

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER
NUMBER SIXTEEN

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: RECISION OF MANDATORY WATER USE RESTRICTIONS

WHEREAS, recent rainfall, stream flow, and groundwater levels in the State of Delaware have improved from the deficient conditions recorded over the past twelve months; and

WHEREAS, at the behest of the Delaware River Basin Commission, Executive Order No. 14 dated September 23, 1985 was signed and served to impose mandatory water use restrictions upon water users north of the Chesapeake and Delaware Canal; and

WHEREAS, at a meeting held on October 30, 1985, the Delaware River Basin Commission voted to suspend the enforcement of Resolution 85-16 enacted on September 13, 1985, and which required the imposition of mandatory water-use restrictions by member states, including Delaware; and

WHEREAS, seasonal water demand decreases significantly in the autumn and winter months; and

WHEREAS, water supply conditions within the State of Delaware no longer justify mandatory water use restrictions; and

WHEREAS, voluntary water use restrictions imposed by Executive Order No. 5 dated May 9, 1985 have proven effective in preventing the State of Delaware's water supply from falling to critical levels; and

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. The mandatory water-use restrictions upon water users in that portion of the State of Delaware north of the Chesapeake and Delaware Canal imposed by Executive Order No. 14 (Paragraphs l(a)-(g)) are hereby rescinded.

2. The drought warning for the State of Delaware, as declared pursuant to my authority under 20 Del. C. §3132 on May 9, 1985 (Executive Order No. 5) shall continue in effect.

3. The Drought Advisory Committee shall continue to meet on a regular basis and report to the Governor on water supply and hydrological conditions within the State of Delaware.

4. Those agencies of the State of Delaware which have undertaken drought response actions and studies pursuant to Executive Order No. 11 dated July 31, 1985 shall complete said actions and/or studies, to-wit:

(a) The Public Service Commission, in conjunction with the Division of Water Resources 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 for the purpose of curtailing water consumption in the event of a declared drought emergency pursuant to 20 Del. C. §3133;

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

5. Those public water suppliers and major industrial water users in northern New Castle County should continue to develop water shortage contingency plans and should complete such plans for review by the Delaware Department of Natural Resources and Environmental Control.

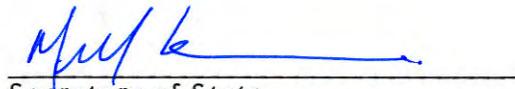
6. The voluntary restrictions on the non-essential use of water imposed by Executive Order No. 5 dated May 9, 1985 shall remain in effect.



APPROVED this 31st day of
October, 1985


Governor

ATTEST:


Secretary of State