



Citizens Advisory Committee (CAC) Citizen's Cafe

DATE & TIME

August 22, 2024, from 6:00 – 8:00 pm

LOCATION

Option 1: In-person

Delaware Center for the Inland Bays office
39375 Inlet Road
Rehoboth Beach, DE 19971

Option 2: Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/83174379002>

Meeting ID: 831 7437 9002

One tap mobile

+16469313860,,83174379002# US

+19292056099,,83174379002# US (New York)

Dial by your location

Meeting ID: 831 7437 9002

Find your local number: <https://us02web.zoom.us/u/kcEQnCJBLu>

ATTENDEES (17 in person; 19 Zoom = 36)

- **CAC members:**

Attending (7):

In-person (4) Lee Bunting Mary Kunst; Cheryl Rehrig; Dr. Claire Simmers

Zoom (3): Gail Dubowe; Frank Piorko; Ken Silverstein

Not Attending (6): Dr. Dennis Bartow - proxy, Stephen Gonski, Tianyin (Tia) Ouyang, Amanda Pappas; Dr. Ken Sigvardson - proxy; Richard Watson - proxy

CAC prospective members: Jay Headman; Irene Legiec

- Center staff (4): Lisa Swanger; Maddie Fox; Christophe Tulou; Melina Vella
- Public (22): In Person (8) Zoom (14)

AGENDA

Topic: Delaware Wetlands Protections

Meeting called to order by Claire Simmers

6:00-6:10 pm — Welcome

Claire Simmers, CAC Chair

6:10-6:40 pm — Guest Storytelling (ask for slides)

Steve Smailier - Director, DNREC Division of Water

Delaware Wetlands Protection and Challenges

Steve Smailier, director of DNREC Division of Water, provided an overview of Delaware's wetlands protection history and challenges. He discussed the 1978 Wetlands Act, the ongoing wetlands mapping process, and implementation issues like the 1991 unauthorized fee and the introduction of 2013 non-tidal standards. Lisa emphasized the need for a comprehensive approach to the program and expressed concerns about Senate Bill 290's potential impact. He highlighted the importance of protecting natural resources through collaboration with stakeholders like homebuilders, developers, the agriculture community, and environmental advocates.

State Program, Tidal Wetlands, and Protection Efforts

Steve discussed the current state program, focusing on the 1988 title maps and the exempt activities by statute. He highlighted the role of the Department in processing only 24 permanent activities in tidal wetlands annually, which results in about \$10,800 in permit fees. He also mentioned that the State's contribution to the program, approximately \$35,000, is a blend of salaries and operational costs. Lisa noted that 85% of tidal wetlands in the state are protected, with the majority owned by the State. She discussed the state's efforts to protect natural areas, focusing on the acquisition and preservation of land such as Delaware Seashore State Park and Cape Henlopen. Steve highlighted the importance of these protected areas and the role of the state in safeguarding them. He also presented maps illustrating the extent of wetlands protection in the state, noting the potential discrepancies between state and federal definitions of wetlands. He emphasized the need for field truthing to verify these definitions. Finally, he pointed out a specific area, a cul de sac built on pilings, as an example of the state's wetlands protection efforts.

Wetland Definitions, Regulations, and Protection Challenges

Steve discussed the inconsistencies between state and federal wetland definitions and regulations and proposed a comprehensive wetland program to streamline permitting and mitigate potential damage. She emphasized the importance of adequate funding for the Wetlands program and highlighted the challenges and successes of the state's efforts to manage and protect its resources, particularly concerning wetlands. Lisa also addressed the unique challenges faced by Delaware, a low-lying state, in protecting its wetlands, and the need for clear and consistent standards and criteria for wetland delineation and protection. She mentioned ongoing discussions with Senator Stephanie Hanson about developing a state wetland policy.

Delaware Wetland Protection and Resilience

Steve discussed the current state of wetland protection in Delaware, highlighting that the state is the only one in the mid-Atlantic region without federal protection for freshwater wetlands. He noted the loss of around 3,200 acres of tidal wetlands from 1938 to 2017 and the increasing threat to coastal wetlands due to climate change and land subsidence. He emphasized the importance of these wetlands as a natural coastal protection mechanism, estimating their value at over a billion dollars. He also discussed the ongoing work on the 'backyards to bays' project, aimed at enhancing the resilience of communities and improving water quality. Lastly, he pointed out the urgent need for legislation at the state level to address the lack of protection for Delaware's freshwater wetlands.

6:40-7:10 pm — Center Storytelling

Christophe Tulou - Executive Director, CIB

Protecting Delaware's Wetlands and Collaboration

Christophe provided a context on why wetlands are critical, protecting us from erosion. He underscored the importance of preserving and protecting Delaware's natural resources, particularly its wetlands, due to their economic and environmental significance. He advocated for collaboration among stakeholders, including farmers, developers, and environmental organizations, to ensure effective conservation processes. He also recommended the development of a robust environmental law in Delaware, drawing on the experiences of other states since the 2023 Saggitt decision there is no freshwater protection. He emphasized the need for adequate funding and the right policies to support its enforcement. He suggested involving various stakeholders, including the agricultural and manufacturing sectors, in the biotech sector's development to foster innovative solutions and find compromises for a more efficient process.

7:10-7:25 pm — Citizen's Input

Several discussed the need for a better social media presence and advertising to a larger community

7:25-8:00 pm — CAC Discussion & CIB Updates

- Approval of CAC meeting minutes - April 25, 2024
- CAC "Rare Earth" working group updates
 - Ken Silverstein, a CAC team member, gave an overview of the CAC's working group named, Rare Earth.
- Approval of 2 CAC membership applications unanimous approval by CAC members
 - Jay Headman
 - Irene Legiec
- Center Updates - Lisa Swanger
 - Lisa introduced a new website for community feedback and a pilot program, the 'Bays to Backyards Community Engagement Program', aimed at creating environmentally sustainable residential communities. She also outlined the program's approach to guiding communities in creating action plans for sustainability and discussed the potential for including developers in some capacity.

- Lisa discussed the drafted final of the Inland Bays habitat management plan, which supplements the comprehensive conservation and management (CCMP) plan and will be presented to the board in October.
 - She announced the upcoming Hispanic Fest, reminded CAC members to use the volunteer database to log their volunteer hours (including CAC-specific time), and mentioned the Resilient and Sustainable Communities League (RASL) requesting input on their 5-year strategic plan.
 - Claire also mentioned the fourth CAC meeting for the year will be formatted as a panel discussion.
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2024 CAC Meeting Schedule

6:00 - 8:00 PM

Thursday, February 15, 2024

Thursday, April 25, 2024

Thursday, August 22, 2024

Thursday, October 24, 2024