

Water Resources/Water Quality

General Comments

1) The Plan should make specific recommendations for reducing imperviousness. The following recommendations could be incorporated in an ordinance:

Require the use of pervious paving materials, whenever practicable, in lieu of conventional paving materials. The use of pervious paving materials is especially important for large commercial parking lot areas. Studies have shown a strong relationship between increases in impervious cover to decreases in a watershed's overall water quality. Reducing the amount of surface imperviousness through the use of pervious paving materials ("pervious pavers") in lieu of asphalt or concrete, is an example of a practical BMP that could easily be implemented to help reduce surface imperviousness.

Require an impervious surface mitigation plan for all residential and commercial development exceeding 20% imperviousness. The impervious surface mitigation plan should demonstrate that the impervious cover in excess of 20% will not impact ground water recharge, surface water hydrology, and/or water quality of the site and/or adjacent properties. If impacts to groundwater recharge, surface water hydrology will occur, the plan should then demonstrate mitigation of said impacts and/or if impacts cannot be mitigated, the site plan will be modified to reduce the impact of impervious cover. Additionally, it is further recommended the pervious paving materials be required. In commercial areas, it is strongly recommended that pervious paving materials be required for at least 50% of the total paved surface area(s).

Define how developers may calculate surface imperviousness. This ordinance should specify and require that the calculation for surface imperviousness include all of the following forms of constructed surface imperviousness: all paved surfaces (e.g., roads, sidewalks, and parking areas), rooftops, and open-water stormwater management structures. For planning purposes, the Department utilizes Technical Release 55 (TR-55), Urban Hydrology for Small Watersheds, published by the U.S. Department of Agriculture, Natural Resources Conservation Service, June 1986 (see Table 2-2a, page 2-5).

2) The Plan should make a recommendation to protect open space via ordinance

It is strongly recommended that the Town adopt an "open-space" ordinance recommendation which specifically excludes structural Best Management Practices (BMPs) such as community wastewater treatment areas, open-water stormwater treatment structures and wetlands from consideration as open space. The Department defines "open space" as those areas with public value in a predominantly natural state and undeveloped condition. Such areas may contain, but are not limited to, wildlife and native plant habitat, forest, farmland, meadows, wetlands, floodplains, shorelines, stream corridors, steep slopes, and other areas that have species or habitats of conservation concern.

Open Space may be preserved, enhanced and restored in order to maintain or improve the natural, ecological, hydrological, or geological values. An important design element to consider when incorporating Open Space in a development is to take maximum advantage of adjoining Open Space areas. This will advance the goal of an interconnected network of habitat corridors for wildlife and provide for future potential linkages.

Open Space is not:

- impervious surfaces (e.g., roads, parking lots, sidewalks, buildings)
- swimming pools or ponds that are lined or contain an impervious substrate
- stormwater management structures
- wastewater treatment systems

Types of Recreational Open Space:

- *Passive*-Passive recreation areas include only low-impact activities having little or no disturbance on natural features.
- *Active*-Active recreation areas (e.g., ball fields, playgrounds) should be placed only in Open Space areas that do not already contain natural habitat.

3) The Plan narrative did not mention the specific Federal and State wetland regulatory programs for protecting nontidal and tidal wetlands. We strongly suggest the following being added as a “stand-alone section” under the Environmental Protection section:

Regulatory protection of wetlands (tidal and nontidal) is mandated under Section 404 provisions of the Federal Clean Water Act through the United States Army Corps of Engineers (USACE). Certain other wetlands (mainly in tidal areas) are accorded additional regulatory protection under Title 7 Chapter 66 provisions of the State of Delaware’s Code.

Specific Comments

Page 26, Environmental Protection Section: We feel that the environmental protection section should include more specifics and clarifying commentary on Total Maximum Daily Loads (TMDLs). Therefore, we suggest that you eliminate the first paragraph under this section and replace with the following narrative and table:

The Town of Millville is located within the greater Inland Bays drainage. Under Section 303(d) of the 1972 Federal Clean Water Act (CWA), states are required to identify all impaired waters and establish total maximum daily loads (TMDLs) to restore their beneficial uses (e.g., swimming, fishing, and drinking water). A TMDL defines the amount of a given pollutant that may be discharged to a water body from point, nonpoint, and natural background sources and still allows attainment or maintenance of the applicable narrative and numerical water quality standards. A TMDL is the sum of the individual Waste Load Applications (WLA’s) for point sources and Load Allocations (LA’s) for nonpoint sources and natural background sources of pollution. A TMDL may include a reasonable margin of safety (MOS) to account for uncertainties regarding the relationship between mass loading and resulting water quality. In

in simplistic terms, a TMDL matches the strength, location and timing of pollution sources within a watershed with the inherent ability of the receiving water to assimilate the pollutant without adverse impact. Moreover, reducing the pollutants to the level specified by the TMDL(s) will ensure that a water body meets the water quality criteria and goals in the State Water Quality Standards.

A Pollution Control Strategy (PCS) is an implementation strategy that identifies the actions necessary to systematically reduce the pollutant loading rate for a given water body, and meet the TMDL reduction requirements specified for that water body. A variety of site-specific best management practices (BMPs) will be the primary actions required by the PCS to reduce pollutant loadings. The pollutants specifically targeted for reduction in the Inland Bays watershed are nutrients (e.g., nitrogen and phosphorus) and bacteria. The PCS for the Inland Bays was approved on November 11, 2008, and is now a regulatory directive containing enforceable provisions.

The Town of Millville is located within the greater Inland Bays drainage. The Inland Bays drainage is assigned a range of nutrient (e.g., nitrogen and phosphorus) and bacterial TMDL load reduction requirements that, as mentioned previously, must be met in order to meet the State Water Quality Standards (See table 1).

| Inland Bays Drainage (low reduction area) | N- reduction requirements | P-reduction requirements | Bacteria-reduction requirements |
|--|----------------------------------|---------------------------------|--|
| Indian River Bay watershed | 40% | 40% | 40% Fresh; 17% Marine |

Table 1: TMDL Nutrient (Nitrogen and Phosphorus) and Bacteria reduction requirements for the Inland Bays (low reduction zone) and Broadkill Creek watersheds.

Page 28, Implementation Section: The Plan should offer more specific “actionable” environmental protection strategies than currently offered. We recommend an ordinance or ordinances which would:

- a) Require all applicants to submit to the Town a copy of the development site plan showing the extent of State-regulated wetlands (as depicted by the State Wetland Regulatory Maps), and a United States Army Corps of Engineers (USACE) approved wetlands delineation as conditional approval for any new commercial and/or residential development. Additionally, the site plan should depict all streams and ditches which are jurisdictional pursuant to the Subaqueous Act (7 Del. C., Chapter 72) as determined by DNREC.
- b) Help protect freshwater wetlands where regulatory gaps exist between federal and state jurisdictions (i.e., isolated wetlands and headwater wetlands).

- c) Require a 100-foot upland buffer width from all wetlands or water bodies (including ditches).

Based on a review of existing buffer research by Castelle et al. (Castelle, A. J., A. W. Johnson and C. Conolly. 1994. *Wetland and Stream Buffer Requirements – A Review*. J. Environ. Qual. 23: 878), an adequately-sized buffer that effectively protects wetlands and streams, in most circumstances, is about 100 feet in width. In recognition of this research and the need to protect water quality, the Watershed Assessment Section recommends that the applicant maintain/establish a minimum 100-foot upland buffer (planted in native vegetation) from the landward edge of all wetlands and water bodies (including all ditches).

- d) Exclude structural Best Management Practices (BMPs) such as community wastewater treatment areas, open-water stormwater treatment structures and regulated wetlands from consideration as open space.
- e) Require an impervious cover mitigation plan for all residential developments exceeding 20% imperviousness. In commercial developments, it is strongly recommended that pervious paving materials be required for at least 50% of the total paved surface area(s) where practicable.
- f) Require the calculation for surface imperviousness for all commercial and residential development include all constructed forms of surface imperviousness, including all paved surfaces (roads, parking lots, and sidewalks), rooftops, and open-water stormwater management structures.
- g) Require the assessment of a project's TMDL nutrient loading rate through use of the Department's nutrient budget protocol. The applicant should be further required to use any combination of approved Best Management Practices (BMPs) to meet the required TMDLs for the affected watershed(s) in question.
- h) Prohibit development on hydric soil mapping units. Proof or evidence of hydric soil mapping units should be provided through the submission of the most recent NRCS soil survey mapping of the parcel or through the submission of a field soil survey of the parcel by a licensed soil scientist.
- i) Require the applicant to use "green-technology" stormwater management in lieu of "open-water" stormwater management ponds whenever practicable.

Water Resource Protection Areas

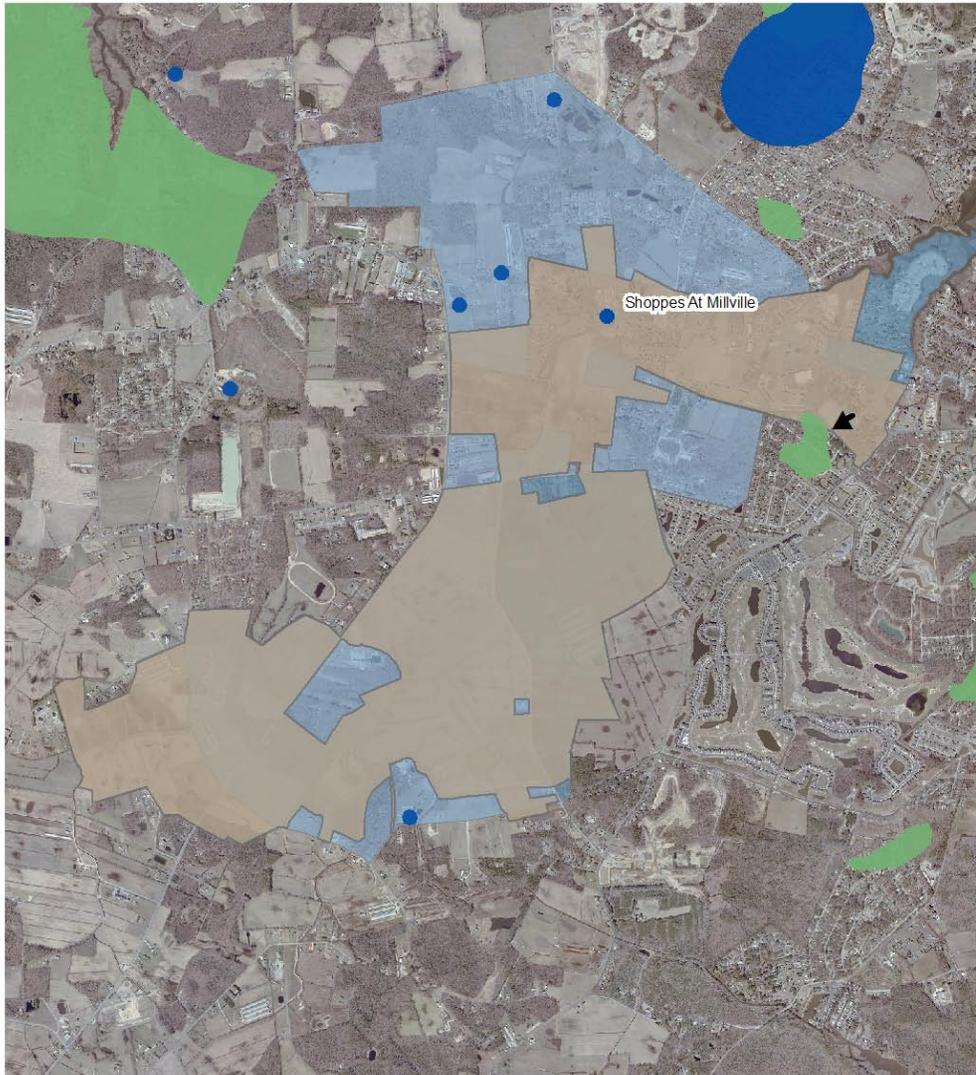
The Town of Millville's population was under 2000 at the time of the 2000 Census. By State Law, the Town is encouraged to implement a Source Water Protection Regulation or Ordinance. We applaud the initiative of the Town of Millville in expressing the need to protect

environmentally sensitive areas to include “ground-water recharge areas and wellhead areas” (page 32). We also applaud the Town’s foresight in seeking to minimize overall land disturbance and impervious surface” (page 33).

On page 43, the Town states that there are no wellhead protection or excellent ground-water recharge potential areas within the current Town limits. There is one known wellhead protection area for Shoppes at Millville, PWSID DE0000200 within the Town limits (see map). There is also an area of excellent ground-water recharge at the bottom of the NE quadrant of the Town shown on the map with an arrow (see map). Though the size of this area is approximately 2.4 acres, it still warrants protection.

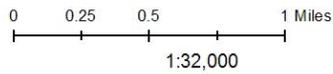
We welcome the opportunity to work with the Town of Millville in developing a source water protection ordinance that will facilitate responsible growth and protect the quality and quantity of ground water.

Town of Millville DE. (PLUS 2008-11-01)



Legend

-  Wellhead Protection Areas
-  Excellent Ground-Water Recharge Potential Area
-  Municipal Boundaries
-  Millville Annexation Areas



Water Supply

From the point of view of the Water Allocation Program, the Town’s planning process should be closely coordinated with that of their water supplier, Tidewater Utilities, Inc. This is not the case for this update. Two of the Town’s proposed new developments have not been addressed by Tidewater in their recent application for an increase in allocation for the Bethany Bay District, which includes the Towns of Millville and Ocean View. The projected population increases in the allocation permit application and the Town’s Update also do not match.

Here is the Town’s projected population increase:

Assuming complete build-out by the year 2030 and a steady absorption rate, the projected number of dwelling units per year for all developments combined is 186. At 2.33 persons per household, this equates to a population rate of approximately 433 persons per year. It is estimated that 40 percent of the current total population are year-round residents. Tables 8 and 9 display the population projections for the Town of Millville, State and County between 2000 and 2030. Figures 4 and 5 depict the population trends and projections for the Town of Millville, State and County between 1980 and 2030.

| <i>Property Reference</i> | <i>Acres</i> | <i>Number of Units</i> |
|---|---------------------------|-------------------------------|
| <i>Millville by the Sea Phase 1 & 2</i> | <i>693.62</i> | <i>2,554</i> |
| <i>Millville by the Sea Phase 3</i> | <i>164.3</i> | <i>8,708</i> |
| <i>Windhurst Manor</i> | <i>24.51</i> | <i>114</i> |
| <i>The Meadows</i> | <i>4.90</i> | <i>18</i> |
| <i>Dove Landing</i> | <i>111.95</i> | <i>402</i> |
| <i>Barrington Park</i> | <i>157.18</i> | <i>547</i> |
| <i>H&D Sub-Division</i> | <i>10.97</i> | <i>57</i> |
| <i>Total</i> | <i>1,167.51 ac</i> | <i>4,400 du</i> |

At 2.33 persons per dwelling unit, this represents an increase in population of 10,252 persons.

The towns of Millville and Ocean View, as well as surrounding developments, are served by Tidewater’s Bethany Bay District. Tidewater’s current allocation, Bethany Bay District (Millville, Ocean View and surrounding developments): 759,287 gpd. In their recent application

for an increased allocation, Tidewater has included five of the seven new developments listed by Millville, for a total 5-year population increase of 3,924.

The Town has also proposed three potential paths forward with regard to their water infrastructure:

There are three potential approaches that the Town of Millville can take to extend water services to its residences and businesses:

1. Incremental hook-ups- The Town could gradually be hooked up to central water as residents request it and infrastructure is expanded to support other development. This incremental approach could take significant time to achieve comprehensive water supply service.

2. Town with an active role- The Town could work with Tidewater to purchase the CPCN from them and start their own water utility. The Town would then have the potential option of outsourcing operations to Tidewater or another public utility.

3. Town with an active/passive role- The Town could partner with Tidewater to obtain funding for a comprehensive public water supply system. The Town could adopt a regulatory or incentive based approach to accelerate hook-ups. For example, the Town could adopt an ordinance requiring that residents hook up to the system. The Town could also adopt graduated impact fees where fees increase via a schedule where early hook-ups are charged one rate and later hook-ups are charged at a higher rate.

In the true spirit of planning, the decision about the path forward for water infrastructure should have been made before the plan was updated, and a detailed water supply plan, developed in coordination with the planning of Tidewater's future allocations, should have been developed, and the capacities of the aquifers concerned should have been assessed to be sure that adequate water supply is available before approving the developments concerned.

Sediment, Stormwater, and Drainage

Page 25, Goal 4

- The Drainage Program recommends that existing drainage ways be incorporated into open space plan. However, a maintenance plan needs to be in place should blockages from storm debris, beaver, or other sources occur. The Town should identify existing open channels within the Town boundary, along with potential annexation sites, as these channels may require maintenance in the future. Most of the channels have trees and wetlands adjacent to the channel and the riparian area provide a multitude of benefits for water quality and wildlife. There must be a balance between preserving the riparian area and having the capability to access the channel to perform maintenance. By identifying

such areas now, future development would incorporate the areas into community open space thereby preserving the riparian area while allowing for channel maintenance access.

Page 26, Recommendation #5

- The Drainage Program recommends that each parcel have a tax ditch right-of-way review conducted on the parcel prior to annexation by the Town. Please contact our Georgetown office at (302) 855-1930 to request a review tax ditch rights-of-way on a parcel. When a development project involves a tax ditch, or tax ditch right-of-way, include the Drainage Program in the pre-application meeting with the Sussex Conservation District to discuss drainage, stormwater management, tax ditch maintenance, and the release of stormwater into the tax ditch.

Page 32, 2-7 Stormwater Management

- Be advised the Sediment and Stormwater Program is currently undergoing revisions to the sediment and stormwater regulations. It is unclear at this time when the new regulations will be promulgated.
- The Division of Soil and Water Conservation is requesting that the Town incorporate a requirement for a stormwater and drainage review into the Town's preapproval requirements for new development requests. Proposed development projects should hold a pre-application meeting with the delegated agency, the Sussex Conservation District, to discuss stormwater and drainage prior to the town reviewing and/or approving plans or issuing building permits. The Sediment and Stormwater Program is set to begin requiring a pre-application meeting for all proposed land disturbing activities that require a detailed Sediment & Stormwater Plan within the coming year. These meetings are structured to assist developers in the design process and for early notification of approval requirements. In order to schedule a pre-application meeting, the applicant must forward a completed Stormwater Impact Study (SIS) to the appropriate Delegated Agency. Please contact Jennifer Campagnini or Elaine Webb with the DNREC Sediment and Stormwater Program if you have any questions regarding this new process. Please note that this process does not replace the State's PLUS process. The SIS Findings report will also be provided through that process.
- The Division has been seeing more small construction projects without an approved Sediment and Stormwater Plan. Sediment and Stormwater Regulations require a Sediment and Stormwater Plan for land disturbing activity 5,000 square feet or greater. Land disturbing activity may be more than the building footprint. Land disturbing activity means a land change or construction activity for residential, commercial, industrial, and institutional land use which may result in soil erosion from water or wind or movement of sediments or pollutants into State waters or onto lands in the State, or which may result in accelerated stormwater runoff, including but not limited to clearing, grading,

excavating, transporting, and filling land. This seems to occur more often in Sussex County. As the Town of Millville updates any land use or subdivision codes, the Sediment and Stormwater Program requests the town make a note of the Sediment and Stormwater requirements on any construction - related project application checklists, etc.

- Lines and grades: If the Town does not have a lines and grades requirement for new construction, the Division recommends this be considered to help resolve drainage issues arising from new construction during and post construction. County/municipal building inspectors would be able to use approved lines and grades requirement to field verify prior to issuance of Certificate of Occupancy or building permit, as appropriate.
- Contact the Drainage Program concerning technical assistance for the maintenance and upgrade of private drainage ways within the town or future annexation area.
- Explore the feasibility of stormwater utility to fund upgrades to existing stormwater infrastructure. Upgrades to the stormwater system may reduce pollutant loads and help reach the established total maximum daily load for nitrogen, phosphorus, and bacteria. Reach out to the Sussex Conservation District, Sussex County, and the Delaware Clean Water Advisory Council as partners in funding stormwater retrofits.

Page 32, Goal #1

- Adequate drainage and the proper maintenance of drainage systems within and around the Town of Millville are vital to existing and proposed development, and the overall quality of life within the town. Along with tax ditches, that have an established right-of-way, are a network of private ditches without right-of-way that convey surface water to existing tax ditches. Well-organized and maintained tax ditches provide the drainage conveyance framework that enables the area to have productive farmland and desirable residences. Tax Ditch Organizations within the town and the potential growth/ annexation areas are the Banks Bennett Tax Ditch, Beaverdam Canal Tax Ditch, Deep Hole Tax Ditch, Derrickson Canal Tax Ditch, Millville Tax Ditch, and the St. Georges Tax Ditch.
- Existing tax ditch rights-of-way should be protected from development encroachment to allow for routine maintenance and periodic reconstruction. Routine maintenance primarily consists of mowing ditch bank vegetation and the removal of small blockages. Periodic tax ditch reconstruction involves the removal of sediment from the ditch bottom to reestablish the original design grade. The removed sediment, referred to as spoil, is typically disposed of by spreading within the tax ditch right-of-way. The placement of permanent obstructions within tax ditch rights-of-way is prohibited. Any change to the location of the tax ditch, or the existing tax ditch rights-of-way, will require a change to the tax ditch court order.
- With the exception of Tax Ditches, the Town should pursue drainage easements along waterways, ditches, and storm drains where currently there is none. This would give the

town the ability to hire contractors to remove blockages without the time consuming task of the State obtaining permission to trespass on the property to survey.

Page 32, Recommendation #3

- The Town should also consider identifying any problem drainage areas, and tax or public ditch systems within the town's boundaries. Contact Brooks Cahall at the DNREC Drainage Office located in Georgetown, (302) 855-1930, to obtain a GIS layer showing existing tax ditch channels and/or public ditch systems. As annexation occurs, any drainage ways within those areas may become the responsibility of the Town to maintain. The Town may want to consider developing a Drainage Code or Drainage Management Plan. Because of the Town's proximity to Ocean View and the amount of development pressure between the two towns, Millville may want to consider coordinating a regional Master Drainage Plan/Stormwater Management Code.

Page 32, Recommendation #4

- Streams, tax ditches, and private ditches will require periodic reconstruction at intervals dependent upon the sedimentation load from upstream. Periodic reconstruction involves the removal of sediment from the ditch bottom to establish or reestablish a design grade. The removed sediment, referred to as spoil, is typically disposed of by spreading or piling alongside the ditch. On a Tax Ditch this is done within the tax ditch right-of-way which is why Tax Ditch rights-of-way need to be unobstructed. For private ditches, a Drainage Management Plan would include a maintenance plan for drainage conveyances, include points of access for maintenance equipment, and designate spoil disposal areas.

Page 44, Recommendation #3

- Explore the use of drainage ways and other open space set aside for drainage maintenance for bicycle and pedestrian interconnections in new developments. For developments on waterways that are of sufficient size to kayak consider an unimproved launch area in the recreation open space plan. This would allow more residents to access the waterways, in a non-mechanized manor, while keeping the cost of operations and maintenance down.

Page 44, Recommendation #7

- The Drainage Program supports the planting of native vegetation throughout Millville. However, when planting native vegetation along drainage conveyances please consider how future drainage maintenance will be performed. Key components for an ordinance to achieve this recommendation are :
 - Consider future drainage maintenance before planting riparian areas. Planted trees and shrubs should be native species, spaced to allow for a small backhoe or

excavator to work through when trees are at maturity. Tree and shrub planting in this manner will provide a shading effect promoting water quality while allowing future drainage maintenance.

- Do not plant trees closer than 5 feet of the top of the bank to avoid future blockages within the channel from tree roots.
- Plant the balance of the area, as well as stream and ditch banks, with herbaceous vegetation to aid in the reduction of sediment and nutrients entering into water conveyance.
- Grasses, forbs and sedges planted within these buffers should be native species, selected for their height, ease of maintenance, erosion control, and nutrient uptake capabilities.
- Remove invasive vegetation prior to the planting of native species.

Page 44, Recommendation #8

- The Drainage Program recommends including wetlands setbacks as part of the ordinances to protect environmental resources. Wetlands should be protected by a setback of un-subdivided open space surrounding them. No portion of any building lot should be within the setback. During prolonged wet periods, the area within the wetland setback may become too wet for normal residential use. Designation as open space will aid in the prevention of decks, sheds, fences, kennels, and backyards being placed within the setback thereby reducing nuisance drainage complaints.

Page 44, Recommendation #12

- Existing woodland provides valuable wildlife habitat as well as soil erosion protection and water quality filtering. The Town could adopt an ordinance more stringent than the State regulations and not allow the clearing of woodland to create stormwater management areas.

Page 48, Intergovernmental Coordination

- Coordinate with Sussex County and surrounding municipalities within their areas of concern for annexation on the locations of tax ditches, drainage ditches, sensitive and critical habitat, wetlands, and greenways.
- Coordinate with Sussex County and surrounding municipalities for a dredge spoil disposal site for future White Creek dredging.

Forested Wildlife Habitat Loss and Protection

Map 5, Future Land Use & Annexation: 'Areas of Concern'

Cumulative forest loss and fragmentation throughout the State is of utmost concern to the Division of Fish and Wildlife which is responsible for conserving and managing the State's wildlife (see www.fw.delaware.gov and the Delaware Code, Title 7). Because of an overall lack of regulatory forest protection, we rely on applicants and/or the entity that approves projects (i.e. counties and municipalities) to implement measures that will aide in forest loss reduction.

Recommendations #8 and #12 on page 44 of the Comprehensive Plan 2008 Update, lists the need for creating ordinances that will protect environmental resources such woodland areas and forested wetlands. We encourage the Town to facilitate the creation of such ordinances *before* woodlands within Town limits, annexation areas, or within 'areas of concern' are impacted. There are large forest blocks on parcels designated as 'areas of concern' and within the annexation area on Map 5. It should be noted that projects that were reviewed via the PLUS process in the past 3 years have resulted in (or will result) in the conversion of over 100 acres of forested wildlife habitat into a residential setting (tax parcel# 1-34-11-169 Harlton Property, tax parcel 1-34-12.00-367.00 Windhurst Manor, and tax parcel 1-34-11.00-180.00& 188.02 Beebe Medical Center).

Until such ordinances are put in place, we highly recommend that the Town make efforts to preserve existing forested areas as open space. If parcels containing forested areas are slated for development, then the town should require the developer to design a plan that minimizes tree clearing and fragmentation of the forest into smaller, disconnected areas. Also, maintaining connections to adjacent properties that have habitat contiguous with the project area is important for the viability of many wildlife and plant species.

Rare Species

We recommend that the Town require developers, or applicants of development projects, to contact the Natural Heritage and Endangered Species Program (NHESP) of DNREC's Division of Fish and Wildlife to determine if their project activities will impact a state-rare or federally listed species. In some cases a site visit may be requested in order to provide the necessary information. The Town should then consider requiring implementation of recommendations provided by the NHESP before approving site plans.

Contact information:

Environmental Review Coordinator
Natural Heritage and Endangered Species Program
DNREC-Division of Fish and Wildlife
4876 Hay Point Landing Rd
Smyrna, DE 19977

Parks and Recreation

2-10a. Open Space and Recreation Facilities

The Town of Millville currently has one park facility: Millville Community Park, located on Old School Lane, has an open space area and shares a playground with Lord Baltimore Elementary School.

The Division of Parks and Recreation provides matching grant assistance through the Delaware Land and Water Conservation Trust Fund (DTF) to local governments for land acquisition and for park development. Lands that have received DTF assistance are publicly accessible lands that must remain as open space for conservation or recreation purposes in perpetuity. Millville Community Park has received funding through the DTF program. For more information regarding Millville Community Park or on the Delaware Land and Water Conservation Trust Fund, please contact: Robert Ehemann @ 302.739.9235.

In May and June of 2008, the Division of Parks and Recreation conducted a telephone survey of Delaware residents to gather information on outdoor recreation patterns and preferences as well as other information on their landscape perception. These findings will be the foundation of the 2009-2011 Statewide Comprehensive Outdoor Recreation Plan (SCORP) providing guidance for investments in needed outdoor recreation facilities.

Eighty-seven percent of residents living in western Sussex County indicated that outdoor recreation was very or somewhat important to them. Based on the public opinion survey, the most needed outdoor recreation facilities in western Sussex County include: walking/jogging paths, public swimming pools, open space/passive recreation, picnic areas, playgrounds, and bicycling paths. Moderate facility needs include: hiking trails, campgrounds, boating access, baseball/softball fields, and basketball courts. Because of the importance of outdoor recreation in western Sussex County, we appreciated the Town of Millville incorporating some of these opportunities in the development of their comprehensive plan. For more information on the Statewide Comprehensive Outdoor Recreation Plan or the public opinion telephone survey, please contact: Kendall Sommers @ 302.739.9235.

Goals/Recommendations

To ensure that walking and biking paths are available in the future, the Town of Millville should require new developments to include sidewalks and/or bike lanes in their design.

With the protection of open space being such a high priority for the citizens it is commendable that the Town of Millville protect the existing open space for passive use. The Town of Millville should consider creating an open space ordinance that would ensure the protection of open space/recreation land as new areas are developed.

Air Quality

How does the City intend to address, or is already addressing, mitigation for the impacts of residential development on air quality (e.g., higher density to promote more walkability/transit-friendliness, planting more trees, the Energy Star program, etc.)?

Under/Aboveground Storage Tanks

Should any underground storage tanks or petroleum-contaminated soil be discovered by any person during construction, the DNREC-TMB and the DNREC Emergency Response Hotline at must be notified within 24 hours. The DNREC-TMB and the Emergency Hotline may be reached at (302) 395-2500 and at (800) 662-8802, respectively. In addition, should any contamination be encountered, PVC pipe materials will have to be replaced with ductile steel and nitrile rubber gaskets in the contaminated areas.

All plans for UST system installations must be approved in advance by the TMB with exception of UST systems of 1,100 gallons or less that contain heating fuel for consumptive use on the premise where it is stored or that contain motor fuels for non-commercial purposes.

If any aboveground storage tanks (ASTs) less than 12,500 gallons are installed, they must be registered with the DNREC-TMB. If any ASTs greater than 12,500 gallons are installed, they are subject to installation approval by the DNREC-TMB.

When developing ordinances, should the municipality anticipate being more restrictive than Delaware's *Regulations Governing Underground Storage Tank Systems* or Delaware's *Regulations Governing Aboveground Storage Tanks*, please be aware that the municipality shall be responsible for enforcing the more restrictive rules.

Site Investigation and Restoration

DNREC's Site Investigation and Restoration Branch (SIRB) encourages the development of Brownfields and can provide assistance when investigating and remediating Brownfield sites. Although SIRB has no specific comments regarding the proposed comprehensive plan at this time, if any future development occurs on sites with previous manufacturing, industrial, or agricultural use, SIRB recommends that a Phase I Environmental Site Assessment be conducted prior to development, due to the potential for a release of hazardous substances. If a release or imminent threat of a release of hazardous substances is discovered during the course of future development (e.g., contaminated water or soil); construction activities should be discontinued immediately, and DNREC should be notified at the 24-hour emergency number

(800-662-8802). In addition, SIRB should be contacted as soon as possible at 302-395-2600 for further instructions.