

Water Shortage Response Plan

City of Concord, North Carolina

October 2018

This plan and the procedures herein are written to reduce potable water demand and supplement existing drinking water supplies whenever existing water supply sources are inadequate to meet current demands for potable water.

I. Authorization

As documented in Chapter 62 of the City of Concord Code of Ordinances, City Manager has the authority to and shall enact the following water shortage response provisions whenever the trigger conditions outlined in Chapter 62 are met. In his or her absence, the Water Resources Director will assume this role.

City Manager
Mr. Lloyd Payne, Jr.
Phone: (704) 920-5215
E-mail: paynel@concordnc.gov
Address: 35 Cabarrus Avenue, West
Concord, North Carolina 28025

Water Resources Director
Ms. Christie Putnam
Phone: (704) 920-5343
E-mail: putnamc@concordnc.gov
Address: Alfred M. Brown Operations Center
635 Alfred Brown Jr. Court SW
Concord, NC 28026-0308

II. Notification

The following notification methods will be used to inform both City water system employees and customers (citizens and wholesale customers under contract, if applicable) of a water shortage declaration:

- Use of Connect CTY, an automated telephone notification system which can be used to contact all customers or selected customers as needed in instances such as a water system failure in a particular area of the City
- Notice posted on City's website homepage
- Use of employee email system
- Issuing of press releases

- Notices posted in public locations such as municipal buildings, billboards, and local radio and television stations.

Existing City of Concord water customers will have several opportunities to comment on the provisions of the draft Water Shortage Response Plan. First, this particular draft plan will be available for customers to view at both the City Hall Building located at 35 Cabarrus Avenue W. in downtown Concord, and at the Alfred M. Brown Operations Center Complex located at 635 Alfred Brown Jr. Court SW in Concord. In addition, the same draft plan will be published on the City of Concord's website (www.concordnc.gov), and a notice of the plan's availability will be in the local newspaper (Independent Tribune) at least thirty (30) days prior to an adoption voted on by City Council.

III. Levels of Response

The Drought Response Plan is broken into five levels (Table 1); these levels are modeled after the Catawba-Wateree and Yadkin Pee-Dee Low Inflow Protocols (LIP) and the Water and Sewer Authority of Cabarrus County (WSACC) Drought Operational Plan (Black & Veatch, 2004), which operates the largest reservoir used by the City of Concord in the Rocky River Subbasin. These drought levels and implementation of their associated actions would also apply in another water shortage situation, such as a water quality or equipment failure situation. These levels, and associated water reduction measures, are further defined in the attached Chapter 62 of the Code of Ordinances and the City's Drought Management Plan, which was updated in December 2007.

Level 0 is unrestricted water use. In Level 1, also considered a water conservation stage, there is unrestricted water use; however, the City encourages water conservation and does public education in support of the voluntary conservation. These measures to manage daily demand have reduced overall water use compared to the baseline year of September 2006 through August of 2007, prior to the most recent drought when refinement of these stages of water usage reduction occurred. A tiered residential rate structure to discourage excessive water use was in place during that baseline timeframe. Table 2 presents the tiered rate structure.

TABLE 1
Drought Stages
City of Concord Water Shortage Response Plan

Drought Level	Level Name	Reduction Goal
0	Drought Planning	Conservation
1	Drought Watch	Voluntary 3 to 5% reduction (or more)
2	Drought Warning	Mandatory 5 to 10% reduction (or more)
3	Drought Emergency Level I	Mandatory 10 to 20% reduction (or more)
4	Drought Emergency Level II	Mandatory 20 to 30% (or more)

Note: These stages would also apply in any water shortage situation.

TABLE 2
Residential Rate Structure
City of Concord Water Shortage Response Plan

Block	Water Use
1	0 to 6,000 gallons per month
2	6,001 to 8,999 gallons per month
3	9,000 gallons per month and Irrigation Service

Note: This structure reflects changes made the rate structure for FY2020.

IV. Triggers

Triggers developed for the City's Water Shortage Response Plan are the same as those identified in the 2007 Drought Management Plan. These triggers, presented in Tables 2, 3, and 4, were developed using the Final Catawba-Wateree LIP, the Draft Yadkin Pee-Dee LIP, and the WSACC Drought Operation Plan. As a condition of the City's interbasin transfer certificate, the City must implement its Drought Management Plan if a trigger point is reached for any of the three areas or if statewide requirements are implemented under the Water Use During Drought and Water Supply Emergencies section of 15A NCAC 02.E.0600 when a drought stage declaration is made by the North Carolina Drought Management Advisory Council (NCDMAC). Therefore, four sets of trigger points are applicable to the City.

Further, if a state of emergency related to water supply is declared by the City Mayor, an emergency action plan and vulnerability assessment will trigger these staged responses.

Final Catawba-Wateree Low Inflow Protocol

The Catawba-Wateree LIP provides trigger points and procedures for the Catawba-Wateree Hydroelectric Project, and lists all parties with vested interests in water quantity of the Catawba River Basin. The LIP provides procedures for all public water supply withdrawal within the Catawba River Basin. The trigger points are a combination of factors that are indicators of the hydrologic condition of the Catawba River Basin. These indicators include (1) the storage index (SI); (2) the Drought Monitor trigger point, the 3-month numeric average of the published U.S. Drought Monitor for the region; and (3) the United States Geologic Survey (USGS) rolling 6-month average for USGS monitored streams, calculated as a percentage of the period of record rolling average for the same 6-month period. Table 3 presents the trigger points for the Catawba-Wateree LIP drought response

TABLE 3
Catawba-Wateree LIP Drought Response Trigger Points
City of Concord Water Shortage Response Plan

Stage	Storage Index		Drought Monitor (3-month average)		Monitored USGS Stream Flow Gages
0 ^a	90% < SI < 100% TSI		3 m. Ave DM ≥ 0		Ave ≤ 85% LT 6 mo. Ave
1	75% TSI < SI ≤ 90% TSI	and	3 m. Ave DM ≥ 1	or	Ave ≤ 78% LT 6 mo. Ave
2	57% TSI < SI ≤ 75% TSI	and	3 m. Ave DM ≥ 2	or	Ave ≤ 65% LT 6 mo. Ave
3	42% TSI < SI ≤ 57% TSI	and	3 m. Ave DM ≥ 3	or	Ave ≤ 55% LT 6 mo. Ave
4	SI ≤ 42% TSI	and	3 m. Ave DM = 4	or	Ave ≤ 40% LT 6 mo. Ave

^aStage 0 is triggered when any two of the three trigger points are reached.

Draft Yadkin Pee-Dee Low Inflow Protocol

The LIP for the Yadkin-Pee Dee River is based on the water storage of High Rock Reservoir's normal minimum elevation (NME), which is a monthly value that ranges from 613.9 feet above mean sea level (MSL) (National Geodetic Vertical Datum [NGVD] 1929) in January to 619.9 feet above MSL from April to October. The second two trigger points for the Yadkin-Pee Dee River Basin are the same as in the Catawba-Wateree, except the monitored USGS stream flow gage data are the 3-month rolling average as a percent of the historical average. Table 4 presents the trigger points for the Yadkin-Pee Dee LIP drought response.

TABLE 4
Yadkin Pee-Dee LIP Drought Response Trigger Points
City of Concord Water Shortage Response Plan

Stage	High Rock Reservoir Elevation		Drought Monitor (3-month average)		Monitored USGS Stream Flow Gages
0	< Normal Min. Elevation (NME) <NME minus 0.5 ft	<i>and either</i>	3 m. Ave DM ≥ 0 OR Any	<i>or</i>	Ave ≤ 48% LT Ave Any
1	<NME minus 1 ft	<i>and</i>	3 m. Ave DM ≥ 1	<i>or</i>	Ave ≤ 41% LT Ave
2	<NME minus 2 ft	<i>and</i>	3 m. Ave DM ≥ 2	<i>or</i>	Ave ≤ 35% LT Ave
3	<NME minus 3 ft	<i>and</i>	3 m. Ave DM ≥ 3	<i>or</i>	Ave ≤ 30% LT Ave
4	< ½ (NME minus Critical Elevation)	<i>and</i>	3 m. Ave DM = 4	<i>or</i>	Ave ≤ 30% LT Ave

WSACC Drought Operation Plan

Lake Howell, operated by WSACC, represents 74 percent of the total useable storage for the combined reservoir system for the Cities of Concord and Kannapolis and has been selected as the reservoir that provides the indication of the hydrologic condition of the County's water supply watersheds within the Rocky River subbasin. Five conditions or trigger points, normal and Stages 1 through 4, were identified and are based on the useable volume available in the reservoir and the current reservoir inflow. Table 5 shows the trigger points for the Rocky River Subbasin.

TABLE 5
WSACC Regional Drought Operation Plan Drought Response Trigger Points
City of Concord Water Shortage Response Plan

Stage	Lake Howell Useable Volume		Percent of Historical Mean Reservoir Inflow (cfs)
<i>Normal</i>	>70%	and	>75%
1	>70%	but	<75%
2	=70%		----
3	40% to 60%		----
4	30% to 50%		----

Note: cfs = cubic feet per second

NC Drought Management Advisory Council

Drought level designation by the NC Drought Management Advisory Council is also a trigger mechanism for this WSRP and will be followed.

Easing Triggers as Conditions Improve

As drought conditions improve and the triggers described above are eased over time, the City would ease its stages of water conservation in reverse order. The City will only take action as the worst of the four triggers (LIPs, WSACC Plan, or NC DMAC designation) is eased, as dictated in its IBT Certificate.

V. Enforcement

Water use violations can be reported to the City via their main 24-hour hotline (704-920-5555). Also, city staff has the responsibility to report violations they observe while conducting their work duties.

The following is a list of action that will be taken by the City upon customers who do not adhere to the water restrictions outlined above and in Chapter 62, Water Emergency, of the Code of Ordinances. The enforcement of the water restrictions does not only apply to

individual customers, but also to municipalities that receive water from the City's distribution system.

Enforcement actions include:

(1) *Penalties.* Any person violating the mandatory provisions of the water restrictions shall be issued a citation and a penalty of \$100.00 for residential customers or the amount established in the Code of Ordinances for non-residential or commercial or industrial users.

(2) *Discontinuance of Service.* Water service may be temporarily discontinued for willful disregard of water restrictions. All applicable penalty fees may be applied in the event of service suspensions. In the event of continued gross noncompliance with the water restrictions, the meter will be removed and the service will be discontinued. Connection fees and deposits will be forfeited.

(3) *Adoption and Enforcement of Drought Mitigative Measures.* Municipal customers, water corporations or company compliance municipalities as well as water corporations or companies purchasing water from the City shall adopt and enforce this entire section as a condition of continuing existing water sales agreements. Upon declaration of a water emergency, such municipalities and companies shall enforce the appropriate water use restrictions for the level of drought stage. Water service to such municipalities and companies shall be terminated for not enforcing the provisions of this section.

(4) *Drought Surcharge Policy.* During periods of extended and extreme drought when mandatory water usage restrictions are necessary, an additional 10% surcharge will be applied to Blocks 2 and 3 (use above 6,000 and 9,000 gallons/month and irrigation service, respectively) of the current tiered residential service rate.

Also, irrigation systems using well water must be registered and have the registration posted. These systems are accounted for using a registration system so that it is easier to identify violations of irrigation bans using potable water.

VI. Variance Protocols

The City understands that water restrictions can cause economic hardships on certain portions of their water customers; additionally, the restriction could be infeasible for others that have implemented water use reduction strategies into their daily practices prior to drought conditions being in place. Variances will be considered for: those showing proof of economic hardship, public health care facilities, or those that have previously implemented and documented water use reduction strategies such that achieving further water reduction goals may not be achievable. Variance requests should be directed in writing to the City Manager.

The Manager, or his or her designee, will issue a ruling on the variance. A decision on the variance will be made within two weeks of the submittal.

VII. Effectiveness

The effectiveness of the City's WSRP will be determined by comparing the stated water conservation goals with observed water use reduction data. Tracking will be conducted using a spreadsheet, updated monthly, which compares water use against the baseline time period seasonal data. Other factors to be considered include use of the tiered rate structure, frequency of plan activation, notification procedures, any problem periods without activation, and total number of violation citations.

VIII. Revision

This WSRP will be reviewed and revised as needed to adapt to new circumstances affecting water supply and demand, following implementation of emergency restrictions, and at a minimum of every five years in conjunction with the updating of the Local Water Supply Plan. Further, a water shortage response planning work group will review procedures following each emergency or rationing stage to recommend any necessary improvements to the plan to City's Council. If revisions are not recommended following a review, a memo will be filed documenting the effectiveness of the WSRP. The Water Resources Director is responsible for initiating all subsequent revisions.

Concord Ordinance

ARTICLE V. WATER DISTRIBUTION

Sec. 62-165. - Water emergency management.

- (a) *Level 0.* During Level 0, the following voluntary water conservation practices shall be imposed upon customers:
- (1) Household water should be reutilized to the greatest extent possible for watering.
 - (2) Faucets should not be left running while shaving, brushing teeth, or washing dishes.
 - (3) The use of flow restrictions and other water saving devices is encouraged.
 - (4) Any practice listed in this subsection (a) may be modified or additional restrictions added at the discretion of the city manager after consultation with the director of water resources and other city staff.
- (b) *Declaration of water emergency.* The city manager or his designee, after consultation with appropriate city staff, shall be authorized to declare that a water emergency exists. Depending on the severity of the emergency, voluntary (level I) or mandatory (levels II, III or IV) staged water use restrictions as described in subsection (c) of this section shall be imposed upon customers.
- (c) *Staged water use restrictions.*
- (1) *Level I.* At this stage of water use restrictions, the goal is to reduce water usage by three percent to five percent (or more) from the amount that would otherwise be expected, as defined in the "Low Inflow Protocol for the Catawba River Basin" at section "Stage 1 Actions 3.b." (which is incorporated herein by reference). During a declared level I water emergency, in addition to all level 0 mandatory water restrictions the following voluntary water conservation practices shall be encouraged for the public water system served by the city:
 - a. Planting of new ornamental plants and seeding of lawns should be deferred until the water emergency situation no longer exists.
 - b. Household water should be reutilized to the greatest possible extent for watering.
 - c. Use of water for wash-down of outside areas such as driveways or parking lots should be limited.
 - d. Faucets should not be left running while shaving, brushing teeth, or washing dishes.
 - e. The use of clothes washing machines and dishwashers should be limited if possible and these units should be operated with full loads when used.
 - f. Washing of cars or other vehicles should be limited to the two days per week designated by the city manager in the declaration of water emergency. Hoses should not be left running while washing vehicles.
 - g. The use of flow restrictions and other water-saving devices is encouraged.
 - h. Filling of pools shall be deferred or limited to hours between 8:00 p.m. and 8:00 a.m.
 - i. Showers should be used for bathing and the length of showers should be limited.
 - j. Any practice listed in this subsection (b)(1) may be modified or additional restrictions added at the discretion of the city manager after consultation with the director of water resources and other city staff.

- (2) *Level II.* At this stage of water use restrictions, the goal is to reduce water usage by five percent to ten percent (or more) from the amount that would otherwise be expected, as defined in the "Low Inflow Protocol for the Catawba River Basin" at section "Stage 1 Actions 3.b." (which is incorporated herein by reference). During a declared level II water emergency, outdoor irrigation shall be allowed two days per week as set forth in any order of the city manager or director of water resources. Businesses whose stock in trade is live plants, including nurseries and retail garden centers are exempt from this provision. The following mandatory water use restrictions shall also be in effect for the public water system served by the city:
- a. All voluntary practices listed in subsection (c)(1) (Level I) shall be mandatory, except for (c)(1)a., (c)(1)b., (c)(1)d. and (c)(1)i. of (c)(1), which are strongly encouraged.
 - b. Watering and irrigation of lawn, ornamental plants, and gardens shall occur only between 8:00 p.m. and 8:00 a.m. on the two days each week designated by the city manager in the declaration of water emergency. The use of hand-held watering containers is permitted on any day without restrictions. Businesses whose stock in trade is live plants, including nurseries and retail garden centers are exempt from this provision.
 - c. Use of water for wash down of outside areas, is prohibited, except for pressure washing businesses.
 - d. Residential washing of cars and other vehicles is prohibited. Commercial washing facilities, including those providing hand-held washing nozzles may continue normal operation. However, the facility owner/operator shall ensure that water is not wasted.
 - e. The use of water for wash down of public buildings, sidewalks and street washing activities should be limited except as required for safety and/or regulatory compliance.
 - f. Newly constructed or drained pools shall be filled by permit only. Fill permits shall be issued by the director of water resources, his or her designee, or the backflow administrator and issuance of the permits may be curtailed depending on the severity of the situation.
 - g. Any practice listed in this subsection (c)(2) may be modified or additional restrictions added at the discretion of the city manager after consultation with the director of water resources and other city staff.
- (3) *Level III.* At this stage of water use restrictions, the goal is to reduce water usage by ten percent to 20 percent (or more) from the amount that would otherwise be expected, as defined in the "Low Inflow Protocol for the Catawba River Basin" at section "Stage 1 Actions 3.b." (which is incorporated herein by reference). During a declared level III water emergency, in addition to all level II mandatory water restrictions, the following mandatory water use restrictions shall be in effect for the public water system served by the city:
- a. Watering and irrigation of lawns, ornamental plants, and gardens shall occur only between 8:00 p.m. and 8:00 a.m. on the one day each week designated by the city manager in the declaration of water emergency. Businesses whose stock in trade is live plants, including nurseries and retail garden centers are exempt from this provision.
 - b. Recreational use of potable water including filling of pools is prohibited.
 - c. Hydrant flushing and testing programs are prohibited, except to maintain public health, water quality or other special circumstances.
 - d. Any practice listed in this subsection (c)(3) may be modified or additional restrictions added at the discretion of the city manager after consultation with the director of water resources and other city staff.
- (4) *Level IV.* At this stage of water use restrictions, the goal is to reduce water usage by 20 percent to 30 percent (or more) from the amount that would otherwise be expected, as defined in the "Low Inflow Protocol for the Catawba River Basin" at section "Stage 1 Actions 3.b." (which is incorporated herein by reference). During a declared level IV water emergency, in addition to all level II and level III restrictions, the following mandatory water use restrictions shall be in effect for the public water system served by the city:

- a. All use of water out of doors for any purposes other than maintenance of public safety is prohibited.
 - b. Non-residential water customers and construction activities utilizing 5,000 or more gallons water per day, are required to reduce daily water usage through whatever means is available to the target percentages listed above. The director of water resources or her or his designee shall determine compliance with the daily usage reduction targets. Variances to this restriction may be granted to designated public health facilities including, but not limited to, hospitals and nursing homes.
 - c. Any practice listed in this subsection (c)(4) may be modified or additional restrictions added at the discretion of the city manager after consultation with the director of water resources and other city staff.
- (d) *Noncompliance of water emergency management section.*
- (1) *Penalties.* Any person violating the mandatory provisions of this section shall be issued a civil citation pursuant to this section and a penalty not to exceed \$100.00 for residential customers and the amount established in Code of Ordinances sections 1-6 and 62-8 for non-residential or commercial or industrial users. Each occurrence of a violation of this section shall be considered a separate violation.
 - (2) *Discontinuance of service.* Pursuant to the provisions of this section, water service may be temporarily discontinued for willful disregard of this section. All applicable penalty fees may be applied in the event of service suspensions. In the event of continued gross noncompliance with this section, removal of the meter and service will be deemed proper and service will be discontinued. Connection fees and deposits will be forfeited.
 - (3) *Utility fees.* In addition to or instead of the penalties listed in subsection (c)(1) above, mandatory utility fees shall be assessed for violations of mandatory water restrictions established under this section. These fees are adopted in the annual budget ordinance, fees and charges schedule.
 - (4) *Adoption and enforcement of section provisions.* Municipal customers, water corporations or company compliance municipalities, water corporations or companies purchasing water from the city shall adopt and enforce this entire section as a condition of continuing existing water sales agreements. Upon declaration of a water emergency, such municipalities and companies shall enforce the appropriate water use restrictions for the level of declared emergency. Water service to such municipalities and companies shall be terminated for not enforcing the provisions of this section.

(Ord. No. 04-17, § 1, 3-11-2004; Ord. No. 07-84, § 1, 9-13-2007; Ord. No. 07-84, § 1, 9-13-2007; Ord. No. 07-93, § 1, 11-8-2007; Ord. No. 09-74, § 1, 8-13-2009; Ord. No. 10-106, § 1, 10-14-2010; Ord. No. 16-09, §§ 1, 2, 2-11-2016; Ord. No. 16-23, §§ 5, 6, 3-10-2016)

Secs. 62-166—62-190. - Reserved.