

355 Vanderbilt Rd | Biltmore Forest, NC
Po Box 5352 | Biltmore Forest, NC 28803
P (828) 274-0824 | F (828) 274-8131

www.biltmoreforest.org



George F. Goosmann, III, Mayor
Fran G. Cogburn, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Resolution Regarding Water Shortage Response Plan

Date: August 6, 2018

The Town's Water Shortage Response Plan (WSRP) was officially accepted by the State of North Carolina's Department of Environmental Quality (NC DEQ) on July 3, 2018. The Town's Board of Commissioners must now adopt the WSRP via resolution.

A copy of the Town's Water Shortage Response Plan, proposed resolution acknowledging acceptance of the plan, and letter from the State regarding the approval is attached. Please let me know if you have any questions.



Water Resources
Environmental Quality

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
LINDA CULPEPPER
Interim Director

July 3, 2018

Terry Crouch, Director of Public Works
Town of Biltmore Forest
P.O. Box 5352
Asheville, NC 28813

Subject: WSRP Meets Minimum Criteria
Town of Biltmore Forest
PWSID#: 01-11-030
Buncombe County

Dear Mr. Crouch,

This letter is to notify you that our staff has reviewed the information contained in the Water Shortage Response Plan (WSRP) update submitted by your office. Since all the required information is complete, the WSRP for the Town of Biltmore Forest hereby meets the minimum criteria established in North Carolina General Statute 143-355.2 (a) and 15A NCAC 02E. 0607.

The Water Shortage Response Plan must next be adopted by your water system's governing board; a model WSRP resolution is available online on the right side of the page in the Forms and Docs section at: http://www.ncwater.org/Water_Supply_Planning/Water_Shortage_Response_Plans/learn. Once adopted, a copy of the signed resolution must be submitted to Linwood Peele, Water Supply Planning Branch Supervisor, at the address printed at the bottom of this letter. Please note, the WSRP cannot be considered compliant with the requirements of NCGS 143-355(l) until an adopted resolution is received by the Division.

Please be advised that the review process for Water Shortage Response Plans is separate from the review process for your Local Water Supply Plan (LWSP). If you have submitted your LWSP but haven't already been contacted by the Division, you will receive notification as soon as the review of your LWSP is complete.

Thank you very much for your efforts to provide your customers with a safe and reliable supply of drinking water. We look forward to continuing to work with you in these efforts. Please contact Vardry E. Austin at vardry.austin@ncdenr.gov or (919)707-9002, or Linwood Peele at linwood.peele@ncdenr.gov or (919) 707-9024, if we can be of further assistance.

Sincerely,

Linwood E. Peele, Supervisor
Division of Water Resources
NCDEQ

Nothing Compares™

State of North Carolina | Environmental Quality

1611 Mail Service Center | Raleigh, North Carolina 27699-1611

919-707-9000

I. BILTMORE FOREST WATER SHORTAGE RESPONSE PLAN PROCEDURE

The Town of Biltmore Forest water system will, at a minimum, adopt and enforce water use reduction measures contained in this plan as a condition of water purchased from the City Asheville. When the thresholds established in Section IV of this plan are reached the Mayor will implement the plan, if the Mayor is unavailable the Town's Board of Commissioners shall declare a water shortage and institute the provisions of this plan. Upon the declaration of a water shortage, a press release will be forwarded to the media outlets:

II. YEAR-ROUND WATER CONSERVATION POLICY FOR THE TOWN OF BILTMORE FOREST

Year Round Water Use Policy

The Biltmore Forest governing body encourages all municipally supplied water users to use water efficiently at all times. Biltmore Forest Director of Public Works will monitor regional water resource conditions through the North Carolina Drought Monitor. (<http://www.ncwater.org/drought/>) When the Drought Monitor indicates impending drought conditions the Utility Director will increase monitoring of water demand and the available supply of water. The findings will be reported to the Mayor. In the event of a declaration of a water shortage by the Mayor, the Director will submit a weekly report on water supply conditions to the Mayor.

Public education and outreach consists of the following activities:

Independent Mailings to Major Users	Website	Water Audits	Presentations
Bill Stuffers to All Customers	Newspaper Ads	Presentations/Workshops	Signs & Posters
Radio (public service announcements)	TV Ads	Informational Videos	Flyers/Handouts

III: TOWN OF BILTMORE FOREST WATER USE CLASSIFICATION

To aid implementation of this plan the following classes of water use have been established.

CLASS I: ESSENTIAL POTABLE WATER USES FOR BILTMORE FOREST

Domestic	Water to sustain human and domestic pet life; minimum standards of hygiene and sanitation.
Patient Care	Patient care and rehabilitation, including swimming pools used for patient care and rehabilitation.
Public Use	Firefighting and approved flushing of sewers and hydrants to ensure public health and safety.

CLASS II: SOCIALLY/ECONOMICALLY IMPORTANT POTABLE WATER USES FOR BILTMORE FOREST

Domestic	Minimal use for kitchen, bathroom and laundry; Minimal watering of vegetable gardens and trees to preserve them.
Public Use	Filling and operation of public swimming pools, which serve more than 25 residents.
Institutional	Efficient use by schools and government facilities.

CLASS III: NON-ESSENTIAL POTABLE WATER USES FOR BILTMORE FOREST

All	Ornamental uses (fountains, reflecting pools, etc.); Residential lawn irrigation; Non-commercial washing of motor vehicles; Washdown of impervious surfaces; Filling and operation of recreational swimming pools serving less than 25 residents.
Public Use	Gardens, lawns, parks, golf courses (except greens), playing fields and recreational areas.

IV: DROUGHT RESPONSE TRIGGERS AND PHASED WATER USE REDUCTIONS

When the following water supply thresholds (TRIGGERS) are reached, the Mayor shall initiate the following PHASE reduction measures as outlined under the corresponding RESPONSE heading.

PHASE I: VOLUNTARY WATER USE REDUCTION FOR BILTMORE FOREST

TRIGGERS

When a voluntary water use reduction has been placed in affect by The City of Asheville, Or greater than 80% of the system's capacity is being used for 5 consecutive days within a 30-day period; Or any combinations of the above conditions for 5 consecutive days within a 30-day period.

RESPONSE (Begin Distribution of Water Use Reduction Education Materials)

The Mayor shall declare a **Water Shortage Advisory**; Begin public notification as previously outlined and distribute water conservation tips; Request Voluntary Conservation for all users of the Biltmore Forest water system as outlined in distributed information; Request Class III non-essential uses to be reevaluated;

PHASE II: MANDATORY WATER USE REDUCTION MEASURES FOR BILTMORE FOREST

TRIGGERS

When a mandatory water use reduction has been placed in affect by the City of Asheville Or greater than 90% of the system's capacity is being used for 3 consecutive days within a 30-day period; Or any combinations of the above conditions for 3 consecutive days within a 30-day period. Or failure of Phase I measures to result in a reduction of potable water-use demand.

RESPONSE

The Mayor shall declare a **Water Shortage Alert**; All voluntary measures become mandatory in addition to the following measures: Enforce a system-wide 25% water use reduction goal Notify water use customers by any or all methods as previously outlined; Non-commercial car washing & residential outdoor watering is limited to two days per week between 6pm - 8am; Ban all non-commercial pressure washing and wash down of impervious surfaces; Ban the filling of newly constructed or recently drained pools; Public recreational areas are limited to watering on Monday between the hours of 6pm-8am; All non-public hydrant use by permit only; Ban ornamental uses; Mayor may authorize additional water use restrictions or bans to be enforced 10 days after public notification. **The Town will evaluate the effectiveness of the plan by monitoring the Town's new Cellular Meter Reading Program which gives daily water usage for the entire Town and also receive weekly meter readings from The City of Asheville.**

PHASE III: EMERGENCY WATER USE REDUCTION MEASURES FOR BILTMORE FOREST

TRIGGERS

When a mandatory water use reduction has been placed in affect by the City of Asheville Or greater than 95% of the system's capacity is being used for 2 consecutive days within a 30-day period; Or any combinations of the above conditions for 2 consecutive days within a 30-day period. Or failure of Phase II measures to result in a 25% reduction of potable water-use demand.

RESPONSE

The Mayor shall declare a **Water Shortage Emergency**; In addition to the above measures the following measures will also be imposed: Notify water use customers by any or all methods as previously outlined; Ban Class III non-essential uses; Request additional conservation from Class 1 (essential) users as may be possible; Enact advanced restriction pricing with fines for overuse; Limit garden irrigation to two days per week between 6pm to 8am; Ban all landscape irrigation (including golf course greens, school grounds, residential lawns); Ban all recreational use.

V: BILTMORE FOREST ENFORCEMENT PENALTIES

The provisions of the water shortage response plan will be enforced by Town of Biltmore Forest personnel and local law enforcement. Violators may be reported on the Town’s phone line. Citations are assessed according to the following schedule depending on the number of prior violations and current level of water shortage.

OFFENSE	Phase I: VOLUNTARY	Phase II: MANDATORY	Phase III: EMERGENCY
FIRST	Notice of Violation (NOV)	NOV and \$50 Fine	\$100 Fine
SECOND	NOV	\$100 Fine	\$350 Fine
THIRD	NOV	\$250 Fine	Water Service Disconnection + Associated Reconnect Fees
MORE THAN 3 OFFENSES	NOV	Water Service Disconnection + Associated Reconnect Fees	

VI: BILTMORE FOREST RESIDENTIAL & NON-RESIDENTIAL CONSERVATION RATES

Water System Operating Status	Conservation Rates
Normal Conditions or Phase I Advisory;	Normal Rate
Declaration of Phase II Alert;	2 x Normal Rate
Declaration of Phase III Emergency.	4 x Normal Rate

Variance Protocols

There shall be no Variance Request during any type of water restrictions for the Town.

Revision Of The Plan

The Town’s WSRP will be revised every 5 years and will be reviewed annually to include new updates. The Authorities responsible for plan revisions are Jonathan Kanipe Town Manager, The Town Board of Commissioners, Terry Crouch Director of Public Works.

Public Comment

Customers will have multiple opportunities to comment on the provisions of the water shortage response plan. First, a draft plan will be available at Town Hall for customers to view and published on the Town’s website. All subsequent revisions to the draft plan will be published at least 30 days prior to an adoption vote by the Biltmore Forest Town Commissioners.

VI. RETURN TO NORMAL OPERATIONS IN BILTMORE FOREST

Phase conservation measures and restrictions will expire incrementally when the Mayor, after consultation with the Director, finds that the water supply has returned to normal. Each phase shall last a minimum of 21 days.