State Planning Standards Checklist for Annex L, Utilities

Jurisdiction(s): **City of Beaumont**
Annex Date: September 27, 2018 **Date of most recent change, if any:** _____
(The date which appears on the signature page)

Note: The annex will be considered Deficient if the *italicized* standards are not met.

This Annex shall:	Section/paragraph
I. Authority	
L-1. Identify local, state, and federal legal authorities pertinent to the subject of the annex in addition to those cited in the basic Plan.	I
II. Purpose	
L-1. Include a purpose statement that describes the reason for development of the annex.	II
III. Explanation of Terms	
L-1 & L-2. Explain and/or define terms and acronyms used in the annex.	III
IV. Situation & Assumptions	
L-2. Include a situation statement related to the subject of the annex.	IV.A
L-3. Include a list of assumptions used in planning for utilities during emergency situations.	IV.B
V. Concept of Operations	
L-5. Describe the how the jurisdiction plans to deal with major utility outages that threaten public health and safety.	V.A,B
L-6. Explain how the jurisdiction plans to facilitate the response of utilities to major emergency situations.	V.C
L-7. Describe actions that may be taken to preserve or protect utility capabilities.	V.D
L-8. Describe the role of utilities in providing support for local government emergency response and recovery operations.	V.E,F
L-8. Describe emergency public information activities appropriate for major utility outages that affect the public.	V.G
L-9. Include a list of actions by phases of emergency management to be taken to insure adequate utilities during emergencies.	V.H
VI. Organization & Assignment of Responsibilities	
L-11. Describe the emergency organization that will provide utility support during emergencies.	VI.A
L-12. Include a listing by organization and/or position of the responsibilities for utility support during emergencies.	VI.B
VII. Direction & Control	
L-14 & 15. Describe how utility support of will be directed, controlled, and coordinated during emergencies.	VII.A-E
L-15. Indicate the line of succession for key personnel responsible for coordinating utility support during emergencies.	VII.F

VIII. Readiness Levels	
L-15. Describe emergency actions relating to utilities to be taken at various readiness levels.	VIII
IX. Administration & Support	
L-17. Outline general policies for the use of resources to repair and reconstruct damaged utilities.	IX.A
L-18. Describe coordination requirements for the utilities function.	IX.B
L-18. Include a list of critical local facilities having priority for restoration of utilities during emergencies.	IX.C Appendix 2
L-18. Outline reporting requirements relating to the utilities function.	IX.D
L-18. Outline record-keeping requirements relating to the utilities function.	IX.E
X. Annex Development & Maintenance	
L-19. Specify the individual(s) by position responsible for developing and maintaining the annex.	X.A
L-19. Make reference to the schedule for review and update of annexes contained in Section X of the Basic Plan.	X.B
XI. References	
L-19. List references pertinent to the content of the annex not listed in the Basic Plan.	XI
Other	
L-1-1 Identify utilities serving the local area; indicate the areas and number of customers served. Where more than one provider furnishes the same type of utility service to the local area, provide a map showing the area served by each provider, or specify the physical location of the map and identify the official, by position, responsible for maintaining the map.	Appendix 1
L-2-1 Provide a form to identify existing backup generator resources and additional generators that may be needed during a power outage.	Appendix 2

FOR LOCAL GOVERNMENT USE	Signature	Date
This Checklist Completed By:	Shaqueena Jobes	9/27/18

FOR DEM USE	Initials	Date
DEM Regional Liaison Officer Review		
DEM Preparedness Section Processing		

ANNEX L

UTILITIES

CITY OF BEAUMONT

BEAUMONT
Emergency Management

September 2018

Ver 2.0
03/06

APPROVAL & IMPLEMENTATION

Annex L

UTILITIES

Signature (Tim Ocnaschek) EMC 9/26/2018 Date

RECORD OF CHANGES

Annex L

UTILITIES

Change #	Date of Change	Entered By	Date Entered

ANNEX L

UTILITIES

I. AUTHORITY

See Basic Plan, Section I.

16 TAC, Part 1, Chapter 7 (Gas Utilities), Subchapter B, Rule 7.45 (Quality of Service).

16 TAC, Part 2, Chapter 25 (Electric Service Providers), Subchapter C, Rules 25.52 (Reliability and Continuity of Service) and 25.53 (Emergency Operations Plan).

16 TAC, Part 2, Chapter 26 (Telecommunications Service Providers), Subchapter C, Rules 26.51 (Continuity of Service) and 26.52 (Emergency Operations).

Beaumont Code of City Ordinances, Chapter 22, Article 22.06.009 which outlines the Drought response stages for the City

II. PURPOSE

The purpose of this annex is to describe the organization, operational concepts, responsibilities, and procedures to prevent, protect from, respond to, and recover from temporary disruptions in utility services that threaten public health or safety in the local area.

This annex is not intended to deal with persistent shortages of water due to drought or with prolonged statewide or regional shortages of electricity or natural gas. Measures to deal with protracted water shortages are addressed in the drought plans that must be maintained by each public water supply utility. Resolving protracted water shortages normally requires long-term efforts to improve supplies. Measures to deal with widespread energy shortages are normally promulgated by state and federal regulatory agencies. Local governments may support utility efforts to deal with long-term water and energy supply problems by enacting and enforcing conservation measures and providing the public information pertinent to the local situation.

III. EXPLANATION OF TERMS

A. Acronyms

CI/KR	Critical Infrastructure/Key Resource
Co-Op	Cooperative
COOP	Continuity of Operations Plan
DD	Disaster District
DDC	Disaster District Committee
DSHS	Texas Department of State Health Services
EMC	Emergency Management Coordinator

EOC	Emergency Operation Center
TDEM	Texas Division of Emergency Management
IC	Incident Commander
ICS	Incident Command System
ICP	Incident Command Post
MUD	Municipal Utility District
NIMS	National Incident Management System
NRP	National Response Plan
PUC	Public Utility Commission
RRC	Railroad Commission
SOC	State Operations Center
SOP	Standard Operating Procedures
TAC	Texas Administrative Code
TCEQ	Texas Commission of Environmental Quality

B. Definitions

Electric Cooperatives: Member- owned non-profit electric utilities.

IV. SITUATION & ASSUMPTIONS

A. Situation

1. As noted in the general situation statement and hazard summary in Section IV.A. and Figure 1 of the Basic Plan, our area is vulnerable to a number of hazards. These hazards could result in the disruption of electrical power, telephone service, and water and wastewater services as well as natural gas service.

2. The loss of utility services, particularly extended utility outages, could adversely affect the capability of local personnel to respond to and recover from the emergency situation that caused the disruption of utility service and create additional health and safety risks for the general public.

3. Public utilities are defined as those companies and organizations authorized to provide utility services, including electricity, water, sewer service, natural gas, and telecommunications, to the general public in a specified geographic area. Utilities may be owned and/or operated by a municipality, a municipal utility district (MUD), a regional utility authority, investors, or by a private non-profit organization such as a member cooperative (co-op).

   The public utilities serving our community include:

   a) Electric: Entergy

   b) Water/Wastewater: City of Beaumont

   c) Telephone: AT&T

   d) Natural Gas: Centerpoint Energy

Additional information on these utilities is provided in Appendix 1 to this annex.

4. The state and/or federal government regulate most utility providers. State regulators include:

   a) The Public Utilities Commission (PUC) for telecommunications companies and most electrical utilities, other than municipal electric utilities.

   b) The Texas Commission on Environmental Quality (TCEQ) for most water suppliers and wastewater utilities.

   c) The Railroad Commission of Texas (RRC) for gas utilities.

5. Virtually all utilities are required by state regulations to have emergency operations plans for restoring disrupted service. Many utilities maintain emergency operations centers and those that do not normally have procedures to establish temporary facilities when they need them.

6. Extended electrical outages can directly impact other utility systems, particularly water and wastewater systems. In areas where telephone service is provided by above-ground lines that share poles with electrical distribution lines, telecommunications providers may not be able to make repairs to the telephone system until electric utilities restore power lines to a safe condition.

7. Municipal utilities and private non-profit utilities such as electric cooperatives, may be eligible for reimbursement of a portion of the costs for repair and restoration of damaged infrastructure in the event the emergency situation is approved for a Presidential disaster declaration that includes public assistance (PA).

B. Assumptions:

1. In the event of damage to or destruction of utility systems, utility operators will restore service to their customers as quickly as possible.

2. A major disaster or a disaster affecting a wide area may require extensive repairs and reconstruction of portions of utility systems that may take considerable time to complete.

3. Damage to electrical distribution systems and sewer and water systems may create secondary hazards such as increased risk of fire and public health hazards.

4. Each utility will direct and control its own resources and plan to carryout its own response operations, coordinating as necessary with local government and with other utilities.

5. Individual utility operators, particularly small companies, may not have sufficient physical or monetary resources to restore utility systems affected by a major disaster or one having widespread effects. Utilities typically obtain supplementary repair and restoration assistance from other utilities pursuant to mutual aid agreements and by using contractors hired by the utility.

6. Equipment and personnel from other city departments and agencies may be employed to assist a municipal utility in repairing its systems and restoring service to the public.

V. CONCEPT OF OPERATIONS

A. General

1. Incident activities for the utilities function will include work in an Incident Command System (ICS) environment with an Incident Commander (IC), maintaining communications with the IC and Emergency Operations Center (EOC), and implementing local and regional mutual aid agreements as required.

2. In the event of a loss of utility service for any reason, local government is expected to rapidly assess the possible impact on public health, safety, and property, and on private property, and take appropriate actions to prevent a critical situation from occurring or to minimize the impact in accordance with the Continuity of Operations Plan. Where utility service cannot be quickly restored, the City of Beaumont government will have to take timely action to protect people, property, and the environment from the effects of a loss of service.

3. Local governments are not expected to direct non-city owned utility companies to repair utility problems. Utilities have a franchise that requires them to provide service to their customers and they have the ultimate responsibility for dealing with utility service outages. Virtually all utilities are required by state regulations to make all reasonable efforts to prevent interruptions of service and, if interruptions occur, to reestablish service in the shortest possible time. Utilities are required to inform state officials of significant service outages and expected to keep their customers and local officials informed of the extent of utility outages and, if possible, provide estimates of when service will be restored.

4. Local governments that own or operate utilities are responsible for restoring service to local customers and may commit both their utility and non-utility resources to accomplish that task.

5. For utilities that are not government-owned, local government is expected to coordinate with those utilities to facilitate their efforts to restore service to the local area.

6. The City of Beaumont has identified critical local facilities and established general priorities for restoration of utility service. This list of priorities must be communicated to the utilities serving those facilities. Examples of critical facilities may include:

   a) The EOC

   b) Police, Fire, and EMS stations

   c) Hospitals

   d) Water treatment and distribution facilities

e) Sewage pumping and treatment facilities

f) Buildings serving as public shelters or mass feeding facilities

g) Fueling facilities

h) Industry facilities

Appendix 2, Utility Restoration Priorities for Critical Facilities, provides a sample of initial utility restoration priorities for critical facilities. These priorities are based on general planning considerations; they should be reviewed and, if necessary, updated based on the needs of a specific situation.

7. Utility companies may not be able to restore service to all critical facilities in a timely manner, particularly if damage has been catastrophic and a substantial amount of equipment must be replaced or if repairs require specialized equipment or materials that are not readily available. In large-scale emergencies, utility companies may have to compete with individuals, businesses, industry, government, and other utility companies for manpower, equipment, and supplies.

B. Local Government Response to a Utility Outage

1. It is essential for City officials to obtain an initial estimate of the likely duration of a major utility outage from the utility as soon as possible for response actions to begin. Once that estimate is obtained, local officials should make a determination of the anticipated impact and determine the actions required to protect public health and safety and public and private property.

2. Extended utilities outages may require the City to take action to protect public health and safety and public and private property. Such actions may include:

   a) Water or Sewer Outage

      1) Curtail general water service to residents to retain water in tanks for firefighting and for controlled distribution to local residents in containers.
      2) Arrange for supplies of emergency drinking water for the general public and for bulk water for those critical facilities that require it to continue operations.
      3) If sewer service is disrupted, arrange for portable toilets and hand washing facilities to meet sanitary needs.

   b) Electrical or Natural Gas Outage

      1) Obtain emergency generators to power water pumping stations, water treatment facilities, sewage lift stations, sewage treatment facilities, fueling facilities, and other critical sites. Those with pre-identified or anticipated needs should work with the Building Services Manager and appropriate officials to maintain generator requirement specifications for use during emergencies.
      2) During period of cold weather, establish public shelters for residents who lack heat in their homes.
      3) During periods of extreme heat, establish "cooling sites" for residents who do not have air conditioning in their homes

4) Request volunteer groups set-up mass feeding facilities for those without electrical or gas service and cannot prepare meals.
5) Coordinate with ice distributors to ensure ice is available locally to help citizens preserve food and medicines.
6) Arrange for fuel deliveries to keep emergency generators running at critical facilities.

c) Telecommunications Outage

1) Request telecommunications providers implement priority service restoration plans.
2) Activate amateur radio support.
3) Request external assistance in obtaining additional radios and repeaters or satellite telephones.

d) General

1) Isolate damaged portions of utility systems to restore service quickly to those areas where systems are substantially undamaged.
2) In cooperation with utilities, institute utility conservation measures. See Appendix 3 to this annex.
3) Disseminate emergency public information requesting conservation of utilities.
4) Assist in relocating patients of medical facilities, residential schools, and similar institutions that cannot maintain the required level of service for their clients.
5) Provide law enforcement personnel to control traffic at key intersections if traffic control devices are inoperative.
6) Consider staging fire equipment in areas without electrical or water service.
7) Consider increased security patrols in areas that have been evacuated due to lack of utility service.

3. See Appendix 1 to Annex M, Resource Management, for planning factors for emergency drinking water, ice, portable toilets, and food.

C. Facilitating Utility Response

1. Local officials may facilitate utility response by:

a) Identifying utility outage areas reported to local government. Although many utility systems have equipment that reports system faults and customer service numbers for people to report problems, outage information reported to local government can also be helpful.

b) Asking citizens to minimize use of utilities that have been degraded by emergency situations. See Appendix 3 for utility conservation measures.

c) Identifying local facilities for priority restoration of utilities.

d) Coordinating with the utility on priorities for clearing debris from roads which also provides access to damaged utility equipment.

e) Providing access and traffic control in utility repair areas where appropriate.

2. Large-scale Emergency Situations.

   In large-scale emergency situations which produce catastrophic damage in a limited area (such as a tornado) or severe damage over a wide area (such as an ice storm or hurricane), utilities are typically faced with a massive repair and rebuilding effort that cannot be completed in a reasonable time without external support. In such circumstances, utilities typically bring in equipment and crews from other utilities and from specialized contractors. In these situations, utilities may request assistance from the City in:

   a) Identifying lodging for repair crews – hotels, motels, school dormitories, camp cabins, and other facilities.

   b) Identifying restaurants to feed crews or caterers who can prepare crew meals.

   c) Identifying, facilitating, or providing a staging area or areas for utility equipment coming from other locations and providing security for such areas.

   d) Obtaining water for repair crews and/or arranging for sewer access.

   e) Identifying operational sources of fuel in the local area.

D. Protecting Resources and Preserving Capabilities

In the event of a slowly developing emergency, it is possible that utilities may be able to mitigate some of the effects of a major emergency or disaster by protecting key facilities, equipment and documents. The critical facilities/key resources within our community are identified in *Appendix 2.*

1. In the event of a flooding threat, facilities such as sewage or water-treatment plant or electrical substations may require constructing dikes, sandbagging, or using pumps to prevent water from entering the facility. In some cases, in an effort to preserve pumps, electrical control panels, and other vital equipment, it may also be prudent to remove that equipment and documents from flood prone areas of facilities to prevent damage due to rising water.

2. In the event of a hazardous materials spill in rivers or lakes used for water supplies, contamination of water distribution systems may be avoided by temporarily shutting down water intakes, and/or using alternative sources.

3. Loss of power could severely affect critical functions such as communications, water pumping, purification, and distribution; sewage disposal; traffic control; operation of critical medical equipment; and climate control for food storage. Critical facilities that require back-up electrical power should have appropriate generator equipment on site if possible. If this is not feasible, emergency generator requirements should be determined in advance to facilitate timely arrangements for such equipment during emergency situations. Those with pre-identified or anticipated needs should work with the Building Services Manager and appropriate officials to maintain generator requirement specifications for use during emergencies. The Utility Coordinator will

provide such forms to facility operators to complete and maintain a file of completed forms for both existing generators and potential generator requirements.

E. Utility Support for Emergency Response Operations

The assistance of utility providers may be needed to support other emergency response and recovery operations. Such assistance may include:

1. Rendering downed or damaged electric lines safe to facilitate debris removal from roadways.

2. Cutting off utilities to facilitate the emergency response to fires, explosions, building collapses, and other emergency situations.

3. Facilitating access of emergency responders to critical facilities or emergency incident scenes.

4. Facilitating search and rescue operations by cutting off electrical power, gas, and water to areas to be searched.

5. Establishing temporary utility hookups to facilitate response activities.

F. Utility Support for Disaster Recovery Operations

Utilities play a primary role in the recovery process and must coordinate closely with local government to:

1. Render electrical lines and gas distribution lines safe before local officials authorize re-entry of property owners into affected areas to salvage belongings and repair damage to their homes and businesses.

2. Participate in inspections of affected structures to identify hazards created by damaged utilities and eliminate those hazards.

3. Determine the extent of damage to publicly owned utility infrastructure and equipment.

4. Restore utility systems to their pre-disaster condition.

G. Public Information

1. It is essential to provide the public current information on utility status, the anticipated time to restore service, recommendations on dealing with the consequences of a utility outage, conservation measures, and information on sources of essential life support items such as water. Locally developed emergency public information relating to utility outages should be developed in coordination with the utilities concerned to ensure that messages are accurate and consistent.

2. In some emergency situations, many of the normal means of disseminating emergency public information may be unavailable and alternative methods of getting information out to the public may have to be used.

3. Utilities are complex systems and service may be restored on a patchwork basis as damaged components are repaired or replaced. Some neighborhoods may have utility service restored while adjacent neighborhoods are still without power or water. In some cases, one side of a street may have power and the opposite side may not. In these circumstances, the quality of life for local residents can often be significantly improved by using public information messages to encourage those who have working utilities to take in their neighbors who do not. This approach can also significantly reduce the number of people occupying public shelters and using mass feeding facilities.

H. Activities by Phases of Emergency Management:

1. Prevention

   a) All utilities. Local officials should:

      Have emergency management and Community Development personnel familiar with the local hazard assessment review proposed utility construction or renovation activities to determine if existing hazards will be increased by such activities.

   b) Utilities owned or operated by the City. Utility officials should:

      1) Assess the vulnerability of existing municipal electrical, gas, water, and sewer systems to known hazards and take actions to avoid or lessen such vulnerabilities.
      2) Maintain portable generators and pumps to meet unexpected needs and/or identify rental and contract sources for such equipment that can respond rapidly during an emergency to avoid and/or reduce the effects of other incidents.

2. Preparedness

   a) All utilities. Local officials should:

      1) Contact local utilities to determine the type of damage assessment information that they can normally provide in an emergency. Provide utilities with names of key officials and contact information for those officials and the local ICP that utilities can use to provide information to local government during an emergency.
      2) Reduce vulnerability of new utility infrastructure to known hazards through proper site selection and facility design.
      3) Coordinate with the emergency management staff to develop plans to protect public utility facilities and equipment at risk from known hazards, and to maintain supplies and equipment to carry out such plans.
      4) Develop plans to install emergency generators in key facilities and identify emergency generator requirements for facilities where it is not possible to permanently install backup generators. Those with pre-identified or anticipated needs should work with the Building Services Manager and appropriate officials to maintain generator requirement specifications for use during emergencies.
      5) Ensure the Utility Coordinator and the local ICP have emergency contact numbers for utilities serving the local area <u>other than</u> published customer service numbers.

6) Coordinate with the occupants of critical governmental and non-government facilities to establish a tentative utility restoration priority list for such facilities; see Appendix 2 for utility restoration priorities for critical facilities. Provide the restoration priority list to appropriate utilities.
7) Cooperate with social service agencies and volunteer groups to identify local residents with potential health or safety problems that could be immediately affected by utility outages and provide such information to utilities for action.
8) Request utilities brief local officials and members of the ICP staff on their emergency service restoration plans periodically.
9) Encourage utilities to participate in local emergency drills and exercises.
10) Train workers, especially supervisors, to be familiar with ICS incident site procedures.
11) Ensure mutual aid agreements are completed when appropriate.

c) Utilities owned or operated by the City. Utility officials should:

1) Train and exercise personnel in emergency response operations.
2) Plan for adequate staffing during and after emergencies.
3) Ensure emergency plans are kept up-to-date.
4) Ensure emergency equipment is in good repair and secured against damage from likely hazards.
5) Stockpile adequate repair supplies for likely emergency situations.
6) Conclude utility mutual aid agreements and establish procedures for requesting assistance from other utilities.

3. Response

a) All utilities. Local officials should:

1) Request that each utility serving the local area which has suffered system damage regularly report its operational status, the number of customers affected by service outages, and areas affected.
2) Provide expedient substitutes for inoperable utilities at critical facilities to the extent possible or relocate those facilities if necessary. Update utility restoration priorities for critical facilities as necessary.
3) If an extended utility outage is anticipated, take those actions necessary to protect public health and safety and private and public property and implement utility conservation measures. See Section V.B and Appendix 3 to this annex.
4) Facilitate utility emergency response to the extent possible. See Section V.C of this annex.
5) Include utility status information in the Initial Emergency Report and period Situation Reports produced during major emergencies and disasters. See Annex N, Direction & Control.

b) Utilities owned or operated by the City. Utility officials should:

1) For slowly developing emergency situations, take appropriate action to protect utility infrastructure from the likely effects of the situation. See Section V.D of this annex.
2) Make emergency utility repairs as necessary. If a large number of utility customers or a wide area is affected, use the critical facility utility restoration

priorities in Appendix 2 to this annex, as modified by the EOC, as a basis for initial actions.

3) Request mutual aid assistance or contractor support if needed.
4) If possible, provide trained utility crews to assist emergency services during emergency response operations.

4. Recovery

a) All Utilities. Local officials should:

1) Continue to request regular reports from each utility serving the local area concerning its operational status, the number of customers affected by service outages, and areas affected.
2) For major emergencies and disasters, obtain estimates of damages from municipal utilities or member-owned non-profit utilities for inclusion in local requests for disaster assistance. See Annex J, Recovery.
3) Update utility restoration priorities for critical facilities as appropriate. See Appendix 2 to this annex.
4) Request utilities that participate in major emergency operations to participate in any local post-incident review of such operations.

b) Utilities owned or operated by the City. Utility officials should:

1) Provide regular updates to the ICP on utility damages incurred, the number of customers affected, and areas affected.
2) Participate in utility damage assessment surveys with state and federal emergency management personnel.
3) In coordination with the EOC staff, request mutual aid resources, contractor support, or state assistance, if necessary.

VI. ORGANIZATION & ASSIGNMENT OF RESPONSIBILITIES

A. Organization

1. The operations of utilities owned or operated by local government will be directed by those individuals who manage the utility on a daily basis, including:

a) The Water Utilities Director

b) The Superintendents of the Water Production & Wastewater Divisions.

These individuals are expected to continue to manage the operations of those utilities during emergency situations.

2. Individuals designated by the owners or operators of utilities that are not owned or operated by local government will manage the operation of those utilities.

3. The Mayor or designee shall appoint a Utility Coordinator to coordinate emergency preparedness activities with utilities, maintain this annex and related utility data that

may be needed during emergency, and act as a liaison with utilities during emergency operations.

B. Assignment of Responsibilities

1. The Mayor or Designee will:

   a) Provide general direction for the local response to major utility outages that may affect public health and safety or threaten public or private property and, within the limits of legal authority, implement measures to conserve utilities.

   b) For city-owned or operated utilities, the Mayor may provide general guidance and recommendations regarding the utility response to emergency situations in the local area through the Utility Coordinator or, where appropriate, through the utility director.

   c) Appoint a Utility Coordinator.

2. The Water Utilities Director will:

   a) Coordinate with Utility Coordinator regarding requests for assistance or available assistance for other response and recovery activities.

   b) Maintain information on existing emergency generators and potential generator requirements for the Utility.

   e) Advise the EMC what actions should be taken to obtain services for those without utilities or to relocate those where services cannot be restored where it appears outages will be long-term.

   f) Ensure current information on utility assets is provided for inclusion in Annex M, Resource Management.

3. The Utility Coordinator will:

   a. Coordinate regularly with utilities during an emergency situation to determine utility status, customers and areas affected, and what response, repair, and restoration actions are being undertaken, and provide information to the EMC.

   b. Maintain the Utility Restoration Priorities for Critical Facilities (Appendix 2). In coordination with the EMC, update utility restoration priorities for critical facilities in the aftermath of an emergency situation if required.

   c. Coordinate with the EMC and respond to requests from utilities for assistance in facilitating their repair and reconstruction activities (see Section V.C of this annex) or coordinating their efforts with other emergency responders.

   d. Request resource assistance from utilities during emergencies when requested by the Resource Management staff.

e. Maintain information on existing emergency generators and potential generator requirements. Those with pre-identified or anticipated needs should work with the Building Services Manager and appropriate officials to maintain generator requirement specifications for use during emergencies.

f. Develop and maintain this annex in coordination with the EMC.

4. The Emergency Management Coordinator (EMC) will:

a) Maintain information on the utilities serving the local area, including maps of service areas. See Appendix 1.

b) Provide guidance to the Utility Coordinator on handling utility issues and obtaining utility status reports.

c) Assign utility-related problems to the Utility Coordinator for resolution.

d) Work with Utility Coordinator and Utilities to maintain agreements for mutual aid and emergency contact information.

4. Utility Managers are expected to:

a) Ensure utility emergency plans comply with state regulations and are up-to-date.

b) Respond in a timely manner during emergency situations to restore utility service. Advise designated local officials or the Utility Coordinator in the ICP of utility status, number of customers affected, and areas affected so that local government may take action to assist residents that may be adversely affected by utility outages.

c) Train and equip utility personnel to conduct emergency operations.

d) Have utility personnel participate in periodic local emergency exercises to determine the adequacy of plans, training, equipment, and coordination procedures.

e) Maintain adequate stocks of needed emergency supplies and identify sources of timely resupply of such supplies during an emergency.

f) Develop mutual aid agreements to obtain external response and recovery assistance and identify contractors that could assist in restoration of utilities for major disasters.

g) Ensure utility maps, blueprints, engineering records, and other materials needed to conduct emergency operations are available during emergencies.

h) Obtain utility restoration priorities for critical local facilities from the Utility Coordinator or EMC for consideration in utility response and recovery planning.

i) Take appropriate measures to protect and preserve utility equipment, personnel, and infrastructure, including increasing security when there is a threat of terrorism directed against utility facilities.

5. City owned or operated utilities will, in addition:

   a) Identify and train personnel to assist in damage assessment for public facilities.

   b) Where possible, provide personnel with required technical skills to assist in restoring operational capabilities of other government departments and agencies and in search and rescue activities.

   c) When requested, provide heavy equipment support for emergency response and recovery activities of local government.

   d) Draft regulations or guidelines for the conservation of power, natural gas, or water during emergency situations. If local officials approve such rules or guidelines, assist the Public Information Officer in communicating them to the public.

   e) Maintain records of expenses for personnel, equipment, and supplies incurred in restoring public utilities damaged or destroyed in a major emergency or disaster as a basis for requesting state or federal financial assistance, if such assistance is authorized.

6. The Incident Commander will coordinate utility-related response issues through the Utility Coordinator if the ICP has been activated, or through the EMC or directly with the utility or utilities affected if the EOC has not been activated. The Incident Commander may assign missions to utility crews that have been committed to an incident.

7. The Public Information Officer will:

   Coordinate with the Utility Coordinator and utilities to provide timely, accurate, and consistent information to the public regarding utility outages, including communicating:

   a) Protective measures, such as boil water orders/notices.

   b) Conservation guidance, such as that provided in Appendix 3.

   c) Instructions, including where to obtain water, ice, and other essentials.

8. The Public Works Department will:

   a) Upon request, provide heavy equipment and personnel support for restoration of government-owned or operated utilities.

   b) Upon request, may provide heavy equipment and personnel support to assist in Utility repair crew access or restoration measures to facilitate emergency access needs.

VII. DIRECTION & CONTROL

A. The Mayor or designee will provide general direction for the local response to major utility outages that may affect public health and safety or threaten public or private property and

may, within the limits of legal authority, direct implementation of local measures to conserve utilities.

B. The Incident Commander (IC), to protect lives and property, can make operational decisions affecting all incident activities and workers at the incident site. The Incident Commander normally may assign missions to utility crews from government-owned or operated utilities that utility managers have committed to an incident or request other utilities to perform specific tasks to facilitate the emergency response.

C. The Utility Coordinator will monitor utility response and recovery operations, receive situation reports from utilities and disseminate these to local officials and the EOC, identify local utility restoration priorities to utility providers, coordinate utility support for the Incident Command Post, facilitate local government support for utility response and recovery efforts, request resource support from utilities, and perform other tasks necessary to coordinate the response and recovery efforts of utilities and local government.

D. Utility managers will normally direct the emergency response and recovery activities of their organizations. Utility crews will generally be directed by their normal supervisors.

E. Utility crews responding from other areas pursuant to a utility mutual aid agreement and contractors hired by utilities to undertake repairs will normally receive their work assignments from the utility which summoned or hired them. Organized crews will normally work under the immediate control of their own supervisors.

F. The line of succession for the Utility Coordinator is:

1. Water Utility Director
2. Quality Control Manager
3. Public Works Director

VIII. READINESS LEVELS

A. Readiness Level IV – Normal Conditions

See the mitigation and preparedness activities in section V.H. of this annex.

B. Readiness Level III – Increased Readiness

1. Government-owned or operated utilities:

   a) Inform key utility staff members of the potential for an emergency.

   b) Review emergency plans and procedures.

   c) Check equipment status and correct deficiencies.

   d) Review supply status and fill shortfalls.

   e) Monitor the situation.

f) Ensure recall rosters are up-to-date.

2. For other utilities, the Utility Coordinator should:

a) Ensure utility managers are aware of the possible impending threat.

b) Check emergency contact information for each utility and ensure that each utility manager knows how to contact the local Utility Coordinator and the ICP.

c) Ensure each utility has a copy of the current Utility Restoration Priorities for Critical Facilities and a list of any known special utility service needs.

d) Request utilities keep the Utility Coordinator informed of any plans, protective actions, or preparedness activities that may affect the local area.

C. Readiness Level II – High Readiness

1. Government-owned or operated utilities:

a) Monitor the situation.

b) Activate applicable personnel and make preliminary assignments. Identify personnel to increase staffing as needed.

c) Implement plans to protect government facilities and equipment.

d) Ensure equipment is prestaged, ready and fueled; consider precautionary deployment of resources.

e) Review mutual aid plans and advise mutual aid resources of possible emergency operations.

f) Review contractor and supplier lists and alert contractors and suppliers of possible emergency operations.

g) Identify additional personnel to the staff the Incident Command Post (ICP) and EOC.

2. For other utilities, the Utility Coordinator or EMC should:

a) Advise utilities of the impending emergency.

b) Update Utilities regarding the status of local preparedness actions.

c) Request utilities keep the Utility Coordinator informed of any plans, protective actions, or preparedness activities that may affect the local area.

d) Notify them if the ICP is activated.

D. Readiness Level I – Maximum Readiness

1. Government-owned or operated utilities:

   a) Continue to monitor and review the impending situation.

   b) Activate utility emergency control center, as appropriate, and, upon request, provide utility representation to the EOC if it is activated.

   c) Place additional utility emergency response crews in alert status and off-duty personnel on standby as applicable.

   d) Implement planned protective measures for utility infrastructure and equipment.

   e) Test utility communications systems.

   f) Consider precautionary deployment of emergency response crews.

2. For other utilities, the Utility Coordinator or EMC should:

   a) Advise utilities of the impending situation and planned local response actions.

   b) Advise utilities when the EOC or an Incident Command Post is activated.

   c) Update point of contact information if necessary

   d) Conduct communications checks.

   e) If the primary impact of the impending hazard is likely to be on utilities, invite appropriate utilities to send an agency representative to the local ICP.

IX. ADMINISTRATION & SUPPORT

A. Resource Support and Readiness

1. In general, utilities are responsible for obtaining and employing the resources needed to make repairs to or reconstruct their systems.

   a) Local governments may commit their non-utility resources to assist the utilities they own or operate in responding to emergency situations. Local governments may also utilize their utility resources in responding to non-utility emergencies unless local statutes preclude this.

   b) In general, local governments may not use public resources to perform work for privately owned companies, including utility companies. Privately owned utility companies are expected to use their own resources and additional resources obtained through mutual aid. They may also contract services in response to emergency situations. Most electric and telecommunications utilities are party to mutual aid agreements that allow them to request assistance from similar types of utilities within the region, within the State, or from other states. Some water and gas companies may also be party to mutual aid agreements. Many privately owned

utility companies have contingency contracts with private contractors for repair and reconstruction.

c) Although local government may not use its resources to perform repair work for privately owned utilities, it may take certain actions to facilitate the response of utilities, whether public or private, to an emergency situation. Some of these actions are outlined in Section V.C of this annex.

2. In the event of a utility outage, the City is expected to use its own resources and those that it can obtain pursuant to mutual aid agreements or by contracting with commercial suppliers to protect public health and safety as well as public and private property. In the event that these resources are insufficient to deal with the situation, the City may request state resource assistance through the Disaster District Committee (DDC) Chairman in Beaumont. Requests for state assistance should be made or authorized by the Mayor; cities should first seek assistance from their County before requesting state assistance.

B. Coordination

During emergency situations involving utility outages, the Utility Coordinator and EMC are expected to maintain communications with utilities by any means possible. When the City ICP or EOC is operational, that facility will act as the focal point for communications between the City and Utilities. The utilities communication network is depicted in Appendix 4.

C. Critical Facilities List

The Utility Coordinator will ensure all utilities that serve the City are provided copies of the restoration priorities for local critical facilities as applicable. See Appendix 2, Utility Restoration Priorities for Critical Facilities.

D. Reporting

1. During major emergencies, the Utilities Coordinator should coordinate with utilities serving the local area to obtain information on their operational status, the number of customers and areas affected, and the estimated time for restoration of service. If possible, a schedule of periodic reporting should be established.

2. The Utilities Coordinator should provide utility status information to the ICP staff and provide utility status inputs for the Initial Emergency Report and periodic Situation Reports prepared during major emergencies and disasters. See Appendices 2 and 3 to Annex N, Direction & Control, for information regarding these reports.

E. Records

1. Certain expenses incurred in carrying out emergency response and recovery operations for certain hazards may be recoverable from the responsible party or, in the event of a Presidential disaster declaration, partially reimbursed by the federal government. Therefore, all government-owned or operated utilities should keep records of labor, materials, and equipment used and goods and services contracted for during large-

scale emergency operations to provide a basis for possible reimbursement, future program planning, and settlement of claims.

2. Municipal utility districts and electric cooperatives are also eligible for federal assistance in a Presidential declared disaster. Estimates of damage to these utilities should be included in damage reports submitted by the City to support a request for federal assistance. Hence, such utilities should be advised to maintain records of repair expenses as indicated in the previous paragraph in order to provide a basis for possible reimbursement of a portion of those expenses.

F. Post-Incident Review

Our Basic Plan provides that a post-incident review be conducted in the aftermath of a significant emergency event. The purpose of this review is to identify needed improvements in plans, procedures, facilities, and equipment. Utility managers and other key personnel who participate in major emergency operations should also participate in the post-incident review.

X. ANNEX DEVELOPMENT & MAINTENANCE

A. The Utility Coordinator and Water Utilities Director, in coordination with the EMC, are responsible for developing and maintaining this annex with the support from individuals and organizations specified in Section VI.B.

B. This annex will be reviewed annually and updated in accordance with the schedule outlined in Section X of the Basic Plan.

C. Departments and agencies tasked in this annex will develop SOPs that address assigned tasks.

XI. REFERENCES

A. Annex L, Energy & Utilities, to the *State of Texas Emergency Management Plan.*

B. FEMA, Guide for All-Hazard Emergency Operations Planning (SLG-101)

C. GDEM, Disaster Recovery Texas Manual (DEM-62)

APPENDICES:

Appendix 1 ..... Local Utility Information
Appendix 2 ..... Utility Restoration Priorities for Critical Facilities
Appendix 3..... Utility Conservation Measures
Appendix 4..... Utility Communications Network

LOCAL UTILITY INFORMATION

1. Electric

   Utility Name: Entergy (Texas Division)
   Approximate Number of Local Customers: Approx 411,000 regionally, and 56,000 locally including industry
   Service Area: 27 Counties and 60 Cities (of which Beaumont is the largest) or towns in East and Southeast Texas with over 400,000 customers total
   Major Local Facilities: On file at local Office of Emergency Management
   24-Hour Emergency Contact: Operations Manager
   Contact Phone: 1-800-368-3749 (ENTERGY), 311, or 911 Contact Fax: Filed at local OEM
   Website: www.entergy.com-(Texas) for power outage maps, etc

2. Telephone

   Utility Name: AT&T
   Approximate Number of Local Customers: 271,000 access lines in SETX region; and 230 cell site locations with 38 cell site locations existing in Jefferson County. AT&T has 68,000 access lines in Beaumont city limits
   Service Area: Jefferson, Orange, Hardin, Chambers, Galveston, Tyler, Liberty and Jasper counties
   Major Local Facilities: On file at local Office of Emergency Management
   24-Hour Emergency Contact: District Manager
   Contact Phone: 409-839-6000 Contact Fax: 409-839-6010

3. Water Utilities (Water Production and Wastewater)

   Utility Name: City of Beaumont
   Approximate Number of Local Water and Sewer Customers: 130,000
   Service Area: *City of Beaumont incorporated limits, and customers within our 5 mile Extraterritorial Jurisdiction, and unincorporated areas encompassing the Jefferson County jail, and State and Federal prison complexes*
   Major Local Facilities: On file at local Office of Emergency Management
   24-Hour Emergency Contact: Fire Dispatch
   Contact Phone: 409-880-3901 Contact Fax:

4. Natural Gas

   Utility Name: Centerpoint
   Approximate Number of Local Customers: *Approx 87,000 in Service Area and 27,000 in Beaumont proper*
   Service Area: *SETX District (Region 4) Approx 15 Counties and 64 cities/towns including much of the SETRPC COG Area, west including Liberty County and the Huntsville area, and north of Beaumont through the Lufkin and Nacogdoches areas.*
   Major Local Facilities: On File with the local Office of Emergency Management
   24-Hour Emergency Contact: Service Manager
   Contact Phone: 409-866-1011 Contact Fax: 409-866-2011

LOCAL UTILITY SERVICE AREA MAP(S)

Maps on File in Emergency Management Office

UTILITY RESTORATION PRIORITIES FOR CRITICAL FACILITIES

Information on File in Emergency Management Office

1. A Critical Infrastructure committee designates which facilities in the City and City's ETJ are on the CI/KR listing
2. Facilities designated as CI/KR are prioritize based on purpose among other aspects
3. A further designation is provided to document availability of on-site alternative power (i.e. generator)
4. The listing documents whether it is gas or electric powered
5. Prioritization of restoration is based on a variety of factors to include:
   a. The relevant situation and incident
   b. Health and safety needs/implications
   c. Availability of backup power
   d. Continuity of Government and critical public service requirements/needs

UTILITY CONSERVATION MEASURES

The utility conservation measures outlined in this appendix are general measures. The specific measures to be implemented should be agreed upon by local government and the utilities concerned.

1. Conservation Measures for Natural Gas

   A. Step 1. Discontinue:

      1) Use of gas-fueled air conditioning systems except where necessary to maintain the operation of critical equipment.
      2) All residential uses of natural gas, except refrigeration, cooking, heating, and heating water.
      3) Use of gas-fueled clothes dryers.

   B. Step 2. Reduce:

      1) Thermostat settings for gas-heated buildings to 65 degrees during the day and 50 degrees at night.
      2) Use of hot water from gas-fueled water heaters.

2. Conservation Measures for Electric Power

   A. Step 1. Voluntary conservation
      1) Cut-off all unnecessary appliances (i.e. display lighting, pool pumps, and other uses as possible;
      2) turn thermostats up in summer (especially during peak times which is basically 2-6 PM in summer
      3) Lower thermostat settings for electrically heated buildings to a maximum of 65 degrees during the day and 50 degrees at night.

   B. Step 2. Request for conservation efforts:

      1) Request key high-use customers to reduce consumption in pre-established methods (i.e interruptible-rate customers)
      2) Implement rolling blackouts following public utility commission guidelines

2. Water Conservation Measures are located in the Beaumont Code of City Ordinances, Chapter 22, Article 22.06.009 which outlines the Drought response stages for the City.

Sec. 22.06.009 Drought response stages

(a) Generally. The city manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in section 22.06.008 of this plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

(1) Notification of the public (all trigger stages): The city manager or his/her designee shall notify the public by means of:

(A) Publication in a newspaper of general circulation (the Beaumont Enterprise);

(B) Public service announcements (local television and radio stations).

(2) Additional notification: The city manager or his/her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

(A) The mayor and members of the city council and the city fire department (all trigger stages);

(B) City and/or county emergency management coordinator (trigger stage 3 or above);

(C) TCEQ (required when mandatory restrictions are imposed) (triggers 4 and 5);

(D) Major water users (trigger stage 3 and above);

(E) Critical water users, i.e., hospitals, prisons, etc. (trigger stage 3 and above);

(F) Parks/street superintendents and public facilities managers (any trigger stage).

(b) Stage 1 response–Mild water shortage conditions.

(1) Goal. Achieve a voluntary eight (8) percent reduction in total water demand.

(2) Supply management measures.

(A) Reduced flushing of water mains;

(B) Discontinue fire hydrant flushing;

(3) Voluntary water use restrictions.

(A) 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 between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.

(B) All operations of the city shall adhere to water use restrictions prescribed for stage 2 of the plan.

(C) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

(c) Stage 2 response–Moderate water shortage conditions.

(1) Goal. Achieve a ten (10) percent reduction in total water demand.

(2) Supply management measures.

(A) Reduced or discontinued flushing of water mains;

(B) Discontinue fire hydrant testing;

(C) Reduced or discontinued irrigation of public landscaped areas;

(D) Implement measures to return all system components to full production capacity.

(3) Water use restrictions. Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

(A) 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 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 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 a drip irrigation system.

(B) 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 carwash 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.

(C) 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 between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.

(D) 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.

(E) 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 the city.

(F) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the city, the facility shall not be subject to these regulations.

(G) All restaurants are prohibited from serving water to patrons except upon request of the patron.

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

(i) Wash-down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;

(ii) Use of water to wash down buildings or structures for purposes other than immediate fire protection;

(iii) Use of water for dust control;

(iv) Flushing gutters or permitting water to run or accumulate in any gutter or street; and

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

(d) Stage 3 response–Severe water shortage conditions.

(1) Goal. Achieve a twelve and one-half (12.5) percent reduction in total water demand.

(2) Supply management measures.

(A) All measures described for stage 2;

(B) Aggressively locate and repair major water main leaks and breaks.

(3) Water use restrictions. All requirements of stage 2 shall remain in effect during stage 3 except:

(A) Irrigation of landscaped areas shall be limited to 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 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.

(B) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the city.

(e) Stage 4 response–Critical water shortage conditions.

(1) Goal. Achieve a fifteen (15) percent reduction in total water demand.

(2) Supply management measures. All measures described in stages 2 and 3.

(3) Water use restrictions. All requirements of stage 2 and 3 shall remain in effect during stage 4 except:

(A) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 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 is prohibited at all times.

(B) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial carwash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial carwashes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10:00 p.m.

(C) The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.

(D) 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.

(E) 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.

(F) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

(f) Stage 5 response–Emergency water shortage conditions.

(1) Goal. Achieve a thirty (30) percent reduction in total water demand.

(2) Supply management measures. All measures described in stages 2, 3, and 4.

(3) Water use restrictions. All requirements of stage 2, 3, and 4 shall remain in effect during stage 5 except:

(A) Irrigation of landscaped areas is absolutely prohibited.

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

(C) All water usage except that required to protect the public health, safety, and welfare is prohibited.

Sec. 22.06.012 Application of plan to wholesale customers of city water system

(a) Pro rata water allocation. In the event that the triggering criteria specified in section 22.06.008(3) of the plan for stage 3 severe water shortage conditions have been met, the city manager 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:

(1) A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by resolution of the city based on the city manager'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 city as conditions warrant. Once pro rata allocation is in effect, water diversions or by deliveries to each wholesale customer shall be limited to the allocation established for each month.

(2) A monthly water usage allocation shall be established by the city manager or his/her designee, for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the 1995–2000 calendar year period. If the wholesale water customer's billing history is less than five (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.

(3) The city manager shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media and the executive director of the TCEQ upon initiation of pro rata water allocation.

(4) Upon request of the customer or at the initiative of the city manager the allocation may be reduced or increased if:

(A) The designated period does not accurately reflect the wholesale customer's normal water usage;

(B) The customer agrees to transfer part of its allocation to another wholesale customer; or

(C) Other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.

A customer may appeal an allocation established hereunder to the city council.

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

(1) One hundred ten (110) percent of the normal water charge for water diversions and/or deliveries in excess of the monthly allocation up through five (5) percent above the monthly allocation.

(2) One hundred twenty (120) percent of the normal water charge for water diversions and/or deliveries in excess of the monthly allocation from five (5) percent through ten (10) percent above the monthly allocation.

(3) One hundred fifty (150) percent of the normal water charge for water diversions and/or deliveries in excess of the monthly allocation from ten (10) percent through fifteen (15) percent above the monthly allocation.

(4) Two (2) times the normal water charge for water diversions and/or more than fifteen (15) percent above the monthly allocation.

(5) The above surcharges shall be cumulative.

(c) Variances.

(1) The city manager, or his/her 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.

(2) Persons requesting an exemption from the provisions of this plan shall file a petition for variance with the city manager within five (5) days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the city council, and shall include the following:

(A) Name and address of the petitioner(s);

(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 this article;

(C) Description of the relief requested;

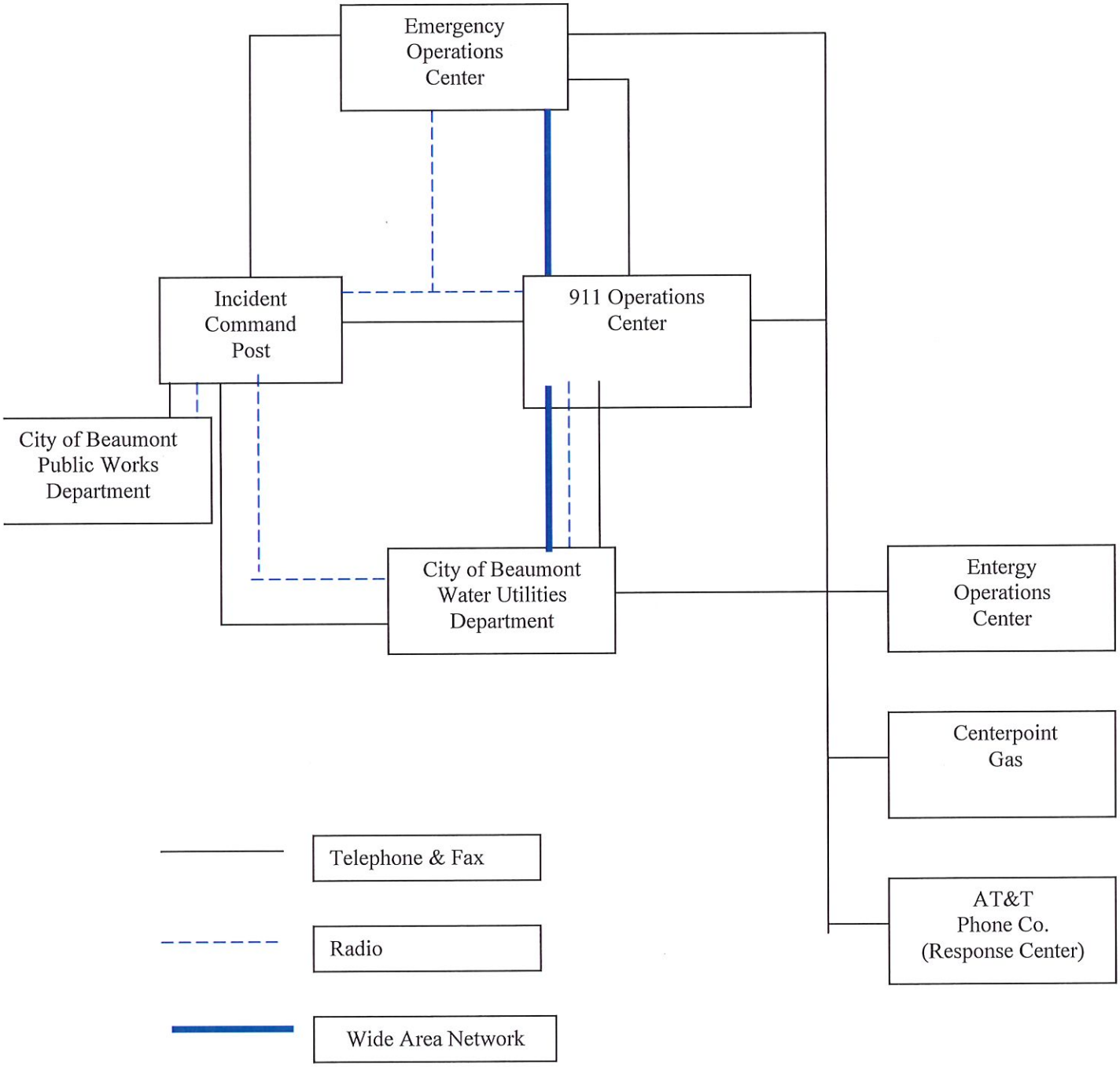
(D) Period of time for which the variance is sought;

(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.

(3) Variances granted by the city shall be subject to the following conditions, unless waived or modified by the city 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.

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