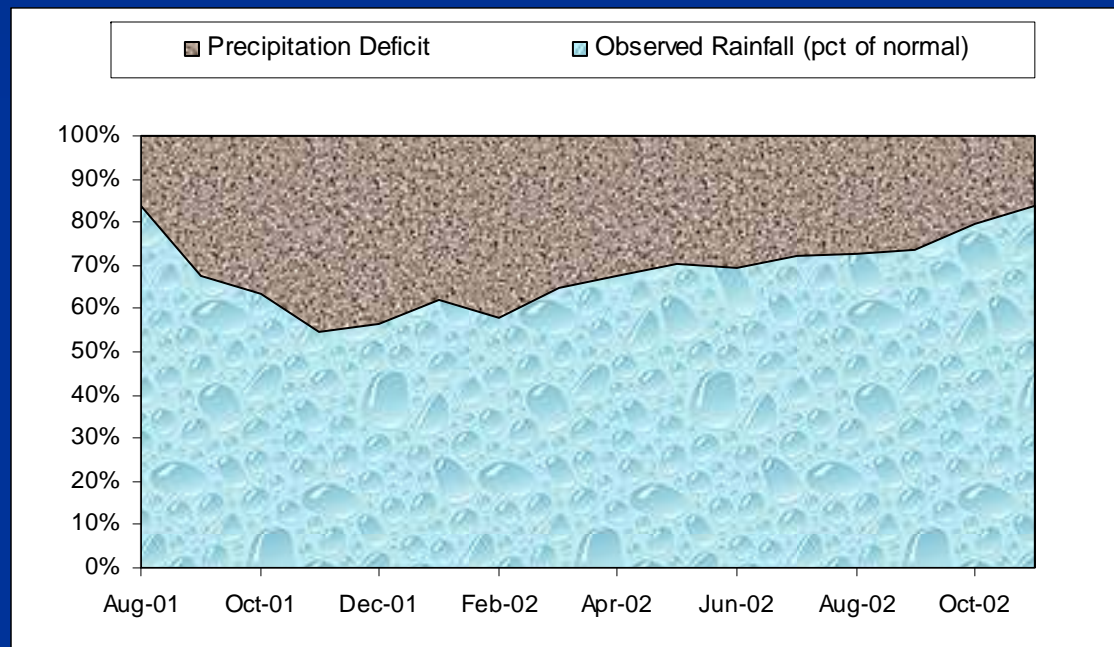


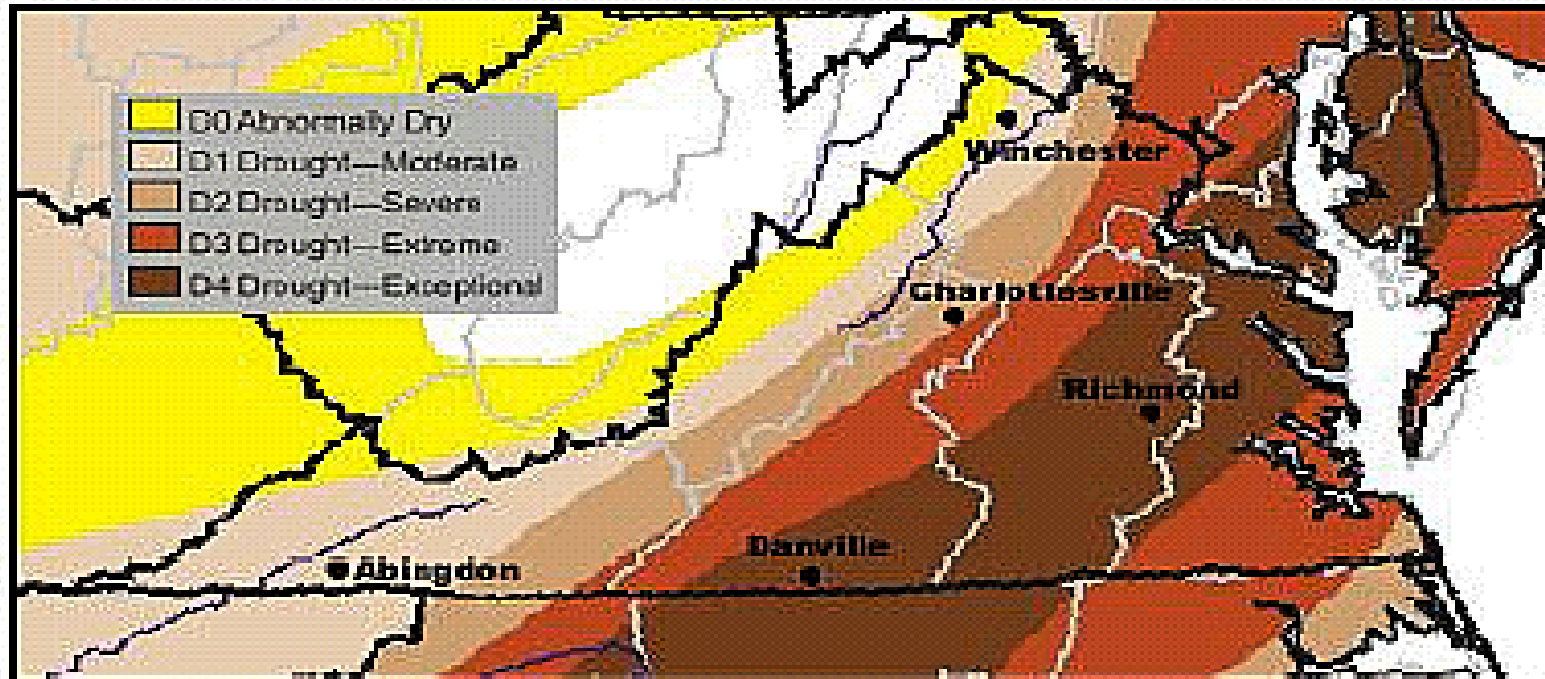
State Responses to the Drought of 1999-2002

David K. Paylor

Drought of 1999-2002



U.S. Drought Monitor -- Virginia



Note: The U.S. Drought Monitor focuses on broad-scale conditions. Local conditions may vary. Click on map to view complete U.S. Drought Monitor graphic.

August 20, 2002

2002 Drought Response

- Action 1: Virginia Drought Assessment and Response Plan submitted in March 2003.
- Action 2: Local and Regional Water Supply Planning Regulation effective November 2005.
- Action 3: Changes to Virginia Water Protection Permit Regulations (water withdrawal permitting) effective July 2007.

Action 1: Drought Response Plan

VA Drought TAC

- VA DEQ
- City of Portsmouth
- Henrico County
- Town of Orange
- VA Association of Counties
- Virginia Municipal League
- Mid-Atlantic Car Wash Association
- National Spa and Pool Institute
- VA Agribusiness Association
- VA Green Industry Council
- VA Golf Course Superintendents Association
- Irrigation Association
- VA Sports Turf Managers Association
- VA Department of Emergency Management
- VA Department of Health
- VA Cooperative Extension Service
- US Navy
- US Army Corp Of Engineers
- Virginia Section of the AWWA
- VA Water Well Association
- Virginia Rural Water Association
- VA Hospitality and Travel Association
- VA Manufacturers Association
- VA Farm Bureau
- Roanoke River Landowners Association
- Southern Environmental Law Center

Drought Plan Highlights

- Divides the state into 13 Drought Monitoring Regions.
- Identifies monitoring triggers for the Drought Monitoring Task Force to use when determining a Drought Watch, Warning, and Emergency.
- Establishes voluntary and mandatory actions that will be recommended or required by the Governor for each stage.

Action 2: Water Supply Planning

Legislative Activity

- Drought of 1999-2002 spurred formation of a Water Policy TAC in the Fall of 2002 to address ways to improve water supply planning.
- SB1221- enacted by the General Assembly in 2003
- required DEQ to develop criteria for local and regional planning and a preliminary state water resources plan.

Developing the Criteria

- **30+ member WP-TAC** was formed to work with DEQ and VDH to draft regulation.
- WP-TAC was made up of diverse interests, including business, environmental, local, and water supply representatives.
- After nearly 18-months of work, the WP-TAC completed the draft regulation on October 1, 2004.

Water Policy TAC

- The Nature Conservancy
- James River Association
- VA Conservation Network
- Ed Imhoff
- Piedmont Environmental Council
- Virginia Agribusiness Council
- Virginia Farm Bureau Federation
- VA Section AWWA
- VAMWA,
- VA Rural Water Association
- VA Manufacturers Association
- Virginia Water Well Association
- Home Builders Association of Virginia
- AEP
- U.S. Geological Survey
- U.S. Army Corps of Engineers
- Dominion Virginia Power
- David K. Paylor , Deputy Secretary of Natural Resources
- Robert G. Burnley, DEQ
- VDH
- VA Association of PDCs
- Rappahannock River Basin Commission
- Roanoke River Basin Advisory Committee/Brunswick County
- City of Norfolk
- City of Winchester
- Henrico County
- Blacksburg, Christiansburg, VPI Water Authority
- Fairfax Country Water Authority
- Virginia APA
- Dr. William E. Cox, VPI-SU Dept. of Civil & Environmental Engineering

Year 1: Consensus Report

- Approach supported by local governments, water purveyors, conservation interests, and industry at State Water Commission
- Additional Issues that remained included:
 - Improved means for evaluating the cumulative impacts of withdrawals on all beneficial uses
 - Opportunities to improve permitting process
 - State advocacy of water supply projects
- Amendments to the VWP permitting regulation and other changes needed to address these issues

Year 1: Consensus Report

- TAC identified three areas where the state needed to provide additional support:
 - Technical and financial assistance to localities to complete water supply planning analysis.
 - Additional data and information on the status and availability of ground water.
 - Additional information and analysis on the availability of surface waters and in-stream flow requirements.
- \$701,000 included in the budget amendments proposed by Governor Warner to address these needs

Finalizing the Regulation

- The **State Water Commission** endorsed the draft regulation on November 22, 2004.
- The **State Water Control Board** approved the draft regulation for public comment on December 2, 2004.
- The **State Water Control Board** held 8 public hearings on the draft regulation during May 2005.
- The **State Water Control Board** adopted final regulation June 28, 2005.

Regulation Overview

- All counties, cities and towns will submit a plan to the board, individually or as part of a region.
- Local governments and community water systems will coordinate and cooperate with each other in the development of the plan.
- The regulation establishes a planning process and criteria that local governments will use in the development of the local and regional plans.
- Local governments are required to submit their plan to the board within 3 to 6 years according to a staggered schedule based on population.
- Localities to review their plans every five years to assess adequacy.

Action 3: Permit Changes

Water Supply Permitting Work Group

- Phillip Morris USA
- Dominion
- Virginia Farm Bureau Federation
- The Nature Conservancy
- Chesapeake Bay Foundation
- Ed Imhoff
- VT Department of Fisheries and Wildlife Sciences
- James City Service Authority
- Fairfax Country Water Authority
- Henrico County
- Tim Hayes, Hunton and Williams
- City of Winchester
- Stafford County
- Hampton Roads PDC
- Roanoke Valley-Alleghany Regional Commission
- Roanoke River Basin Advisory Commission
- Rappahannock River Basin Commission
- Deputy Secretary of Natural Resources
- Deputy Director Department of Environmental Quality

Consensus Reached

- Approach supported by local governments, water purveyors, conservation interests, and industry
- Additional Issues that remained included:
 - Separation between planning and permitting needed
 - Projects not included in the Water Supply Plans can seek permits
 - State advocacy of water supply projects
 - State role in dealing with conflicts

Overview of Amendments

- Clarification of water withdrawals excluded by statute from permit requirements and the conditions related to these exclusions;
- Create a reporting requirement for some surface water withdrawals excluded from VWPP requirements.
- The institution of a new pre-application panel and public information meeting process for surface water projects;
- The creation of an Emergency Virginia Water Protection Permit for public water supplies during drought;
- Reorganization and expansion of project need and evaluation criteria that are more consistent with 404.B (1) guidelines;
- The inclusion of new language regarding permit conditions for withdrawals in the Potomac River consistent with the Potomac Low Flow Allocation Agreement;
- New language defining the evaluation of cumulative impacts to in-stream flow

Benefits of Water Supply Planning Efforts

- Greater understanding of water resources and water demands
- Increased information for use in evaluating water supply projects
- Increased public involvement in resource management decisions
- Earlier opportunity to identify and address conflicts among users
- Improved responsiveness and preparation for drought

Benefits of Water Supply Planning Efforts cont'd.

- Improved information on resource issues that impact local plans and projects
- Promotes focus on most viable water supply alternatives
- Improved coordination and preparation for permitting and regulatory processes
- Economic development tool (i.e., documented plans for meeting water supply needs)

Questions?