

City of Three Rivers

Water Conservation & Drought Contingency Plan 2019



P.O. Box 398
Three Rivers, TX 78071
(361) 786-2528

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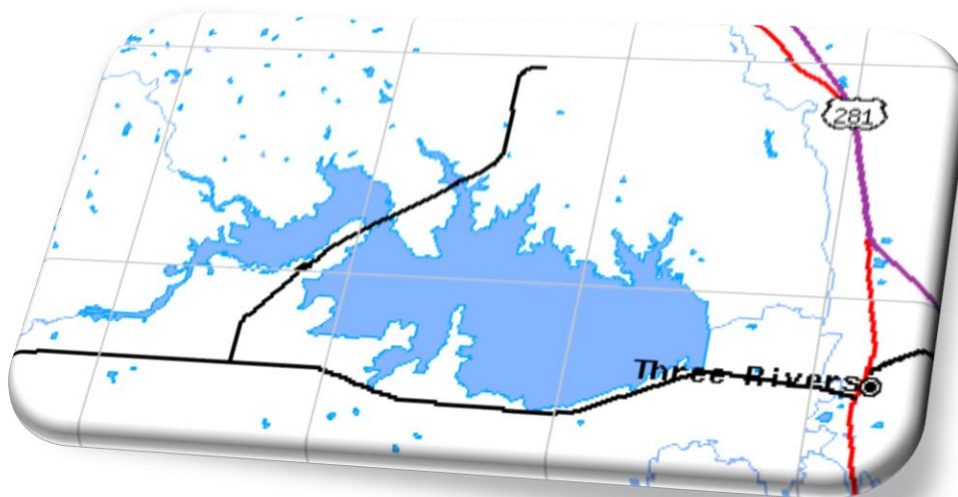
INTRODUCTION

The City of Three Rivers (the City) is located in Live Oak and McMullen Counties. The City serves municipal, industrial, commercial, and institutional customers over a service area of 78.62 square miles. The population in 2018 was estimated to be 4,128.

The City owns 2 water rights, Certificates of Adjudication Nos. 3214-220 and 3214-221 that combine to permit the City to divert 1,500 acre feet per year from Choke Canyon Lake for municipal and industrial uses. In 1984, the City purchase 2% of the firm yield of Choke Canyon Reservoir from the City of Corpus Christie for 1,195.4 acre feet per year for municipal purposes and 1,574.6 acre feet per year for industrial purposes.

Water has historically been provided to the Valero Refinery, however, since April of 2018, Valero has not purchased any raw water from the City. The City also provides water to the U.S Department of Justice Federal Correctional Institution as well as the Texas Parks and Wildlife Choke Canyon South Shore Park.

The City operates one wastewater treatment plant with a capacity of 0.4 MGD. Wastewater service is currently provided to 65% of residents. Treated effluent is discharged into the Frio River.



WATER CONSERVATION PLAN

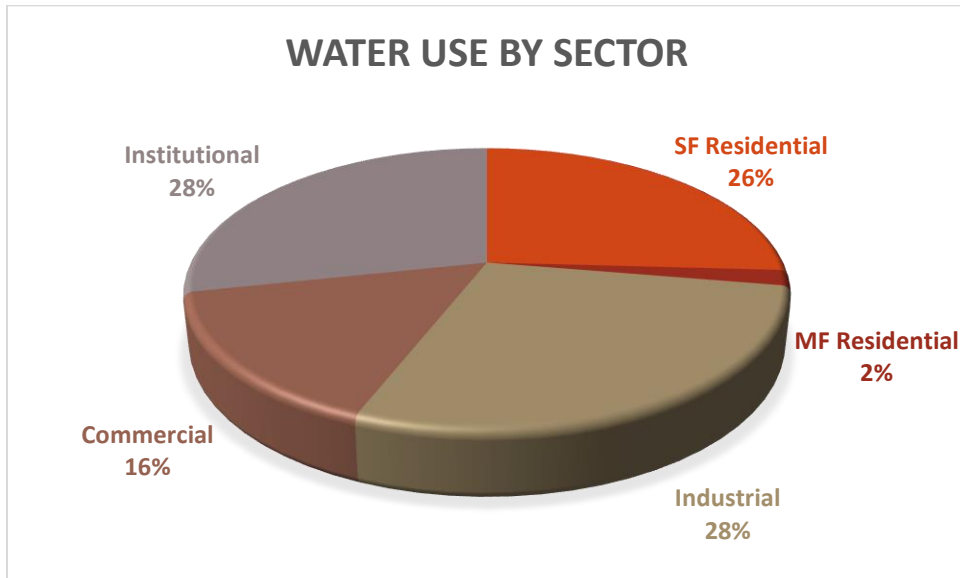
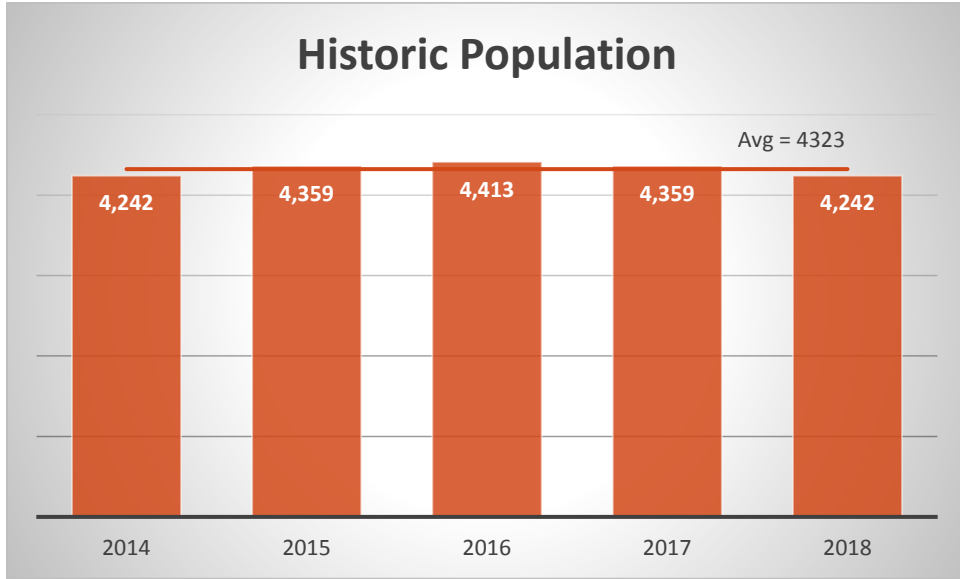
A strategy or combination of strategies for:

- Reducing the volume of water withdrawn from a water supply source
- Reducing the loss or waste of water
- Maintaining or improving the efficiency in the use of water
- Increasing the recycling and reuse of water
- Preventing the pollution of water



POPULATION AND WATER USE

Historic population and water use for the City of Three Rivers is shown below.



WATER CONSERVATION GOALS

Due to the level of industrial, commercial, and institutional use for the City (~91%), the Total “Gallons per Customer per Day” (GPCD) metric is disproportionate and largely not influenced by residential water use. The levels of non-residential uses are independent of population, climatic, and behavioral factors and are, instead, based primarily upon the economic drivers of commerce and industry. As a result, meaningful 5 and 10-years goals for *Total GPCD* are not practical.

The City’s total and residential GPCD goals (0.5% annual reduction) are shown below. The average Total GPCD for the previous five years was 396 and the average Residential GPCD was 72.

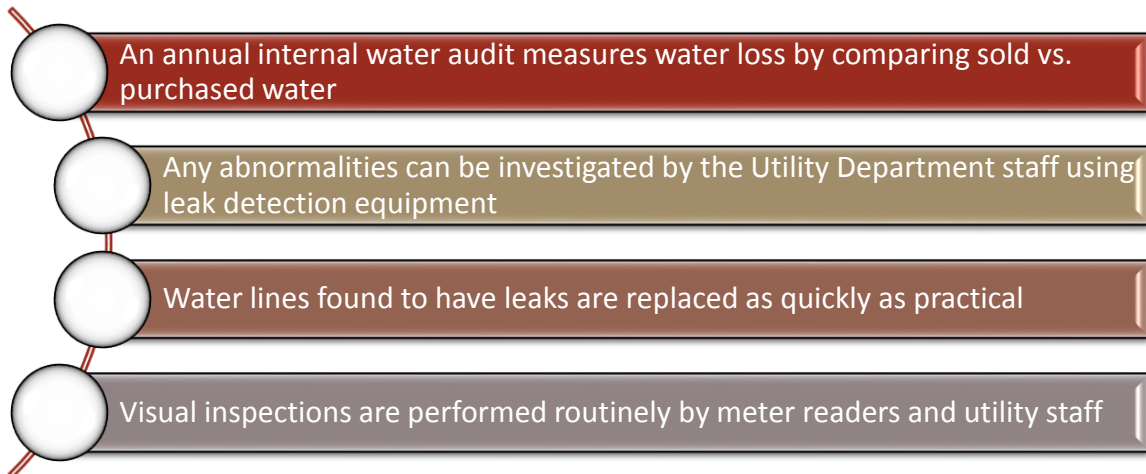


The City’s average water loss over the previous 5 years was 10.43%. The goals for water loss are to maintain less than 10% for the next 5 and 10-years.

PUBLIC EDUCATION (CONSERVATION)

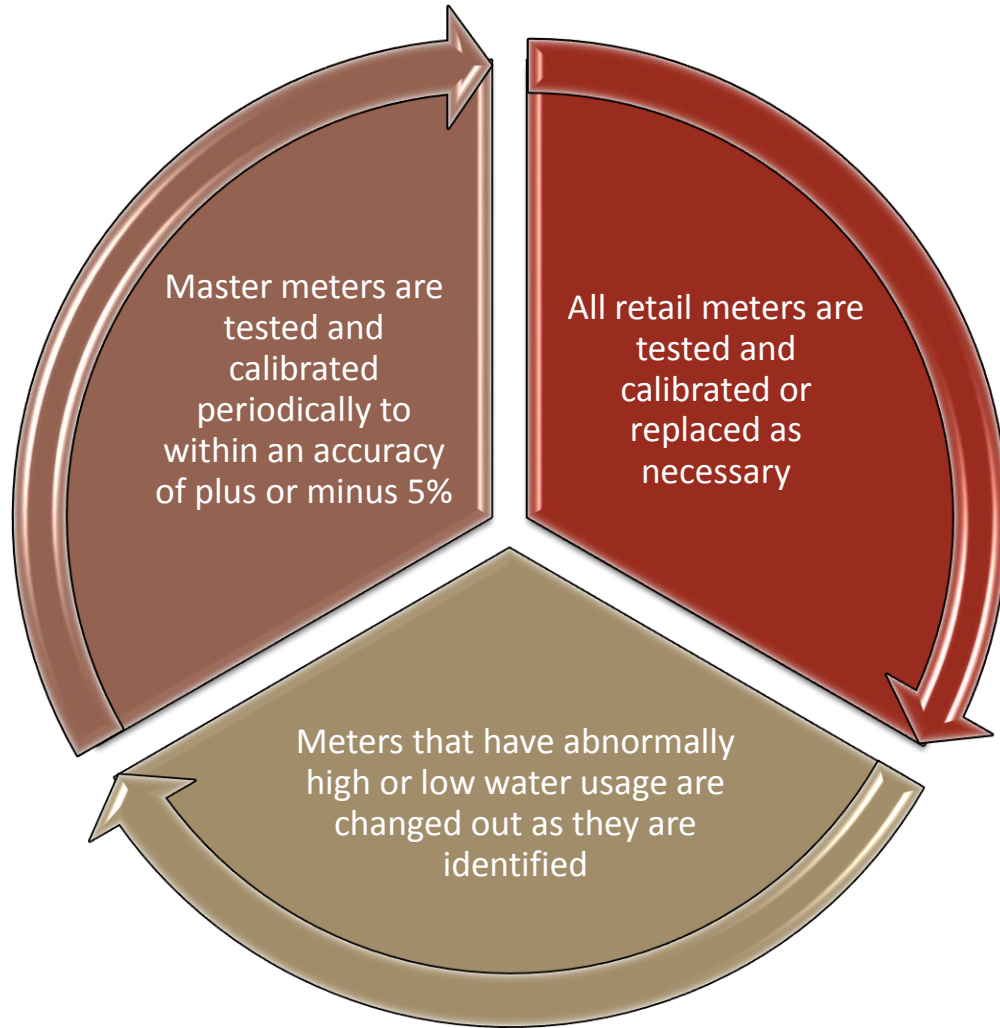


WATER LOSS



METERS

The City of Three Rivers meters 100% of water use in residential, industrial, and commercial accounts. Meters are tested upon customer request. Per the City's meter testing, repair, and replacement program:



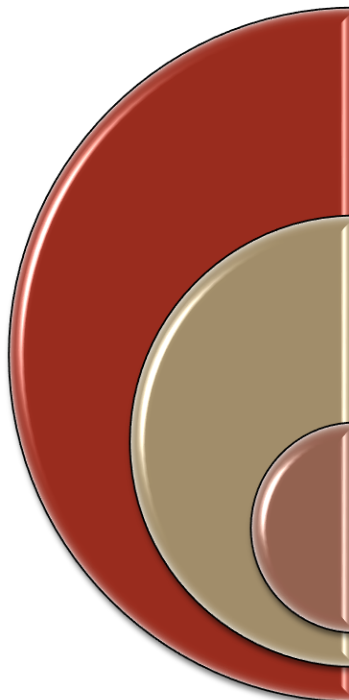
Production meters are calibrated within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply

WATER RATES

The City’s water and sewer rate structure is a uniform rate that is cost based and does not encourage the excessive use of water.

WATER WASTE

Water waste is prohibited at all times. Water waste is defined as:



<p>Failure to repair a controllable leak</p>	<ul style="list-style-type: none"> • Irrigation Systems • Plumbing Fixtures • Pipes
<p>Operating a permanently installed irrigation system with:</p>	<ul style="list-style-type: none"> • A broken or missing head • A head that is out of adjustment
<p>During landscape irrigation</p>	<ul style="list-style-type: none"> • Allowing water to run off property • Allowing water to pond • Watering between 10AM and 7PM

Each instance of a violation is a separate offense and a Class C misdemeanor that may be punishable by fines.



WHOLESALE CONTRACTS

The City of Three Rivers does not serve any wholesale customers. The City will include a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions 30 TAC Chapter 288.

DROUGHT CONTINGENCY PLAN

A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

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 City of Three Rivers hereby adopts the following regulations and restrictions on the delivery and consumption of water by City Ordinance.

Water uses regulated or prohibited under this Drought Contingency Plan are considered to be non-essential or discretionary 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 the Enforcement of Drought Contingency Plan section of this Plan.

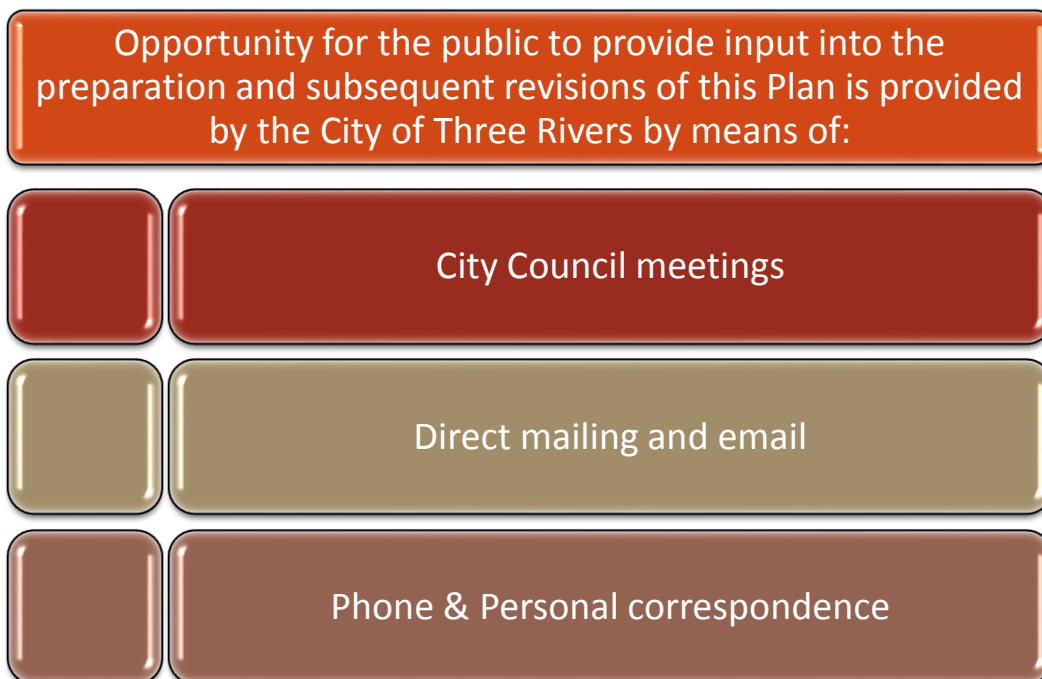
AUTHORIZATION

The City Administrator or his/her 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 City Administrator or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

APPLICATION

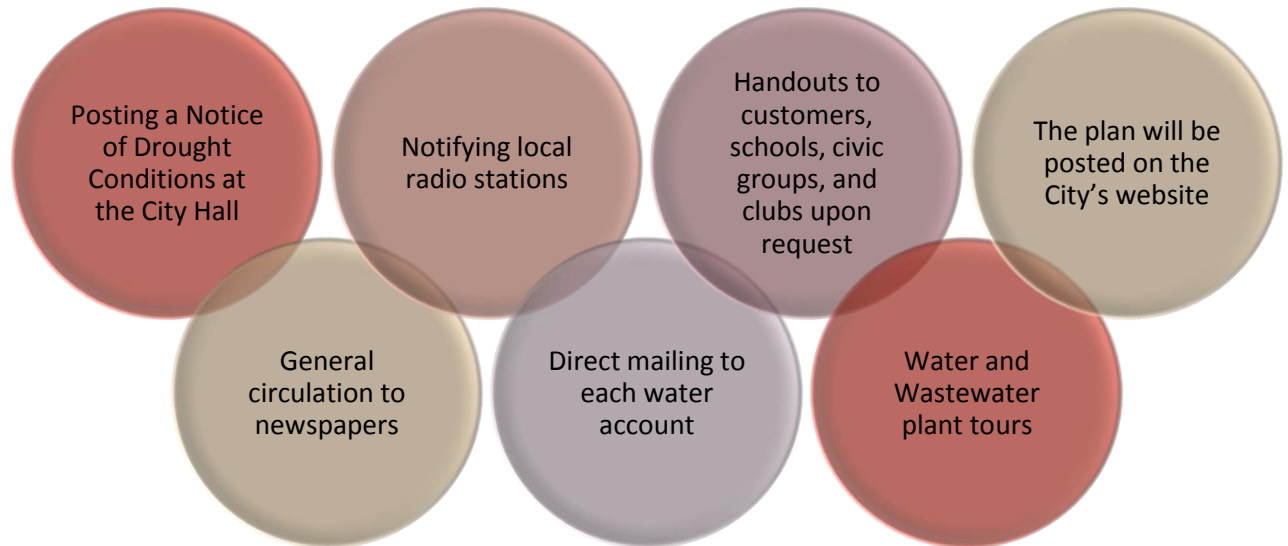
The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Three Rivers. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

PUBLIC INVOLVEMENT

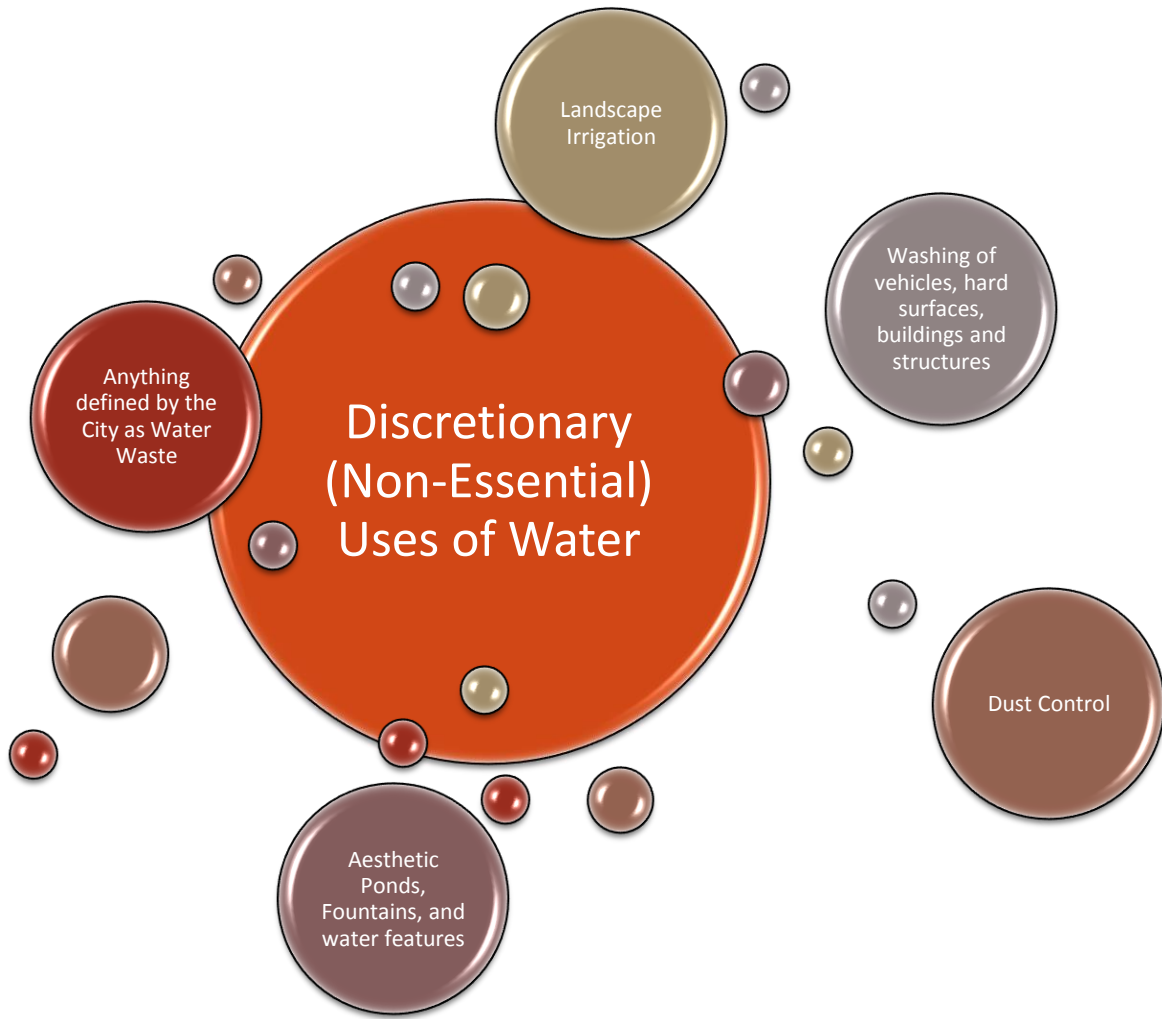


PUBLIC EDUCATION (DROUGHT)

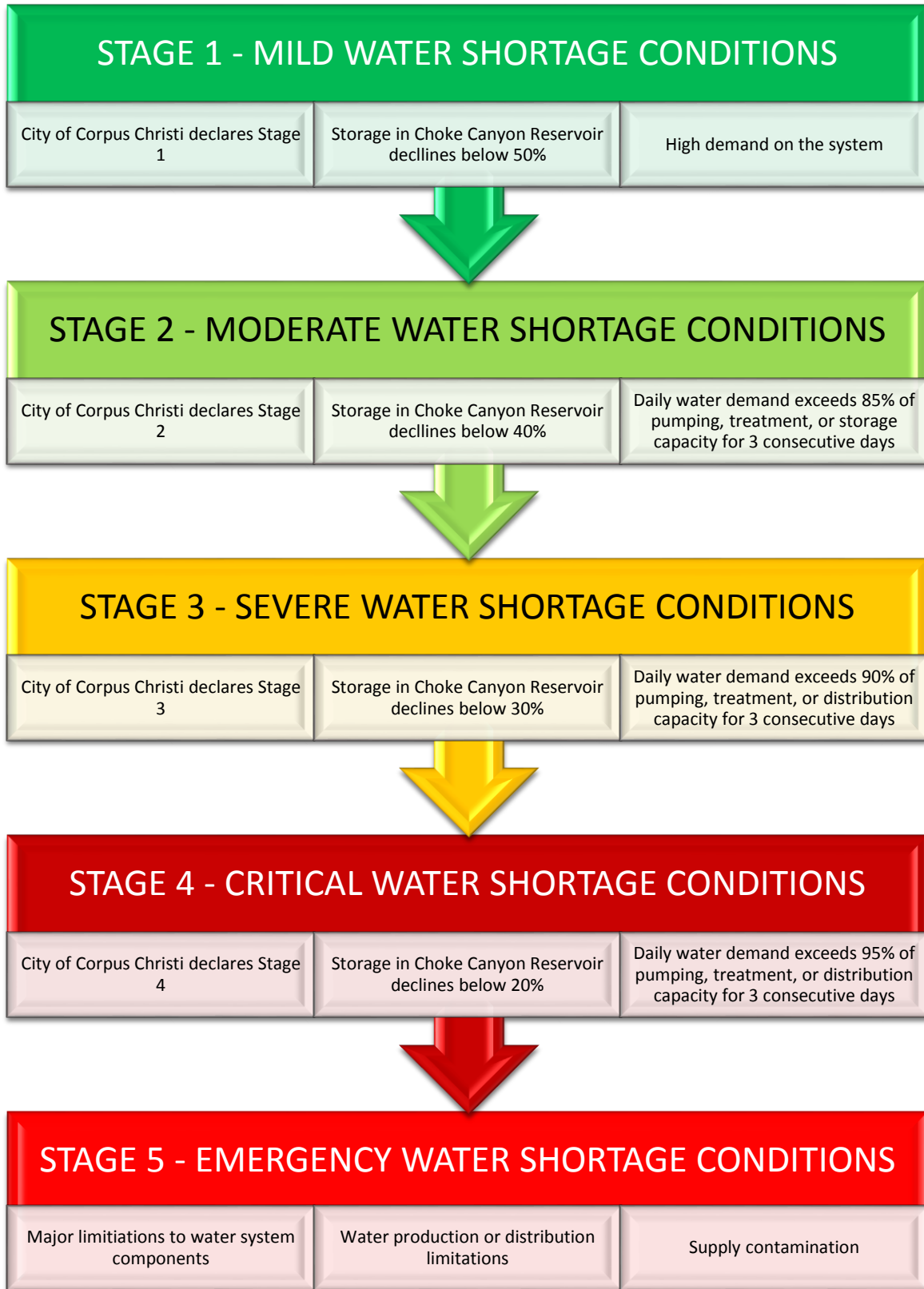
The City of Three Rivers will periodically provide the public with information about this Drought Contingency Plan, including information and/or notification about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. Water conservation tips and information will also be provided. This information will be provided by means of:



DISCRETIONARY USES OF WATER



DROUGHT AND EMERGENCY TRIGGERS

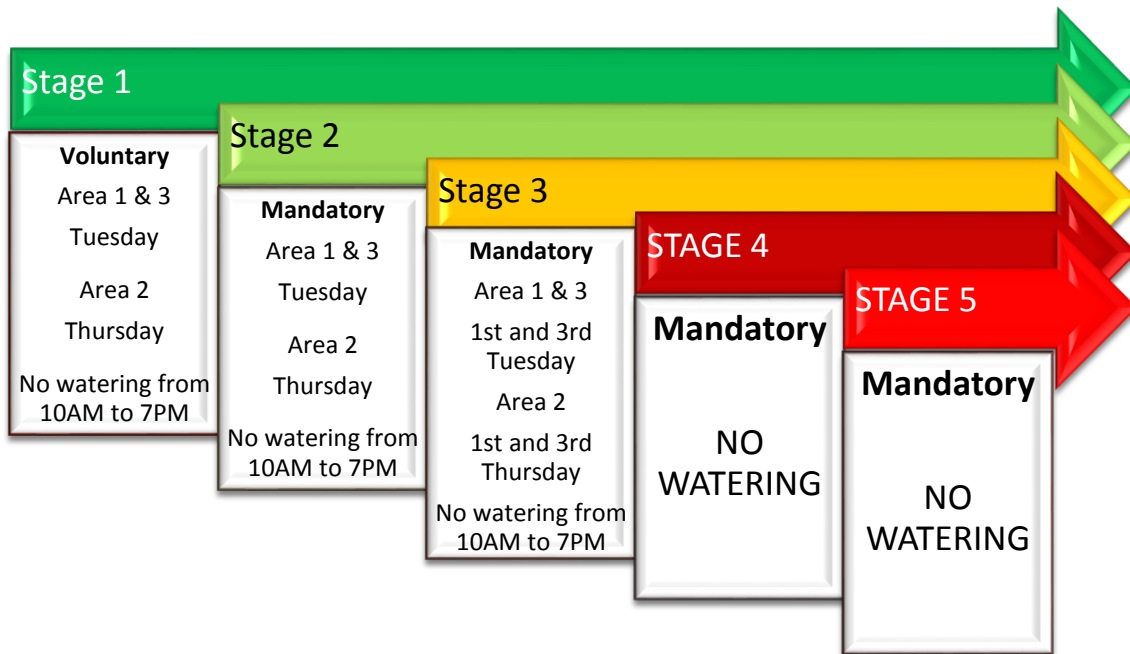


WATERING SCHEDULE

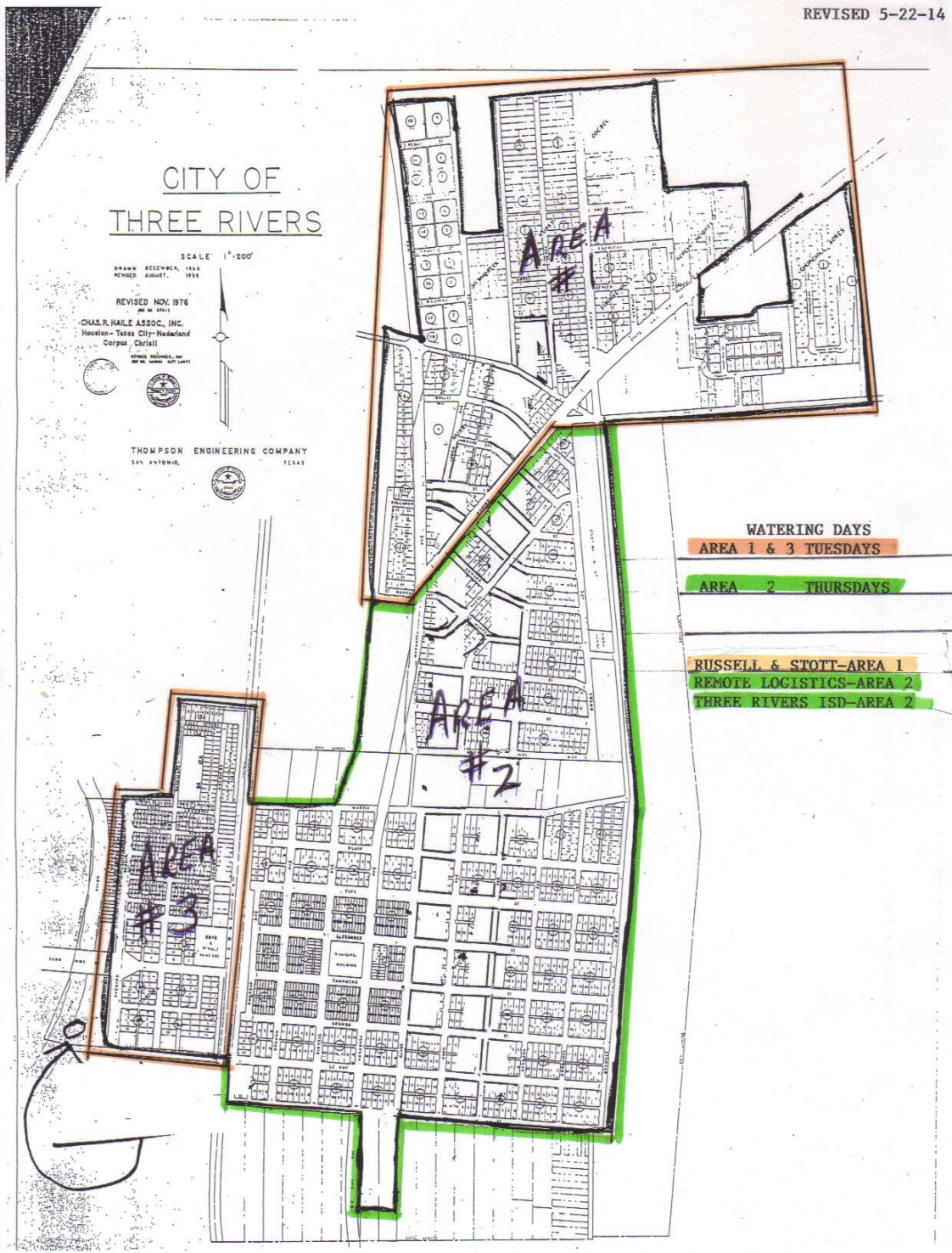
While this Drought Contingency Plan is in effect, water customers are requested to continue to practice water conservation and to minimize or discontinue water use for non-essential or discretionary purposes

INSIDE CITY WATERING SCHEDULE

- The watering schedule for areas inside the City is shown below.
- The map showing the watering areas inside the City is shown on page 14.

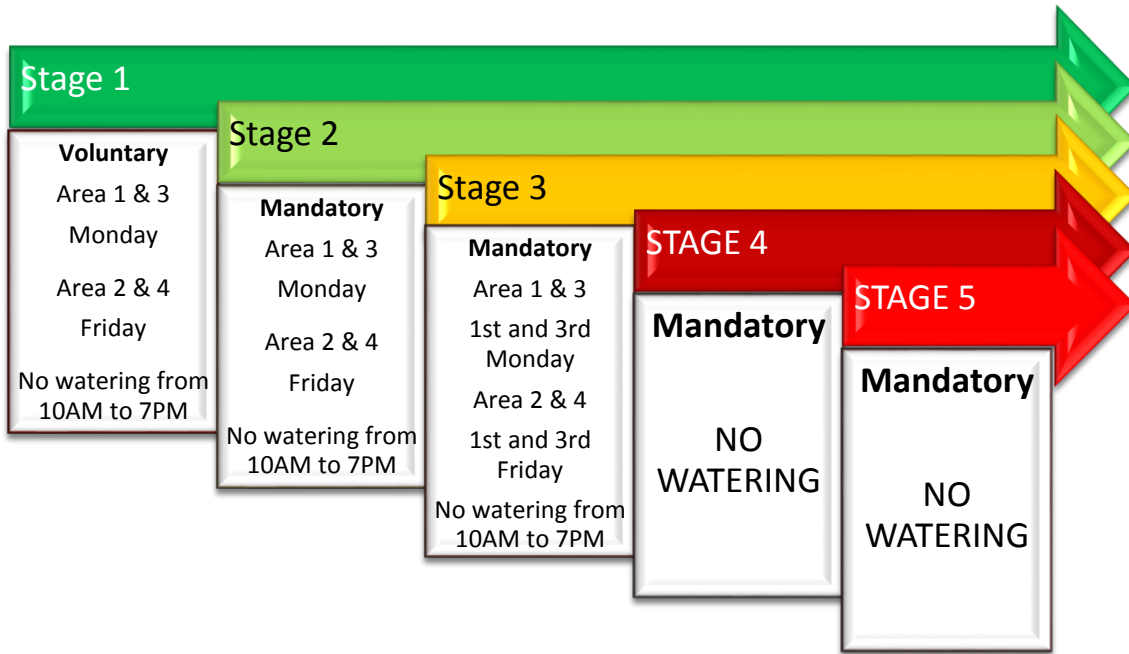


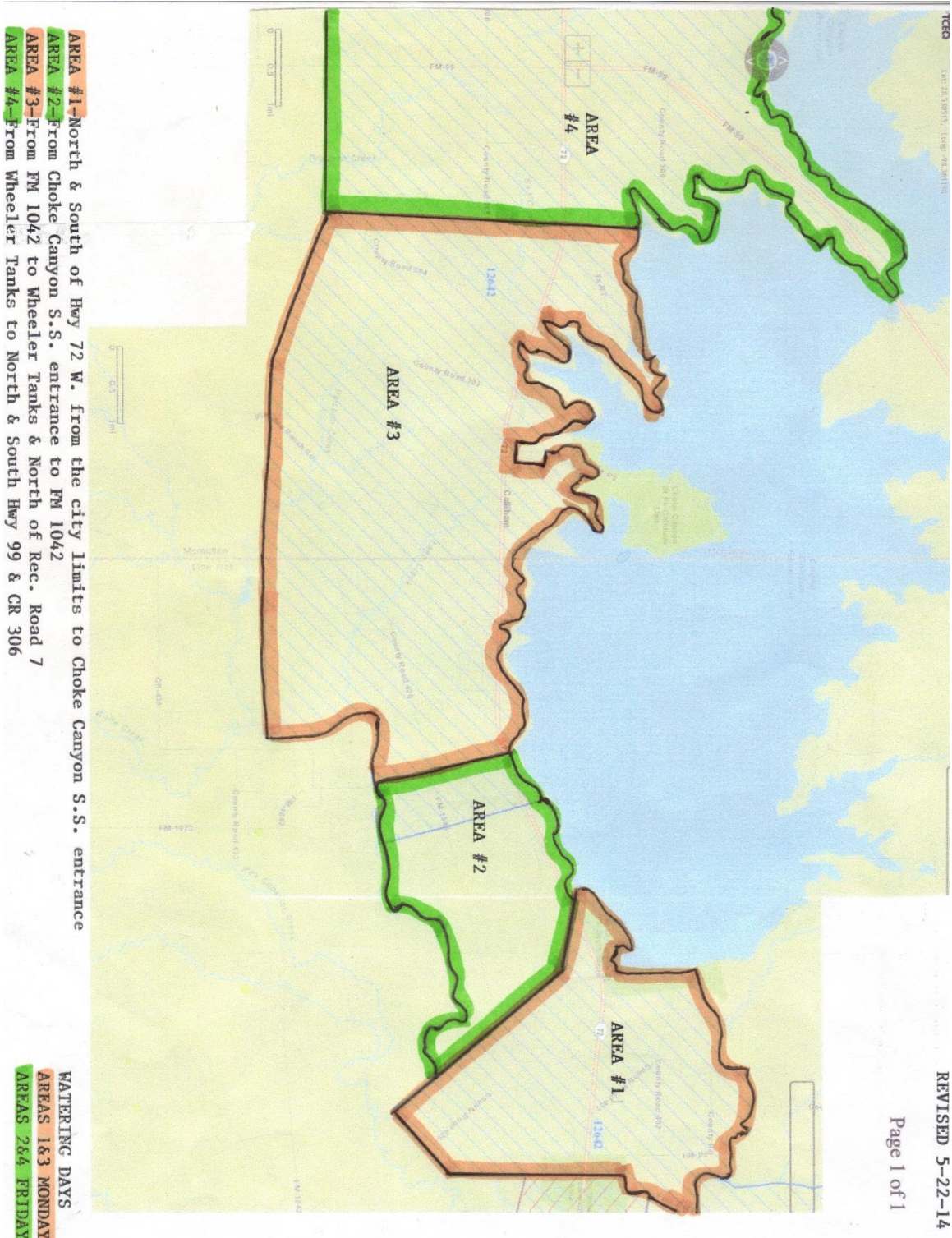
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OUTSIDE CITY WATERING SCHEDULE

- The watering schedule for areas outside of the City is shown below.
- The map showing the watering areas outside of the City is shown on page 16.





RESPONSE STAGES

DROUGHT STAGE 1 RESPONSE

Target: Achieve a 5% reduction in water use

Retail customers requested to follow Stage 1 Watering Schedule

Formal Public Notice of Drought Stage 1

Initiate increased Public Information campaign

Increase leak detection activities

Notify TCEQ

DROUGHT STAGE 2 RESPONSE

Target: Achieve a 10% reduction in water use

Retail customers required to follow Stage 2 Watering Schedule

Formal Public Notice of Drought Stage 2

Increase utility oversight of water-use restrictions

Increase utility oversight of water waste

Notify TCEQ

DROUGHT STAGE 3 RESPONSE

Target: Achieve a 15% reduction in water use

Retail customers required to follow Stage 3 Watering Schedule

Formal Public Notice of Drought Stage 3

Increase utility enforcement of water-use restrictions

Increase utility enforcement of water waste

Notify TCEQ

DROUGHT STAGE 4 RESPONSE

Target: Achieve a 30% reduction in water use

Retail customers required to follow Stage 4 Watering Schedule

Formal Public Notice of Drought Stage 4

No watering

Consider surcharges for excessive use

Notify TCEQ



EMERGENCY STAGE 5 RESPONSE

Target: Achieve necessary water use reduction

Contact County and State
Emergency Management
Coordinators

Notify TCEQ

In the event of a contamination event, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified immediately. In the event of a backflow incident, loss of pressure, or an Acute Maximum Contaminant Level coliform violation, a Boil Water Notice will be implemented as prescribed in 30 TAC Chapter 290.

In the event of a catastrophic failure due to natural or man-made events, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified.

In the event of an emergency loss of water supply, the city will consider purchases of water by the truckload or in bottles for the health and public safety of the City's residents.

VARIANCES

The City Administrator or his/her designee 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:

1. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
2. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Early within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by City Administrator or his/her designee, and shall include the following:

1. Name and address of the petitioner(s).
2. Purpose of water use.
3. Specific provision(s) of the Plan from which the petitioner is requesting relief.
4. 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 Ordinance.
5. Description of the relief requested.
6. Period of time for which the variance is sought.
7. 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.
8. Other pertinent information.

ENFORCEMENT

1. No person or entity shall knowingly or intentionally allow the use of water from the City of Three Rivers for residential, commercial, institutional, industrial, agricultural, governmental, recreational, wholesale, 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 City Administrator or his/her designee, in accordance with provisions of this Plan;
2. A City of Three Rivers code enforcement officer, police officer, or other official designated by the City Administrator or his/her designee, may issue a written Notice of Violation to a person or entity he/she reasonably believes to be in violation of this Plan. For subsequent violations following written notice:
 - a. The utility may issue a citation (Class C misdemeanor);
 - b. 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 fifty dollars (\$50.00);
 - c. 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;
3. Any water customer who violates this Plan is guilty of and may be charged with a misdemeanor and, upon conviction shall be punished by a fine of not less than one hundred dollars (\$100.00) and not more than two thousand dollars (\$2,000.00) or as amended in ordinance. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Administrator or his/her designee shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations

occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$50.00, and any other costs incurred by the City of Three Rivers in discontinuing service. In addition, suitable assurance must be documented with the City Administrator or his/her designee that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court;

4. Any water customer of the City of Three Rivers, 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.

COORDINATION WITH REGION N PLANNING GROUP

The service area of the City of Three Rivers is located within the Region N South Texas Water Planning Group and the City will provide a copy of this Plan to the Region N Planning Group at:

Nueces River Authority
400 Mann St., Suite 1002
Corpus Christi, TX 78401
rfreund@nueces-ra.org



ORDINANCE

ORDINANCE NO. 2315

AN ORDINANCE OF THE CITY OF THREE RIVERS, TEXAS, ADOPTING A WATER CONSERVATION & DROUGHT CONTINGENCY PLAN; ESTABLISHING DATA, INFORMATION, AND POLICY FOR WATER CONSERVATION PROGRAMS; CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Three Rivers, Texas recognizes that the amount of water available to the City and its water utility customers is limited and subject to depletion during periods of extended drought;

WHEREAS, Section 13.146 of the Texas Water Code and applicable rules of the Texas Water Development Board require a retail public utility that provides potable water service to 3,300 or more connections to submit to the executive administrator of the board a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices as defined by Section 11.002, which defines “conservation” as those practices, techniques, and technologies that will 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 water supply is made available for future or alternative uses;

WHEREAS, the City 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 citizens of Three Rivers, Texas, the City Council deems it expedient and necessary to establish certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF THREE RIVERS, TEXAS:

SECTION 1.

That the City of Three Rivers, Texas Water Conservation & Drought Contingency Plan 2014 attached hereto and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City.

SECTION 2.

That all ordinances that are in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3.

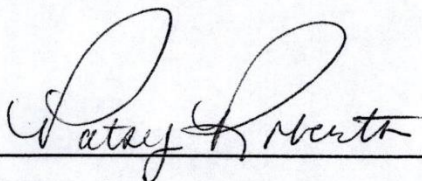
Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid,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

SECTION 4.

This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

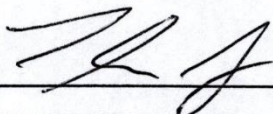
DULY PASSED BY THE CITY OF THREE RIVERS, TEXAS, on the 13th day of May, 2019.

APPROVED:



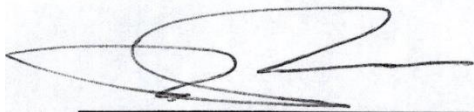
MAYOR Pro Tem

ATTESTED TO:



CITY SECRETARY

APPROVED AS TO FORM:



CITY ATTORNEY

