

DNREC NEWS

The Delaware Department of Natural Resources and Environmental Control

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August 25, 2005



Ruth Ann Minner
Governor

John A. Hughes
Secretary

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Visit our Website:
www.dnrec.state.de.us

Yard Waste Management Committee Sets First Meeting for Aug. 31

The Delaware State Yard Waste Management Committee will hold its first meeting next Wednesday, Aug. 31 from 1:30 to 3:30 p.m. at the Smyrna Rest Area on Route 13, just north of Smyrna.

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Secretary Hughes Encourages Volunteers to Join Sept. 17 Cleanup of Delaware's Coast

What do a bowling ball, a ladies wig and a car bumper have in common? They were all found on Delaware's beaches last year during Coastal Cleanup.

DNREC Secretary John A. Hughes mentioned the odd assortment of items that landed on Delaware beaches and were



Leslie Hennessey

Kicking off Coastal Cleanup are (l-r) Matt Likovich, Delmarva Power; Nancy Howard, Ocean City Council; DNREC Secretary John A. Hughes; Joyce Ponsell, Assateague Coastal Trust; GERALYN MIRELES, Chincoteague National Wildlife Refuge; and Jennifer Knotts, Delaware Coastal Cleanup coordinator.

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Calendar

*For information or registration for park events, please contact individual park offices and the parks website at: www.destateparks.com
A listing of park offices follows the calendar.*

AUGUST

- 25 – Public hearing on “Control of Stationary Generator Emissions”,** 6 p.m., DNREC Auditorium, Richardson and Robbins Building. Contact Mark A. Prettyman, (302) 739-9402.
- 30 – Public workshop on total maximum daily loads (TMDLs) for nutrients, dissolved oxygen and bacteria for the Chester, Choptank, Marshyhope and Pocomoke River watersheds,** 6 p.m., Hartly Fire Hall, 2829 Arthursville Road, Hartly, Del. Contact Hassan Mirsajadi, (302) 739-4590.
- 31 - Yard Waste Management Committee meeting,** 1:30 to 3:30 p.m., Smyrna Rest Area on Route 13, just north of Smyrna. Contact Janet Manchester, (302) 739-9403.

SEPTEMBER

- 1 - Public workshop on total maximum daily loads (TMDLs) for nutrients, dissolved oxygen and bacteria for the Chester, Choptank, Marshyhope and Pocomoke River watersheds,** 6 p.m., University of Delaware Cooperative Extension Service Research and Education Center, 16684 County Seat Highway (Route 9), Georgetown, Del. Contact Hassan Mirsajadi, (302) 739-4590.
- 7 – Public hearing on proposed total maximum daily loads (TMDLs) for Shellpot Creek and Naamans Creek watersheds,** 6 p.m., auditorium of Mt. Pleasant Elementary School, 500 Duncan Road., Wilmington, Del. Contact Hassan Mirsajadi, (302) 739-4590.
- 17 - Environmental grant writing workshop,** 10 a.m. to 2 p.m., St. Jones Reserve Center, 818 Kitts Hummock Road, Dover (lunch provided). Contact Katy O’Connell, (302) 739-3436 x20.
- 29 - Public workshop on Accidental Release Prevention Regulation,** 10 a.m. to noon, DNREC Air and Waste Management office conference room, 715 Grantham Lane, New Castle. Contact Jay Brabson, Emergency Prevention and Response Branch, (302) 323-4542.

Park Offices:

Brandywine Creek State Park, (302) 577-3534; Nature Center, (302) 655-5740
White Clay Creek State Park, (302) 368-6900; Nature Center, (302) 368-6560
Bellevue State Park, (302) 577-3390; Arts Center, (302) 577-6540
Trap Pond State Park, (302) 875-5153; Nature Center, (302) 875-5163
Lums Pond State Park, (302) 368-6989; Nature Center, (302) 836-1724
Fort Delaware State Park, (302) 834-7941
Killens Pond State Park, (302) 284-4526
Cape Henlopen State Park, (302) 645-8983; Nature Center, (302) 645-6852

Yard Waste Management continued from page 1

The agenda includes the following items:

- Introductions
- Legislative Perspective – Senator Karen E. Peterson (invited)
- Yard Waste Overview and Context – James D. Werner, DNREC Air and Waste Management Division Director
- Committee Objectives
- Path Forward and Timeline
- Assignment of Tasks
- Meeting Schedule

DNREC formed the Yard Waste Management Committee in the wake of efforts to enact legislation (S.B. 225) to divert recyclable and reusable material from the state's waste stream that ultimately is deposited into landfills. The committee is composed of a broad range of Delaware stakeholders, including local government officials, private waste haulers, community and environmental non-profit organizations, private companies with experience with yard waste and composting operations, and the Delaware Solid Waste Authority.

The proposed legislation would require residents to keep yard waste separate from other trash and would require trash haulers to take the yard waste to composting and mulching facilities rather than to landfills. This requirement would save resources and prolong the life of landfills in the state as well as provide an incentive for the creation and expansion of small businesses that could turn the diverted material into a valuable resource. The bill was offered at the end of the 2005 legislative session and garnered co-sponsorship from nearly two dozen members.

The Yard Waste Management Committee will help provide authoritative information about the practicality, cost and benefits of different yard waste management options.

For further information contact Janet Manchester, Solid and Hazardous Waste Management Branch, Division of Air and Waste Management, (302) 739-9403.

Coastal Clean-up continued from page 1

carted away last year by volunteers during the kick-off event for this year's cleanup held on the beach bordering Delaware and Maryland at the end of 146th Street in Ocean City, Md. last week.

This year's cleanup will be held Sept. 17 from 9 a.m. to noon. Delaware is participating for the nineteenth year in the world's largest annual clearing of trash from coastlines and lakes by volunteers. The Coastal Cleanup program was started to provide a way to monitor the amount of trash being thrown into the oceans and waterways by fishing vessels, cruise ships, and recreational boaters. The cleanup has now grown to include participation by 55 states and territories and 90 countries, with the number of both growing each year.

Volunteers are the key component of this effort and Delaware needs lots of volunteers to help cover the state's 97-mile eastern coastline, which includes river and ocean shorelines as well as wetland and watershed areas. This year more than 49 sites, which cover New Castle, Kent and Sussex counties, are being targeted.

Volunteers reporting to their sites are given data cards to record the number and type of trash picked up. This data is instrumental to the department in targeting pollution sources and developing methods for reducing and eliminating trash.

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Last year almost 9,400 pounds of trash were collected. Cigarettes were the number one item collected; volunteers picked up 15,351 cigarette butts. They also picked up a shopping cart, keys, furniture and a cell phone along with many other surprising items.

Delmarva Power has been a primary partner of the cleanup for many years. Playtex Family Products donates rubber gloves for cleanup volunteers. Delaware is joined with sister states Maryland, New Jersey, and Virginia in the Ocean Conservancy's International Coastal Cleanup event.

All registered participants will receive an original Coastal Cleanup 2005 T-shirt. Registration deadline for volunteers who want to be assured a T-shirt is Sept. 2. Late registrants and walk-ins will receive them on an as-available basis.

Volunteers will NOT receive confirmation of registration but will automatically be assigned to the site they select unless notified otherwise.

Everyone from youth groups and businesses to families and individuals are encouraged to join this worldwide cleanup effort.

Registration can be made online at www.dnrec.state.de.us. On the right-hand side of the page is a "Coastal Cleanup Signup" button which will take you to the cleanup's home page. You can also register over the phone by calling Jennifer Knotts, Coastal Cleanup coordinator, (302) 739-9902.

DNREC Releases Landmark Air Toxics Study

Air Toxics Assessment Study most comprehensive in the region

On Aug. 15, in a presentation to the Delaware Cancer Consortium, the Delaware Department of Natural Resources and Environmental Control (DNREC) released the results of Phase I of the Delaware Air Toxics Assessment Study (DATAS). The study represents a major undertaking of DNREC's Air Quality Section with significant technical advice from the Delaware Department of Health and Social Services' Division of Public Health (DPH).

According to John A. Hughes, DNREC's Secretary, DATAS represents the largest, most comprehensive evaluation of air toxic contaminants and the risks to human health undertaken in the Mid-Atlantic region. "DATAS is an important component of Governor Minner's "Livable Delaware" initiative," said Secretary Hughes. "The study will provide my agency with valuable, Delaware-specific data to help us develop new strategies that reduce air toxic pollutants and improve our air quality," he said.

Air toxics, or hazardous air pollutants (HAPs), are chemicals that, at sufficient concentrations and exposures, are known or suspected to cause cancer or adverse health effects in humans. Most air toxics originate from man-made sources, including on-road and off-road motor vehicles, power plants, manufacturers, dry cleaners, and auto paint shops.

Developed as a two-phase project, the Phase I results include work initiated in early 2002 and completed as of June 30, 2005. Phase I includes the results of DNREC's one year air toxics monitoring program, an expanded emissions inventory of air toxic pollutants, and a prototype study of air dispersion modeling.

When completed in 2006, Phase II will include air dispersion modeling using the emissions inventory and an assessment of potential risks to human health throughout Delaware. The air dispersion modeling will enable a better understanding of ambient concentrations of air toxics in each of Delaware's communities. The potential exposure to air toxics and the potential health risks to spe-

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cific communities will be evaluated.

In Phase I, air toxic concentrations were monitored in five locations throughout 2003. The five sites included three in New Castle County - Martin Luther King Boulevard in Wilmington, Delaware City, and Lums Pond State Park near Middletown and one location each in Kent and Sussex counties – Killens Pond State Park near Felton and Seaford, respectively. Preliminary results of air toxic concentrations show a range of monitored data to be comparable to results reported for other urban sites in the nationwide Urban Air Toxics Monitoring Program.

Using DNREC's monitored results, DPH completed risk assessments for cancer and other adverse health effects for adults, children, and an age-adjusted population—a combination of adult and child factors—for communities near the monitoring sites. **None of the risk assessments for any of the five monitoring locations for any age group fell in the high risk range.**

The cancer risk assessment results were as follows for the five monitoring locations:

- None of the 5 monitoring sites have cancer risks for individual chemicals in the high or increased risk range. Therefore, no single chemical poses a risk greater than 1 additional cancer case per 100,000 exposed people (Low risk).
- For the adult and age-adjusted populations, all monitoring sites have cumulative risks (risks when all chemicals are totaled) greater than 1 additional cancer case per 100,000 exposed people but less than 5 additional cancer cases per 100,000 exposed people (Increased risk). Greater than 1 but less than 10 additional cancer cases per 100,000 exposed people is defined as increased risk.
- For the child population, all monitoring sites have cumulative risks of less than one cancer case per 100,000 exposed people (Low risk).

Note: None of the risk assessments for cancer were in the high risk range of 10 or more additional cancer cases per 100,000 exposed people.

The risk assessment results for other adverse health effects for the five monitoring sites:

- No single chemical has a hazard quotient in the high or increased risk range. Therefore, no single chemical poses a risk greater than 1. A hazard quotient of one or less is defined as low risk.
- One location, the Martin Luther King Boulevard site near Wilmington has cumulative adverse health effects (risks when all chemicals are totaled) in the increased range with hazard indexes from 1.2 to 2.6 (Increased risk). A hazard index of greater than 1 but less than 10 is defined as an increased risk.
- All other monitoring sites have cumulative adverse health effects for the child population in the increased range with hazard indexes of 1.3 to 1.4 (Increased risk).
- All other monitoring sites have cumulative adverse health effects in the low risk range for the adult and age-adjusted populations with a hazard index of less than 1 (Low risk).

Note: None of the risk assessments for other adverse health effects were in the high risk range with a hazard quotient or a hazard index of 10 or greater.

Beginning next month, DNREC will begin its outreach and community efforts to build awareness and an understanding of DATAS and the results from Phase I.

To learn more about the DATAS Phase I report:

- See “Hot Topics” on the home page of DNREC’s web site, www.dnrec.state.de.us
- Or go to www.dnrec.state.de.us/air/aqm_page/DATAS.htm
- Contact DNREC’s Air Quality Section at (302) 739-9402.
- E-mail questions to datas@state.de.us

For further information, contact Ali Mirzakhali, Air Quality Management (302) 739-9402.

Public Hearing on Total Maximum Daily Loads for Shellpot Creek and Naamans Creek Watersheds Set for Sept. 7 in Wilmington

The Department of Natural Resources and Environmental Control will hold a public hearing on proposed total maximum daily loads (TMDLs) for nutrients, dissolved oxygen and bacteria for the Shellpot Creek and Naamans Creek watersheds at 6 p.m. Wednesday, Sept. 7 in the auditorium of the Mt. Pleasant Elementary School, 500 Duncan Road, Wilmington, Del.

To ensure that the water quality of both creeks is protected, the department has placed these waters on the state's 303(d) list of impaired waters. Proposed TMDLs are developed in compliance with federal Clean Water Act requirements and establish maximum amounts of pollutants that can be discharged to water bodies from point (direct) and nonpoint (indirect) sources while maintaining water quality standards.

Water quality monitoring performed by the department has shown that some segments of Shellpot Creek are impaired by high levels of the nutrients nitrogen and phosphorous, oxygen consuming compounds and bacteria. Some segments of Naamans Creek are similarly threatened by nutrients and low dissolved oxygen, and impaired by high bacteria levels.

The TMDLs initially proposed for both watersheds have been modified as a result of comments received at a public workshop held June 15 in Wilmington as well as the department's reevaluation of the initial TMDLs. Modifications include using a more appropriate method to calculate nonpoint source loads for the Shellpot Creek watershed. In addition, the TMDLs are modified so that the nonpoint source loads in both watersheds are now allocated as a waste load allocation to municipalities covered by the Municipal Separate Storm Sewer System (MS4) permitting system. Other than these two modifications, requirements of the proposed TMDLs are similar to those presented during the June 15 public workshop.

Copies of the draft regulations and supporting documents are available on the department's website at <http://www.dnrec.state.de.us/water2000/Sections/Watershed/TMDL/tmdlinfo.htm> or by request. Written comments may be submitted in advance of the hearing date from individuals unable to attend the hearing. Please submit written materials (preferably by email) to: Hassan.mirsajadi@state.de.us; or by regular mail or facsimile to: Hassan Mirsajadi, Watershed Assessment Section, Department of Natural Resources and Environmental Control, Silver Lake Plaza-Suite 220, 820 Silver Lake Boulevard, Dover, DE 19904-2464, fax: (302) 739-6140. The hearing record will close at the conclusion of the hearing.

For further information, contact Hassan Mirsajadi, Watershed Assessment Section, (302) 739-9939.

Delaware National Estuarine Research Reserve Offers "Get the Grant" Environmental Grant Writing Workshop Saturday, Sept. 17

Participants must register by Sept. 9

The Delaware National Estuarine Research Reserve, part of DNREC's Delaware Coastal Programs Section, will host a grant writing workshop Saturday, Sept. 17 from 10 a.m. to 2 p.m. (lunch provided) at the St. Jones Reserve Center, 818 Kitts Hummock Road, Dover.

The workshop will assist applicants in developing successful project proposals for environmen-

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tal grants. All prospective applicants, particularly those with little or no grant writing experience, are encouraged to attend.

Various Delaware agencies and organizations, including the Delaware Coastal Programs, offer grants to landowners, local governments, non-profits, and others, to manage open space as natural habitat, involve the community in conservation, and protect the state's natural resources.

The morning session will consist of presentations regarding general grant writing tips and opportunities for grant funding. Delaware Coastal Programs staff will be available to answer questions and help workshop participants develop proposed projects. After lunch, participants are invited on a walking tour of the St. Jones Reserve property to view options for native plants, landscaping, and habitats.

The workshop is free of charge; however, attendees must pre-register by Friday, Sept. 9.

For more information about the grant workshop or to register, please contact Katy O'Connell at (302) 739-3436 x20 or via email at katy.oconnell@state.de.us.

Visit The First State Heritage Park at Dover During Labor Day Weekend

Highlighted by guided tours at Legislative Hall, The First State Heritage Park at Dover will be open for tours and exhibits on Labor Day weekend, Sept. 2-4.

The sites linked by state's first "park without boundaries" include Legislative Hall, Delaware Public Archives, the State House Museum, Museum Square sites, and the Biggs Museum of American Art. All sites are open 9 a.m. – 5 p.m. on Saturday, Sept. 2 and Labor Day Monday, Sept. 4.

On Sunday, Sept. 3, the State Visitor Center, State House Museum and Biggs Museum will be open from 1:30-4:30 p.m. Admission is free. Centrally located free parking is available at the Delaware Public Archives, 121 Duke of York Street.

The First State Heritage Park at Dover is an interagency partnership between the Delaware Department of State, the Delaware Department of Natural Resources and Environmental Control, and the Delaware Economic Development Office.

For more information about Labor Day Weekend programs, the public may call 302-739-9194.

If You Go:

LEGISLATIVE HALL, Legislative Avenue

Open 9-5 September 2 & 4; Closed September 3

PHOTO ID IS REQUIRED FOR ENTRY TO LEGISLATIVE HALL.

Guided tours begin hourly, 9 a.m. through 4 p.m. The tour includes the General Assembly chambers, the governor's ceremonial office, the portrait gallery of Delaware's governors and military heroes, Jack Lewis murals and Delaware State Museums' exhibit of a selection of items recovered from the De Braak shipwreck.

DELAWARE PUBLIC ARCHIVES, 121 Duke of York Street

Open 9-5 September 2 & 4; Closed September 3

100 Stories: An Exhibit Showcasing 100 years of service by the Delaware Public Archives

This exhibit provides a wide variety of documents and photographs that tell the story of the First State. Some of the items have had a significant impact on the social, economic, and political lives of Delawareans while other images reflect the cultural joys and concerns that take place in everyday

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life.

“Jewel Box” displays Delaware’s Colonial Charter

The Bill of Rights has returned to storage at the National Archives, and the “Jewel Box” at the Delaware Public Archives is now featuring one of its oldest holdings – the original colonial charter of the State of Delaware. This is one of four documents commonly known as the “Charter Documents” that established and continue to protect Delaware’s boundaries and its resources. The document on display is a “Charter” deed from Charles II to James, the Duke of York for the entire territory now known as Delaware, dated March 22, 1682.

September 2, 10:30 – 11:15 a.m.: Delaware Public Archives’ Movie Series (Courtesy of the National Archives and Records Administration)

The Army-Navy Screen Magazine – Highlights (1943-1945)

Supervised by Frank Capra, this film features selections from the bi-weekly news and entertainment short subjects shown before the feature movie in all military motion picture theaters during World War II. (52 minutes)

DIVISION OF HISTORICAL AND CULTURAL AFFAIRS

Delaware State Visitors Center, 406 Federal Street

Open 9-5 September 2 & 4; 1:30-4:30 September 3

State House Museum on The Green:

Open 9-5 September 2 & 4; 1:30-4:30 September 3

Ongoing tours.

Museums Square, Bank Lane and New Street:

Open 9-5 September 2 & 4; Closed September 3

Demonstrations detailing the American working force.

Johnson Victrola Museum: Special focus tours celebrate African American Music Month, highlighting recording artists who performed at the Cotton Club

Archaeology Museum

Museum of Small Town Life

THE BIGGS MUSEUM OF AMERICAN ART, 406 Federal Street

Open 9-5 September 2 & 4; 1:30-4:30 September 3

Special Exhibition: Award Winners V

This is the Biggs Museum’s fifth annual exhibition commemorating the diversity of Delaware’s visual and performing artists. It features works by 2005 Delaware Division of the Arts Individual Artist Fellowship recipients.

BIGGS KIDS 2:00 p.m. On the first Saturday of each month, the Biggs Museum offers special programs designed for children ages 5 to 10! Hands-on activities and fun for the whole family.

For more information, contact Elaine Brenchley, First State Heritage Park director, (302) 739-9178; public information number: (302) 739-9194.

Division of Fish and Wildlife Says Outlook for Upcoming Waterfowl Season ‘Fairly Good’

Based on breeding waterfowl numbers, Delaware hunters can expect about the average number of ducks this fall. However, the number of ducks an individual hunter sees is largely dependent upon local conditions such as weather and water levels.

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Preseason scouting is necessary to know local conditions and increases the quality of the hunting experience, according to Division of Fish and Wildlife waterfowl biologist Tom Whittendale.

“The outlook for the 2005-2006 duck season is fairly good,” Whittendale said. “Breeding duck numbers were similar to last year but five percent below the long term average. Breeding habitat conditions were good to excellent in the eastern U.S. and Canada, but drier in the central U.S. and Canadian provinces. The fall flight is predicted to be similar to that of 2004.”

The conditions in the breeding areas determine the season framework that the U.S. Fish and Wildlife Service applies to Delaware and the other Atlantic Flyway states.

ATLANIC BRANT

The January estimate of brant in the Atlantic flyway is 123,200 (5 percent below 2004, and below the population goal of 125,000). Spring breakup of ice and snow on the breeding grounds was delayed this year and production should be less than in 2004. A reduced fall flight is expected.

GREATER SNOW GEESE

The 2005 spring photographic survey in Canada’s St. Laurence Valley prior to the breeding season was 814,600 (15 percent below last year). Heavy winter snow fall contributed to a delayed nesting season, and clutch size was slightly lower than last year. A fall flight similar to or slightly below 2004 is expected.

CANADA GEESE

The 2005 breeding population index for the Atlantic population of migratory Canada geese was 162,400 pairs (down 7 percent from last year) with a total population of 1,140,800 (up 12 percent from last year). Good nesting conditions and good nesting success in 2005 resulted in increased reproduction. A fall flight larger than last year is expected.

MIGRATORY BIRD SEASONS 2005 - 2006

Dove	Sept. 1 – Sept. 30	Noon to sunset
12 bird daily limit	Dec. 6 – Jan. 14	½ before sunrise to sunset
Resident Canada Goose	Sept. 1 – Sept. 15	
8 bird daily limit		
Early Teal	Sept. 17 – Sept. 27	
4 bird daily limit		Geographic limitations in coastal zone only, ½ hour before sunrise to 10:00 am.
Youth Hunt	Oct. 22	
Standard limits apply including (1 canvasback & 2 Canada geese)		
Ducks	Oct. 24- Nov. 5	
6 bird daily limit	Nov. 21 – Dec. 3	
	Dec. 12 – Jan. 21	

Canvasback Dec. 19, 2005 – Jan. 21, 2006

Six duck basic bag including no more than: 4 mallards (2 hens), 2 scaup, 2 wood ducks, 2 redheads, 1 black duck, 1 pintail, 1 mottled duck, 1 fulvous whistling duck, 4 scoters, and 1 canvasback.

Harlequin closed.

Snow Goose	Oct. 10 – Nov. 8
15 bird daily limit	Nov. 21 – Jan. 21
	Jan. 23 – Mar. 10 (Mon., Wed., Fri., Sat. Only)
Alternate season for Bombay Hook:	Oct. 10 – Jan. 20 & Feb. 6 – March 8
Brant	Dec. 28 - Jan. 31

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2 bird daily limit	
Migrant Canada Goose	Nov. 21 – Dec. 3 Dec. 15 – Jan. 21 (2 bird daily limit)
Coots & Mergansers	Same season dates as ducks
15 coots & 5 mergansers daily limit (1 hooded merganser)	
Possession limit is twice the daily bag, except no possession limit for snow geese.	
Shooting hours are ½ hour before sunrise to sunset, except for the teal season.	
King & Clapper Rails	Sept. 1 – Nov. 9
10 bird daily limit	
Sora & Virginia Rails	Sept. 1 – Nov. 9
25 bird daily limit	
Woodcock	Nov. 21 – Dec. 10
3 bird daily limit	Dec. 22 – Dec. 31
Common Snipe	Nov. 21 – Jan. 31
8 bird daily limit	
Gallinules	Sept. 1 – Nov. 9
15 bird daily limit	
Crows	June 23 – March 25
No limit	
Sea Ducks	Sept. 17 – Jan. 19
7 bird daily limit (including only 4 scoters)	

For further information, contact Division of Fish and Wildlife waterfowl biologist Tom Whittendale, (302) 653-2883 or Wildlife Administrator Greg Moore, (302)-739-9914.

Eastern Equine Encephalitis Found in Sentinel Chickens Monitored by DNREC for Mosquito-Borne Diseases

The first finding this year of eastern equine encephalitis (EEE) in Delaware was found Friday, Aug. 12 in blood samples of two sentinel chickens from a virus monitoring station in the Great Cypress Swamp in south-central Sussex County. The monitoring station is one of 22 sentinel chicken stations used statewide by the Department of Natural Resources and Environmental Control's Mosquito Control Section to monitor for both EEE and West Nile virus, the primary mosquito-borne health threats in Delaware.

The test results were reported by the Division of Public Health Laboratory on Aug. 12 for blood samples drawn by Mosquito Control from the two chickens on Aug. 9. In reaction to the EEE-positive findings, on Tuesday evening, Aug. 16, Mosquito Control set an additional 15 portable "light traps" in or near Gumboro, Selbyville, Frankford and Dagsboro.

Depending upon the extent and severity of mosquito infestations documented in these areas, spraying of adult mosquitoes by aircraft or truck-mounted sprayers may be done either today, Aug. 18 or tomorrow, Aug. 19, according to William Meredith, Mosquito Control Section administrator. EEE is often linked to saltmarsh mosquitoes that can fly long distances inland, as well as some freshwater mosquitoes too, notes Meredith. It has been in Delaware much longer than West Nile virus and fortunately, is much rarer. Both viruses can also infect horses.

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Eastern equine encephalitis is not transmitted person to person. Symptoms range from a headache and mild flu-like illness to inflammation of the brain, coma and death. The incubation period for the disease is 5-15 days. People over age 50 and younger than age 15 seem at greatest risk for developing severe disease. There is no specific treatment for EEE and 35 percent of cases are fatal, making it one of the most pathogenic mosquito-borne diseases in the United States. An estimated 35 percent of people who survive EEE will have mild to severe neurologic deficits.

Although there have been no confirmed human cases of EEE in Delaware since 1979, DPH recommends that residents and visitors protect themselves by preventing mosquito bites and mosquito breeding at their homes. Prevention includes using insect repellent containing DEET or picaridin, wearing protective clothing from dusk to dawn when mosquitoes are most likely to bite, and controlling standing water that can provide mosquito-breeding sites.

Dr. Wesley Towers, state veterinarian, urges horse owners to contact their veterinarian if they suspect a horse has EEE or West Nile virus. Symptoms in horses include listlessness, muscle spasms in the head and neck and hind-limb weakness. Equine vaccines for both viruses are available through veterinarians.

Recent findings of EEE in mosquito collections, sentinel chickens or horses in Massachusetts, Rhode Island, New Jersey, tidewater Virginia, northeastern North Carolina, South Carolina and Florida may indicate that EEE could become more common later this summer along the Atlantic seaboard, and there have already been human cases of EEE in Florida, noted Meredith.

To date in Delaware, there have been no findings this year of West Nile virus in wild birds, sentinel chickens, horses or humans. Last week, Maryland reported its first 2005 finding of West Nile in a mosquito collection from the Silver Spring area. Nationally for 2005, as of Aug. 12, the Centers for Disease Control and Prevention reports 187 human cases of West Nile virus including 3 fatalities, coming from 22 states led by California, South Dakota, Arizona and Colorado. The worst situation for West Nile virus in Delaware occurred in 2003 when there were 17 human cases and two fatalities.

Mosquito Control uses trucks or aircraft to apply, as warranted, insecticides registered by the U.S. Environmental Protection Agency to reduce adult mosquitoes. In accordance with EPA determinations, these products pose no unreasonable risks to human health, wildlife or the environment.

Homeowners are encouraged to be aware of breeding habitats around homes and to drain mosquito-breeding areas such as upright wheelbarrows, old tires, discarded cans and barrels, flower pot liners, tarps covering boats, and clogged rain gutters. Water in birdbaths and children's wading pools should be changed frequently, and abandoned or unused swimming pools should be drained or covered.

Meredith said the EEE findings are not cause for alarm, but Delawareans should take additional personal protection measures to reduce or avoid mosquito bites. Limit outdoor activities when mosquitoes are active around dawn and dusk and throughout the evening. Mosquito Control and the Division of Public Health advise residents to take common-sense precautions against insect bites such as wearing repellent containing 30 percent or less DEET for adults and 10 percent or less DEET for children (picaridin and oil of lemon eucalyptus are alternative mosquito repellents now recognized as somewhat effective by EPA).

DNREC encourages individuals who find sick or dead crows, blue jays, or hawks or owls suspected of having contracted West Nile virus to call the Mosquito Control Section, Monday through Friday from 8 a.m. to 4 p.m. at the following numbers which should also be used to report mosquito problems. Residents should wear gloves and avoid direct skin contact when handling sick or dead birds.

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New Castle County (302) 836-2555

Kent or Sussex County (302) 422-1512

For questions about mosquito control or biology, call DNREC, (302) 739-9917.

For human health questions about EEE or West Nile virus, call the Division of Public Health, (302) 739-4617.

For questions about EEE or West Nile in animals, call the Department of Agriculture, 800-282-8685 and ask for Poultry-Animal Health.

For further information, contact Dr. William Meredith, Division of Fish and Wildlife, (302) 739-9917.

Piping Plover Nesting Area at Cape Henlopen State Park's Gordons Pond Beach Reopened to Public Aug. 14

Now that the last of this year's 12 surviving piping plover chicks are flying, Cape Henlopen State Park's Gordons Pond beach reopened to the public on Sunday, Aug. 14. The historic nesting habitat on the ocean side of the Point will not reopen until Sept. 1 (same date every year). The bayside beach at the Point will remain closed until Oct. 1 for use by shorebirds migrating south for the winter.

"This was quite a successful year for Delaware's piping plovers," said Marnie Pepper, a wildlife biologist with the Delaware Division of Fish and Wildlife. "We had eight breeding pairs, a record number, and fledged 12 chicks."

Of the 22 chicks that hatched, there were four fledglings from the Gordons Pond area and eight fledglings from the Point of the Cape.

Piping plovers return to Delaware in March or early April and build their nests in the sand between the dunes and the water. According to Pepper, this practice puts the species in danger from beachgoers, pets and predators. Both eggs and the young birds are so well camouflaged that they are in danger of being stepped on or otherwise disturbed by humans. Off-road vehicles also can degrade their habitat and destroy their nests.

The U.S. Fish and Wildlife Service put the Atlantic Coast population of piping plovers on its list of threatened species in 1986.

The Department of Natural Resources and Environmental Control's Piping Plover Recovery Program is a joint effort of the Division of Fish and Wildlife, the Division of Parks and Recreation and the Division of Soil and Water Conservation.

For further information, contact Marnie Pepper, Division of Fish and Wildlife, (302) 382-4151, or Paul Faircloth, Cape Henlopen State Park, (302) 645-8983.

Delaware Dove Hunting Season Opens Sept 1.

Opening day for Delaware's dove hunting season is Thursday, Sept. 1. Although most hunting is done on private land, several State Wildlife Management Areas offer good opportunities for taking part in this challenging wing-shooting sport.

The Division of Fish and Wildlife reminds hunters that the season is set up somewhat differently than in recent years, with hunting open during the entire month of September and from

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Dec. 6 through Jan. 14. Hunting hours for September are noon until sunset. During the rest of the season, they are an hour and a half before sunrise until sunset.

Here is a county by county run down.

New Castle County

Cedar Swamp Wildlife Area has three regulated dove fields planted with sunflowers. They are located at the Rocks, Guessford and Bell tracts with a total of 27 hunter stations. During September, hunting is by permit only obtained through a lottery conducted at noon at the Cedar Swamp Lottery Station. Hunting is permitted only on opening day, Saturdays and Labor Day and only from 1-5 p.m. Non-toxic shot is required in all gauges.

During September, dove hunting is closed in Zones 1, 2, 8 and 9 outside of these regulated fields. It is permitted without a permit in Zones 3, 4, 5, 6, and 7 of Cedar Swamp and the rules associated with the special regulated fields do not apply in these zones. Dove hunting is permitted throughout the entire area during the late season, with no permit required.

The *Augustine and C&D Canal Wildlife Areas* are both open for dove hunting as permitted by statewide regulations. Augustine has two dove fields planted with millet but no special regulations apply to these fields.

Kent County

The *Blackiston and Norman G. Wilder Wildlife Areas (Caulk Tract)* each have one managed dove hunting field. These are open daily with no special regulations.

Milford Neck Wildlife Area has two dove fields at the Penuel Tract that are open opening day, Mondays, Wednesdays and Saturdays. Approximately 12-15 hunters are selected for these hunts through a daily lottery held at noon at the Little Creek Hunter Check Station.

The *Ted Harvey Wildlife Area Logan Lane Tract* has two fields that accommodate 12-15 hunters. They are open on opening day, Tuesdays and Saturdays and, on Labor Day, Monday, Sept. 5. The lottery drawing is at 12:30 p.m. at the Little Creek Check Station. Non-toxic shot must be used on the Ted Harvey area.

Sussex County

Assawoman Wildlife Area will have one field available on the Muddy Neck Tract. It will be available for hunting on Saturdays only in September from 1 - 6 pm. Non-toxic shot is required. No lottery drawing is required and there is no limit on hunter numbers. Permits are on a first come, first serve basis and can be picked up at the check station starting at noon.

Nanticoke Wildlife Area will have two fields open every day starting on the official opening day. There are no special restrictions and permits are not required.

For more information, dove hunters can contact Division of Fish and Wildlife biologist Ken Reynolds, (302) 653-2883.

Regulatory Update

Recently Adopted Regulations and Regulations Under Appeal

2004-10: **Amendment to Delaware's Phase II Attainment Demonstration State Implementation Plan by completing the mid-course review requirement.** Delaware is required to submit to EPA a plan revision to demonstrate its capability of attaining the 1-hour National Ambient Air Quality Standard for ground-level ozone in Kent and New Castle counties in 2005. The mid-course review

will analyze Delaware's ambient air quality and emission data to demonstrate (1) adequate progress in emission control has been made under the 1-hour ozone standard that will be revoked in 2005, and (2) such progress is consistent with attaining the new 8-hour ozone standard in 2010. Contact Frank Gao, 323-4542. **Effective date – July 11, 2005**

2003-21: **Amendment to the Total Maximum Daily Loads (TMDLs) for nutrients and oxygen demanding materials for the Murderkill River Watershed.** This action revises the cap in light of recently collected data. It amends the original regulation adopted in December 2001 and applies to the entire watershed including Browns Branch, Double Run, tidal and freshwater portions of the Murderkill River and several ponds and lakes. Contact John Schneider, 739-4590. **Effective date – June 11, 2005**

2003-17: **Amendments to the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal (Septic) Systems.** This action updates the regulations to include statutory changes that authorize DNREC to establish an inspector license category with inspection protocol for inspecting all septic systems in Delaware, and modifies requirements for the use of a community-sized on-site wastewater system. Contact Jack Hayes, 739-9948. **Effective date – April 11, 2005**

April 21, 2005 – Appeal filed by The Home Builders Association of Delaware with the Environmental Appeals Board.

2003-18: **New “Regulation, 45, Anti-Idling Regulation” of the state’s Regulations Governing the Control of Air Pollution.** This action regulates the idling time for operation of heavy-duty vehicles in Delaware having a gross vehicle weight rating of over 8,500 pounds. The regulation will continue state efforts to reduce emissions of NOx (nitrogen oxides), particulates and other tailpipe pollutants from vehicles operating in the state. Contact Philip Wheeler, 739-9402. **Effective date – April 11, 2005**

2005-01: **Amendments to Tidal Finfish Regulations affecting the 2005 recreational summer flounder fishery and recreational black sea bass fishery.** Delaware can maintain the same management measures used in 2004 for the 2005 recreational summer flounder fishery since the harvest cap was not exceeded in 2004. Another amendment to the tidal finfish regulations eliminates any reference to a closed season for recreational black sea bass anglers in 2005, because the coast wide requirements for recreational black sea bass fishermen in 2005 are a 12-inch minimum size length with a 25-fish creel limit and no closed season. Contact Richard Cole, 739-4782. **Effective date – April 11, 2005**

2004-11: **Amendment to Regulations Governing Tidal Finfish No. 3553: River Herring Creel Limit.** This action establishes a possession limit for river herring at 25 per day unless the possessor has a valid commercial fishing license or a receipt from a commercial fisherman for the river herring. The possession limit was proposed to prevent establishment of a bait fishery for river herring in tidal tributaries. This regulation does not affect normal commercial fishing operations but will impact recreational fishermen who take live river herring as bait for sale. Contact Roy Miller, 739-9914. **Effective date – March 11, 2005**

2004-08: **Amendments to Non-tidal Fishing Regulations.** This action makes it unlawful for anyone to transport, purchase, possess, stock into public or private waters of the state or sell live northern snakehead fishes without the written permission of the Director of the Division of Fish and Wildlife.

Contact Roy Miller, 739-9914. **Effective date – March 11, 2005**

97-11: Implementation of September 27, 1994 MOU among Ozone Transport Commission states on development of a regional strategy for control of stationary source Nitrogen Oxide (NOx) emissions. This regulation reduces NOx emissions from fossil fuel fired boilers or indirect heat exchangers with a maximum rated heat input capacity of 250 MMBTU/hr, or more; and all electric generating facilities with a rated output of 15 MW, or more. Contact: Ron Amirikan – 323-4552. **Effective date - April 1, 1999.**

April 16, 1999 - Appealed to Environmental Appeals Board by Motiva Enterprises and Delmarva Power and Light Company; **April 20, 1999 -** Motiva and Delmarva Power filed a civil action for a review of the Order in Superior Court for New Castle County.

Regulatory Actions Underway:

2005-08: Amendments to the Accidental Release Prevention Regulation. This action reflects amendments to the delegated federal rule 40 CFR Part 68 made by the EPA in January 1999, March 2000 and April 2004, undertaken to prevent accidental releases and mitigate consequences of such releases by focusing on prevention measures for extremely hazardous substances as listed. Contact Jay Brabson, 323-4542

2005-07: Amendments to Tidal Finfish Regulations affecting winter flounder. This action would increase the minimum size from 10 inches to 12 inches, establish a possession limit for recreational fishermen of 10 winter flounder per day and establish a 60-day open season per year for recreational fishing for winter flounder. Any open season during March and April must include a 20-day closure period each year for compliance with the Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plan for Inshore Stocks of Winter Flounder. Contact Roy Miller, 739-9914

2005-06: Revisions to Regulations Governing Underground Storage Tank Systems. This action reflects advances in underground storage tank system technology that have occurred since the last revision of the regulations in 1995 to ensure protection of Delaware's natural resources. The regulations impact owners and operators of underground storage tanks greater than 110 gallons containing a regulated substance with the exception of certain classes of heating fuel underground storage tanks. Contact Jill Hall, 395-2500

2005-05: Development and adoption of Total Maximum Daily Loads (TMDLs) for nutrients, oxygen demanding materials, and bacteria for Marshyhope Creek, Choptank River, Chester River, and the Pocomoke River, Delaware. This action will establish a cap (limit) for the amount of nutrients, oxygen demanding materials, and bacteria that can enter the waters of the Marshyhope Creek, Choptank River, Chester River and Pocomoke River. Setting the cap is necessary to improve water quality and help maintain fishable and swimmable waterways for the state's citizens. Contact John Schneider, 739-4590

2005-04: Development and adoption of Total Maximum Daily Loads (TMDLs) for nutrients, oxygen demanding materials, and bacteria for the St. Jones River, Delaware. This action will establish a cap (limit) for the amount of nutrients, oxygen demanding materials, and bacteria that can enter the waters of the St. Jones River from point and nonpoint sources. Setting the cap is necessary to improve water quality and help maintain fishable and swimmable waterways for the state's citizens.

Contact John Schneider, 739-4590

2005-03: Development and adoption of Total Maximum Daily Loads (TMDLs) for nutrients, oxygen demanding materials, and bacteria for the Broadkill River, Delaware. This action will establish a cap (limit) for the amount of nutrients, oxygen demanding materials and bacteria that can enter the waters of the Broadkill River from point and nonpoint sources. Setting the cap is necessary to improve water quality and help maintain fishable and swimmable waterways for the state's citizens. Contact John Schneider, 739-4590

2004-17: Amendment to Regulation 25 "Requirements for Preconstruction Review" of Delaware Regulations Governing the Control of Air Pollution. This action will address the EPA new source review reforms. The Department will evaluate the revised federal requirements; either incorporate, incorporate with changes or not incorporate the new requirements into Regulation 25; and (as required) will ensure that Regulation 25 is overall, at least as stringent as the federal requirements. Contact Gene Pettingill, 323-4542

2004-16: Total Maximum Daily Loads (TMDLs) for nutrients, oxygen demanding materials, and bacteria for Shellpot and Naamans Creek in Delaware. This regulation will establish a cap for the amount of nutrients, oxygen demanding materials and bacteria that can enter the waters of Shellpot Creek and Naamans Creek. This action is necessary to improve water quality and help maintain fishable and swimmable waterways for citizens of the state. Contact John Schneider, 739-4590

2004-15: Amendment to Regulations Governing the Control of Water Pollution. This action would establish a general permit program for Confined Animal Feeding Operations (CAFOs). DNREC developed the proposed regulations cooperatively with the Department of Agriculture, Delaware Nutrient Management Commission, Natural Resources Conservation Service and the University of Delaware. Contact Peder Hansen, 739-9946

2004-14: Amendment to Surface Water Quality Standards. This action will clarify the way in which fecal enterococci determined to be of wildlife origin are considered when implementing water quality standards. Typographical errors in the existing regulation will also be corrected. Contact John Schneider, 739-4590

2004-09: Delaware's proposed 2002 Milestone Compliance Demonstration. This is a required step to attain the 1-hour National Air Quality Standard for ground-level ozone in Kent and New Castle counties. Delaware is required to submit a plan revision for each milestone year (1996, 1999, 2002 and 2005) to demonstrate that the actual emissions of volatile organic compounds and/or oxides of nitrogen in Kent and New Castle counties to not exceed the required emission targets specified in Delaware's Rate-of-Progress Plans. This action is to conduct a compliance analysis for the milestone year of 2002. Contact Frank Gao, 323-4542

2004-07: Revisions to Regulations Governing Hazardous Substance Cleanup. This action will establish procedures for implementing the Brownfields Development Program, including participation in the new program, presumptive project and investigation procedures and work plans, public notice requirements and risk sharing agreements. Contact James Poling, or Paul Will, 395-2636.

2004-05: Amendments to Delaware Regulations Governing Solid Waste. This action would update and enhance various sections of the regulations and help improve understanding and

implementation of the solid waste requirements. Contact Karen J'Anthony, 739-9403

2003-24: Development of a new regulation to be added to the Regulations Governing Solid Waste. This action would institute a ban on the disposal of yard waste in Delaware landfills, and is a critical part of a larger waste management strategy directed toward environmentally and economically efficient waste management. The waste ban is designed to: conserve capacity at existing landfills; minimize the need to construct new or expand existing landfills; signal the composting and mulching industry that these materials are available for processing and marketing; return this valuable material to the market place as opposed to landfilling it; and reduce the emission of greenhouse gases. Contact James Short, 739-9403

2003-19: Delaware Coastal Management Program Comprehensive Update and Routine Program Implementation. This action would update all coastal management program policies to incorporate changes in state statutes, department regulations and executive orders since the last program's September 1998 update. Contact Sarah Cooksey or Bonnie Willis, 739-9283

2003-16: Development of a State Implementation Plan (SIP) revision to include a case-by-case alternate volatile organic compound reasonably available control technology determination. This action would address the FP International, Newark, Del. facility's expandable polystyrene packing material manufacturing process. Contact Frank Gao, 323-4542

2003-10: Development of a new regulation to control the emissions from stationary generators. In general, emissions from on-site electric generating units, such as emergency generators as well as generators typically known as distributed generation units, are currently uncontrolled in Delaware. Most of these units run on fossil fuels such as diesel and emit much higher rates of air contaminants per kilowatt-hour of power than larger units, and contribute to the formation of ground-level ozone and fine particulate matter. Some are used to help utilities meet peak demand periods that frequently correspond with summer ozone action health alert days. This means that emissions from these units are frequently at their highest when the health threat from ozone is at its worst. Use of these units is growing and the Department has initiated this action to specifically control this category of emitters. Contact Mark Prettyman, 739-9402

2003-09: Amendment to Regulations Governing the Control of Air Pollution: new section – Requirements for Minor Source Pre-Construction Review (Minor NSR). This action would ensure that best available emission controls are installed at the time that smaller, but very significant, sources are constructed and modified to help manage Delaware's air resources. Contact Gene Pettingill, 323-4542

2003-07: Amendments to the Regulations Governing Beach Protection and the Use of Beaches adopted in 1983. This action would increase the effectiveness of the Coastal Construction Program and improve its protection of the beach and dune system. The amendments would reduce ambiguity, close possible loopholes and limit the amount and type of construction permitted seaward of the Building Line. Redrawing the building Line, incorporating changes to the Beach Preservation Act and adding new construction standards for waterfront buildings will result in less damage to structures and improvements to the natural dune and beach resource. Contact Maria Sadler, 739-9921

2003-03: Re-issuance of the Regulations Governing Storm Water Discharges Associated with Industrial Activities. The reissued regulations will expand the existing regulations to include

additional requirements for discharges of storm water associated with industrial activities. Contact Amber Moore, 739-9946

2003-02: Amendment to Subpart A, Regulation 38, Emission Standards for Hazardous Air Pollutants for Source Categories. These general provisions establish applicability, definitions, compliance, notification, performance testing, monitoring, record keeping and reporting requirements common to the emission standards for hazardous air pollutants promulgated under Regulation 38. This action affects any owner or operator of a stationary source that is or will be subject to any standard, limitation or prohibition established by Regulation 38 and ensures consistency of Subpart A with federal changes expected in April 2003. Contact James Snead, 323-4542

2002-08: Pollution Control Strategy (PCS) for implementing nutrient load reductions set by the TMDL for the Murderkill River and its tributaries. The PCS will cover activities in the entire watershed, including land areas draining into Browns Branch, Double Run, tidal and freshwater portions of the Murderkill River and several ponds and lakes. This regulation will establish actions to achieve the maximum nutrient loading and is necessary to improve water quality and attain the fishable and swimmable goals of the federal Clean Water Act. Contact John Schneider, 739-4590

2002-07: Pollution Control Strategy (PCS) for implementing nutrient load reductions set by the TMDL for the Nanticoke River, Broad Creek and their tributaries. The PCS will cover activities in the entire watershed. This regulation will establish actions to achieve the maximum nutrient loading and is necessary to improve water quality and attain the fishable and swimmable goals of the federal Clean Water Act. Contact John Schneider, 739-4590

2002-06: Pollution Control Strategy (PCS) for implementing nutrient load reductions set by the TMDL for Indian River, Indian River Bay, Rehoboth Bay and their tributaries. This regulation will establish actions to achieve the maximum nutrient loading and is necessary to improve water quality and attain the fishable and swimmable goals of the federal Clean Water Act. Contact John Schneider, 739-4590

2000-23: Amendments to Regulation 24, Control of Volatile Organic Compound (VOCs) Emissions. This action would add a new section to the air pollution control regulations in order to control VOC emissions from lightering operations. Lightering is the transfer of cargo (usually crude oil) from ocean going vessels to service barges to allow the vessels to proceed upriver. During the cargo transfer, uncontrolled VOCs are emitted. This action is being developed to obtain additional VOC emission reductions for meeting Delaware's 1-hour ozone attainment. Contact James Snead – 323-4542

Hurricane Preparedness

It's that time of year when tropical storms develop. As they intensify, some turn into hurricanes that can wreak havoc along coastal shores as well as inland. The key to survival, according to the Delaware Emergency Management Agency, is advanced preparation. Keep basic supplies handy, not only for a hurricane, but for all emergencies as well.

- Emergency light sources, like flashlights (one per person), extra batteries and bulbs, along with a portable radio and batteries are extremely important.
- Create a first aid kit containing Band-Aids, aspirins, gauze pads and related supplies. Also, store all necessary medications that must be taken regularly in this kit.
- Have plenty of baby supplies on hand for infants, including food, canned milk or formula, disposable diapers and other necessities.
- Store food that does not need to be refrigerated or cooked, such as canned meats, vegetables, fruits, juices, etc. Store enough supplies to last for several days.
- Most importantly – Have a supply of stored water, for both drinking and for sanitation purposes. Store water in plastic jugs or covered containers. Plan on using one gallon per day per person for drinking and personal hygiene.
- Plan your escape route early. Consider the travel time for you to evacuate to a safe area during peak evacuation traffic.
- If you live near the seashore, plan to evacuate early. If you live in a mobile home, always plan to relocate.

A complete inventory of personal property will help in obtaining insurance settlements and/or tax deductions for losses. Inventory checklists can be obtained from your insurance representative. Don't trust your memory. List descriptions and take pictures. Store these and other important insurance papers in waterproof containers or in a safety deposit box.

Review your insurance policies and your coverage to avoid misunderstandings later. Take advantage of flood insurance. Separate policies are needed for protection against wind and flood damage, which people frequently don't realize until it is too late.

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