

Recommendations to the County Comprehensive Plan Conservation Element

Introduction

The Inland Bays are extraordinary ecological resources and a pillar of the \$7 billion coastal economy of Sussex County. The Bays support the County's thriving tourism and real estate industries and are the County's most important natural amenity next to the Atlantic Ocean. Examples of their importance include the over 50 marinas on their shores, the fact that over 1,100 boats may be underway on their waters at once during a summer weekend, the over 200,000 recreational fishing trips made annually on their waters, their commercial hard clam fishery, their infant shellfish farming industry, and the thousands of residential and commercial properties whose values are supported by their proximity to this unparalleled resource. The Bays also support a productive diversity of ecosystems and native species including over 300 species of birds, over 100 species of fish, and 40 species of shellfish. The Bays are fringed by over 7,000 acres of saltmarsh, are an important nursery for commercially important fish species, a critical spawning habitat for horseshoe crabs, and a vital stopover for migratory birds on the Atlantic flyway.

The County plays a critical role in the restoration of the water quality of the Inland Bays, that unfortunately remains of the worst among comparable estuaries in the region. In particular, the County has made exceptional strides in reducing nutrient pollution to the Bays by increasing treatment of wastewater through the conversion of septic systems to central sewerage. However, few of the strategies of the Conservation element of the 2008 County Comprehensive Plan appeared to have been carried out to any significant effect missing important opportunities for water quality improvement. Despite decades of effort to restore water quality, extraordinary reductions in nutrient pollution (particularly nitrogen) are needed to achieve healthy Inland Bays. The Center urges the County to increase its leadership and investment in the conservation of natural resources, particularly water quality, through the Comprehensive Plan. A key part of this strategy is the development of financing mechanisms to support natural habitat conservation and implementation of the most cost-effective voluntary nutrient management practices in the rural/agricultural environment including cover crops, wetland restoration, and water quality buffers. This strategy also helps meet key goals of the Future Land Use and Economic Development by investing in the County's economically important agricultural lands.

Overarching Conservation Strategies

As an estuary of national significance designated by the federal Clean Water Act and as state waters of exceptional recreational and ecological significance designated by the state water quality standards, the Inland Bays and their watershed should be afforded the highest level of protection and conservation of natural resources within the County's Comprehensive Plan.

As a signatory to the Comprehensive Conservation and Management Plan (CCMP) to protect and restore the Inland Bays, Sussex County should include elements of the CCMP for which it is responsible for within the County Comprehensive Plan.

Coordinate with all levels of government to manage the Inland Bays watershed for the pollution reductions consistent with the Total Maximum Daily Loads of nitrogen and phosphorus to the Inland Bays and their Tributaries.

Incorporate sea level rise projections and adaptation strategies within conservation strategies.

Create a Conservation and Recreation Planner position within County Offices to secure additional natural lands and expand partnerships and funding.

Create County-level financing mechanism and interest-bearing fund for open space preservation and management to leverage state and federal dollars (examples: impact fees, additional property tax, real estate transfer tax) for natural lands purchase and conservation easements.

Create County-level financing mechanism to leverage implementation of the most cost-effective voluntary nutrient management practices in the rural/agricultural environment including cover crops, wetland restoration, and water quality buffers.

Specific Conservation Strategies

Objective 2.1.1 Develop and employ land use techniques and regulations that support natural resource protection.

1. Support state legislation to reduce nutrient pollution of waterways from lawn fertilizers through enhanced public education and applicator certification and through limits on the timing and location of lawn fertilizer application.
2. Coordinate with the DNREC and the Center for the Inland Bays to research the relationship between watershed impervious surface coverage and water quality to inform recommendations for impervious surface limits.
3. Revise the existing Sussex County Ordinance on water quality buffers to be in line with the Center's Recommendations for a Water Quality Buffer System.
4. Ensure increased inspection and enforcement of codes that protect natural resources.

Objective 2.1.2 Protect areas determined to be environmentally sensitive by directing growth away from these areas.

- 1. Convene a stakeholder group to develop a transfer of development rights program that is supported by adherence to zoning and enforcement of existing land use controls and that results in incentives for preservation of environmentally sensitive areas and incentives for growth designated areas.**
- 2. Work with conservation organizations, DNREC, and other stakeholders to adopt an existing or develop a new natural habitats conservation strategy including priority lands for protection that will guide County investments.**

Objective 2.1.4 Work with farmers to incorporate conservation practices.

- 1. Create County-level financing mechanism to leverage implementation of the most cost-effective voluntary nutrient management practices in the rural/agricultural environment including cover crops, wetland restoration, and water quality buffers.**
- 2. Provide direct County participation in Inland Bays Pollution Control Strategy implementation workgroups of the Center for the Inland Bays.**

Objective 2.1.6 Identify and prioritize lands for conservation

- 1. Assess the potential for conservation actions and nutrient best management practices on existing County owned lands and develop an action plan for implementation.**

Objective 2.1.8 Promote education of citizens and elected officials of the County regarding the need to protect and preserve natural resources.

- 1. Conduct annual field trip to existing protected natural areas and areas identified for protection to provide education to members of County Council and County Planning & Zoning on natural resource protection.**

Objective 2.3.2 Maximize the effectiveness of wastewater management to preserve water quality

- 1. Implement a County level wastewater sustainability plan to 1) ensure that applications of wastewater nutrient loads will allow receiving water bodies to meet their Total Maximum Daily Loads of nutrients and 2) minimize the vulnerability of wastewater infrastructure to sea level rise.**
- 2. Research the attenuation of nutrients and contaminants released from different types of County owned wastewater systems along flow paths to receiving waters.**
- 3. Support educational efforts to maximize the proper inspection, maintenance, and replacement of individual on-site septic systems.**
- 4. Support education efforts on the relative costs and benefits of on-site septic systems versus centralized sewage collection and treatment.**

5. Continue expansion of central to sewer service to the most environmentally sensitive areas.

Objective 2.3.4 Reduce stormwater runoff to preserve water quality

1. Explore the development of an ordinance requiring stormwater control for redevelopment of properties built prior to state stormwater regulations within the Inland Bays watershed.
2. Create stormwater management facilities on County properties developed prior to state stormwater regulations per the Inland Bays Pollution Control Strategies.
3. Cooperate with DNREC and the Sussex Conservation District to assess the function of existing stormwater management facilities within the County to determine if there is a need for a stormwater utility to fund their maintenance.