

7.0 DROUGHT RESPONSE AND CONTINGENCY PLAN

As required by the Regulation¹⁷⁵, current information on existing drought response and contingency plans are outlined in the following sections.

7.1 Drought Declaration and Notice

In the event of a water shortage, the County Administrator is given the right to declare a drought emergency in all areas supplied by the county municipal system. In Goochland County, a water shortage or drought stage is declared for all municipal systems within the county whenever a shortage or drought is declared in Henrico County. Due to the contractual water agreement between and Goochland and Henrico County and the dependence on Henrico County's water supply, Goochland follows any drought declarations made by Henrico County. In declaring an emergency, the County Administrator shall immediately post a written notice of emergency at the front door of the courthouse and in three prominent places in the affected areas. In addition, the County Administrator shall run an item in a newspaper of general circulation in the area in which such an emergency is declared. Public notice of water use restrictions shall be published in the Richmond Times-Dispatch for a period of once per week during which the restrictions are in effect.¹⁷⁶

In the event that the Governor or the Virginia Drought Coordinator declares a drought emergency in a region that includes Henrico and Goochland, the mandatory conservation measures detailed in **Section 7.2.3** shall be implemented upon the drought declaration, unless the Governor's restrictions are more restrictive.

7.2 Drought Stages

In Henrico and Goochland County, there are three drought stages that are governed by the 14-day rolling average of natural streamflow in the James River. These drought stages include: Alert Stage, Voluntary Stage, and Mandatory Stage. The following tables depict

¹⁷⁵ 9 VAC 25-780-120.

¹⁷⁶ Goochland County, Virginia Code of Ordinance. Sections 14-51 and 14-53.

the three different drought stages and their governing 14-day rolling average for different times of the year.¹⁷⁷

Table 83: Drought Stages During November 1 through June 30

Drought Stage	14-Day Rolling Average (cfs)
Alert	1,800
Voluntary	1,700
Mandatory	1,250

Table 84: Drought Stages During July 1 through October 31

Drought Stage	14-Day Rolling Average (cfs)
Alert	1,300
Voluntary	1,200
Mandatory	700

7.2.1 Alert Stage

Henrico County implements the Alert Stage in order to provide advance notice of a possible drought and Goochland is required to follow suit. During this stage, the municipal systems of Henrico County and Goochland County begin to prepare for an upcoming drought event and alert citizens of the potential drought conditions.

7.2.2 Voluntary Stage

The municipal systems of Henrico County and Goochland County shall take steps to call for voluntary conservation whenever the 14-day rolling average of natural streamflow in the James River falls below 1,700 cfs from November 1st through June 30th or below 1,200 cfs from July 1st through October 31st.¹⁷⁸ During this drought stage, all actions to conserve water are voluntary and no legal action can be taken against individuals who do not conserve water. The following table from the Goochland County website provides actions that can be taken in order to conserve water.

¹⁷⁷ Henrico Withdrawal Permit. Permit No. 88-0898. Section D.

¹⁷⁸ cfs =Cubic Feet per Second.

Table 85: Goochland County Voluntary Water Conservation Measures¹⁷⁹

Category	Conservation Measure
Established Landscape and Gardens	Monday - No Watering; Odd property addresses water Tuesdays, Thursdays, and Saturdays; Even property addresses water Wednesdays, Fridays, and Sunday; and Bucket Watering (Five gallon maximum permitted anytime).
New Landscape	Unrestricted watering for the first 10 days after planting, then follow "Established Landscape and Gardens" measures.
Vegetable Gardens	Reduce watering to hours between 8 p.m. -10 a.m.; Unrestricted watering may continue on any two days per week at the discretion of the owner (Watering by bucket is unrestricted).
Paved Areas (Streets, Drives, Patios, Walks, etc.)	Reduce washing to two days per week and for immediate health and safety.
Vehicle Washing (Commercial Businesses Exempt)	Reduce washing of mobile equipment to any hours during any two days in a week using a handheld hose with an automatic shutoff nozzle.
Swimming pools	Reduce filling and replenish to levels required to maintain health and safety.
Golf Courses (Greens Exempt)	Water between 8-10 p.m.
Businesses	Reduce non-essential water use.
Restaurants	No restrictions.
Fountains	Reduce operation to hours between 8 p.m. - 10 a.m.; Unrestricted operation may continue on any two days a week at the discretion of the owner.
All Other Consumption Uses	Encourage conservation by any means.

7.2.3 Mandatory Stage

The municipal systems of Henrico County and Goochland County shall take steps to call for mandatory conservation whenever the 14-day rolling average of natural streamflow in the James River falls below 1,250 cfs from November 1st through June 30th or below 700 cfs from July 1st through October 31st. During this drought stage, water use restrictions are enforceable by law. The following table details these mandatory water use restrictions on county municipal water.

¹⁷⁹ Goochland County Website - 2006 Goochland County Voluntary Water Conservation Measures.

Table 86: Henrico and Goochland County Mandatory Water Restrictions¹⁸⁰

Category	Mandatory Conservation Measures
Fountains	Water use is prohibited.
Paved Areas	Washing is prohibited except for health and safety requirements.
Swimming Pools	Filling and replenishing to maintain health and safety is permitted. New or repaired pools may be filled as needed to maintain their structural integrity. All other uses are prohibited.
Vehicle Washing	Non-commercial washing of cars is prohibited, except that construction, emergency or public transportation vehicles, may be washed as needed to preserve their proper functioning and safe operation. Commercial vehicle washing businesses are permitted to operate under normal conditions.
Established Landscaping	Watering is limited to three days per week by address. Addresses ending with an odd number may water only on Tuesday, Thursday, and Saturday. Addresses ending with an even number, or with no number, may water only on Wednesday, Friday, and Sunday. No watering is allowed on Mondays. Bucket watering is permitted any time.
Established Lawns	Watering is prohibited. Bucket watering (five gallon maximum size) is permitted any time.
New Landscaping	Watering is permitted for the first 30 days after planting. Thereafter, the restriction for established landscaping shall apply.
New Lawns	Watering is permitted for the first 30 days after sodding or seeding. Thereafter, the restriction for established lawns shall apply. New lawns do not include refurbishment of established lawns by means of aeration and seeding, dethatching and seeding, or power overseeding.
Restaurants	Water shall be served to customers only upon request.
Golf Courses	Watering is prohibited from 10:00 a.m. to 8:00 p.m., except for the watering of greens or watering by hand held hoses that are one inch or smaller in diameter.
All Other Businesses	Water use is limited to uses essential for business use and human hygiene.
Athletic Fields	Athletic fields may be watered only between 8:00 p.m. and 10:00 a.m. and only at a rate not exceeding a total of one inch during any ten-day period.

7.3 Enforcement¹⁸¹

Any person who violates or fails to comply with the mandatory conservation restrictions after a public notice has been issued shall be subject to the following penalties:

- ◆ For the first offense, violators shall receive a written warning delivered in person or posted by a representative of the Goochland County Department of Public Utilities;

¹⁸⁰ Henrico Withdrawal Permit. Permit No. 88-0898.

¹⁸¹ Henrico County, Emergency Ordinance, Section 23-267.

- ◆ For the second offense, violators shall be fined \$50.00, which will be imposed on the violator's next water bill;
- ◆ For the third and each subsequent offense, violators shall be fined \$100.00 for each offense, which will be imposed on the violator's next water bill; and
- ◆ Each violation by a person shall be counted as a separate violation by that person, irrespective of the location at which the violation occurs.

Persons who have been assessed a penalty shall have the right to challenge the assessment by providing a written notice to the Director of Public Utilities within 10 days of the assessment date. The Director shall determine whether the penalty was properly assessed and notify the complaining individual in writing of his determination. Should the Director determine that the penalty was properly assessed; the person may appeal that determination by providing written notice to the County Administrator within 10 days of receiving the notice of determination. The County Administrator or his designee shall determine whether the penalty was properly assessed and notify the complaining person in writing of his determination.

The Director of Public Utilities also has the right to waive the penalty if he determines that the violation occurred due to no fault of the person.

7.4 Other Water Users

7.4.1 Community Systems and Self-Supplied Groundwater Users

Some areas of the county rely on community groundwater systems¹⁸² and self-supplied wells. Under the Virginia State Code, local governments are given the authority by ordinance to restrict the nonessential use of groundwater during declared water shortages or drought emergencies as necessary to protect the public health, safety, and welfare. Language from the State Code is as follows:

§15.2-923 Local water-saving ordinances.

Notwithstanding any contrary provision of law, as shall be necessary to protect the public health, safety and welfare, any locality may by ordinance (i) require the installation of water conservation devices in the case of the retrofitting of buildings constructed prior to July 1, 1978, and (ii) restrict the nonessential use of groundwater during declared water shortages or water emergencies.

¹⁸² In this section, the community water systems refer to those community systems that are owned by parties other than Goochland County.

For purposes of this section "nonessential use" shall not include agricultural use. (1978, c. 469, § 15.1-37.2:1; 1992, c. 589; 1997, c. 587; 2004, c. 402).

During periods of drought, groundwater sources often do not see the effects of a drought as quickly as surface water sources. Water shortages in groundwater could potentially be many months delayed from a surface water drought event. This natural lag time by which groundwater users and surface water users experience the effects of a drought should not influence when conservation efforts take place. The county should educate groundwater users of the significance of a drought event and request groundwater users to follow the voluntary conservation efforts detailed in Section 7.2.2 of this Plan whenever a drought is declared by the county.

7.4.2 Recommendation

It is recommended that Goochland County adopt a drought ordinance that includes declaration of stages of drought that includes not only those areas that rely on the County-owned water systems, but also the community water systems owned by others, the non-community systems and self-supplied residential and non-residential users.