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Cc:
Subject: Announcement: 2026 Local and Regional Water Supply Planning Grants Program
Date: Monday, September 8, 2025 8:01:12 AM
Attachments: [image.png](#)
Importance: High

Announcement: 2026 Local and Regional Water Supply Planning Grants Program

Application package coming soon!

You are receiving this email as a representative the for the Middle James River 2 Regional Planning Area.

Announcement & Background

DEQ Water Supply Planning staff are pleased to announce the upcoming 2026 Local and Regional Water Supply Planning Grants Program. **The application period will open Monday, September 29, 2025, and will close on Friday, October 24, 2025.** Notification of awards will be made in **November of 2025. Funded activities may not begin until a signed contract between DEQ and the applicant is in place.** The Project Period is expected to begin in **January of 2026** and end by **June 1, 2026.**

The primary purpose of these grants is to assist in the development of regional water supply plans (Plans), as required by [9VAC25-780](#). The Local and Regional Water Supply Planning Grants Program was established by a budget amendment in the 2024 Virginia General Assembly Session. The Virginia General Assembly appropriated \$462,000 in grant funds to be allocated towards eligible regional water resources planning activities proposed by the Regional Planning Areas in Virginia, with \$231,000 available for FY2025 and \$231,000 available for FY2026. **All RPUs that submit complete applications are eligible to receive \$9,240 in grant funding from the FY2025/FY2026 appropriation, dispersed within the second fiscal year (FY2026).**

General Application Process

The application package will be posted on the [Water Supply Planning Resources webpage](#) at the start of the application period (September 29, 2025).

RPUs interested in receiving grant funds should submit their completed application to DEQ no later than October 24, 2025. Any documented RPU representative may lead the application process (e.g., a local government, water authority, or Planning District Commission contact that has been submitted and recorded as an RPU representative by DEQ).

Only one grant application per RPU is permitted; if multiple grant applications are made on behalf of the same RPU, all other such applications will be rejected. Please refer to the Request for Applications (RFA) document for complete eligibility

information and criteria.**Questions?**

If you have questions or concerns regarding any of the information above, please email the general mailbox at watersupplyplanning@deq.virginia.gov.

Water Supply Planning staff will be hosting virtual office hours to answer questions and provide assistance throughout the application period. Please see the table below for more information. **If you need additional assistance while completing the grant application, please reach out to Kati McCall at Kati.B.McCall@deq.virginia.gov.**

FY2026 Funding Office Hours (Hosted via Microsoft Teams)	
Thu 10/2/2025 1:00 PM - 2:00 PM	Join the meeting now Meeting ID: 285 833 240 047 6 Passcode: uS7oY3aJ Dial in by phone +1 434-230-0065,,953072182# United States, South Hill Find a local number Phone conference ID: 953 072 182#
Wed 10/8/2025 11:00 AM - 12:00 PM	Join the meeting now Meeting ID: 237 274 365 531 2 Passcode: nU9kn7V9 Dial in by phone +1 434-230-0065,,639148140# United States, South Hill Find a local number Phone conference ID: 639 148 140#
Tue 10/14/2025 10:00 AM - 11:00 AM	Join the meeting now Meeting ID: 299 859 648 554 7 Passcode: 3Mh6JC68 Dial in by phone +1 434-230-0065,,721760559# United States, South Hill Find a local number Phone conference ID: 721 760 559#
Thu 10/23/2025 3:00 PM - 4:00 PM	Join the meeting now Meeting ID: 265 072 992 868 8 Passcode: 4ZK6fK9u Dial in by phone +1 434-230-0065,,669318426# United States, South Hill Find a local number Phone conference ID: 669 318 426#



Water Supply Planning & Analysis

Office of Water Supply

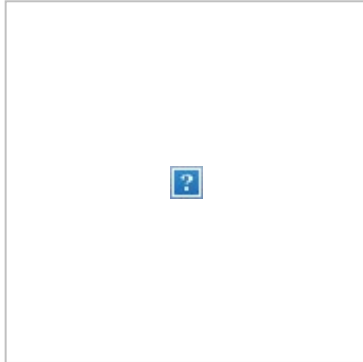
Virginia Department of Environmental Quality

1111 East Main Street, Suite 1400

Richmond, VA 23219

From: [Virginia Department of Environmental Quality](#)
To: [Alec Brebner](#)
Subject: Guidance Draft Available: Regional Water Supply Planning Guidance Posted on Town Hall
Date: Tuesday, September 9, 2025 9:02:32 AM

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[DEQ.Virginia.gov](https://www.deq.virginia.gov)

September 9, 2025

**DEQ Office of Water Supply
Water Supply Planning & Analysis**

Announcement: Water Supply Planning Draft Guidance Posted on Virginia Town Hall

DEQ Water Supply Planning & Analysis staff are pleased to announce that the draft guidance document designed to accompany the Local and Regional Water Supply Planning regulation ([9VAC25-780](#)) has been posted on the Virginia Regulatory Town Hall for a 30-day formal comment period. The formal comment period began on [September 8, 2025](#), and will end on [October 8, 2025](#). Interested parties may submit their comments on the draft guidance document through the [Virginia Regulatory Town Hall website](#).

If a written comment is received during the formal comment period asserting that the guidance document is contrary to state law or regulation, or that the document should not be exempted from the provisions of the [Administrative Process Act](#), the effective date of the guidance document shall be delayed for an additional 30-day period. During this additional period, the agency will respond to eligible comments.

For questions regarding the draft guidance document, formal comment period, or the Local and Regional Water Supply Planning regulation, please contact Hannah Somers, Water Supply Planning & Analysis Manager, at Hannah.Somers@deq.virginia.gov.

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This email was sent to alec.brebner@cvpdc.org using GovDelivery Communications Cloud, on behalf of: Virginia Department of Environmental Quality - 1111 East Main Street, Suite 1400, Richmond, VA 23219



COMMONWEALTH OF VIRGINIA
Department of Environmental Quality

Subject: Guidance Memo No. 25-2002
 Local and Regional Water Supply Planning Regulation Guidance

To: Water Planning Division Director

From: Bryant Thomas, Interim Water Division Director 

Date: May 6, 2025

Copies: Central Operations Director, Regional Directors, Deputy Regional Directors

Summary:

This guidance document has been developed to assist local governments and associated stakeholders with applying the policies and procedures related to submitting regional water supply plans in accordance with the Local and Regional Water Supply Planning regulation (9VAC25-780).

Electronic Copy:

Once effective, an electronic copy of this guidance will be available on:

- The Virginia Regulatory Town Hall under the Department of Environmental Quality (<http://www.townhall.virginia.gov/L/gdocs.cfm?agencynumber=440>);
- The Department's website at <https://www.deq.virginia.gov/our-programs/water/water-quantity/water-supply-planning>

Contact Information:

Please contact Hannah Somers, Water Supply Planning and Analysis Program Manager, at Hannah.Somers@deq.virginia.gov or 804-8142780, with any questions regarding the application of this guidance.

Certification:

As required by Subsection B of [§ 2.2-4002.1](#) of the APA, the agency certifies that this guidance document conforms to the definition of a guidance document in [§ 2.2-4101](#) of the Code of Virginia.

Disclaimer:

This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate or prohibit any particular action not otherwise required or prohibited by law or regulation. If alternative proposals are made, such proposals will be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.

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A. INTRODUCTION

A.1 Purpose

This guidance document has been developed to assist local governments, regional planning units (RPU, defined in 9VAC25-780-30) and associated stakeholders with creating and submitting Regional Water Supply Plans (Plans) in compliance with § 62.1-44.38:1 of the Code of Virginia and the Local and Regional Water Supply Planning Regulation (9VAC25-780). The guidance will help local governments understand the regulation by describing various planning elements required in the Plans and their intended purpose. Additionally, it offers resources for local governments to reference during the Plan development process. The regulations outline all the necessary components for local governments and RPUs as they develop their Plan. Where needed, this guidance provides further explanation and clarification for specific sections of the regulations.

A.2 Background

Section 62.1-44.38:1 of the Code of Virginia requires a comprehensive water supply planning process that involves local, regional, and state-level planning components and responsibilities. The goals as identified in statute are to: (i) *ensure that adequate and safe drinking water is available to all citizens of the Commonwealth;* (ii) *encourage, promote, and protect all other beneficial uses of the Commonwealth's water resources;* (iii) *encourage, promote, and develop incentives for alternative water sources, including desalinization;* and (iv) *encourage the development of cross-jurisdictional water supply projects.*

Within regional planning areas, local governments and participating stakeholders, which may include the planning district commission (PDC), work as a RPU, to compile local information and develop regional components that constitute the Plan. As outlined in 9VAC25-780-50, the process begins with local governments, water authorities, and other participating stakeholders within a regional planning area designating representatives that, as a group, form the RPU. Alternatively, a PDC that has provided notice to the Department of Environmental Quality (Department) may be the liaison for the RPU and coordinate local government participation. If agreed upon by all RPU representatives, the RPU may seek support from third-parties or PDCs to gather, compile, and synthesize information into the Plan, or otherwise accomplish the coordination tasks of the RPU.

Local governments, RPUs, and the Department each have specific roles outlined in the regulation and further responsibilities are clarified in this guidance. Generally, local governments are tasked early in the process with compiling data on water sources and using supplemental information provided by the Department to evaluate future water supply needs compared to existing capacity and provide the RPU with this information. RPUs, with stakeholder input, coordinate Plan development and compile the local government information, consider regional

water supply issues, and promote regional planning. The Department facilitates Plan development by providing support and data directly to the RPU. The Department also reviews submitted Plans for compliance. The data compiled in the Plans, along with other water use data, will be used to conduct cumulative impact analyses, evaluating impacts to groundwater and surface water resources throughout Virginia from current and projected withdrawal demands. These analyses are then published as a resource for local and regional planning.

A.3 How to use this guidance document

This guidance document works alongside the Local and Regional Water Supply Planning Regulation (9VAC25-780) and aims to provide additional clarity for specific sections of the regulation. The guidance generally follows the same structure as the regulation and refers to specific section numbers within the regulation. The guidance only addresses regulatory sections needing clarification for implementation. Those entities developing the Plans should start by thoroughly reading the individual sections of 9VAC25-780. Additionally, the guidance includes a Plan Submission Checklist (Appendix A), which identifies all required elements of a Plan as listed in 9VAC25-780-50.D. Plan developers should follow the checklist as they develop the Plan to ensure it meets all the requirements.

The Department's Water Supply Planning and Analysis (WSPA) program within the Office of Water Supply (OWS) is the office primarily responsible for implementing the water supply regulations, providing water supply data, and facilitating Plan development. OWS-WSPA staff are the point of contact for the Department for the regional water supply planning process. Specific water supply planning staff contact information is available on the Department's Water Supply Planning webpage.

A.4 Source and water use data provided by the Department

Many sections of 9VAC25-780 describing Plan development rely on data provided by the Department, which is then supplemented by information from the local governments. To support Plan development, the Department will provide RPU representatives available data of water sources and use gathered as part of the Virginia Annual Water Withdrawal Reporting Regulation (9VAC25-200), surface and groundwater withdrawal permitting, existing water supply plans, and other applicable sources. The Department will share this data with RPU representatives in Form 70-80-100 summarizing the information for each local government.

During Plan development, the Department will provide a version of Form 70-80-100 populated with local data each local government and/or RPU. The data provided by the Department serves as a starting point, and, pursuant to 9VAC25-780-50.A.2, governments must incorporate any additional locally identified data by undertaking a *“review of water reporting data provided by the Department and supplemented to the extent practicable, with any locally known omissions of water users and service area maps for public water utilities.”*

Together, the local government and Department information will be a comprehensive resource of water supply information. Local governments are highly encouraged to add the locally known omissions to the same Form 70-80-100 spreadsheet provided by the Department to create a single comprehensive spreadsheet. Once completed, local governments and/or the RPU's can use the information in the comprehensive spreadsheet to develop water demand estimates and projections. These complete spreadsheets can be provided back to the Department as an excel file in an electronic format, alongside the final Plan.

Water supply Plans are part of the public record and must be disclosed to the public upon request in accordance with the requirements of the Virginia Freedom of Information Act (VAFOIA) § 2.2-3700 et seq. of the Code of Virginia. Certain information in a public record is excluded from the mandatory disclosure provisions, such as “*critical infrastructure information or the location or operation of security equipment and systems of any public building...including utility equipment and systems*” (§ 2.2-3705.2 of the Code of Virginia). Local governments and RPU's are not required to provide specific coordinates of public water supplies in the Plans; however, maps included in the Plans may still contain source and facility data. The RPU's should notify the Department if they believe some information within the Plan should be excluded from the mandatory disclosure provision of VAFOIA and submit a redacted Plan along with the original Plan if the RPU would like to exclude information.

A.5 Plan submission requirements

	Reference	Due	Notes
“Initial” Plan	9VAC25-780-50	5 years from the effective date of 9VAC25-780 (October 9, 2029)	(No additional notes)
Five-Year Review	9VAC25-780-50.I	5 years after the most recent compliance determination	The regulation requires a review process to determine if a Plan requires a supplement to address specific circumstances that may have occurred during the five-year period since the original Plan submission
Ten-Year Resubmission	9VAC25-780-50.J	Reviewed, revised, and resubmitted to the Department every 10 years after the date of last approval	The regulation (9VAC25-780-50.J) requires review, revision, and resubmission of all Plans 10 years after the most recent full Plan

			submission compliance determination
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B. 9VAC25-780-45. DESIGNATION OF REGIONAL PLANNING AREAS

This section provides guidance on the process for a local government to request a change in its designated regional planning area, including what information to provide to the Department to support the request.

B.1 9VAC25-780-45.C. Requests to change regional planning area

Local government responsibilities: A local government may request a change to its designated regional planning area to join an adjacent planning area. To make this request, the local government representative (as provided in 9VAC25-780-50) submits a written request (via email or letter) to the Department describing the change requested. Pursuant to 9VAC25-780-45.C, a request must demonstrate that the local government shares a common water supply source(s), river basin, or has an existing or planned cross-jurisdictional relationship with the planning area it proposes to join.

While local governments may request a change anytime during the planning period, it is advisable to make this request as soon as possible. This will ensure that local governments will be part of their respective RPU's when the initial planning process begins.

Department responsibilities: Within 10 days of receipt of a planning area request that meets content requirements, the Department will notify local government representatives of both affected regional planning areas of the requested change. Pursuant to 9VAC25-780-45.C, the local government representatives then have 30 calendar days to provide the Department with a written objection (via email or letter) if there is an objection to the requested change. The objection may include information supporting the reason for their disagreement.

If no objection is received within the 30-day period, the Department will approve the request. However, if one or more objections are received, the Department will evaluate the positions of the requesting and any objecting party in conjunction with considering the purpose and objectives of the regulation. Within 14 calendar days of the end of the 30-day period, the Department will then notify all designated representatives in the affected regional planning areas of its decision to approve or deny the request. If approved, the change becomes effective on the date of notice.

C. 9VAC25-780-50. PREPARATION OF LOCAL INFORMATION AND REGIONAL WATER SUPPLY PLAN; SUBMISSION REQUIREMENTS FOR A REGIONAL WATER SUPPLY PLAN

This section provides guidance on local government and RPU responsibilities during the preparation, development, and submission of a jointly produced Plan. The Plan Submission Checklist (Form 50) provides a checklist of Plan components.

C.1 9VAC25-780-50.A. Items for local governments to prepare

Local government responsibilities: Local governments are responsible for completing all items identified in 9VAC25-780-50.A and distributing them to the other RPU representatives in a timely manner. Local governments may need to work with the RPU or other entities to complete these requirements. Each item identified in 9VAC25-780-50.A is covered in more detail in the corresponding guidance section for regulatory sections 9VAC 25-780-70 through 9VAC25-780-120).

C.2 9VAC25-780-50.B. Establishing the regional planning unit

C.2.1 9VAC25-780-50.B.1. Designating a representative and representative list maintenance

To facilitate the preparation and development of the Plans, the regulation specifies a process for designating representatives and alternates for each local government and water authority within the regional planning area to participate in the RPU.

Local government and water authority responsibilities: Pursuant to 9VAC25-780-50.B.1 each local government and water authority identified within the regional planning areas of 9VAC25-780-45 is required to designate an RPU representative, as well as one or more alternates, (hereafter collectively referred to as “RPU representatives”) and submit their names and contact information (title, affiliation, phone number and email) to the Department within 60 days of the effective date of the regulation (December 8, 2024). If a PDC has assumed the RPU role, then local governments, water authorities, or other stakeholders of the regional planning area should submit the contact information to the PDC. PDC representatives will be responsible for coordinating with other representatives to the RPU on behalf of their local governments, water authorities, and participating stakeholders.

An incorporated town not specifically identified in 9VAC25-780-45 may also designate RPU representatives for the same regional planning area as the county within which it is located. Designated RPU representatives may jointly represent the local government and the water authority owned and operated by the same local government.

The Department encourages local governments and water authorities to designate RPU representatives and alternates who are familiar with the local water systems, water supply planning, or are otherwise appropriate to represent the local government's interests. Local governments are encouraged to ensure that their RPU representatives attend meetings and otherwise support the Plan development process to completion and approval. Local governments and water authorities are encouraged to empower the RPU representative to act as the single spokesperson for the local government or entity. Alternates are encouraged to attend meetings, be familiar with deliberations, and participate through the primary representative. Local governments and water authorities are requested to notify the Department or coordinating PDC of any change in their representative or alternates and provide updated contact information (name, title, affiliation, phone number and email) within 30 days of the change.

Regional planning unit responsibilities: RPUs are a self-organizing *"collection of local governments, water authorities, and participating stakeholders that shall develop and submit a regional water supply plan"* (9VAC25-780-30. Definitions). The group of RPU representatives work together to develop the approach the RPU will use to develop the Plan and create a form for all RPU members to be fairly represented and achieve consensus on the Plan submitted.

Department responsibilities: The Department will maintain a list of the RPU representatives and alternates on the Water Supply Planning webpage. The Department will update the publicly available list within 30 days of the Department receiving notification of a change.

Planning district commission responsibilities: Subsection B.3 of 9VAC25-780-50 allows for a PDC to assume the coordination role for the RPU. A PDC that desires to assume this role needs to coordinate with the local governments, stakeholders, and water authorities to gain their concurrence that the PDC will represent them and develop the Plan. The PDC then conveys this concurrence to the Department (by email or letter) with a statement that it will coordinate local government participation in accordance with this section. If a regional planning area covers more than one PDC territory, then a joint notice from each PDC should be submitted to the Department. While the regulation does not give a timeframe, ideally, this notice should be sent to the Department within 60 days after the effective date of the regulation (December 8, 2024) to avoid conflicting with other timeframes in this subsection.

A PDC assuming the coordination role provides the primary PDC contact information to the Department, which will post this information on its website with the contact information for the other RPUs. PDCs that coordinate Plan development maintain their own list of local government and water authority representatives within the RPU, or other stakeholders, who the PDC will work with to develop the Plan. For the purposes of maintaining publicly available representative lists, the PDC is encouraged to provide the lists, including contact information, to a Department

assigned water supply planner to include on the Department webpage upon request and within 30 days of any updates to the list.

C.2.2 9VAC25-780-50.B.2 and B.3. Convening kickoff meetings

The regulation states that the Department will convene a kickoff meeting to provide a forum for:

- 1) The Department to communicate and clarify regulation and Plan requirements and provide available guidance materials and data.
- 2) RPU representatives and other stakeholders to begin discussing and developing a process for preparing the Plan in compliance with the regulation. The RPU representatives may wish to schedule regular follow-up meetings to encourage the ongoing communication between all parties necessary for successful Plan development.

Local government responsibilities: Local governments and water authorities ensure that their RPU representatives and/or alternates attend the kickoff meeting and subsequent meetings as applicable.

Regional planning unit responsibilities: RPUs may coordinate regular meetings of RPU representatives and interested stakeholders as necessary to ensure progress in Plan development.

Department responsibilities: The Department must coordinate and convene the initial kickoff meeting for each RPU within 180 days of the effective date of the regulation (April 7, 2025). At least 30 days prior to the meeting, the Department will provide notice by email of the meeting date, time, and location to each designated RPU representative and alternate, each CWS and SSU using at least 300,000 gal/month within the regional planning area for which the Department has contact information, and to the Executive Director of any PDC whose territory includes all or part of the regional planning area. The Department will also coordinate with other stakeholders that have notified the Department of their interest in participating in the kickoff meeting. The Department may attend any follow up meeting as requested or invited by the RPU.

Planning district commission responsibilities: PDCs assuming the RPU coordination role are encouraged to engage the Department to clarify regulation and Plan requirements, guidance materials, and data. The PDC is encouraged to coordinate and convene the initial kickoff meeting for the RPU within 180 days of the effective date of the regulation (April 7, 2025) and to invite the Department to participate.

C.2.3 9VAC25-780-50.B.4. Consulting and coordinating with water systems and water users and developing a process for other stakeholder participation

The regulation requires local governments to make reasonable efforts during Plan development to consult and coordinate with CWSs and SSUs that use more than 300,000 gallons in any month. Consulting and coordinating with these users are the primary means by which local

governments or their third-party delegate can collect, verify, and update critical information on existing and future use to include in the Plan. Reasonable efforts to consult and coordinate with CWSs and SSUs may be demonstrated by:

- 1) Making information requests: Contact all users in the local government known to withdraw more than 300,000 gallons in any month, as well as users where information indicates that their withdrawals may exceed 300,000 gallons in any month. Local governments are encouraged to provide clear direction to users on the information needed, the timeline to submit, and to follow-up as needed to facilitate submission. While the regulation requires local governments and RPU to make a reasonable effort to consult with stakeholders, the Department does not expect them to make ceaseless efforts to consult with a specific system or user that has repeatedly failed to respond or provide information in a timely manner.
- 2) Ongoing collaboration: Provide users updates about the planning process and a means to participate in Plan development beyond information sharing. Efforts related to ongoing coordination may focus on those systems or users that exceed withdrawal threshold of 300,000 gallons in any month and express an interest in ongoing updates and opportunities to participate.

Additionally, subsection B.4 requires RPU to develop a process for other stakeholders not directly addressed in 9VAC25-780-50.B, or other parts of the regulation, to participate in Plan preparation. Participation can include attending meetings, providing input on Plan contents, contributing data, helping to write the Plan, or other measures. Participation of a particular format is not required, and stakeholders can formally or informally state their preference on how they wish to participate.

As one of its first tasks, the RPU must develop a written process, (“communication plan”) defining the roles, procedures, and methods the RPU will use to engage stakeholders. This process is submitted with the Plan as described in subsection H.5. RPU are encouraged to include the following in the communication plan required by subsection H:

- 1) Agreed upon communication responsibilities where there may be overlapping jurisdiction or where one local government or third-party is taking responsibility to communicate on behalf of another local government. For example, where one CWS falls into two counties.
- 2) The initial outreach communication language to stakeholders explaining the Plan and Plan development process, and how and when interested stakeholders may participate.
- 3) Identifying who among the RPU representatives, local governments, or PDC will send the agreed upon communication to the stakeholders and the manner of communication (email, letter etc.)
- 4) A method for stakeholders to express an interest in participating throughout Plan development.

- 5) A method for providing stakeholders with Plan and timeline updates throughout the process including the time, date, and location of any RPU meetings. This may include when and how stakeholders can participate during RPU meetings, as agreed upon by the RPU. To minimize overlapping communications, the RPU may develop this process to also include CWSs and SSUs that express an interest in participating beyond the initial consultation, as described in the above paragraph.
- 6) The process to engage a wide variety of stakeholders. The regulation (9VAC25-780-30) defines "Stakeholder" as *industrial and agricultural water users, public water authorities, private water suppliers, developers and economic development organizations, and conservation and environmental organizations*. RPUs are encouraged to ensure that the communication plan articulates efforts to reach out to a broad spectrum of these stakeholders, and describes various formats and multimedia efforts, to reach stakeholders interested and affected by the Pl.

Local government responsibilities: Local governments are responsible for consultation with CWSs and SSUs within their jurisdiction that use more than 300,000 gallons in any month. Counties should consult and coordinate with any towns not identified in the regulation that fall within their jurisdiction if they are not already providing the information separately to the RPU. Local governments should consult with all CWSs or SSUs identified by the Department in Form 70-80-100 (Appendix B) to verify and update the information. They are encouraged to also consult with any other CWS or SSU not included on the information provided by the Department, who can then be added onto Form 70-80-100 to develop a complete list of local water users. Local governments may delegate this responsibility to a third-party, such as a consulting company, PDC, or through combined efforts with other local governments or RPU representatives. While local governments or their delegates are also responsible for ongoing coordination with users that express an interest in participating in Plan development, RPUs may manage such ongoing coordination in combination with the communication plan developed to engage other stakeholders.

Regional planning unit responsibilities: RPUs are responsible for developing and implementing a cohesive process for other stakeholder participation described in this subsection. RPUs, in cooperation with the local governments, may also choose to manage consultation with CWSs and SSUs to collect information consistently across the regional planning area.

Department responsibilities – The Department will provide the local governments and RPUs information on CWSs and SSUs within their jurisdictions in Form 70-80-100.

C.3 9VAC25-780-50.D. Elements contained in the water supply plan

Subsection D lists the specific elements that each Plan must contain. The Plan Submission Checklist (Form 50) identifies all required elements of a Plan as listed in 9VAC25-780-50.D.

RPU are encouraged to refer to the checklist to confirm that all elements are completed and included in the Plan when submitted. A completed Plan Submission Checklist may be included as an appendix to the Plan at the discretion of the RPU.

C.4 9VAC25-780-50.H. Documents and supporting materials to append to the plan

This subsection describes the items that must be submitted with the Plan, including a summary of processes used to coordinate water resource planning between local governments in the RPU and a summary of stakeholder consultation. In addition to the items listed in section H 1 through 4, the Plan must include the following items for subsection H.5:

- 1) The communication plan developed subsection B.4 to engage other stakeholders in Plan preparation. The Plan should include documentation of any outreach and examples of outreach communication along with the date and places published (newspaper, websites etc.). This includes a list of stakeholders that participated during Plan development, including names, affiliations, and the involvement method of those that choose to participate.
- 2) A summary of processes used to coordinate water resource planning with the other local governments in the RPU. This includes a list of local governments and water authorities that participated during Plan development.
- 3) Copies of any public notices, written comments received, and responses to the comments.
- 4) Other correspondence and documentation as desired by the RPU or upon request by the Department. This may include invitations, meeting agendas, and outreach materials.

C.5 9VAC25-780-50.I. Five-year review of regional water supply plans

The regulation requires a review process to determine if a Plan requires a supplement to address specific circumstances that may have occurred during the five-year period since the original Plan submission. From a local government perspective, these circumstances may include substantial changes in current or proposed sources, current or projected demands, new or increased demand deficits, or changes in the availability of anticipated sources or alternatives. At the regional level, circumstances that may warrant a supplement include the identification of water supply risks not addressed previously in the Plan, cross jurisdictional projects, and changes in water resource information related to cumulative impacts or in-stream beneficial uses.

Identifying ‘substantial changes’ related to the circumstances warranting a supplement is the responsibility of the local government in coordination with the RPU. Substantial changes in circumstances may include those that exceed assumptions or predictions in the original Plans, exceed normal variation, impact existing systems or users in a way that requires source or capacity development, or are significant enough to make the current Plans either inaccurate or less useful as a planning tool.

When a Plan supplement is required, it may focus on the circumstances that have changed for a specific local government or for the regional planning area. RPUs may submit supplements by replacing specific text, sections, or forms in the original Plan and indicate the date of the most recent update on the title page. This approach maintains the Plan as a single document and ensures the updated portions of the plans are readily accessible. RPUs may also submit a separate supplemental document to the original Plan that provides the updated information and clearly identifies the changes superseding the original Plan. In such cases, the RPU may submit the supplement with the original Plan and ensure that it is included with the Plan going forward.

Local government responsibilities: Local governments are encouraged to participate in the review process initiated by the RPU and evaluate whether their jurisdictions have experienced circumstances that warrant the development of a supplement to the Plan. As part of this effort, local governments are encouraged to review any updated information provided by the Department. The review process may include coordination with CWSs, SSUs, and interested stakeholders at the discretion of the RPU. Local governments are encouraged to notify the RPU in a timely manner if they believe a supplement is necessary. Local governments are then responsible for providing any updated information relevant to their jurisdiction and the identified circumstance to the RPU.

Regional planning unit responsibilities: RPUs must initiate a review process no later than 180 days before the five-year anniversary of the most recent compliance determination in accordance with 9VAC25-780-140.F. The RPU must develop a supplement if any of the circumstances identified in the regulation have occurred for one or more local governments within the regional planning area. The RPU may consult with the Department to determine if circumstances warrant a supplement. The regulation requires that the RPU's regional review process reflect the consensus of the local governments within the regional planning area. Where consensus cannot be achieved, the RPU should document areas of disagreement and efforts to resolve the disagreement in the notification to the Department regarding the five-year review process.

The RPU must submit the supplement to the Department no later than 180 days after the five-year-anniversary of the most recent compliance determination.

If a supplement is not warranted, the RPU must notify the Department in writing prior to the five-year-anniversary of the compliance determination.

Department responsibilities: Upon request, the Department will provide RPUs updates, as applicable, to information provided during original Plan development prior to the five-year anniversary of the most recent compliance determination. If requested, the Department will consult with local governments or RPUs to help determine if circumstances warrant a Plan supplement.

Unless the PDC is coordinating the Plan process for the RPU, the Department will convene a kickoff meeting for the revision of a Plan in accordance with 9VAC25-780-50.I and J if requested by any RPU representative or if determined to be appropriate by the Department.

C.6 9VAC25-780-50.J. 10-year review, revision, and resubmission of regional water supply plans

The regulation requires review, revision, and resubmission of all Plans 10 years from the most recent full Plan submission compliance determination. The resubmission process is identical to the Plan development process identified in 9VAC25-780-50. Refer to the specific sections of the regulation and guidance.

The Department or PDC will convene a kickoff meeting for the revision of a Plan in accordance with 9VAC25-780-50.J no later than 180 days before the 10-year anniversary of the most recent compliance determination by the Board.

D. 9VAC25-780-55. PUBLIC PARTICIPATION

This section provides guidance on how to conduct the required public participation steps once the RPU has completed a draft Plan. The RPU and/or the local governments must consider all public comments received and may revise the draft Plan to address the comments.

D.1 9VAC25-780-55.A. Public participation in regional water supply plans

Local government responsibilities: The regulation states that the Plan must be publicly noticed once in a newspaper in each county, city, and incorporated town in the regional planning area.¹ To meet this requirement, each local government (County, City, should ensure that the draft Plan is publicly noticed in their local government. Local governments are encouraged to work together to post a single notice for the draft if the circulation area of a newspaper covers multiple jurisdictions. If necessary, a public notice may need to occur in multiple newspapers to ensure that each local government is covered. Notices occurring in multiple newspapers should ideally occur on the same days.

The regulation requires that a public notice of the availability of the draft be posted in a “newspaper of general circulation.” § 8.01-324 of the Code of Virginia identifies newspapers of

¹ 9VAC25-780-55.A. “*The draft regional water supply plan developed by the regional planning unit shall be publicly noticed once in a newspaper of general circulation in each county, city, and incorporated town in the regional planning area. A public notice in a newspaper of general circulation that covers multiple local governments within a regional planning area shall satisfy this requirement for each local government included within that area of general circulation.*”

general circulation that may be used for legal notices and publications. RPUs and local governments should ensure that a public notice is published in a newspaper that meets the law's requirements. The law requires newspapers of general circulation to:

1. Have a bona fide list of paying subscribers.
2. Have been published and circulated in printed form at least once a week for at least 50 of the preceding 52 weeks.
3. Provide general news coverage of the area in which the notice is required to be published.
4. Be printed in the English language; and
5. Have a periodicals mailing permit issued by the United States Postal Service.

D.2 9VAC25-780-55.B, C, and D. Public meetings

Local government responsibilities: Local governments must track requests for public informational meetings and communicate with the RPU if 15 or more individual requests are received. If a local government receives 15 or more requests for a public informational meeting, then that local government must issue a second notice announcing a public informational meeting that is held at least 15 days after the notice is published. During the public informational meeting, the local government must present a summary of the Plan and offer the public a reasonable opportunity to offer questions or comments on the Plan. The manner of receiving comments is at the discretion of the local government but may include a question-and-answer session, multiple stations with staff to answer questions, or other appropriate methods. The local government must accept comments for 15 days following the public informational meeting. The local government is encouraged to provide the notice of the public information meeting to the Department so that it can be posted on the Department's website.

Regional planning unit responsibilities: RPUs may choose to help coordinate any jointly held public meetings. RPUs may choose to develop one public meeting presentation to be used throughout the region.

D.3 9VAC25-780-55.E and F. Public comment

Local government responsibilities: Local governments must send any comments received to all members of the RPU. Local governments given responsibility by the RPU to respond separately to comments must prepare a written summary and responses to comments, which is then provided to the RPU for inclusion in the Plan.

Regional planning unit responsibilities: The RPU determines the method of response to public comments received, and if the comments require edits to the draft Plan. The regulation allows for responses to comments to be prepared separately by each local government, or as a joint document of all comments received by local governments. The RPU must consider all comments received and may revise the Plan to address those comments. Comments must be compiled, and

their responses included as an attachment to the final Plan (9VAC25-780-50.H.4). No further public notice is required if revisions are made to the Plan in response to comments received.

E. 9VAC25-780-70. EXISTING WATER SOURCE INFORMATION

This section provides guidance on collecting and providing water source information. A regional Plan must include current information on existing water sources within the regional planning area. The Department will provide Form 70-80-100 to each RPU, populated with available data on water sources from its databases. This form provides a standard format for local governments to record additional locally known information that can be added as an appendix to the Plan. Relevant numeric data should also be presented in the narrative portion of the Plans at the discretion of the local governments and/or RPU.

E.1 9VAC25-780-70.A, B, C, and D. Water sources

Local government responsibilities: These subsections require local governments to compile and provide the RPU with specific water resource information related to CWSs using groundwater, surface water intakes, or reservoirs. As defined in the regulation, water sources are any “wells, stream intakes, springs, reservoirs, or aquifers that serve as sources of water supplies.” Local governments may provide existing water source information to the RPUs by adding source specific information to the list of users provided by the Department in Form 70-80-100 (Appendix B), and appending any additional sources of groundwater, surface water using stream intakes, and surface water reservoirs not included in the Department list.

Form 70-80-100 is designed for numeric information and some discrete terms, such as names. If necessary, further narrative information about a source may be provided as narrative in the Plan, or as an appendix. Such information may include limitations on withdrawals made by permits such as operational rules, special conditions, or other information.

Regional planning unit responsibilities: RPUs will compile the information provided by local governments into the Plan as an attachment or appendix, and in the narrative where necessary.

Department responsibilities: The Department will provide available water source information in Form 70-80-100 for each local government in the RPU.

E.2 9VAC25-780-70.E and F. Additional self-supplied sources of surface water, groundwater, or transferred water for non-agricultural uses

Local government responsibilities: These subsections require local governments to compile and provide to the RPU specific information for nonagricultural SSUs using greater than 300,000 gallons of groundwater or surface water in any one month. Local governments should review the list of users provided by the Department and use existing, readily available information (as defined in 9VAC25-780-50.C) to add withdrawals not identified in the Department dataset. As

per 9VAC25-780-50 B 4, “*Each local government shall make reasonable efforts to consult and coordinate with all community water systems and self-supplied users that utilize more than 300,000 gallons of water in any month.*”

Regional planning unit responsibilities: RPU will compile the information provided by local governments into the Plan as an attachment or appendix, and in the narrative where necessary.

Department responsibilities: The Department will provide water user information in Form 70-80-100 for each local government in the RPU.

E.3 9VAC25-780-70.G. Additional contractual agreements (transferred water) for community water systems (CWS)

Local government responsibilities: This subsection requires local governments to compile and provide to the RPU specific information about contractual agreements to receive raw water. Local governments are to review the list of sources provided by the Department and use existing, readily available information (as defined in 9VAC25-780-50.C) to provide information for any locally known contractual agreements not identified in the dataset provided. As per 9VAC25-780-50 B 4, “*Each local government shall make reasonable efforts to consult and coordinate with all community water systems and self-supplied users that utilize more than 300,000 gallons of water in any month.*”

Regional planning unit responsibilities: RPU will compile the information provided by local governments into the Plan as an attachment or appendix, and in the narrative where necessary.

Department responsibilities: The Department will provide a list of CWSs that reported that they received or delivered water (i.e. transferred water) in Form 70-80-100 for each local government in the RPU.

E.4 9VAC25-780-70.H. Estimate of available water for purchase

This subsection requires the Plan, if practicable, to include estimates of the amount of water available to be purchased from outside the planning area, which refers to sources beyond the regional planning area boundary where a local government could purchase water to fulfill its demand. Either the local government or RPU may complete this subsection. As described in 9VAC25-780-50.C, only existing readily available information must be used to estimate the water available to be purchased. “Available to be purchased” may be knowledge of existing sources where water is currently available for purchase, or knowledge of potential sources such as development projects that would allow connections to nearby water systems. In the absence of known information, and to the extent that such an estimate will support planning efforts, local governments or RPUs may estimate water available for purchase from systems outside the planning area by comparing source/system capacity and reported use. Estimating the water

available for purchase is useful for local governments to identify sources that satisfy current needs or projected deficits but fall outside the planning area boundary and are not included in the regional planning process.

Local government responsibilities: Either the local governments or the RPU may gather the information necessary to complete section 9VAC25-780-70.H. Local governments gathering this information then provide it to the RPU to synthesize and include in the Plan.

Regional planning unit responsibilities: Either the local governments or the RPU may gather the information necessary to complete section 9VAC25-780-70.H. RPUs will need to synthesize the information gathered from local governments into the Plan to address the needs of the overall regional planning area. RPUs may support the local governments by providing general knowledge of potential partnerships or other water purchase availability outside the planning area.

E.5 9VAC25-780-70.I. Estimation of agricultural sources

Local government responsibilities: Local governments must review the data provided by the Department and provide the RPU with a list that includes any known agricultural users who utilize more than 300,000 gallons in any month not identified in the dataset provided. Consistent with 9VAC25-610-10, “Agricultural” use generally means using water for agriculture, silviculture, horticulture, or aquaculture (for example: livestock production, crop-irrigation, nurseries, and sod farms). “Agricultural irrigation” specifically refers to crop-irrigation and is included in this estimate of agricultural sources. Other types of irrigation, such as landscaping or golf-course irrigation, are not considered agricultural demands.

Local governments are encouraged to use information received through efforts to consult and coordinate with agricultural stakeholders within their jurisdictions (as defined in 9VAC25-780-50 B.4) to obtain locally known information. The local government can provide this user data to the RPU using Form 70-80-100.

The maximum capacity for an agricultural user’s intake may be the pump capacity.

Estimates of total agricultural usage by source may be expressed as a volume. Local governments may aggregate estimates of total agricultural usage by source (i.e. wells, stream intakes, springs) at the facility or system level. Where facility level estimates are not feasible, total agricultural usage may be estimated by source type (i.e. groundwater or surface water totals at the local government level). When estimating the facility/system level agricultural withdrawal is not feasible, local governments are encouraged to still provide other available system information, such as the location or source of the water withdrawn. Having more complete data

on existing withdrawals and withdrawal locations allows for more accurate projections of available supply and demand for water sources and improves the continuous planning process.

Resources provided on the Department’s website may be used to estimate unreported agricultural withdrawals.

Local governments may also estimate agricultural use using their own method but should provide a description of the method in the Plan.

Regional planning unit responsibilities: RPUs compile the information provided by local governments into the Plan and may assist in consulting and coordinating with stakeholders (as described in 9VAC25-780-50.B.4).

Department responsibilities: The Department will provide a list of agricultural users that report withdrawals in Form 70-80-100 for each local government in the RPU.

E.6 9VAC25-780-70.J. Estimating self-supplied wells less than 300,000 gallons in any month

Local government responsibilities: Local governments may estimate the SSU population using the following formula:

$$\text{SSU population} = (\text{locality population}) - (\text{population served by public or private water systems})$$

Below are options for estimating the number of residences and businesses that are self-supplied by individual wells. Local governments may use other methods of estimation. The method employed should be briefly described in the Plan.

$$(1) \# \text{ Residences on wells} = \frac{(\text{Estimated population served by individual wells})}{(\text{Persons per household factor})}$$

Note on factors: Local government specific persons per household factors can be obtained from the U.S. Census. For reference, as of 2023, the nationwide household factor was 2.51 persons per household overall, and 3.15 persons per “family members only household².”

$$(2) \# \text{ Businesses on wells} = (\text{Total businesses}) - (\text{Businesses served by public/private water systems})$$

² Census.gov. America’s Families and Living Arrangements: 2023.Table AVG1. Average Number of People per Household, by Race and Hispanic Origin¹, Marital Status, Age, and Education of Householder: 2023.
<https://www.census.gov/data/tables/2023/demo/families/cps-2023.html>

- (3) Businesses may also be estimated using the Virginia Department of Health (VDH) Waterworks Owner Listing³. Using the “System Type” column of the spreadsheet, sum the number of businesses within the local government labeled as NTNC (non-transient non-community) or NC (non-community). The local governments should add any other local knowledge as well. Thus:

$$\text{Number of Businesses on wells} = NC + NTNC + (\text{other local knowledge})$$

Where:

NC = non-community

NTNC = non-transient non-community

- (4) Well construction data obtained from VDH or local health departments may be used to estimate the number of businesses and/or residences outside public/private water systems.

Regional planning unit responsibilities: RPUs may assist local governments in developing their estimates and establish consistent estimation methodology among local governments in the RPU. RPUs compile the information provided by the local governments into the Plan.

Department responsibilities: The Department will provide a list of those SSUs using less than 300,000 gallons per month, if available, in Form 70-80-100 for each local government in the RPU. Department data on users withdrawing less than 300,000 gallons per month is primarily based on voluntary reporting and results in limited data availability.

F. 9VAC25-780-80. EXISTING WATER USE INFORMATION

This section provides guidance on collecting and providing water use information. The Plan must include current information on existing water use within the regional planning area. The Department will provide Form 70-80-100 to each RPU, populated with available data on water use from its database. This form provides a standard format for local governments to record additional locally known information that can be added as an appendix to the Plan. Relevant numeric data should also be presented in the narrative portion of the Plans at the discretion of the local governments and/or RPU.

F.1 9VAC25-780-80.A, B, C, D. Water use

Local government responsibilities: Local governments must provide existing water use information to the RPU, which may be accomplished by using Form 70-80-100. Local governments may use the water withdrawal data provided by the Department and add any locally identified data to correct omissions in the dataset.

³ Virginia Department of Health Waterworks Owner Listing. December 18, 2023.
https://www.vdh.virginia.gov/content/uploads/sites/14/2023/12/Water_Works_Owner_Listing_2023_12_18.xlsx

Regional planning unit responsibilities: RPUs compile the information provided by local governments into the Plan, ensuring that systems within each local government are presented separately. These data may be presented using Form 70-80-100 as an attachment or appendix, and in the narrative where necessary.

Department responsibilities: The Department will provide water use information by source i Form 70-80-100 for each local government in the RPU.

F.1.1 9VAC25-780-80.B.1. Population served

Local governments may use any appropriate source of information to determine the population served for a CWS. Local governments may be able to obtain this information directly from the waterworks owner or operator themselves. Another common source of information is the VDH Waterworks Owner Listing⁴ (those listed under System Type “C”) within the local government.

F.1.2 9VAC25-780-80.B.3 and 4. Average, maximum daily, and monthly withdrawal

These subsections require that the Plan include average and maximum daily withdrawals, and average annual and monthly withdrawals, of groundwater or surface water withdrawals for CWSs over the most recent five-year period.

Average daily withdrawal is calculated for a continuous calendar year or 12-month period. Average daily withdrawal is calculated by dividing the annual withdrawal by 365 days per year. The average daily withdrawal and annual withdrawal values must be averaged over the most recent five-year period. The maximum daily withdrawal is the highest single day withdrawal over the course of a calendar year or 12-month period. Average monthly withdrawal is the average annual withdrawal over the most recent five-year period divided by 12 months. These values can be determined by system billing records, water use reported to the Department for Annual Water Withdrawal Reporting, permitting, compliance, or other records.

The five-year period should be determined by the RPU in coordination with the local governments. The most recent five-year period may be the same as the most recent five-year period of data provided by the Department in Form 70-80-100. Depending on the five-year period used in the Plan, the RPU may elect to use more recent data than provided by the Department. The RPUs should coordinate with the local governments to use the same five-year period.

⁴ Virginia Department of Health Waterworks Owner Listing. December 18, 2023.
https://www.vdh.virginia.gov/content/uploads/sites/14/2023/12/Water_Works_Owner_Listing_2023_12_18.xlsx

F.1.3 9VAC25-780-80.B.5. Peak day water use by month

“Peak day water use by month” is the month with the greatest single day water demand within each month of a calendar year. The highest peak value over the most recent five-year period may be selected to represent the peak day water use by month. Typical peak monthly demand occurs within summer months as increased seasonal use and higher temperatures lead to higher water use. This value can be determined by system billing records, max day water use reported to the Department for Annual Water Withdrawal Reporting for permitting compliance, or other records.

Where records are not available, peak day water use may be estimated. With higher rates occurring in some systems, peak municipal system demands typically range from a 120 to 400% increase of average daily demands, with a mean of approximately 180% of average daily use. If practicable, peak demand ratios should be calculated based upon the most readily available withdrawal information for the system/source, and local governments are encouraged to consider how the ratio may change over the planning period or in response to climatic events, infrastructure improvements to reduce water loss, or projected changes in the users of the water system. Additional information regarding peak use calculations can be found within American Water Works Association or American Society of Civil Engineers manuals, and on the Department’s website of listed resources.

Peak Day Water Use = Peaking Factor * Average Daily Use

Peaking Factor Range: 1.2-4.0 (mean 1.8)

F.1.4 9VAC25-780-80.B.8. Estimate of small (less than 300,000 gallons) self-supplied groundwater use

The Department does not maintain a comprehensive list of small SSUs using less than 300,000 gallons in any month of groundwater. Each local government will need to compile this information using locally available information or other sources. Often CWS operators or service systems may know the number of SSUs within their service areas that are not served by the CWS. The local health department or VDH Office of Drinking Water may also have information about small SSUs.

F.1.5 9VAC25-780-80.B.10. Qualitative description of existing in-stream beneficial uses

This subsection requires a qualitative description of beneficial uses affected by stream withdrawals in the planning area. With respect to surface water intakes, beneficial use can mean both in-stream and offstream uses. As defined in 9VAC25-210-10, *in-stream beneficial uses include the protection of fish and wildlife resources and habitat, maintenance of waste assimilation, recreation, navigation, and cultural and aesthetic values. The preservation of in-*

stream flows for purposes of the protection of navigation, maintenance of waste assimilation capacity, the protection of fish and wildlife resources and habitat, recreation, and cultural and aesthetic values is an in-stream beneficial use of Virginia's waters. Offstream beneficial uses include domestic uses (including public water supply), agricultural uses, electric power generation, commercial uses, and industrial uses.

Form 70-80-100 does not provide a place to record the qualitative description of existing in-stream beneficial uses required. The qualitative description must be included in the Plan narrative.

F.2 9VAC25-780-80.E. Estimate of small (less than 300,000 gallons) self-supplied use

Local governments, in coordination with the RPU, may choose their preferred method of estimating use by small SSUs and should include a brief explanation of the method in the Plan. One common method for estimating the total self-supplied water use outside CWS service areas is:

$$\text{Small SSU use} = \text{estimated population served by wells} * \text{per capita water use factor}$$

If a local government specific per capita water use factor is not known, the local government may use a default factor of 83 gal/person/day from the United States Geologic Survey (USGS) national average per capita water use for domestic deliveries.⁵

Local government responsibilities: Local governments estimate and provide existing water use estimates to the RPUs.

Regional planning unit responsibilities: RPUs may assist local governments with developing their estimations and, to encourage consistency, recommend that local governments in the RPU use the same estimation methods. RPUs compile the estimates provided by local governments into the Plan, so that each local government is presented separately, and/or combine the data to discuss the planning area as a whole.

Department responsibilities: The Department will provide a list of self-supplied users (using less than 300,000 gallons per month), where that data has been provided to the Department, in Form 70-80-100 for each local government in the RPU. Department data on users withdrawing less

⁵ Dieter, C.A., and Maupin, M.A., 2017, Public supply and domestic water use in the United States, 2015: U.S. Geological Survey Open-File Report 2017-1131, 6 p., <https://doi.org/10.3133/ofr20171131>

than 300,000 gallons per month is primarily based on voluntary reporting and may result in limited data availability.

G. 9VAC25-780-90. EXISTING WATER RESOURCE INFORMATION

This section provides guidance to address existing water resources information required in the plan. Water resources are generally the geologic, hydrologic, meteorological, and climatic conditions unique to the region that are the principal mechanisms forming, replenishing, and influencing surface and groundwater sources. These conditions generally influence the quality, quantity, and sustainability of water sources. Knowledge of these conditions should influence long term water supply planning and management practices.

Geology describes the history and structural features of the earth that occur within the local government or regional planning area. Geologic conditions are the landscape drivers and historical building blocks for surface water and groundwater resources. Geologic conditions that may affect water supply include, but are not limited to, rock type, topography/landscape formation, faults, karst, and aquifer occurrence and should be considered within Plan development.

Hydrology is a function of the geologic conditions and addresses the properties, distribution, and effects of water on the earth's surface, in the soils and underlying rocks, and in the atmosphere. The water cycle, or hydrologic cycle, is the way the Earth circulates water from land and waterways to the atmosphere and back again, reusing this limited supply. To evaluate hydrologic conditions for water supply planning, the Department is most interested in the land phase of the water cycle, the movement and storage of water on and under the surface within the regional planning area. This movement and storage of water, its interactions with the geologic conditions, and its resulting effects on water sources may be considered. Information published by the Department or other reputable sources at the basin and sub-basin levels reveals important information essential to developing strategies for a long-term, sustainable water supply. Research results, coupled with knowledge from monitored stream gage and groundwater well station data, can provide insight to the long-term character of these resources in regional planning areas.

Meteorology is the scientific study of the atmospheric phases of the hydrologic cycle, the movement of water from the Earth's land to the atmosphere and back to the land through weather events (precipitation, evaporation, transpiration) and atmospheric conditions (temperature, pressure, water vapor). Meteorology focuses on short term weather processes and forecasting lasting up to a few weeks. The hydrologic components of water resources could not exist without the atmospheric components, as weather propels the land phases of hydrology.

G.1 9VAC25-780-90.A and B. Existing environmental conditions

Local government responsibilities: Each local government should provide information documenting existing geologic, hydrologic, and meteorological conditions to the RPU for the water supply plan, including this information for any local government's water sources that originate outside of the planning area. The existing water resources information described in the 2008-2011 plans may serve as a valuable resource to use when developing the current Plans.

Regional planning unit responsibilities: The RPU should compile all local government provided information describing the existing geologic, hydrologic, and meteorological conditions into the Plan, including the information for sources outside of the planning area. The RPU must include a description of existing environmental conditions that pertain to or may affect in-stream flow, in-stream uses, and sources that provide the current supply.

Department responsibilities: The Department will provide information to help local governments and RPUs determine water availability based on in-stream flow necessary to support fish and wildlife resources and habitat. This information provided by the Department will consider human consumption, domestic and other beneficial uses, and any surface water withdrawals exempt from permitting requirements. The Department website will provide a list of readily available sources to aid local governments and regional planning areas in collecting information identified in 9VAC25-780-90.B.

H. 9VAC25-780-100. PROJECTED DEMAND; STATEMENT OF NEED AND ALTERNATIVES

This section provides guidance on developing 30-year projected future water demand information for local governments and RPUs in accordance with 9VAC25-780-100. Projected water demands compared with existing source, use, and resource information developed in accordance with 9VAC25-780-70 through 9VAC25-780-90 allow local governments to determine whether existing sources are sufficient to meet water needs over a 30-year timeframe and are of critical concern for the statement of need and subsequent alternative analysis.

Form 70-80-100 provides a standard format for each local government to record water demand projection information to submit to the RPU to include in the Plan. Each local government must provide water demand projections for each water use category including:

- 1) existing and proposed CWSs (9VAC25-780-100.D)
- 2) large self-supplied non-agricultural users (9VAC25-780-100.E)
- 3) large self-supplied agricultural users (9VAC25-780-100.F)
- 4) small self-supplied use estimates (9VAC25-780-100.G)

Each local government provides the RPU with its water demand projections to compile and include in the Plan. Local government water demand projections provided to the RPU should be included as an attachment or appendix to the Plan. Local governments and RPUs are encouraged to provide water demand projections in units of millions of gallons per day (MGD) or million gallons per year (MGY).

Plans should include narrative and numeric projection information for each local government in the regional planning area to fulfill the requirements of this section. The Department will provide the most recent water use data to aid in the development of water use estimates and water demand projections for facilities included in the dataset.

H.1 9VAC25-780-100.A through G. Water projections introductory information and summary

Acceptable demand projection methodologies to use for the Plan include, but are not limited to:

- Standard methodologies included in publications by the American Water Works Association or American Society of Civil Engineering
- Other industry standard methods for water demand projection reviewed and approved by the Department via an approval letter on a case-by-case basis

Common demand projection methods include disaggregate use models, land use models, multivariate models, per capita models, and trend/extrapolation models.

Disaggregate Unit Use Model - A future water demand projection method requiring system billing or similar data to understand water demand by use type. Most public water suppliers can develop projections with this method and it provides greater forecast accuracy if water use trends vary between user groups.

Land Use Models - A future water demand projection method that primarily focuses on current and future uses of lands within service areas, development areas, or a local government. Commonly referred to as “build out areas,” these projected land uses are not directly tied to a specific future timeframe. Common land use classifications include residential, commercial, and industrial classes based on predicted development or use of lands within a service area or local government. Challenges occur with this method because timing potential build out accurately over the planning period increases uncertainty of the projection. Historical water use/billing data is the primary data requirement and is applied to each water use type within the build out area to develop a water use per land use type.

Multivariable Models - A future water demand projection method that evaluates multiple independent variables simultaneously. This method includes intensive data requirements and can be influenced by multi-collinearity where two or more independent variables are influenced by

each other and influence projection results. The method can provide detailed projection results if properly conducted with high quality data.

Per Capita Models - A future water demand projection method that is one of the simplest methods to develop water demand projections and is based on population and historical water use. This model is useful for local governments that have limited access to data to use more complex projection methodologies. The model can produce satisfactory results with accurate population forecasting and stability in water use sectors.

Trend/Extrapolation Model - A future water demand projection methodology based on water use (monthly, annual, daily rates) in relation to population or time. Typically applied to total water use, or disaggregated into categories such as commercial, municipal, etc. Data requirements are basic, requiring historical water use/population, projected population, conservation measures, weather, service area demographics, etc.

9VAC25-780-60 (7) states that the Department will: *Identify acceptable methods for the projection of future water demands per 9VAC25-780-100*. Any local government or RPU that wishes to use a demand projection methodology other than those referenced within this guidance, or the referenced manuals, should submit a written request for approval of a methodology by the Department prior to Plan submission with a clear description of the methodology and documentation of how the methodology will be applied to meet the requirements in 9VAC25-780-100.

H.2 9VAC25-780-100.A. Future projections

Local government responsibilities: Local governments provide the RPU with future water demand projections over a 30-year planning period and other information required by 9VAC25-780-100 for their jurisdiction to include in the Plan. Form 70-80-100 provides a standard format for submitting this information to the RPU to incorporate into the Plan. Local governments are encouraged to work with the RPU, water authorities, or other local governments in the planning area to use consistent water demand projection methods and achieve comparable projection results. The local government or RPU must submit a written request to the Department for approval if it proposes to use a demand projection methodology other than those identified within this guidance.

Local governments, including those not named in 9VAC25-780-45, must also provide estimates of the projected total population within their jurisdiction using information from the U.S. Census Bureau, Bureau of Economic Analysis, the Virginia Employment Commission, Weldon Cooper Center, or local/regional sources.

Regional planning unit responsibilities: RPUs review and compile all future water demand and population projections provided by local governments within the regional planning area to include in the Plan. RPUs should ensure sources of information and methodologies used in projecting future water demand are documented. Where Form 70-80-100 is used to complete the requirements of these sections, the Form for each local government may be included in the Plan as an appendix. The RPU is encouraged to assist local governments in developing any information required by 9VAC25-780-100. The local government or RPU must submit a written request to the Department for approval if it proposes to use a demand projection methodology other than those identified within this guidance.

Department responsibilities: The Department will maintain a list of publications and resources of approved water demand projection methodologies on its website. The Department will respond to any approval requests by a local government or RPU to use a demand projection methodology other than those identified within this guidance.

H.2.1 9VAC25-780-100.B and C. Estimated demand

The regulation requires that the Plan include an estimated future water use projected at the beginning of each decade within the planning period. To meet this requirement and to cover the 30-year timeframe, water demand projections in the Plan should have an initial start year of 2040 and provide projections at each decadal step 2040, 2050, and 2060. If desired, RPUs may include interdecadal steps (2035, 2045, 2055, etc.) to show more refined projection timelines. Should interdecadal steps be included, the RPU will need to communicate to each local government that interdecadal steps will be included within the planning area.

Local government responsibilities: Local governments must provide demand projections for the beginning of each decade (2040, 2050, and 2060) for each CWS, non-agricultural large SSU, agricultural large SSU, and an estimated total of small SSU, as described in subsections 9VAC25-780-100.D through G. Large SSUs use at least 300,000 gal/month, and small SSUs use less than 300,000 gal/month. Each local government must provide a detailed explanation of the methodology used for demand projections.

Regional planning unit responsibilities: The RPU must compile and present the demand projections for each decade separately for each local government, as well as provide a combined total projection for the regional planning area. The RPU must include all completed local government water demand projection forms in the Plan. The forms may be included as a separate appendix or as an attachment to the Plan.

H.2.2 9VAC25-780-100.D.1 through 5. Projections for community water systems

Subsection D describes the projection information required for CWSs. Form 70-80-100 includes data entry fields for each of the numerical data points and information required and provides a standard format to submit this information to the RPU and the Department.

Local government responsibilities: Each local government must develop and provide the RPU with disaggregated water demand projections for each existing or proposed CWS within its boundaries. As needed, local governments are encouraged to request assistance from the RPU, consulting firms, or other groups to develop the CWS water demand projections. Water demand projections must be developed for each individual CWS and presented at the system level if possible. Projections for proposed CWSs should be clearly identified and included within the decade (or year if known) of its expected start of operation. Each local government must provide an estimate of the population served by each CWS to the RPU, using the same population estimate sources in Section 9VAC25-780-100.A.

Local governments must provide service area maps for current CWSs, and for any proposed over the planning period. Local governments are encouraged to provide maps in a digital format if practicable (GIS, CAD, PDF etc.)

Each local government must provide the RPU with an average annual and peak monthly estimated water demand projections for all current or proposed CWSs for the beginning of each decade in the planning period. Form 70-80-100 provides locations to enter this information. Local governments must consider water conservation measures when developing water demand projections pursuant to 9VAC25-780-110.C.

9VAC25-780-110.C requires that demand projections in this Subsection D consider current water conservation practices, techniques, and technologies when projecting water demand.

Regional planning unit responsibilities: The RPU compiles all local government demand projections into the Plan. CWS data should be presented at the system level to maintain local government data resolution. Demand projections should be presented by disaggregated categories as described in 9VAC25-780-100.D.4 or categories appropriate to the system.

Department responsibilities: The Department will provide water use information by source in Form 70-80-100 for each local government in the RPU.

H.2.3 9VAC25-780-100.E and F. Self-supplied agricultural and non-agricultural water demand projections

Subsections 100 E and F require Plans to include projections of annual average water use for each non-agricultural and agricultural user of more than 300,000 gallons in any month of surface or groundwater within the regional planning area. The water demand projections should be applied to each facility on a system/facility level. If sufficient data are available, local

governments should develop water demand projections at the facility/system level. This method would develop a unique demand projection using available data related to the system. However, non-agricultural SSU or agricultural SSU water use may be estimated if system/facility level data is not readily available. If sufficient data is not available, the RPU and local governments are not required to develop unique demand projection methodologies for each individual system. If necessary, a single projection methodology may be developed and applied individually to all systems within the category.

Local government responsibilities: Local governments must provide a water demand projection for each non-agricultural self-supplied user who uses 300,000 gallons or more in any month. They should supplement the list and data provided by the Department with any other facilities not included or identified by the Department. Form 70-80-100 provides a standard format and may be used to submit numeric water demand projection information to the RPU. Local governments should review proposed economic development and master plans to identify likely future potential water users expected to become active during the planning period and include them in the Plan narrative and demand projection calculations.

Demand projections for each existing and proposed self-supplied agricultural user may be included within the Plan using Form 70-80-100. If data is not readily available to develop system/facility level projections, local governments may develop agricultural water demand projections at the county level to apply separately to each agricultural user within its boundaries. However, an agricultural facility should develop facility level projections if it has sufficient data available, or if the facility provides additional information on its projected water use over the planning period. Local governments may use other data sources if available or if the agricultural facility does not currently report water use to the Department.

Regional planning unit responsibilities: The RPU should aid local governments with identifying SSUs who use more than 300,000 gallons in any month within the regional planning area. SSUs who have not been previously identified by the Department must be included in the Plan and water demand projections. Form 70-80-100 provides a format to compile all local government data to provide a regional summary of water projection information in the Plan.

Department responsibilities: The Department will provide water use information by source in Form 70-80-100 for each local government in the RPU.

H.2.4 9VAC25-780-100.G. Water use projections for small self-supplied users (less than 300,000 gal/month).

This section requires the Plan to include projection of the number of SSUs of less than 300,000 gallons of groundwater in any month and their aggregated annual average use. Projections should include both residences (commonly private domestic wells) and business uses as identified in 9VAC25-780-70.J, and any other small SSU where data is available.

Local government responsibilities: Each local government must provide the RPU with a projection of the number of SSUs (residences and businesses) withdrawing less than 300,000 gallons in any month of groundwater over the 30-year planning period. Projected demands may be estimated based upon projected population trends within the local government and the expected number of connections available in CWS service areas. Form 70-80-100 provides a clear, consistent, and standard format to compile all local government data to provide a regional summary of water projection information in the Plan.

Regional planning unit responsibilities: RPUs compile and include local government developed demand projections in the Plan. RPUs should ensure that format and projection methods are consistent among the local governments. Local government provided forms should be included within the Plan and may be attached as an appendix.

Department responsibilities: The Department will provide a list of those SSUs using less than 300,000 gallons per month, where available, in Form 70-80-100 for each local government in the RPU. Department data on users withdrawing less than 300,000 gallons per month is primarily based on voluntary reporting and results in limited data availability.

H.3 9VAC25-780-100.H, I, and J. Statement of need and alternatives analysis

These subsections provide guidance for preparing a statement of need to address the adequacy of existing water sources and identifying alternative sources of supply to address deficits.

Sections 9VAC25-780-100.H and 9VAC25-780-100.I both directly discuss requirements for the statement of need and alternatives.

- Sections providing requirements for the statement of need include:
 - 9VAC25-780-100.H
 - 9VAC25-780-100.I.1
- Sections providing requirements related to alternatives include:
 - 9VAC25-780-100.H.1
 - 9VAC25-780-100.H.2
 - 9VAC25-780-100.I
 - 9VAC25-780-100.I.2
 - 9VAC25-780-100.I.3
 - 9VAC25-780-100.I.4

Guidance on the requirements of each of these regulation sections is provided in the statement of need and alternatives analysis subsections below.

Sections 9VAC25-780-100.H, I, and J and 9VAC25-780-125 are related:

Each local government must prepare a statement of need. If in that statement of need, existing sources are determined to be *inadequate* to meet demands at any time during the 30-year planning period, then an alternatives analysis must be completed. Also, when existing sources are *inadequate*, the statement of need must address the magnitude of the projected shortfall, as required in 9VAC25-780-100.I.1.

An alternatives analysis is also required when new or updated sources are proposed as regional strategies to address a water supply risk in accordance with 9VAC25-780-125.

Section 9VAC25-780-100.J relates because the statement of need and alternatives analysis should address any use conflicts and in-stream flow information, or limitations identified by the Department in their review of a Plan or in the State Water Resources Plan for the region.

H.4 Statement of Need. 9VAC25-780-100.H and 9VAC25-780-100.I.1

A statement of need describes the regional and local water supply and compares the source, use, and demand projections developed in 9VAC25-780-70 through 9VAC25-780-110. At a minimum, the statement identifies whether existing sources are adequate to meet current and projected demands. A statement of need is required even if a local government determines supplies are *adequate* to meet projected demands.

If existing supply is inadequate to meet demands over the planning period, then the statement of need must also address the location, magnitude, and timing of the projected shortfall in supply within the regional planning area.

Local government responsibilities: Local governments must determine the adequacy of existing water sources to meet current and projected demands within their jurisdictions. Each local government must provide the RPU with a prepared statement of need including determining whether existing sources are adequate to meet current and projected demands and other items as outlined within 9VAC25-750-100.H and I.

Regional planning unit responsibilities: RPUs should review and assemble the information provided by the local governments into a single section providing the complete statement of need for each local government. The Plan should include each individual local governments' statement of need. RPUs should also synthesize the local statements of need into a single, regional statement of need.

H.5 Alternatives analysis. 9VAC25-780-100.H.1 and H.2, and 9VAC25-780-100.I and I.2 through I.4

An alternative analysis is required when existing sources are inadequate to meet current or projected demands over the 30-year planning period, and when new or alternative sources are proposed as regional strategies to address a water supply risk in accordance with 9VAC25-780-125.

Examples of alternatives include, but are not limited to, new sources of supply, storage, interconnections to existing sources, conservation measures, aquifer storage and recovery, desalinization, etc.

Specifically, subsections 9VAC25-780-100.H and I require the following:

- 100.I outlines when an alternative analysis is required.
- 100.H.1 and 2 give content requirements local governments must include in an alternatives analysis that include discussing water savings from demand management actions and potential new or alternative supplies. Subsection 100.I.2 includes similar requirements, but adds discussing nontraditional means of increasing supplies, and cross-jurisdictional approaches.
- Subsections 100.I.2 through 4 outline in greater detail the content of an alternative analysis and are discussed below.

While not required to do so, local governments showing adequate future supplies are encouraged to explore and present alternative sources for planning purposes, and to prepare for unexpected shortfalls.

Regional planning unit responsibilities: The alternatives analysis must integrate alternatives developed in response to 9VAC25-780-125 regarding water supply risks and 9VAC25-780-100 regarding future demand projections. The Alternatives Analysis Section of the Plan should identify if alternatives address one or both subsections 9VAC25-780-125 and 9VAC25-780-100.

H.5.1 9VAC25-780-100.H.1 and 2. Potential water savings and sources

Local government responsibilities: Local governments must identify a reasonable range of potential alternatives to supply projected shortfalls that include: (1) savings from water demand management actions (also see subsection 9VAC25-780-110), and (2) potential sources for new or alternative supplies. Savings from water demand management actions may be based on proposed actions (e.g., plans to implement facility leak detection) and conservation techniques (e.g., future water conservation incentive programs or ordinances) in addition to those described in 9VAC25-780-110. New or alternative supplies may include creating a new intake, well, or transfer, or adding new connections to existing sources. Local governments may estimate

potential water savings from management actions or increased supply from new or alternative sources using readily available information but must provide documentation supporting the estimation methods. In the Plan, indicate the:

- Type of alternative (water demand management, new supply, or alternative supply, etc.).
- The name and location of each potential new water source.
- Whether the source is inside or outside the planning area.
- The timeline to develop the source.
- Volume change expected.
- The timeframe the conservation savings will occur.
- The use category (see 9VAC25-780-100.D.4) where the conservation or new source will be applied.

H.5.2 9VAC25-780-100.I.2. Alternatives analysis: identification of alternatives

Local government responsibilities: Any local government that determines that one or more sources is inadequate to meet projected demands during the planning period must provide a list of alternatives, as required under 9VAC25-780-100.H.1 and 2, regarding water demand management actions and sources for new supplies. Additionally, local governments may need to further supplement their list of alternatives to meet requirements under this subsection 9VAC25-780-100.I.2 with nontraditional means of increasing supplies, and cross-jurisdictional approaches. Local governments may include cross-jurisdictional regional projects in the list of alternatives provided to the RPU.

Regional planning unit responsibilities: RPUs should review the alternatives identified by the local governments, and as applicable, identify additional alternatives including cross-jurisdictional alternatives not already identified by a local government. RPUs must include in the Plan a combined list of alternatives identified by the local governments and the RPU into a single alternatives analysis for the region. The alternatives analysis must include all alternatives identified by a local government within the regional planning area under 9VAC25-780-100.H.

H.5.3 9VAC25-780-100.I.3. Alternatives analysis: water availability

Either the local governments or the RPU may complete subsection I.3. The Plan must address any water availability issues and should include those identified by the Department in the most recent review of a regional Plan or the Virginia State Water Resources Plan.

Water availability information in the most recent version of the State Water Resources Plan includes information directly concerning water availability, and information about supply and demand that show potential impacts to current water supply sources or alternatives. Future iterations of the State Water Resources Plan may directly reference water availability. The 2020 State Water Resources Plan includes information concerning water availability, particularly in Chapter 4 and Appendix A. The 2040 demand scenario under short-term drought (30-day low

flow), long term drought (90-day low flow), and overall percent of flow change, are relevant for showing the simulated impacts of projected demands on in-stream water availability. The potential unmet demand tables in Appendix A of the State Water Resources Plan also provide information on the impacts of demand on water supply sources. For example, a water availability issue could arise if identified alternatives are located in a river segment where significant streamflow reductions are expected under drought conditions.

Local government responsibilities: Local governments use information provided by the Department to evaluate water availability issues for each potential new source. Information may include, but is not limited to, potential impacts of drought, changes in projected water demand, and overall change of in-stream flow.

Regional planning unit responsibilities: RPUs use the information provided by the Department to evaluate water availability issues for each potential new source.

Department responsibilities: The Department will provide the most recent State Water Resources Plan to RPUs. The Department may also provide regionally specific water availability information based on the most recent State Water Resources Plan to each RPU.

H.5.4 9VAC25-780-100.I.4. Alternatives analysis: assessment of identified alternatives

Local government responsibilities: Local governments should assess whether their identified alternatives are available and practicable in terms of cost, logistics, and existing technology. Local governments are encouraged to select alternatives that avoid or minimize the need for water to the maximum extent practicable and are sufficient to satisfy the need alone or in combination with other alternatives. Local governments may work together with the RPU to complete this assessment.

Regional planning unit responsibilities: RPUs assist local governments with the assessment by looking for any overlaps or conflicts in the identified alternatives. RPUs are encouraged to attempt to resolve any disagreement to produce a consensus. If there is no consensus, alternatives identified/supported by at least one local government must still be included in the Plan. Disagreements among local governments that cannot be resolved through the Plan development process must be documented in the plan.

H.6 9VAC25-780-100.J. Cumulative demand, use conflict, or instream flow information

Either the local governments or the RPU may complete Section J.

Local government responsibilities: (see RPU responsibilities paragraph below)

Regional planning unit responsibilities: RPUs should consider any cumulative demand, use conflicts, or in-stream flow information provided by the Department to evaluate whether existing sources are expected to meet projected demand (the statement of need), and/or in the assessment of proposed alternatives (9VAC25-780-100.I.4). For example, in the 2020 State Water Resources Plan (Chapter 4 and Appendix A), current and future demand scenarios simulate cumulative demand, species richness change (Chapter 4.2.8.4) and potential unmet demand present potential beneficial use conflicts, and overall change in flow shows simulated changes to in-stream flow. One way Plan developers could use this information is to check if identified alternatives are located in a river segment with greater than 10% reductions in streamflow during the planning period, and then consider that alternative as potentially unavailable.

Department responsibilities: The Department will provide the most recent State Water Resources Plan. The Department may also provide regionally specific information regarding cumulative demand, use conflicts, or in-stream flow information based on the most recent State Water Resources Plan to each RPU.

H.7 9VAC25-780-100.K. Domestic consumption, instream uses, and economic development

A Plan must include a description of how domestic consumption, in-stream uses, and economic development were accounted for in projections.

Domestic consumption is water use and demands of private domestic wells not served by a CWS. An estimated water demand may be developed and used to account for private well users. For example, the estimated number of domestic well users and per capita water use may be used to calculate an estimated demand. This estimate can be extrapolated with projected population growth, service area expansion, and other factors to project future domestic consumption.

In-stream uses include beneficial uses, as defined in 9VAC25-210-10 such as the protection of fish and wildlife resources and habitat, maintenance of waste assimilation, recreation, navigation, and cultural and aesthetic values. The preservation of in-stream flows for purposes of the protection of navigation, maintenance of waste assimilation capacity, the protection of fish and wildlife resources and habitat, recreation, and cultural and aesthetic values are also in-stream beneficial uses of Virginia's waters.

I. 9VAC25-780-110. WATER DEMAND MANAGEMENT INFORMATION

This section provides guidance to local governments and RPUs to comply with 9VAC25-780-110 covering how Plans should address water demand management information, including local government-specific and regional scale water demand management information. Water demand management is the development and implementation of strategies aimed at influencing water

demands in order to achieve water consumption levels that are consistent with equitable, efficient, and sustainable use of a finite water supply. Water demand management has the potential to increase water availability through more efficient allocation and use. Examples of potential management actions may include but are not limited to loss/leak detection, small scale irrigation, wastewater reuse, education programs, etc.

Local government responsibilities: Local governments are responsible for providing the RPU with information documenting any water demand management plans or practices established in their jurisdiction. The Water Demand Management Information Form provides a format for providing that information to the RPU which reflects the requirements outlined in subsections B 1 through 3, regarding strategies for water use efficiency, water conservation, and water loss reduction.

Regional planning unit responsibilities: The RPU is responsible for (1) compiling water demand management received from local governments into a regional summary; and (2) adding additional narrative describing region-wide practices or goals, where applicable.

J. 9VAC25-780-120. DROUGHT RESPONSE AND CONTINGENCY PLANS

This section provides guidance to comply with the requirements included within 9VAC25-780-120.

Drought is defined as a water shortage caused by a deficiency of rainfall or other factors. It differs from other natural hazards in three significant ways. First, a drought's onset and end are difficult to determine since the effects accumulate slowly and may linger even after the apparent termination of an episode. Second, the absence of a precise and universally accepted definition adds to the confusion about whether a drought exists, and, if it does, the degree of severity. Third, unlike most other natural hazards, drought impacts are less obvious and can be spread over a larger geographic area.

Although a drought is generally caused by a deficiency of rainfall, it can be increased by other factors such as high temperatures, high winds, and low relative humidity. A drought can also result from human activities that increase demand for water. Expanding populations, irrigation, and environmental awareness all put pressure on water supplies. The severity of the drought depends not only on the duration, intensity, and geographic range, but also on the regional water supply demands made by human activities and the environment. Types of drought include but are not limited to:

- **Agricultural Drought:** This type of drought occurs when there is inadequate precipitation and/or soil moisture to sustain crop or forage production systems. The water deficit results in serious damage and economic loss to plant or animal agriculture. Agricultural

drought usually begins after meteorological drought, but before hydrological drought, and can also affect livestock and other agricultural operations.

- **Hydrological Drought:** This type of drought refers to deficiencies in surface and subsurface water supplies. It is measured as stream flow, and as lake, reservoir, and groundwater levels. There is usually a time lag between a lack of rain or snow and less measurable water in streams, lakes, and reservoirs, making hydrological measurements not the earliest indicators of drought.
- **Meteorological Drought:** This type of drought is often defined by a period of substantially diminished precipitation duration and/or intensity that persists long enough to produce a significant hydrologic imbalance. The commonly used definition of meteorological drought is an interval of time, generally of the order of months or years, during which the actual moisture supply at a given place consistently falls below the climatologically appropriate moisture supply.
- **Socioeconomic Drought:** This drought occurs when physical water shortages start to affect the health, well-being, and quality of life of people, or when the drought starts to affect the supply and demand of an economic product.
- **Water Supply Drought:** This drought occurs when there is insufficient rainfall to refill reservoirs, keep stream flow at acceptable levels, or to recharge groundwater supplies. This type of drought can only be mitigated by conservation efforts. To be effective, those efforts must be made in the early stages of drought.

J.1 9VAC25-780-120.A through D. Drought response and contingency plans

If surface water sources are in different hydrologic basins or, in the case of groundwater, different geologic basins/formations, this geographic distinction may be informative in terms of timing of the reduction of water supplies or different rates of supply recovery. Any other unique characteristic should be identified and explained. A description of each source's vulnerability to drought should be included. For each water source that is utilized a drought response and contingency plan should address the unique characteristics and beneficial use of the source. As an example, for surface water sources utilized, describe the minimum in-stream flows necessary to support demands during drought conditions, and to maintain water quality and avoid permanent damage to aquatic life. These efforts should be consistent with other regulations in place for this purpose. Further analysis should include uses available at various levels of stream

flow. For example, in extreme low flow conditions, some recreational and other uses may not be available.

Local government responsibilities: Each local government within the regional planning area that contains within its geographic jurisdiction community water systems and self-supplied users who withdraw more than an average of 300,000 gallons in any month of surface water or groundwater must develop a drought response and contingency plan or participate in the development of a regional drought response plan. Each local government should include references to local ordinances if the drought response and contingency plan is adopted by ordinance or other enforceable measures. A complete list of community water suppliers is available and on record with VDH to aid in the development and identification of public water suppliers by local government.

If a regional drought response and contingency plan is developed according to subsection C, each local government must provide all required information from 9VAC25-780-120.A to the RPU for inclusion in the regional drought plan. The drought response and contingency plan should reference any adopting ordinance and describe specific measures to implement and enforce the regional drought plan at the local level.

The plan must contain a minimum of three graduated stages including Drought Watch, Drought Warning, and Drought Emergency. The Virginia Drought Assessment and Response Plan (VDARP) may be used to aid in local or regional drought plan development. The plan must address the unique characteristics of the water source(s) that is being utilized and the beneficial uses of the water. Unique characteristics may include but are not limited to aquifer conditions, system operations, intake height, storage availability, emergency sources, interconnections, purchased water agreements, etc. Note that any local government that utilizes the Potomac River as a water supply source through any portion of their service area must incorporate the provisions of the Metropolitan Washington Water Supply and Drought Awareness Response Plan (2000).

Regional planning unit responsibilities: To the extent practicable, the RPU evaluates the feasibility of developing a regional drought response and contingency plan. If the RPU determines a regional drought response plan is feasible then all elements of 9VA25-780-120.A must be included within the regional drought plan. If a regional drought plan is determined not to be feasible, the RPU must include a summary description of any cross-jurisdictional drought response coordination efforts with each local government within its planning area.

Department responsibilities: The Department will provide a list of all self-supplied users who withdraw 300,000 gallons or more in any month, that report through Annual Water Withdrawal Reporting, and surface or groundwater permitting programs. The VDARP may be used to aid in

local or regional drought plan development. The Department monitors and evaluates hydrologic and water supply conditions across the Commonwealth and evaluates drought conditions following guidance in the VDARP. The most recent drought advisory declaration(s) and additional information is located on the Department website.

K. 9VAC25-780-125. WATER SUPPLY RISKS AND STRATEGIES

This section provides guidance to local governments and RPU's to comply with 9VAC25-780-125; the identification of water supply risks and proposed strategies to address those risks. A template (Form 125) is provided as an optional method to assess and present risks and strategies that meet the requirements for the Plan. Local governments and RPU's may use any standards, methods, or tools to assess and present this information provided they meet the requirements of 9VAC25-780-125.

Information developed for other sections of this Plan, such as the water demand management and drought response and contingency plans (9VAC25-780-110 and 9VAC25-780-120 respectively) may also be used to mitigate risk. Projects that include alternative water sources or the expansion of existing sources must be included in the analysis of alternatives required by 9VAC25-780-100.I.

For the purposes of this section, the regulation defines water supply risk in 9VAC25-780-30 as “a future circumstance or event that may reasonably impair the ability of one or more local governments, water authorities, or community water systems in the water planning area to meet current or projected water demand within the planning period. Water supply risks do not include (i) minor, infrequent, and temporary interruptions to the available water supply or water quality that may be remedied through the normal operation and maintenance of water supply systems; (ii) projected deficits in water supplies identified in accordance with the requirements of 9VAC25-780-100.I; or (iii) potential events or circumstances that are not reasonably foreseeable to occur within the planning period.”

K.1 9VAC25-780-125.A and B. Identify and evaluate water supply risks

Using readily available information, the Plan must identify water supply risks relevant to the RPU over the 30-year planning period. 9VAC25-780-125.B.1 through B.7 provide a list of risks that must be considered in the Plan. RPU's should supplement this list with other risks relevant to their region, if any.

The most recent State Water Resources Plan includes useful information to identify potential water supply risks, particularly for considering risks listed in 9VAC25-780-125.B.2 through B.5. For example, in the 2020 State Water Resources Plan, Chapter 4 provides surface water and groundwater modeling results. Additionally, Appendix A provides a watershed level focus on potential unmet demand, as well as future demand and climate scenarios under short and long-

term drought, 7Q10, and/or overall changes in flow. Groundwater modeling results in Chapter 4.3 may assist with evaluating 9VAC25-780-125.B.4. The 2020 State Water Resources Plan contains the following information useful for risk evaluations related to surface waters. Please note that the referenced 2040 demand scenarios are based on the most recently provided demand forecasts in prior water supply plans.

- The maximum 30-day potential unmet demand is calculated when the available water is less than demand on a given day, or if demand is reduced due to a drought trigger. While that unmet demand may be readily met by some reservoir in another part of the system or from a groundwater source, extended periods of simulated unmet demands are an indication of water system stress.
- The range of dry, median, and wet climate scenarios are not intended as predictions of future climate conditions in Virginia, but as representations of several possibilities that could occur. Should they occur, these results provide an evaluation of how stream flows may be impacted, which is of assistance to 9VAC25-780-125.B.2.
- Short and long term drought metrics under future (2040) demand scenarios are provided that relate to elements in 9VAC25-780-125.B.3. Short term drought is the 30-day low flow which describes the lowest 30-day flow simulated during the entire modeling period. Long term drought is the 90-day low flow which describes the lowest 90-day flow simulated in the modeling time period.
- 7Q10 is a common flow metric provided that can assist with addressing beneficial uses referred to in 9VAC25-780-125.B.5. This statistic describes a 7-day low flow condition that is expected to occur only one time in a 10-year period. The 7Q10 metric is used to establish point source discharge limits and is used to assess potential risks to assimilative capacity from water supply system changes. Ecological metrics for assessing impacts to aquatic life covered in Section 4.2.8.4. of the 2020 SWRP are also an option for considering risks referred to in 9VAC25-780-125.B.5.
- Overall change in flow (consumptive use) describes the net loss of water from the riverine system that is not returned through point source discharges. This can help describe potential impacts to downstream withdrawals, and for evaluating impacts to aquatic life.

The Department's website provides readily available resources that may assist with identifying risks. The Department may provide additional resources directly to RPU's for technical assistance. Local governments and RPU's are encouraged to seek other sources of relevant information as well. For example, if already completed, local government source water protection plans would be relevant to 9VAC25-780-125.B.1. The American Water Works Association M36 manual and free water audit software can assist with estimating non-revenue water and could help assess whether unaccounted water is a relevant risk for 9VAC25-780-125.B.6. Additionally, any available information from water audits or leak detection and repair plans in accordance with existing Virginia Water Protection Permits or Groundwater Withdrawal

Permits may be used to assess risk. Other existing documents or analysis that fulfill other regulatory requirements may be used as readily available information. For example, systems that are required under America's Water Infrastructure Act to complete a Risk and Resilience Assessment could apply any relevant information to identifying risks of infrastructure costs under 9VAC25-780-125.B.7.

This subsection requires that each identified risk be attributed by rating the relative severity of its impact on water supply. Form 125 is provided as an optional template to organize and present these requirements, including risk identification and evaluating the likelihood and severity of risk.

Local government responsibilities: Local governments should identify water supply risks relevant to their jurisdictions and identify the impacted geographic areas of each risk. Local governments should also evaluate the potential likelihood, severity, and impact of each identified water supply risk, including at a minimum, the risk categories in 9VAC25-780-125.B. Identified risks, and evaluation of those risks, must be provided to the RPU for incorporation in the Plan. The local government evaluation should include sufficient narrative for the RPU to rank region-wide water supply risks, and identify regional priorities for mitigation strategies related to 9VAC25-780-125.C.

Regional planning unit responsibilities: RPUs must incorporate all water supply risks provided by local governments, and any additional water supply risks relevant to the RPU, into the Plan. The RPU should also include and evaluate any regional water supply risks that may not have been provided by the local governments, such as cross-jurisdictional or region-wide risks. RPUs will utilize the local governments' evaluation and their own additions to create a comprehensive list. Evaluation of risks should describe the affected geographic areas, and the likelihood and severity levels. Where possible, the evaluation of each risk should be quantified to create clear regional priorities for focusing mitigation strategies. Include a qualitative evaluation where a quantitative determination is not practicable.

K.2 9VAC25-780-125.C and D. Identify and evaluate strategies to address risks

The regulation requires the Plan to include a reasonable range of potential strategies or projects to mitigate each identified risk. Form 125 provides an optional template to summarize the strategies or projects intended to address each risk, present those that may address more than one risk, and summarize the required information for each as outlined in 9VAC780-125.C and D.

For each strategy or project, the following should be included in the plan:

- Strategy or project name.
- Description of the strategy or project (9VAC780-125.C.1).
- List of risks that the strategy or project addresses (9VAC780-125.C.1).

- Local governments and stakeholders involved in the strategy or project (9VAC780-125.C.1).
- Analysis of how the strategy or project would mitigate the risk (9VAC780-125.C.2).
- Estimate the impact on available water supply for strategies or projects related to risks associated with a reduction in available water supply (9VAC780-125.C.2). For instance, the project may include a numerical estimate of average daily or annual water supply volumes expected.
- Form 125 may be used to organize and present these requirements but may not capture lengthy narrative, such as for the analysis and estimate of impacts. Any analysis that does not fit well into a table format should be included in the narrative portion of the Plan.

Local government responsibilities: Local governments should identify strategies or projects to address the water supply risks included in response to 9VAC25-780-125.A and B and provide these strategies or projects to the RPU for incorporation in the Plan. Strategies or projects identified can apply to the local government or the region. Local governments should work with the other local governments or stakeholders, and the RPU to identify cooperative regional projects that may address risks. Cross-jurisdictional strategies must at least be considered to the extent practicable (9VAC780-125.D).

Regional planning unit responsibilities: RPUs compile the provided strategies or projects and include them in the Plan, providing, at a minimum, the items outlined in 9VAC25-780-125.C.1 and 2. RPUs should coordinate the local governments to develop and include region-wide or cross-jurisdictional strategies where practical. RPUs should include region-wide strategies or projects in the Plan if not provided by the local government.

L. 9VAC25-780-140. REVIEW OF REGIONAL WATER SUPPLY PLANS

This section provides guidance on the Department’s Plan review procedures. The regulation requires that the Board “*shall review all regional water supply plans. (9VAC25-780-140).*” The Department will act for the Board and will review all Plans and forward compliance findings to the Board for approval.

To provide for the Department’s review of Plans for compliance with the regulation, 9VAC25-780-140, -150, and -160 collectively identify required Plan elements, outline processes for public notice and comment for tentative compliance decisions, and, finally, provide for final decisions of Plan compliance. Section 9VAC25-780-140 also provides for additional evaluation by the Department to facilitate continuous planning.

The timeline for Plan review is outlined in the Table below:

Benchmark	Target Timeline
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Submittal of Plans to the Department	Due five years from regulation effective date (October 9, 2029)
Notice of receipt sent to the RPU with tentative review schedule	Upon submission or up to 7 calendar days from submission
Upon submission the Department provides Plan to partner agencies for review	90 calendar days review by agencies after receipt from Department
Initial compliance review by the Department and tentative statement of findings provided, including any partner agency comments	The Department will communicate a tentative schedule. The timeframe will be at least 90 days to allow for partner agency review. Additional time may be needed to account for workload and complexity of Plans submitted
RPUs address initial compliance review	The Department will communicate a tentative schedule for RPU response to the initial compliance review
Communicate tentative compliance or noncompliance decision to the RPU	Upon tentative decision
Public notice of tentative decision of compliance	30 days starting after the Department makes a tentative decision of compliance following review of response to initial review. The Department will communicate a tentative schedule to RPU
Department's full compliance review proceeds to provide a Plan to the Board	Following 30-day comment period and any public meeting if held. Specific date based on the Board meeting schedule
Communicate final compliance determination from Board to the RPU	Upon the Board's final decision
Department provides additional evaluation to facilitate continuous planning	Department will communicate the schedule to the RPU with the final Board decision

The Department will begin review of all elements of Plans for compliance with all requirements included in 9VAC25-780 following receipt of the Plan from the RPU⁶ The Department will provide RPU representatives or the coordinating PDC with notice of Plan receipt upon

⁶9VAC25-780-50 provides that plans and all supporting documents must be provided to the Department no later than five years from the effective date of this regulation. Thereafter, RPUs must initiate a process to review Plans no later than 180 days prior to the five-year anniversary of the most recent compliance determination

submission (i.e., same-day or up to 7 calendar days from submittal) and include a review timeline. The timeline will depend on the workload at the time and may be affected by the Department receiving multiple Plans in the same. The Department will conduct an initial compliance evaluation to review the major Plan components and identify any missing information and/or lack of supporting documents that could result in a tentative decision that the Plan is noncompliant. As required in this section, the Department will provide partner agencies (VDH, Department of Conservation and Recreation, the Marine Resources Commission, the Department of Historic Resources, the Department of Wildlife Resources, and other agencies deemed appropriate) 90 calendar days to evaluate the Plan and provide comments. After initial review, the Department will provide a *tentative statement of findings on whether the regional water supply plan has demonstrated compliance*. This allows the RPU to address major compliance needs prior to final Board review. The Department will communicate a timeframe to respond to the tentative statement of findings based on the complexity of revisions needed and workload at the time. After receipt of a revised Plan or the response date communicated, the Department will proceed to assessing final compliance and providing the Plan to the Board for a final compliance decision.

The Department will provide the Plan to the Board with recommended tentative decisions of Plan compliance after:

1. Reviewing partner agency comments.
2. Providing the tentative statement of findings to the RPU.
3. Reviewing revisions by the RPU to address deficiencies identified in the tentative statement of findings. The Department will still proceed if the RPU does not address all deficiencies or indicates that items do not need to be addressed.
4. Completing the public notice processes.

The Department will submit the Plan to the Board with a final compliance recommendation based on the submittal received in response to the tentative statements of finding in the timeline indicated. The Department will communicate the tentative decision of compliance or noncompliance for the Plan to the RPU. After communicating the final compliance decision, the Department will issue a public notice on the Department website in accordance with 9VAC25-780-150.

The Department will follow up with each RPU or coordinating PDC and provide a detailed summary of findings once the Board has reviewed all Plans. This summary will give each RPU specific items to address prior to the next five-year anniversary of Plan submission. Items identified by the Department in the full compliance determination are to be addressed and included in the five-year update to the plan. If the Department did not identify items to be addressed and the water supply planning information is the most recently available, the RPU must notify the Department that circumstances have not changed sufficiently to warrant a

revision of the Plan. The RPU or local governments may update any information in the Plans that was not identified by the Department in the compliance determination.

Subsequent interim reviews of the Plan by the local government/RPU will be conducted on a five-year interval (e.g., approximately 2035) as outlined in 9VAC25-780-50.I to identify circumstances or new information available that impacts one or more local governments within the region resulting in substantial changes to water supply planning. Changes may include new water sources, demand projections, drought management, water supply risks, alternatives, or other items included in this regulation. Updates to Plans may be made at any time and are encouraged to be updated as water supply planning information changes over time.

Full revisions to the Plans will begin ten years after the most recent Plan revision and compliance determination as outlined in 9VAC25-780-50.J. The regulation provides a required timeline for associated Plan revision kickoff meetings (i.e., at least 180 days before the ten-year anniversary of the most recent compliance determination by the Board). The ten-year review process will include full review and resubmission of Plans and follow the most recently available implementation guidance for 9VAC25-780 made available by the Department.