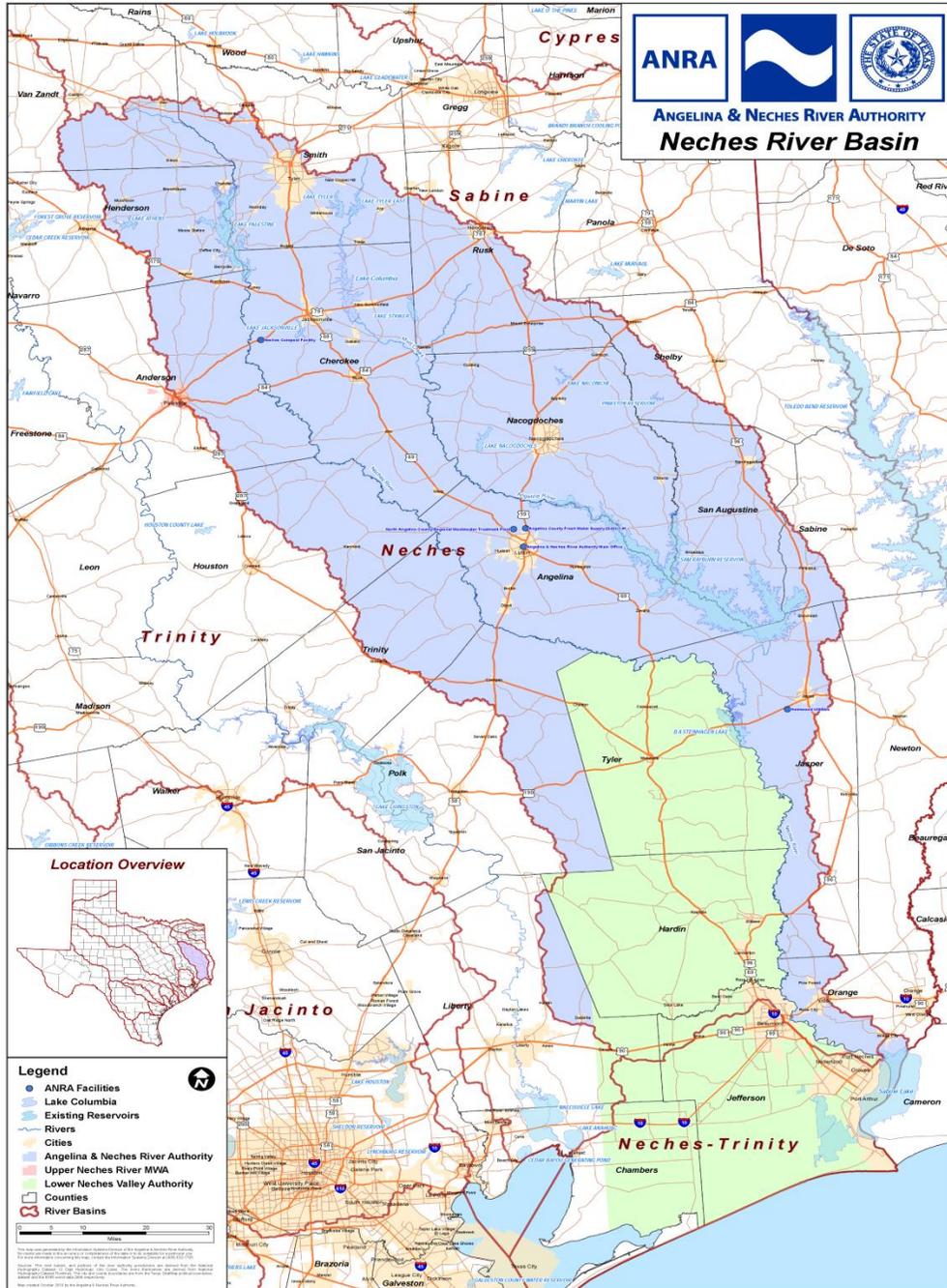




**ANGELINA & NECHES RIVER AUTHORITY**



**Drought Contingency Plan  
for the  
Angelina & Neches River Authority  
Effective: May 1, 2018**

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## **1.0 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, 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 Angelina & Neches River Authority (ANRA) hereby adopts, by Resolution, 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 considered to be 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 10.0 Enforcement of this Plan. In severe, critical, and emergency water shortage conditions, essential uses may be impacted to some extent, but ANRA will make reasonable efforts to minimize adverse effects to customers.

The goal of the Plan is to balance the competing needs for water and minimize the adverse effects of water shortages during periods of drought and other emergency water shortages. This Plan addresses the steps to be taken by ANRA when drought conditions occur and when it appears the existing water supply may not be sufficient to meet all of the existing needs without some type of restrictions.

## **2.0 Public Involvement**

ANRA encourages the involvement of its customers and provides the opportunity for the public to provide input into the preparation of the Plan. Notification of Plan development and ongoing revisions or changes includes direct mail, posting on ANRA's website and the Open Meetings Act process. The Plan was originally adopted by ANRA's Board of Directors during a public meeting held on August 13, 2013. Public notification of the meeting, including the opportunity for public input on the Plan, was provided in advance of the meeting.

## **3.0 Public Education**

ANRA 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 means of press releases, internet, and direct mailing to customers. In addition, the Plan is available to the public on ANRA's website at [www.anra.org](http://www.anra.org) and at ANRA's business office.

## **4.0 Coordination with Regional Water Planning Groups**

The territorial jurisdiction of ANRA is located in Region I (East Texas) Regional Water Planning Area and ANRA has provided a copy of this Plan to the Region I Regional Water Planning Group. A letter documenting that a copy of the Drought Contingency Plan was sent to the Chair of the Region I Water Planning Group is attached in Appendix B.

## **5.0 Authorization**

ANRA Board of Directors or the General Manager 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 ANRA Board of Directors or the General Manager shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

## **6.0 Application**

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by ANRA. The terms “person” or “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

## **7.0 Definitions**

For the purposes of this Plan, the following definitions shall apply:

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

Agricultural water use: water use which is integral to the operations of farming, ranching, and other agriculture-related activities.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments, government entities, and business 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 ANRA.

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

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, 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:

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

Voluntary conservation: those practices, techniques, and technologies that customers and/or the public conduct voluntarily to 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.

## 8.0 Criteria for Initiation and Termination of Drought Response Stages

The General Manager or his/her designee shall monitor water supply and/or demand conditions on a routine basis. Monitoring shall occur not less than weekly and more frequently as needed based on the demands of the drought conditions in place at that time. The General Manager or his/her designee shall determine when conditions warrant initiation or termination of each stage of the Plan.

The goal of the Plan is to meet essential water demand in a drought situation through a series of monitored demand levels, water conservation, and rationing steps supplemented by increasing water supply through alternative water source(s) where appropriate. ANRA will make a declaration at each demand level and begin implementation of the strategic measures associated with each stage.

In addition, ANRA may consider implementing provisions of any water conservation plan and drought contingency plan adopted by a wholesale water provider, if applicable, in accordance with any contract terms and conditions between ANRA and the wholesale water provider. ANRA will consult with the water supplier and determine the appropriate response to reductions in that water supply. ANRA will consider triggering criteria when, pursuant to requirements specified in a wholesale water purchase contract between ANRA and a wholesale water provider, notification is received requesting initiation of the stages of the Plan.

The triggering criteria described below are based on a series of monitored demand levels in conjunction with the total capacity available and is applicable to Wholesale Customers and Holmwood Utilities. Total capacity is based on the following:

### Wholesale Customers

Wholesale contract for each customer

### Holmwood Utilities

Raw Water	185 gallons per minute or 266,400 gallons per day
Ground Storage	66,000 gallons or maximum retention time of 8.0 hours
Booster Pumps	600 gallons per minute or 266,400 gallons per day (limited by raw water supply)

### **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, defined in Section 7.0 Definitions of this Plan when total daily water demand is at 80% of capacity for 5 days.

Wholesale Customers

- Water demand at 80% of capacity for 5 consecutive days

Holmwood Utilities:

- Raw Water Capacity – 148 gallons per minute or 213,120 gallons per day
- Ground Storage Tank – 13,200 gallons or 96 minutes of retention time remaining
- Booster Pump – 480 gallons per minute or 213,120 gallons per day (limited by raw water supply)

Requirements for termination – Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering criteria have ceased to exist for a period of 3 consecutive days.

**Stage 2 Triggers – MODERATE Water Shortage Conditions**

Requirements for initiation – Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section 7.0 Definitions of this Plan, when total daily water demand is at 90% of capacity for 3 consecutive days.

Wholesale Customers

- Water demand at 90% of capacity for 3 consecutive days

Holmwood Utilities:

- Raw Water Capacity – 161 gallons per minute or 239,760 gallons per day
- Ground Storage Tank – 6,600 gallons or 48 minutes of retention time remaining
- Booster Pump – 540 gallons per minute or 239,760 gallons per day (limited by raw water supply)

Requirements for termination – Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering criteria have ceased to exist for a period of 3 consecutive days. ANRA will terminate the current stage and will go in inverse order to initiate the next stage as demands reduce.

**Stage 3 Triggers – SEVERE Water Shortage Conditions**

Requirements for initiation – Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when total daily water demand is at 95% of capacity for 1 day.

Wholesale Customers

- Water demand at 95% of capacity for 1 day

Holmwood Utilities:

- Raw Water Capacity – 175 gallons per minute or 253,080 gallons per day
- Ground Storage Tank – 3,300 gallons or 24 minutes of retention time remaining

- Booster Pump – 570 gallons per minute or 253,080 gallons per day (limited by raw water supply)

Requirements for termination – Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering criteria have ceased to exist for a period of 3 consecutive days. ANRA will terminate the current stage and will go in inverse order to initiate the next stage as demands reduce.

#### **Stage 4 Triggers – CRITICAL Water Shortage Conditions**

Requirements for initiation – Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when total daily water demand equals capacity.

Wholesale Customer

- Water demand equals capacity

Holmwood Utilities:

- Raw Water Capacity – 185 gallons per minute or 266,400 gallons per day
- Ground Storage Tank – 0 gallons or 0 minutes of retention time remaining
- Booster Pump – 600 gallons per minute or 266,400 gallons per day (limited by raw water supply)

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 3 consecutive days. ANRA will terminate the current stage and will go in inverse order to initiate the next stage as demands reduce.

#### **Stage 5 Triggers – EMERGENCY Water Shortage Conditions**

Requirements for initiation – Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the ANRA Board of Directors, or the General Manager, determines that a water supply emergency exists based on the following:

1. Wholesale Customers

- Water demand exceeds capacity

Holmwood Utilities (Water demand exceeds capacity)

- Raw Water Capacity - 185 gallons per minute or 266,400 gallons per day
- Ground Storage Tank – 0 gallons or 0 minutes of retention time remaining
- Booster Pump – 600 gallons per minute or 266,400 gallons per day (limited by raw water supply); or

2. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or

3. Natural or man-made contamination of the water supply sources(s); or
4. Contamination of the water distribution system due to losses of system pressure; or
5. Reduction in available water supply from the wholesale water provider (City of Lufkin) up to a repeat of the drought of record; or
6. Water production or distribution system limitations.

Requirements for termination – Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering criteria have ceased to exist for a period of 3 consecutive days. ANRA will terminate the current stage and will go in inverse order to initiate the next stage as demands reduce.

## **9.0 Drought Response Stages**

The General Manager or his/her designee, shall monitor water supply and/or demand conditions on a routine basis and, in accordance with the triggering criteria set forth in Section 8.0 Criteria for Initiation and Termination of Drought Response Stages of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

### **Notification**

#### Notification of the Public:

Once trigger conditions and emergency measures have been initiated or terminated, the public will be notified of the requirements that will be expected during a drought or emergency situation. The notification will describe trigger conditions and emergency measures and the need to implement the measures. ANRA shall notify the public by means of any combination determined most appropriate of the following:

- Publication in a newspaper of general circulation;
- Direct mail (e.g. letters, bill stuffers, and/or brochures) to each customer
- Radio and television public service announcements and news stories;
- Signs posted in public places;
- Other innovative methods.

#### Additional Notification:

ANRA shall notify directly, or cause to be notified directly, the following individuals and entities of affected parties:

- Mayors of Participant Cities
- City and/or County Emergency Management Coordinator(s)
- County Judge & Commissioner(s)
- Texas Commission on Environmental Quality Executive Director – notify within five business days of the implementation of any mandatory provisions of the Plan.

### **Stage 1 Response – MILD Water Shortage Conditions**

**Target: Achieve a voluntary 5% reduction in daily water demand.**

**Best Management Practices for Supply Management:**

1. Daily monitoring of water supply and/or demand conditions.
2. Check and determine that all infrastructure is operable. Inspect operation of wells, intake structures, flush valves, fire hydrants, water valves, meter boxes, and areas where water lines are located for any potential problems or leaks. Address problems and repair leaks as they are identified.
3. Raise public awareness of the current water shortage conditions by a combination of measures (e.g. direct mail, public service announcements, etc.).

**Voluntary Water Use Restrictions for Reducing Demand:**

1. Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only during the hours of midnight until 8:00 a.m. and 8:00 p.m. until midnight on designated watering days.
2. All operations of ANRA shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
3. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

**Stage 2 Response – MODERATE Water Shortage Conditions**

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

**Best Management Practices for Supply Management:**

1. Daily coordination and monitoring of water supply and/or demand conditions.
2. Check and determine that all infrastructure is operable. Inspect operation of wells, intake structures, flush valves, fire hydrants, water valves, meter boxes, and areas where water lines are located for any potential problems or leaks. Address problems and repair leaks as they are identified.
3. Issue public notification.
4. Reduce dead end flushing of water mains.
5. Reduce non-essential water uses as described in Section 7.0 Definitions.
6. Discuss water conservation and rationing possibilities with wholesale customers, if applicable, which have independent supplies.
7. Discuss water conservation with industrial and commercial customers.
8. Investigate alternative water sources (e.g. connection to adjacent sources, importation, other).

**Water Use Restrictions for Demand Reduction:**

The following water use restrictions shall apply to all persons:

1. Use of water from hydrants shall be limited to firefighting related activities or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from ANRA.
2. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to during the hours of midnight until 8:00 a.m. and 8:00 p.m. until midnight on designated watering days. However, irrigation of landscaped areas is permitted at any time 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.
3. Use of water to wash any motor vehicle, boat, trailer, airplane or other vehicle is prohibited except on designated watering days during the hours of midnight until 8:00 a.m. and 8:00 p.m. until 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 is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
4. 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 during the hours of midnight until 8:00 a.m. and 8 p.m. until midnight.
5. 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.
6. Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days during the hours of midnight until 8:00 a.m. and 8 p.m. until midnight. However, if the golf course utilizes a water source other than that provided by ANRA, the facility shall not be subject to these regulations.
7. All restaurants are prohibited from serving water to patrons except upon request of the patron.
8. The following uses of water are defined as non-essential and are prohibited:
  - a. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - b. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - c. use of water for dust control;
  - d. flushing gutters or permitting water to run or accumulate in any gutter or street; and

- e. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

### **Stage 3 Response – SEVERE Water Shortage Conditions**

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

**Best Management Practices for Supply Management:**

1. Daily coordination and monitoring of water supply and/or demand conditions.
2. Check and determine that all infrastructure is operable. Inspect operation of wells, intake structures, flush valves, fire hydrants, water valves, meter boxes, and areas where water lines are located for any potential problems or leaks. Address problems and repair leaks as they are identified.
3. Issue public notification.
4. Mandatory restriction of dead end flushing of water mains.
5. Use of water from hydrants shall be limited to firefighting.
6. Put backup water supply sources in service when needed, to maintain supply.
7. Install flow restricting devices where applicable.
8. Limit residential customer use without rate penalty. Set new rate schedule to discourage overuse.
9. Restrict non-essential water uses as described in Section 7.0 Definitions.

**Water Use Restrictions for Demand Reduction:**

All requirements of Stage 2 shall remain in effect during Stage 3 except:

1. Irrigation of landscaped areas shall be limited to designated watering days during the hours of midnight until 8:00 a.m. and 8 p.m. until midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times. Agricultural exemptions may be granted on a case by case basis. All requests for variances must be made in accordance with Section 12.0 Variances.
2. The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by ANRA.
3. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
4. Mandatory reduction of normal water use by wholesale, industrial and commercial customers.
5. 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 4 Response – CRITICAL Water Shortage Conditions**

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

**Best Management Practices for Supply Management:**

1. Daily coordination and monitoring of water supply and/or demand conditions.
2. Check and determine that all infrastructure is operable. Inspect operation of wells, intake structures, flush valves, fire hydrants, water valves, meter boxes, and areas where water lines are located for any potential problems or leaks. Address problems and repair leaks as they are identified.
3. Issue public notification.
4. Mandatory restriction of dead end flushing of water mains.
5. Use of water from hydrants shall be limited to firefighting.
6. Put backup water supply sources in service when needed, to maintain supply.
7. Install flow restrictors on all remaining water meters.
8. Discontinue all non-essential water use by ANRA personnel or its designee.
9. Personnel to insure compliance with the Plan.
10. Establish maximum monthly use for residential meters, the amount dependent upon alternative water supply available. Revise rate schedules to discourage unnecessary consumption.
11. Lock all meters (where applicable). Ration water through limited or intermittent pumping schedules in order to maintain sanitary conditions.

**Water Use Restrictions for Reducing Demand:** All requirements of Stages 2 and 3 shall remain in effect during Stage 4 except:

1. Reduce water to wholesale, industrial and commercial customers.
2. Irrigation of landscaped areas shall be limited to designated watering days during the hours of 4:00 a.m. until 8:00 a.m. and 8:00 p.m. until midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times. Agricultural exemptions may be granted on a case by case basis. All requests for variances must be made in accordance with Section 12.0 Variances.
3. Use of water to wash any motor vehicle, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Furthermore, such vehicle washing at commercial car washes and commercial service stations shall occur only during the hours of 6:00 a.m. until 10:00 a.m. and 6:00 p.m. until 10:00 p.m.
4. The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
5. 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.
6. 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**

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

**Best Management Practices for Supply Management:**

1. All best management practices listed in Stage 4.
2. Issue Boil Water Notices to all affected customers.
3. Maintain a limited water supply pumping schedule for sanitary purposes.

**Water Use Restrictions for Reducing Demand:**

All requirements of Stages 2, 3, and 4 shall remain in effect during Stage 5 except:

1. Irrigation of landscape areas or outdoor water of any type is absolutely prohibited. Agricultural exemptions may be granted on a case by case basis. All requests for variances must be made in accordance with Section 12.0 Variances.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is absolutely prohibited.

## **10.0 Water Supply Enhancement**

Options for the utilization of alternative water supply enhancements and/or alternative delivery mechanisms will be evaluated in Stage 2. These mechanisms would require prior approval of the TCEQ Executive Director. Types of temporary alternatives that may be considered include the following:

**Temporary Connection to Adequate Surface Water Supply**

Where feasible, a temporary connection to an adequate surface water supply to replace the groundwater source will be considered as a potential water supply enhancement where applicable.

## Trucking Fresh Water

The feasibility of trucking potable water to area customers will be considered. This option is viable for immediate emergency relief, but not feasible for extended supply. The advantages of this option are the ability to make available limited quantities of potable water very quickly with minimal construction costs. Distribution would be by container to customers at service stations located in the areas to be served. Disadvantages are the limited amount of water that could be made available and the cost.

### **11.0 Enforcement**

- (a) No person shall knowingly or intentionally allow the use of water from ANRA 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 the General Manager or his/her designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan for the first time will receive written notification of the offense(s), the stage in effect, and a reminder of the provisions of the Plan. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. The second offense will result in written notification of the offense(s), the stage in effect, a reminder of the provisions of the Plan, and specific penalties (e.g. water rate surcharges, discontinuation of service, installation of flow restricting devices) that will occur on the third offense. If a person has three distinct violations of this Plan, the ANRA Board of Directors or the General Manager shall, upon due notice to the customer, be authorized to issue water rate surcharges, install a flow restricting device, or 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, hereby established at \$30.00 (In-Certification and Out-of-Certification Area Residential) and any other costs incurred by ANRA in discontinuing service. In addition, suitable assurance must be given to ANRA or the General Manager that the same action shall not be repeated while the Plan is in effect.
- (c) Any person, including a person classified as a water customer of ANRA, 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 he/she did not commit the violation. 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 he/she proves that he/she 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 the violation.

## **12.0 Variances**

ANRA or the General Manager, may, in writing, 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:

- (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 ANRA within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the ANRA Board of Directors, or the General Manager, and shall include the following:

- (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.

## **13.0 Review and Revisions to the Plan**

This Plan will be reviewed and revised, as appropriate, at a minimum of every five years to include new or updated information.

**Appendix A**  
**Authorizing Resolution**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANGELINA & NECHES RIVER AUTHORITY  
ADOPTING A DROUGHT CONTINGENCY PLAN.**

**WHEREAS**, the Board recognizes that the amount of water available to the Angelina & Neches River Authority and its water utility customers is limited and subject to depletion during periods of extended drought;

**WHEREAS**, the Board recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes;

**WHEREAS**, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan; and

**WHEREAS**, as authorized under law, and in the best interests of the customers of the Angelina & Neches River Authority, the Board deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ANGELINA & NECHES RIVER AUTHORITY:**

**SECTION 1.** That the Drought Contingency Plan attached hereto as Exhibit "A" and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the Angelina & Neches River Authority.

**SECTION 2.** That the General Manager, employees, and representatives of ANRA are hereby directed to implement, administer, and enforce the Drought Contingency Plan.

**SECTION 3.** That all resolutions that are in conflict with the provisions of this resolution be, and the same are hereby, repealed and all other resolutions of the Angelina & Neches River Authority are not in conflict with the provisions of this resolution shall remain in full force and effect.

**SECTION 4.** Should any paragraph, sentence, subdivision, clause, phrase, or section of this resolution be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this resolution as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

**SECTION 5.** This resolution shall take effect immediately upon its passage.

DULY PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE ANGELINA & NECHES RIVER AUTHORITY, on this 1st day of May, 2018.

  
\_\_\_\_\_  
Jody Anderson  
President

ATTEST:

  
\_\_\_\_\_  
Patricia Dickey  
Secretary/Treasurer



**Appendix B**  
**Regional Water Planning Group Notification**



**ANGELINA & NECHES RIVER AUTHORITY**

May 3, 2018

Mr. Kelley Holcomb  
c/o Stacy Corley  
East Texas (Region I) Regional Water Planning Group  
P.O. Box 635030  
Nacogdoches, Texas 75963-5030

Re: Water Conservation and Drought Contingency Plans

Dear Mr. Holcomb:

The Angelina & Neches River Authority (ANRA) Board of Directors adopted, by Resolution, the Water Conservation and Drought Contingency Plans on May 1, 2018. These plans replace the Water Conservation and Drought Contingency Plan amended on December 10, 2014. Please find attached a copy of the plans.

The Water Conservation Plan sets forth measures currently in place and to be taken by ANRA to ensure compliance with applicable state law and to promote water conservation. The goal of the Drought Contingency Plan is to balance the competing needs for water and minimize the adverse effects of water shortages during periods of drought and other emergency water shortages.

Please contact me at (936) 633-7544 if you have any questions or need any additional information.

Respectfully,

Christopher D. Key, P.E.  
Operations Division Manager

Enclosure(s): Water Conservation and Drought Contingency Plans