



Comments to Clean Water Trust Oversight Committee on Clean Water Plan

Delaware Center for the Inland Bays National Estuary Program

Plan Vision

Restating the vision of the plan to describe the desired state of Delaware's waters will set a clear understanding of the plan's purpose for all plan stakeholders:

Suggested Vision: The Clean Water Plan will result in timely and equitable achievement of 1) clean drinking water supplies for all Delawareans, 2) rivers, streams, and bays that support their designated uses under the federal clean water act through the restoration and maintenance of their chemical, physical, and biological integrity resulting in the protection and propagation of fish, shellfish, and wildlife and recreation and 3) watersheds, drainage networks and shorelines that are well managed to significantly reduce flood risk while adapting to climate change and sea level rise.

Plan Mission and Goals

We particularly commend the inclusion into the Plan Mission and Goals of 1) the focus on supporting low-income and historically underserved communities and 2) the focus on green infrastructure and the enhancement of natural systems and 3) the focus on greatest environmental return on investment.

Plan Goals and Progress Measurement

The plan goals should be specific, measurable, achievable and time bound (SMART) and, whenever possible, based upon existing DNREC-led strategies including the Inland Bays Pollution Control Strategy and the Chesapeake Bay Watershed Implementation Plan Phase III, as well as from other Source Water Protection Plans and Surface Water Management Plans.

These particular plans are designed to achieve Total Maximum Daily Loads that will allow waters to meet their designated uses under the Clean Water Act. They lay out the detailed specific steps designed to reduce pollution loads and have been developed with extensive public input and include considerations of cost effectiveness and co-benefits such as climate

mitigation and wildlife habitat protection. Additional plans and strategies that are completed or in development for other TMDLs, drinking water sources, and drainage improvements should also be used in regards.

Metrics to meet the plan goals on an annual basis should include implementation of watershed plan actions (e.g. number of acres of cover crop in the Chesapeake Bay watershed per year and commensurate nutrient load reductions) coupled with long-term achievement of designated uses by waterways (e.g. waterway segments delisted for impairment).

Plan Leverages the Power of Partnerships

The plan should leverage the power of partnerships with implementing organizations including Conservation Districts, National Estuary Programs, other watershed organizations, land trusts and rural communities through organization of regular collaboration forums and by prioritizing grants and principal forgiveness loans.

Nonpoint source pollution in the rural environment constitutes the vast majority of surface and groundwater pollution loading in the State, and its prevention and control is here the most cost effective. Therefore, collaboration with the implementing agencies and organizations working in this environment are essential to achieving Plan goals in a timely fashion. These organizations include the It is requested that partnership building and maintenance be specifically funded and built into the structure of the plan through specific actions. These actions include 1) Regular collaboration forums between WIAC, DNREC Watershed Assessment and DNREC Environmental Finance, and implementing organizations to strategize on meeting implementation needs and overcome barriers to implementation and 2) maximizing and simplifying access to Clean Water Funds to these organizations through prioritization of grants and allowance of zero percent interest 100% principal forgiveness loans to nonprofits and conservation districts.

Plan Actions

Prioritize Preservation as a Strategy to Achieve Clean Water and Flood Prevention Goals.

The plan should prioritize prevention of pollution and flooding by prioritizing the cost-efficient practice of preserving forests and wetlands as watershed green infrastructure while realizing the unsurpassed co-benefits of this practice.

Preservation of existing forests and wetlands has long been recognized by the EPA as an essential component of green infrastructure to maintain and improve water quality. However, in Delaware preservation has yet to be substantially adopted into specific plans to meet clean water goals. Parts of Delaware are undergoing rapid growth resulting in alarming rates of deforestation. It has been estimated that by 2050, 43% of Delaware's remaining forestland will

be converted to other landuses. This will result in significant increases in nutrient pollution loading and flooding.

Preserving high-quality forests and wetlands as green infrastructure is a highly cost efficient action for preventing surface water pollution and maintaining source water quality. It also provides tremendous co-benefits including maintenance of carbon storage and wildlife habitat. Publicly accessible preserved lands provide access to recreation and the health benefits of time spent outdoors and can be prioritized near communities currently underserved by public open spaces. Preservation of marsh migration corridors and floodplains also prevents construction in areas vulnerable to sea level rise and increasingly intense coastal storms and precipitation events. In the long term, this generates an even higher cost-efficiency of the practice through the avoidance of future flooding damages and potential buy-outs. Grants and principal forgiveness loans should be prioritized to protect natural lands for surface water and drinking source water protection with further priority given to those lands that would support public access for recreation and its associated health benefits.

Plan Actions Include Support for Watershed-Level Operating Plans

The Plan should include actions to fully fund watershed-level operating plans to implement existing and new pollution control strategies. Watershed level operating plans are necessary to identify, conceptualize, and prioritize pollution control projects based upon their feasibility and cost effectiveness. These plans tend to focus on the non-point source pollution control; example practices of focus include stormwater retrofit plans, reforestation and water quality buffer establishment plans, and living shoreline restoration plans. The plans usually consider co-benefits. These operating plans function as the essential step between higher level strategic plans and on the ground implementation. However, funding avenues for these plans have traditionally been limited and not increased over time to adjust for inflation. The Center has numerous examples of how these plans are essential for implementation.

Plan Actions Include Development, Maintenance and Operation of Pollution Loading Models

The plan should include actions to support watershed pollution loading models and associated tracking of implementation practices. These are essential tools for supporting identification and selection of optimal suites of pollution control practices to meet a desired goal under conditions of changing land use. Such a model exists now for the Chesapeake Bay Watershed for nutrient loading and we are grateful for DNRECs process to expand that model to the rest of the State. These models can support development of watershed level operating plans. Long-term sustained support for operating these models within DNREC and through its partner organizations should be included as support grant funding through the plan. In addition, climate modules for the watershed plans should be developed to integrate the increasingly important influence of precipitation on nutrient loads delivered to surface water bodies.

Plan Actions Include Support Staff for DNREC and Partner Organizations

The plan should include specific levels of increased staff support within DNREC to 1) manage grants and loans, 2) conduct outreach to and work collaboratively with implementing organizations on project financing opportunities, 3) provide specialized outreach and support to traditionally underserved communities, and 4) adequately track and report progress on plan actions to the general public in an accessible and comprehensible manner. In addition, we request that funding for coordinating staff within the conservation districts, national estuary programs, land trusts and other conservation or watershed organizations be made available to support partner coordination, planning, grant writing and technical support to municipalities or communities.