section VII - Exemptions or Variances**

The utility may grant any customer an exemption or variance from the Plan for good cause **upon written request**. A customer who is refused an exemption or variance may appeal such action of the utility in writing to the TCEQ. 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 VIII - 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 - CUSTOMER AWARENESS**

Stage I will begin:

**Every April 1<sup>st</sup>, the utility will mail a public announcement to its customers.  
No notice to TCEQ required.**

Stage I will end:

**Every September 30<sup>th</sup>, the utility will mail a public announcement to it's**

**customers.**

**No notice to TCEQ required.**

**Utility Measures**

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

**Voluntary Water Use Restrictions**

Water customers are requested to voluntarily limit the use of water for non-essential purposes and to practice water conservation.

**STAGE II - VOLUNTARY WATER CONSERVATION**

**Target**

Achieve a **10%** reduction in daily water demand.

**Trigger Conditions**

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

1. Average daily water demand for three (3) consecutive days reaches eighty five percent (85%) of the production/distribution capacity of the water system.
2. Weather conditions are to be considered in drought classification determination. Predicted long, cold, or dry periods are to be considered in impact analysis.

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

**No notice to TCEQ required.**

**Requirements for Termination**

Stage II of the Plan may be rescinded 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**

1. Visually inspect lines and repair leaks on a daily basis.
2. Flushing is prohibited except for dead-end mains.

### **Second Sources**

**PWS 1700638 (Montgomery Trace Water System)** has six entry points and twelve wells to draw water from as they are designed to afford more than an adequate means in fulfilling demand requirements while also providing a support element to the system in the case one plant should endure failure. Treated surface water is also received from the San Jacinto River Authority (SJRA) at the Montgomery Trace Water Plant 1 well site.

**PWS 1700677 (Stillwater Estates Water System)** is supplied by one well, and is in an isolated area lacking viable alternative water sources opportunities.

**PWS 1700781 (Crown Ranch Water System)** is supplied by two wells is also in an isolated area; however, there is an emergency interconnection with the neighboring Dobbin Plantersville Water Supply Corporation water system.

### **Voluntary Water Use Restrictions**

**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. for example; or

**Restricted Days/Hours:** Water customers are requested to voluntarily 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 anytime 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, other uses that waste water such as water running down the gutter.

## **STAGE III - SEVERE WATER USE RESTRICTIONS**

### **Target**

Achieve a **15%** reduction in daily water demand.

### **Trigger Conditions**

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

1. Average daily water demand for three (3) consecutive days reaches ninety percent (90%) of the production/distribution capacity of the water system.
2. Weather conditions are to be considered in drought classification determination. Predicted long, cold, or dry periods are to be considered in impact analysis.

**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 be rescinded 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**

1. Visually inspect lines and repair leaks on a daily basis.
2. Flushing is prohibited except for dead end mains.

### **Mandatory Water Use Restrictions**

All requirements of previous stages shall remain in effect during Stage III. The following water use restrictions shall apply to all customers:

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 anytime 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.

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.

Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, hot tub, or “jacuzzi” type pool are 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.

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.

Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.

Use of water for the irrigation of golf courses, parks, and green belt areas 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 p.m. and 12:00 midnight.

The following uses of water are defined as non-essential and are prohibited:

1. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
3. Use of water for dust control;

4. Flushing gutters or permitting water to run or accumulate in any gutter or street;
5. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
6. Any waste of water.

## **STAGE IV - CRITICAL WATER USE RESTRICTIONS**

### **Target**

Achieve a **20%** reduction in daily water demand.

### **Trigger Conditions**

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

1. Average daily water demand for three (3) consecutive days reaches ninety five percent (95%) of the production/distribution capacity of the water system.
2. Major Water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service.
3. Natural or man-made contamination of the water supply source(s).

**Upon initiation and termination of Stage IV, the utility will mail a public announcement to its customers.**

**Notice to TCEQ required.**

### **Requirements for Termination**

Stage IV of the Plan may be rescinded 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 IV, Stage III becomes operative.

### **Utility Measures**

1. The utility shall visually inspect lines and repair leaks on a daily basis.
2. Flushing is prohibited except for dead end mains and only between the hours of 9:00 p.m. and 3:00 a.m.

3. Emergency interconnects or alternative supply arrangements shall be initiated.

4. All meters shall be read as often as necessary to ensure compliance with this program for the benefit of all the customers.

**Mandatory Water Use Restrictions**

**All outdoor use of water is prohibited.**

Irrigation of landscaped areas is **absolutely prohibited**.

Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is **absolutely prohibited**.

**SYSTEM OUTAGE or SUPPLY CONTAMINATION**

**Notify TCEQ Regional Office immediately.**

## Section IX – Additional Triggering Events (per the San Jacinto River Authority)

**Requirements for Initiation** –To the extent that a stage of this plan is not otherwise triggered, then the appropriate stage, as determined by MSEC, shall be triggered upon MSEC having received notice from San Jacinto River Authority’s (the “Authority”) GRP Division that restrictions under its drought contingency plan have been triggered. MSEC shall invoke conservation conditions consistent with the conservation conditions implemented by the Authority until such time as the Authority discontinues the implementation of such conservation conditions.

**Requirements for Termination** – The appropriate stage enacted by an additional triggering event shall be rescinded when MSEC has received notice from the Authority that restrictions under its drought contingency plan have been lifted.

Below are the trigger conditions and drought response stages that the SJRA GRP Division has adopted.

Stage	Compliance	Initiation <sup>a</sup>	Possible Triggers	Target Reduction
1 – Voluntary	Voluntary	< Elev. 198	Equipment, Pipeline or Sample Failure	5% (Voluntary)
2 – Moderate	Mandatory	< Elev. 196	Equipment, Pipeline or Sample Failure	5% (October - March) 10% (April – September)
3 – Advanced	Mandatory	< Elev. 193	Equipment, Pipeline or Sample Failure	10% (October - March) 20% (April – September)
4 - Severe	Mandatory	Elev. 190	Equipment, Pipeline or Sample Failure	15% (October - March) 30% (April – September)

San Jacinto River Authority’s complete Drought Contingency Plan is available online at:

<http://www.sjra.net/wp-content/uploads/2019/03/DCP-GRP-02-28-2019.pdf>

<sup>a</sup> Initiation levels are based on Lake Conroe’s normal pool level which is 201 feet above mean sea level.