

Sussex Preservation Coalition
General Meeting 2/9/2023 2:30-4:00 pm

(In person and on Zoom at South Coastal Library, Bethany)

Attendees: Jeanette Akhter, Cathy Balsley, Rich Borrasso, Scott Brown, Leslie Calman, Michele Cavanaugh, Sheldon Fisher, P. J Fowler, Jim Henry, Jill Hicks, Dave Jaeger, Jimmy Jones, Marty Lampner, Eul Lee, Al Liebeskind, Tom Maedev, Maggie McLaughlin, Janis Nezvesky, Mimi Parvis, Jennifer Peasnall, Doris Ann Pierce, DeAnn Poling, Meg Hudson Rice, Joyce Romans, Johannes Sayre, Marty Schertzer, Michelle Schmidt, Judy Rose Seibert, Cheryl Siskin, Gerri Stephenson, David Weidner, Karin Westerman, Alison White.

Welcome and Introductions: Jane Gruenebaum, SPC President

Critical Climate Legislation: Dustyn Thompson, Chapter Director, Sierra Club, Delaware Chapter, speaking on Climate Legislation

- Summary of Climate Change Solutions Act - formerly SB 305
This Act, known as the Delaware Climate Change Solutions Act, follows the issuance of Delaware's Climate Action Plan in 2021, and
 1. establishes a statutory requirement of greenhouse gas emissions reductions over the medium and long term to mitigate the adverse effects of climate change due to anthropogenic greenhouse gas emissions on the State,
 2. establishes a mandatory and regularly updated plan to achieve those emissions reductions and develop resilience strategies for the State, and
 3. requires State agencies to address climate change/GHG reductions in decision-making and rulemaking and administrative processes and procurement/construction.
- For last year's version of full bill, go to <https://legis.delaware.gov/BillDetail/109575>
- This bill was introduced to the DE Senate on 6/9/22, passed, and was sent to the DE House on 6/10/22. Protests from the business community and the governor's last minute change of heart caused the bill to fail at the end of the session.

- It is being reintroduced in Spring 2023.
- Delaware's inventory of GHG (greenhouse gas) emissions include (for example):
 - Delaware imports ~70% of its energy (natural gas, nuclear, coal) and Delaware is responsible for the greenhouse gas effects of the production of that energy
 - Carbon released from chopping down old growth forests in Sussex County

- Many states have developed ways to reduce GHG emissions but, to date, Delaware has not! In 2005 there was a spike in emission levels in the US which spurred states to find ways to reduce GHG emissions. Goals regarding reducing state emission levels were established and state agencies were directed to consider goals, climate change, and emissions when creating regulations, procuring products, etc. Delaware's Climate Change Solutions Act is designed after the above model where each agency is tasked with developing their own plan to meet the state's goal.
- Delaware is **the last state** in the mid-atlantic region (except for PA) and the last state on the east coast (except for NH) to **NOT** have climate goals with a **directive** to meet the goals. Delaware has a climate action plan which was presented by the Governor and DNREC at the end of 2021 but it was only a roadmap and only suggested specific actions and accountability, it do not codify anything.
- Without directives, any pushback from environmental groups about decisions that negatively impact climate change is ineffective. The proposed Climate Change Solutions Act will codify climate goals and provide a foundation for lawsuits when climate-damaging decisions are made.
- The effect of agency directives on long-term planning:
 - **County comprehensive plans**:. If the state Office of State Planning is required to consider climate change, environmental justice, and hazard mitigation, it will require that all three counties include climate change (sea level rise scenarios,

precipitation scenarios, temperature scenarios) in their comprehensive plans.

- Agency goals: Agencies will need to develop and get approval for new plans every 5 years, with interim checks every 2 years to measure progress

- **Actions to take to support the Climate Change Solutions Act**

- Go to <https://www.sierraclub.org/delaware> and use letter writing tool to ask the governor, DNREC, your legislators and the sponsors of the bill to move the bill forward without changing it
- **Come to Lobby Day on 3/9/23 in Dover from 9:30am to 2:30pm**
- After the bill is filed, distribute information (pamphlets, fliers) in Sussex County

Land Protection/Open Space Funding: Michelle Schmidt, Director of Conservation and Watershed Planning, Delaware Center for the Inland Bays

- Center for Inland Bays (CIB) was established in 1994 and is one of 28 national estuary programs funded by the EPA to protect estuaries of national significance
- Three threats to the Inland Bays watershed
 - Eutrophication - excessively nutrient-rich runoff into waterways
 - Habitat loss
 - Climate change and sea level rise
- CIB's work is driven by the Comprehensive Conservation Management Plan (CCMP) which was developed by CIB and their partners which focuses on climate change, agricultural and developed landscapes, coordinated land/water use decisions, education and outreach, and restoring estuaries.
- The Land Conservation Initiative is part of the CCMP and has the goal of increasing the protection of land in Sussex County through acquisition or conservation easements (A conservation easement is a **voluntary agreement that allows a landowner to limit the type or amount of**

development on their property while retaining private ownership of the land. The easement is signed by the landowner and the state agency receiving the easement)

- Other partners include the Sussex Conservation Partnership, The Nature Conservancy, Sussex County Land Trust, DNREC, and Sussex County
 - Land under consideration must be ecologically and recreationally valuable
 - Since 2020, the land conservation initiative has acquired just under 343 acres through 9 different acquisitions
- Delaware Land Protection Coalition: a group of conservation-focused organizations dedicated to protecting land. Coalition started in 10/2021. Supported by CIB, the coalition is a statewide initiative that has the goals of increasing funding at the state and county levels and of identifying sweeps of property (connected land) for protection. Partners include Delaware Nature Society, New Castle County Public Works, Sussex Land Trust, Preservation Delaware, Nanticoke River Watershed Alliance.
 - Goal for 2022 was to increase funding for the Open Space Program (part of DNREC) from 10 million to 25 million in 2023. 20 million was allocated for FY 2023 (a one time allocation)
 - There are 4 entities that are entitled to receive Open Space funding: Fish & Wildlife, Parks and Recreation, Dept. of Forestry, and Cultural & Historical Affairs.
 - Goal for 2023 is to establish a permanent increase in funding and to find ways to help the state manage the lands that are acquired. These goals are long term goals - probably won't be realized this year. To increase funding, the coalition will target the Bond Bill committee.
 - **Action: Attend Conservation Lobby Day on May 10 at Legislative Hall in Dover: 11am - 4pm.** Meetings will be scheduled with legislators to ask for policy changes (ie funding) If interested in attending, send email to Michelle Schmidt and

ask to be on list for email updates:
<mailto:mschmidt@inlandbays.org>

County Government Update: Rich Borrasso, SARG and SPC board member. SARG is a grassroots organization that is focused on the county implementing the Comprehensive Plan

- Future Land Use Map is the only force of law in the Comprehensive Plan. It brings together most if not all of the elements of the comprehensive plan such as natural resources, economic development, housing and transportation. It is a map of what can be built and where for a 10 year period of time.
- In Sussex County, the Future Land Use Map is not well adhered to. Applicants frequently ask for (and are granted) changes to the Map which affect the State's plans. The State government funds schools, police, roads according to the plan.
- Memorandum of Understanding: Sussex County and the State are currently trying to come to an understanding of how future Land Use Map changes will be dealt with going forward. It is expected that in the future, fewer changes will occur
- County short-term priorities (12-18 mo): SARG has interviewed members of Council and learned that 3 Council persons have the following priorities:
 - Affordable housing and home ownership
 - Public safety (fire, EMS)
 - Tree preservation
- Coastal Corridor Study: The State is studying how the key corridors (Rtes 9, 16, and 24) will be developed over the next 20 years. Planning and Zoning needs to consider where future growth should occur and commit to a plan
- Cluster Development Amendments: Need to determine how to make a cluster development fit the concept of 'superior design'. Superior design has not been fully defined. As a result, too many trees have been sacrificed.

- Loss of Trees in Sussex County: The State is alarmed and is conducting a study on tree loss. Sussex is changing from farmland to developments; county codes do not protect trees. We need to amend the land use codes to create a tree ordinance. One council person is willing to sponsor this; 3 are concerned about tree loss.
 - In order to get an ordinance, we need to get it on the Council agenda, get agreement that an ordinance needs to be drafted, draft the ordinance, share the document through public hearings, then the Council can vote and codify the ordinance.
 - SARG will meet with Mr. Hudson next week to discuss the need for an ordinance.
 - **Action:** Need SPC and allies to educate public about how important it is to have an ordinance and to encourage the Council people to make the necessary changes

Call for Volunteers: Jill Hicks, SPC Vice President.

- Volunteers are needed to help with reporting the activities of Sussex County Council, Planning and Zoning, state PLUS reviews, state senators and representatives, and even federal legislators. Volunteers who can be journalists, reporters, and watchdogs regarding the local environment
- Volunteers who can do research. We need to understand what is in the ordinances now and what is going forward. We sometimes need to know what is going on in a specific subdivision when someone needs our help.
- Volunteers who can help with publicity and marketing.
- Volunteers who can help with artwork, photography, videography, drone operation.
- Volunteers who can help with technology and the use of social media
- Volunteers who have ideas about our upcoming podcast
- **Action:** Go to <https://www.sussexpreservationcoalition.org/about>, look under “who we are”, find a drop down menu that says “volunteer opportunities”, and fill out the form.

Planning and Zoning Hearing on March 9, 2023

- Need to attend P&Z hearing to show opposition to “Twin Masts”, a proposed 245 home cluster development on Round Pole Bridge Road, Milton - no County Council hearing is required
- PLUS report is opposed to development at this site
- **Action:** Contact Janet Le Digabel (Jreganlinton@hotmail.com) to assist residents of Round Pole Bridge Road

Treasurer’s Report: Judy Rose Seibert, Treasurer

- Current treasury is \$598
- Donation on 2/9/23 is \$78

MARCH MEETING - TO BE DETERMINED