

# STATE OF DELAWARE



## EXECUTIVE DEPARTMENT DOVER

### EXECUTIVE ORDER NUMBER SIXTY-SIX

TO: HEADS OF ALL STATE DEPARTMENTS, AGENCIES AND AUTHORITIES, AND ALL POLITICAL SUBDIVISIONS AND GOVERNMENTAL UNITS OF THE STATE OF DELAWARE

RE: TERMINATION OF STATE OF EMERGENCY DUE TO DROUGHT; REPEAL OF MANDATORY WATER CONSERVATION MEASURES; DECLARATION OF DROUGHT WARNING; EXTENDING VOLUNTARY WATER CONSERVATION MEASURES; AND OTHER RELATED ACTION

WHEREAS, on August 5, 1999, pursuant to 20 Del. C. § 3115 and § 3116, I issued Executive Order Sixty-Two proclaiming a state of emergency due to drought and ordered certain mandatory water use restrictions for northern New Castle County and urging continued voluntary water conservation by the rest of the State;

WHEREAS, hydrologic conditions have substantially improved with the recent above-normal rainfall;

WHEREAS, stream flow levels have increased significantly reducing, but not fully eliminated, the precipitation deficit that has accumulated over the past year;

WHEREAS, the severe drought conditions have been alleviated in large part due to the significant good faith conservation efforts of Delawareans;

WHEREAS, despite the improved in conditions, there remains a precipitation deficiency;

WHEREAS, the Governor's Drought Advisory Committee has consistently recommended a careful, phased approach to addressing drought situations, including the determination of when drought conditions are such that statutory drought alleviation measures are no longer necessary; and

WHEREAS, the residual effects of the drought still require continued cooperation and water conservation by the citizens and businesses.

NOW, THEREFORE, I, Thomas R. Carper, by the authority vested in me as Governor of the State of Delaware, pursuant to 20 Del. C. § 3115 and § 3116 (a) (5) do hereby proclaim, declare and order as follows:

1. This Executive Order shall terminate the State of Emergency due to Drought declared by Executive Order Sixty-Two as amended by Executive Orders Sixty-Three, Sixty-Four and Sixty-Five and the mandatory water conservation ordered pursuant thereto. In place of the drought emergency, this Order shall further constitute a declaration of a drought warning for the State of Delaware pursuant to 20 Del. C. § 3116 (a) (5).
2. All State facilities are banned from all non-essential use of water as more fully set forth in Paragraph 3 of this Order below. Each agency shall also continue to implement best management practices for agency water use as required by previous Executive Orders.
3. Pursuant to 20 Del. C. § 3116 (a)(5), all residents are requested to voluntarily restrict the following non-essential uses of water consistent with the following:
  - (a) The use of potable water for non-agricultural irrigation and watering of lawns and outdoor gardens, landscaped areas, trees, shrubs, and outdoor plants with the following exceptions:
    - (i) Potable water may be applied between the hours of 5:00 a.m. and 8:00 a.m. for irrigation to domestic vegetable and fruit gardens by hand-held containers or hand-held hoses with manually operated flow control nozzles or by low-pressure perforated hoses with the user in attendance.
    - (ii) Potable water may be applied to school athletic fields between the hours of 5:00 a.m. and 8:00 a.m. to the extent non-potable water is not otherwise available and to the extent necessary to prevent injuries;
  - (b) The use potable water to water fairways, tees and greens except between the hours of 5:00 a.m. and 8:00 a.m. to the extent minimally necessary for survival and where non-potable sources are not otherwise available;
  - (c) The use of potable water for watering of nursery trees, shrubs, and other outdoor plants. To the extent that sources of water other than fresh water adequate to supply needs are not available or feasible to use, fresh water may be:
    - (i) Used by means of handheld container or handheld hose with manually operated flow control nozzles or by low-pressure perforated hoses with the user in attendance at the minimum rate necessary to establish and maintain newly planted gardens, trees, shrubs or other outdoor plants.

- (ii) Used by commercial and retail nurseries in the minimum amount necessary to maintain stock and prevent loss.
  - (iii) Used by arboretums and public gardens of National, State, or regional significance at the minimum rate necessary to preserve specimens.
  - (iv) Sources of water, other than potable water, shall be used where available, such as from on-site storm water retention basins or ponds, and must be applied as conservatively as possible to prevent loss of outdoor plants.
- (d) The use of potable water for washing surfaces such as, but not limited to, streets, roads, sidewalks, driveways, garages, parking areas, tennis courts, decks and building facades;
  - (e) The use of potable water for ornamental purposes, including but not limited to, fountains, artificial waterfalls, and reflecting pools that do not support animal, plant or aquatic life;
  - (f) The use of potable water for non-commercial washing of automobiles, trucks, and other motor vehicles and trailers;
  - (g) The use of water from a fire hydrant for any purpose except fire fighting;
  - (h) The use of water for flushing sewers and hydrants except as deemed necessary in the interest of public health and safety;
  - (i) The serving of water in restaurants, clubs, and eating places by serving water only at the request of a customer;
  - (j) The use of water for dust suppression, except for treated wastewater or water withdrawn from stormwater or retention pools; and
  - (k) The use of potable water to fill or top off swimming pools, except that such water may be used to fill a newly constructed pool only to the extent minimally necessary to prevent structural damage.

4. Industrial and commercial water users in northern New Castle County are encouraged to maintain their current level of water, wherever practical, through the implementation of effective water conservation practices and the use of alternative water supplies which reduce demand on the potable water supplies of water utilities.

5. The provisions of this Order shall be effective as of 3:00 p.m. September 8, 1999.

Approved this 8<sup>th</sup> day of September, 1999.

*Thomas R. Conzen*

Governor

Attest:

*Edwin J. Hill*

Secretary of State

