

STATE OF DELAWARE



**EXECUTIVE DEPARTMENT
DOVER**

**EXECUTIVE ORDER
NUMBER TWENTY-NINE**

**RE: DECLARATION OF DROUGHT WARNING; NOTICE OF POTENTIAL
MANDATORY WATER CONSERVATION MEASURES; AND OTHER
RELATED ACTION**

WHEREAS, in recent months, the State of Delaware and surrounding areas have experienced an extended period of unusually low rainfall and dry conditions; and

WHEREAS, as a consequence of dry conditions within the State, many streams and water sources haven fallen substantially below their normal levels; and

WHEREAS, the absence of rainfall and potentially increasing demand for water supplies during the upcoming spring and summer months necessitate the adoption of appropriate water conservation measures; and

WHEREAS, the Governor's Drought Advisory Committee has recommended that I issue a drought warning pursuant to 20 *Del. C.* § 3116(a)(5), in order to effectuate a drought warning and implement voluntary conservation measures; and

WHEREAS, such measures are necessary to avoid or mitigate the adverse impact of continued drought that may require a state of emergency to be declared; and

WHEREAS, the current dry conditions experienced in Delaware are adversely affecting fresh water supplies and have created a condition of water scarcity that will likely result in conflicts among competing water uses; and

WHEREAS, the adoption of mandatory directives for reducing water use will likely have a substantial effect on the State's environment and economy and affect a wide range of water users and interests; and

WHEREAS, instream water needs to protect fish and wildlife and to maintain water quality standards must also be addressed; and

WHEREAS, a high degree of cooperation among various water users of Delaware will be necessary throughout the period of drought and such cooperation can best be implemented with input from persons regulating and/or representing such interests; and

WHEREAS, the State's Comprehensive Water Resources Management Plan has established a phased approach in implementing drought contingency,

NOW, THEREFORE, I, RUTH ANN MINNER, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order as follows:

1. This Executive Order shall constitute a drought warning for the State of Delaware, pursuant to 20 *Del. C.* § 3116(a)(5).

2. All State facilities shall impose a ban on all non-essential use of water as set forth more fully in paragraph 3 below.

3. All citizens of the State are urged to restrict voluntarily the non-essential use of water, including but not limited to, the following:

(a) The use of fresh water for non-agricultural irrigation and watering of lawns and outdoor gardens, landscaped areas, athletic fields, trees, shrubs and outdoor plants, except through use of hand-held containers or hand-held low-pressure perforated hoses, and except during the hours of 5:00 p.m. and 9:00 a.m.;

(b) The use of fresh water for watering of golf courses, except by watering only tees, greens and newly re-sodded or seeded portions of fairways, and utilizing such water in the minimum amount necessary for the survival thereof, and except during the hours of 5:00 p.m. and 9:00 a.m.;

(c) The use of water for washing paved surfaces such as streets, roads, sidewalks, driveways, parking areas, tennis or other athletic courts, and patios;

(d) The use of water for ornamental purposes including fountains, artificial waterfalls, and reflecting pools;

(e) The use of water for non-commercial washing and cleaning of vehicles, except by the use of hand-held buckets and hand-held hoses with automatic flow control nozzles and where use is restricted to the minimum volume necessary and is performed only on unpaved surfaces;

(f) The use of water from a fire hydrant for any purpose except for fire fighting;

(g) The use of water for flushing sewers and hydrants, except as deemed necessary in the interest of public health and safety; and

(h) The service of water to patrons in restaurants, bars, pubs, clubs, and entertainment establishments, except at the request of a customer.

Citizens of the State are further urged to voluntarily conserve water through other measures, including repairing leaky water fixtures, flushing toilets only when necessary, minimizing splashing from pools, avoiding evaporation by covering pools when not in use, and installing shower flow restrictors, toilet tank dams and faucet aerators.

4. Delaware water suppliers are encouraged and requested to consider the adoption of such other water conservation measures as may be practicable.

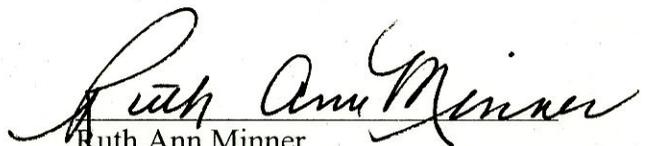
5. The Department of Natural Resources and Environmental Control ("DNREC") shall implement the drought warning directives set forth in the Comprehensive Water Resources Management Plan.

6. Upon recommendation of the Drought Advisory Committee, DNREC may schedule a public hearing upon not less than seven days' notice to consider the implementation of the mandatory water usage restrictions as contemplated by 20 *Del. C.* § 3116(a)(5). Stewart E. Lovell, Section Manager for DNREC's Water Supply Section, is appointed the Hearing Officer to preside at any such hearing, and shall make a written report as required by 20 *Del. C.* § 3116(a)(5).

7. The Drought Advisory Committee shall consult with municipalities, water suppliers and other public and private agencies and organizations, in carrying out the above-described activities.



Approved this 5th day of March, 2002.


Ruth Ann Minner
Governor

Attest:


Harriet Smith Windsor, Ed.D.
Secretary of State