



STATE OF DELAWARE

February 9, 2011

The Honorable Jack A. Markell
Governor
Tatnall Building
William Penn Street, 2nd Fl.
Dover, DE 19901

Members of the 146th General Assembly

Dear Governor and Members of the General Assembly:

It is our pleasure to present you with the initial, short-term recommendations of the Delaware Bay Beach Work Group. These 14 recommendations focus on actions that can be taken in the near term to address drainage and beach erosion issues affecting the Delaware Bay beach communities, as funding becomes available. The recommendations include actions to be taken by the General Assembly, DNREC, Delaware Bay Beach Work Group, and law/code enforcement agencies of the federal, state and local governments.

The Work Group will now turn its attention to developing recommendations for addressing the long term issues threatening the coastal communities, including rising sea levels, subsidence, beach erosion, and flooding. These recommendations will assist the state in drafting a sustainable long-term strategy, including new approaches to financing restoration work.

If you have any questions, we would be happy to discuss these recommendations with you.

Sincerely,

Collin P. O'Mara
Secretary
DNREC

Brian J. Bushweller
Senator

Gary F. Simpson
Senator

Attachments: Delaware Bay Beach Short Term Recommendations
Delaware Bay Beach Work Group Members

Delaware Bay Beach Work Group

Preliminary Recommendations

Erosion Recommendations

1. DNREC should proceed with implementation of the 10-year beach restoration plan laid out in the PBS&J study, dependent upon funding. The plan provides a roadmap for preparing the coastal communities for ten-year return frequency storm.
2. DNREC should evaluate the feasibility of carrying out beach replenishment and breach closure in non-urbanized areas that create problems elsewhere within the legislatively defined beach.
3. The Bay Beach Work Group should appoint a sub-work group to develop a decision-making matrix to prioritize erosion mitigation projects. Criteria should include economic, technical, environmental, ecological, public safety, long-term sustainability, and any other factors the sub-work group determines to be appropriate and achievable.
4. DNREC should reconsider the issue of shore perpendicular beach erosion control structures to determine their effectiveness, and economic and ecological value in sand retention, and fix any existing state owned erosion control structures as determined appropriate.
5. DNREC should develop criteria and a process for private beaches to become part of the public beach system, including ensuring public access, appropriate comfort facilities, and cost-sharing.

Drainage Recommendations

6. The responsible agencies should continue to pursue consistent enforcement of laws regarding man-made structures in the flood plain that cause damage, with respect to liability regardless of public or private ownership. Policies to mitigate future challenges, such as updating drainage codes and improving flood mapping, should also be evaluated.
7. DNREC should establish a standard assessment protocol applicable to each bay beach community experiencing drainage problems to quantify the drainage issues in that community.
8. The Bay Beach Work Group should appoint a sub-work group to develop a decision-making matrix to prioritize drainage projects. Criteria should include public safety, economic, technical, environmental, ecological, agricultural, long-term sustainability, and any other factors the sub-work group determines to be appropriate.
9. In order to move towards engineered plans to address flooding and drainage in each bay beach community, the General Assembly should fund DNREC to undertake an overall study to:
 - a. Identify the drainage and flooding problems and the conditions causing them;
 - b. Compile any drainage and flooding studies, engineering plans, hydrologic studies, etc that have already been conducted; and
 - c. Apply the assessment and prioritization protocol to determine the order in which community-wide solutions are tackled.

10. DNREC should try to develop new federal and state general permits (5 year duration) to allow it to improve open channel conveyance for the purpose of flood water relief at the request of the Division of Watershed Stewardship.

Administrative and Financial Recommendations

11. The General Assembly should, at a minimum, continue current sources and amounts of beach replenishment and drainage appropriations. Evaluations of longer-term sources of revenues, including cost-sharing models, should be developed with local governments and local communities.
12. DNREC should identify the cost of the study in Recommendation #9 (Drainage).
13. DNREC should complete the cost-benefit analysis of state investment in the Bay Beach Communities to help determine the appropriate level of public investment.
14. Due to the integral role of DeIDOT infrastructure in drainage, erosion and public safety issues, the DeIDOT should become more involved in the Delaware Bay Beach Work Group.

Long-Term Recommendations

The Work Group will provide recommendations for addressing the long term issues threatening the coastal communities, including storms, rising sea level, subsidence, beach erosion, and flooding. These recommendations will assist the state in developing a sustainable long-term strategy, including new approaches to financing restoration work.

Delaware Bay Beach Work Group Committee Members

Co-Chairs

Senator Brian Bushweller - 17th District
Senator Gary Simpson - 18th District

Committee Members

Senator Bruce Ennis – 14th District
Senator Colin R.J.M. Bonini – 16th District
Representative Ruth Briggs King – 37th District
Representative E. Bradford Bennett - 32nd District
Representative Peter C. Schwartzkopf – 14th District
Representative William J. Carson, Jr. - 28th District
Representative Harvey Kenton – 36th District
Representative Harold Peterman – 33rd District
Mrs. Sarah Cooksey – DNREC – Delaware Coastal Management Program
Mr. David Baker – Sussex County Administrator
Mr. Tony Pratt – DNREC – Administrator, Shoreline and Waterway Management Section
Mr. Frank Piorko – DNREC – Director, Division of Watershed Stewardship
Mr. John Talley – Delaware Geological Survey
Mr. Michael Petit de Mange – Kent County Administrator
Mr. Michael Stroeh – Manger, Primehook National Wildlife - U. S. Fish and Wildlife Service