

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER
NUMBER ELEVEN

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: CONTINUATION OF DROUGHT WARNING

WHEREAS, rainfall, streamflow, and groundwater wells in the State have been below normal levels over the past nine months; and

WHEREAS, current streamflow is also below normal levels; and

WHEREAS, groundwater wells are similarly at levels below normal; and

WHEREAS, by Executive Order Number Five dated May 9, 1985, a declaration of drought warning and the establishment of a Drought Advisory Committee were announced; and

WHEREAS, pursuant to 20 Del. C. §3132(d) public hearings were held on May 5, 1985, at the Department of Natural Resources and Environmental Control in Dover; and

WHEREAS, the public hearing officer has made certain recommendations including a recommendation that voluntary restrictions on nonessential water uses be continued; and

WHEREAS, the Drought Advisory Committee concurs with the recommendation of the hearing officer;

NOW, THEREFORE, I, MICHAEL N. CASTLE, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby order and declare as follows:

1. A drought warning for the State of Delaware shall continue in effect.
2. All the provisions, terms and conditions of Executive Order Number Five dated May 9, 1985, shall remain in effect.
3. In addition, the following actions by agencies of the State of Delaware are ordered to take place as soon as practicable:

(a) The Public Service Commission, in conjunction with the Division of Environmental Control of the Department of Natural Resources and Environmental Control shall establish, after due hearing, appropriate procedures and levels of fines and/or surcharges for all public and private water utilities to follow if and when fines and/or surcharges are imposed under the authority of 20 Del. C. §3113(d). The establishment of said procedures, fines and surcharges shall be for the purpose of curtailing water consumption in the event a "State of Emergency" is declared pursuant to 20 Del. C. §3133.

(b) The Public Service Commission shall establish, after due hearing, procedures to be used in case of a declared drought emergency to facilitate

increased conjunctive use and pass-through transfers for conjunctive use and shall further establish a procedure for raising and allocating funds to pay those expenses associated with the increased movements of surface water.

4. The Water Resources Agency of New Castle County is ordered to immediately schedule and perform a 24-hour test of all water utility interconnections in northern New Castle County to determine their operability and to establish their maximum flow rate as soon as practicable.
5. The Drought Advisory Committee shall continue to meet on a regular basis and report to the Governor on water conditions and other issues that may cause a state of emergency to be declared.

APPROVED this 31st day of July, 1985



Governor

ATTEST:



Secretary of State

