



State Resource Area FAQs

The Delaware Department of Natural Resources and Environmental Control (DNREC) is working with New Castle, Kent and Sussex Counties and municipalities throughout Delaware to incorporate protection of State Resource Areas (SRAs) into their comprehensive land use plans and implementing regulations. County plans are currently undergoing a five-year update as required by state law. The following questions and answers provide basic information about SRAs and their importance.

What are SRAs?

State Resource Areas are open space lands that are valued for their natural, cultural, and geological significance. In addition, they provide wildlife habitat, natural resource based outdoor recreation, scenic beauty, conservation of water resources, and buffering or connection of existing public and private lands under conservation management. The full legal definition of SRAs can be found in the Delaware Land Protection Act of 1990 (7 Del. Code, Chapter 75).

Why are SRAs important to Delaware?

Natural open space lands contribute hundreds of millions of dollars to Delaware's economy each year through hunting, fishing, wildlife watching and tourism. Also, the diversity of plants, animals and habitats found on these lands provide invaluable services like cleaning our air, filtering our water, and maintaining the fertility of our soil. Yet, thousands of acres of open space are lost to development each year, along with the economic values and environmental services that they furnish. SRAs are the most important of these natural open space lands and as such are critical for maintaining the quality of life for present and future generations.

What authority does the state have to designate SRAs?

The Delaware Land Protection Act of 1990 created an appointed Open Space Council that advises DNREC's Open Space Program on issues related to SRAs. The Act authorizes the mapping of SRAs in order to protect significant natural, cultural and geological resources. In addition, the Act requires that the SRA maps be used to guide county and municipal comprehensive land use planning, and also to direct state acquisition of property rights – from willing sellers – by the Open Space Program. See "*How will counties, municipalities and the state use the SRA maps?*" below for more information.

How were the SRA maps created?

State Resource Areas were initially mapped in 1990, and were updated in 2006 by reviewing current information on natural, cultural and geological resources that meet the definition of open space in the Delaware Land Protection Act of 1990. These resources included Green Infrastructure focus areas (see *How are SRAs related to other programs?* below), important wildlife habitats, state-mapped wetlands and other natural resources. Selected features from these resources were combined with existing public and private conservation lands to update the original maps. The maps will be regularly revised in the future in keeping with the five-year cycle for county and municipal comprehensive land use plan updates. A more detailed



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explanation of the method used to update the maps is available from DNREC at the web site cited at the end of this document.

How much land has been designated as SRAs, and what proportion has already been protected?

About 285,000 acres, or 23% of Delaware's total land area, have been designated as SRAs. However, more than two-thirds of these SRAs are already protected by public and private conservation ownership or easement, or by state regulation. SRAs that are not currently protected comprise only 7% of the state's total land area.

How were the public and landowners notified of the creation of SRA maps?

Legal notices and press releases were issued to announce public workshops and a public hearing on the draft SRA maps. Public workshops were held in each county in April 2006, followed by a statewide public hearing in May. The state Open Space Council discussed the draft maps in public meetings in May and June. In November, letters were sent to over 7,000 private property owners with lands in SRAs. Over the next several weeks, staff from DNREC and other state agencies fielded hundreds of phone calls and emails generated by the letters. In addition to answering questions, individual property maps showing SRA boundaries were provided to landowners at their request. DNREC staff continues to respond to inquiries to this day.

How will counties, municipalities and the state use the SRA maps?

The Delaware Land Protection Act of 1990 directs counties and municipalities to include the SRA maps in their comprehensive land use plans; such inclusion is required for state certification of plans. Each county must then develop overlay zoning ordinances, environmental performance standards, design criteria and/or mitigation requirements to protect SRAs. Municipalities are not required to develop these regulations but will be encouraged to do so. Also, the state Open Space Council will use the maps to recommend purchases of specific properties, or easements on those properties, by DNREC.

When are the counties required to begin protecting SRAs?

Following recommendation by the state Open Space Council, the Secretary of DNREC officially adopted the SRA maps in September 2006. DNREC transmitted the maps to the counties in October 2006 to be used in the ongoing updates of the county comprehensive land use plans. According to the Delaware Land Protection Act of 1990, counties must adopt zoning ordinances for SRA protection within 18 months of receiving the SRA maps.

Is development prohibited in SRAs?

Development is not prohibited in SRAs because an SRA designation does not change underlying zoning. Rather, county ordinances, standards, criteria and/or requirements for SRAs will allow



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for environmentally sensitive development that protects the natural, cultural and geological resources in those areas.

What assistance is available for landowners to protect SRAs?

The State of Delaware and a variety of federal programs provide assistance for landowners to protect species and habitats on SRAs. For example, the Delaware Landowner Incentive Program offers private landowners technical and financial incentives to protect, enhance or restore habitat to benefit rare species. The state Forest Land Enhancement Program provides technical and financial assistance to landowners to better manage forest resources. The federal Conservation Reserve Enhancement Program assists agricultural producers with protecting water resources while providing opportunities to enhance wildlife habitat. State and federal biologists can meet with landowners to provide information, develop conservation plans, and help landowners enroll in applicable programs. Contact DNREC Division of Fish and Wildlife for details about these and other programs.

How can land be removed from an SRA?

The Delaware Land Protection Act of 1990 requires each county to develop an appeals process for landowners to contest SRA boundary designations. The counties would establish these processes at the time they develop measures for SRA protection (see *When are the counties required to begin protecting SRAs?* above).

How are SRAs related to other programs?

Delaware's *Strategies for State Policies and Spending* directs state resources and programs towards designated areas in order to most efficiently and effectively address growth and preservation issues. The Governor's *Livable Delaware Agenda* works to enhance implementation of State Strategies by adopting guiding principles, acreage targets and focus areas for conservation and management of "Green Infrastructure" (GI) – an interconnected network of natural resource, recreational and working lands that define the state's natural character. The *Delaware Wildlife Action Plan* further supports these efforts by identifying the most important wildlife habitats within the GI network. SRAs provide the mechanism to protect specific parcels of these lands, either through local land use planning or state acquisition.

For more information about State Resource Areas, contact DNREC's Ron Vickers at 302-739-9235 or Charles.Vickers@state.de.us. The maps can be viewed on the Department's web site at <http://www.dnrec.delaware.gov/gi/gisramaps.htm>.