

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER NUMBER SEVENTY-FOUR

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

RE: IMPLEMENTATION OF THE RECOMMENDATIONS OF THE WATER
SUPPLY TASK FORCE; APPOINTMENT OF TEMPORARY WATER
COORDINATOR; ESTABLISHMENT OF A WATER SUPPLY
COORDINATING COUNCIL.

WHEREAS, on July 23, 1999, by Executive Order Number Sixty-One, I proclaimed a drought warning for the State of Delaware and urged specific voluntary conservation measures;

WHEREAS, on August 5, 1999, by Executive Order Number Sixty-Two, I proclaimed a State of Emergency due to drought and imposed certain mandatory conservation measures;

WHEREAS, on August 26, 1999, by Executive Order Number Sixty-Five, I established a Water Supply Task Force (herein after referred to as "the Task Force") and charged that body with reviewing Delaware's current and projected water supply along with current and projected demand;

WHEREAS, the Task Force was further charged with providing recommendations to the Governor concerning long-term solutions to northern New Castle County's water supply needs, both in terms of normal weather conditions and severe drought condition;

WHEREAS, The Task Force met on September 14, October 1, October 21, November 5, and November 18, 1999, and submitted a final report (herein after referred to as "the Report") to the Office of the Governor on December 2, 1999, containing, among others, the following recommendations:

1. "Appoint an interim or temporary water master, or central coordinator who would obtain input from, facilitate, mediate, and interface with the water providers to ensure that the "A" list of committed to projects and possibly the "B" list projects are implemented according to an agreed upon schedule without slippage."
2. "Appoint a Water Supply Coordinating Council composed of State, Regional, New Castle County officials and the five water providers to work with the water master or coordinator to implement the water supply options."; and

WHEREAS, Given the severity of the drought experienced in northern New Castle County during the summer of 1999, steps must be taken to ensure that the recommendations of the Task Force are implemented as soon as possible so that Delaware is better prepared for future droughts;

NOW THEREFORE, I, Thomas R. Carper, by the authority vested in me as Governor of the State of Delaware, do hereby proclaim as follows:

A. Establishment of Temporary Water Coordinator for Northern New Castle County.

1. The Water Resources Agency (WRA) at the University of Delaware is hereby designated as the "Temporary Water Coordinator" pursuant to the recommendations of the Task Force. The WRA shall oversee the implementation of short-term water supply enhancement projects as documented in the Report.
2. The Delaware Geological Survey (DGS) and the Department of Natural Resources and Environmental Control (DNREC) shall work with the WRA to ensure timely implementation of the projects listed in the Report, and shall assist the WRA in preparing a regular summary on the progress of the water supply projects identified in the Report to the Governor and the General Assembly.
3. Said summary shall be prepared no less than two times per year, with the first such summary being submitted to the Governor and the General Assembly on or before May 31, 2000.
4. The designation of the WRA as Temporary Water Coordinator, and the duties conferred upon it by this Executive Order shall cease as of December 31, 2000.

B. Establishment of a Temporary Water Supply Coordinating Council.

1. A Water Supply Coordinating Council (herein after referred to as “the Council”) is hereby established.
 - a) The Council shall have the following membership:
 - i. The Secretary of DNREC;
 - ii. The Secretary of the Department of Agriculture
 - iii. A representative of the Office of the Governor;
 - iv. The Director of the Delaware Public Service Commission;
 - v. The Director of the Delaware Emergency Management Office;
 - vi. The Director of the Delaware Division of Public Health;
 - i. The Delaware Public Advocate
 - vii. The Executive Director of the Delaware River Basin Commission;
 - viii. A representative of the Government of New Castle County;
 - ix. A representative of each public and private water utility serving northern New Castle County;
 - ix. A representative of the New Castle County Chamber of Commerce;
 - x. A representative of the Delaware State Chamber of Commerce;
 - xi. A representative of the Delaware Association of Nurserymen;
 - xii. A representative of the Professional Grounds Management Society;
 - xiii. A representative of the Delaware State Golf Association; and
 - xiv. A representative of the Delaware Nature Society.
 - b) Members shall serve at the pleasure of the Governor, and the Governor shall select a Chairperson.
 - c) Additional members shall be designated by a majority vote of the Council.
2. Consistent with the Report, the Council shall have the following duties and responsibilities:
 - a) Work cooperatively with the Temporary Water Coordinator to implement the short-term water supply enhancement projects;
 - b) Conduct hydraulic field tests and/or modeling to optimize and expand the intra-county interconnections to convey water from suppliers with excess capacity to suppliers in need of additional water to meet peak demands;
 - c) Encourage water providers in northern New Castle County to adopt inclining block and/or conservation water rates as a demand side management measure in a manner that does not hinder economic development in New Castle County;

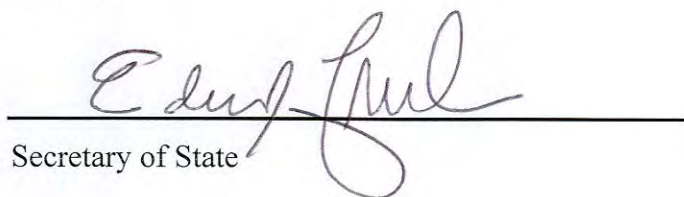
- d) Work with water utilities to develop cooperative cost and capacity agreements to purchase water supplies during drought;
 - e) Advise the DNREC and provide technical input to the recently authorized U.S. Corps of Engineers Groundwater Availability Study for Northern New Castle County; and
 - f) Review the policy decision made by DNREC to reserve water supply in Southern New Castle County vis-à-vis the Chesapeake and Delaware Canal Pipeline in light of the recent demand and supply analysis and the changing socioeconomic character of southern New Castle County.
3. The Delaware Department of Natural Resources and Environmental Control, the Delaware Geological Survey and the Water Resources Agency shall provide staff support to the Council.
4. The designation of Water Supply Coordinating Council and the duties and responsibilities conferred upon it by this Executive Order shall cease as of December 31, 2000.
- C. The provisions of this Order shall be effective as of January 1, 2000.

APPROVED this 30th day of December 1999.



Governor

ATTEST:



Secretary of State

