

ASSOCIATION OF COASTAL TOWNS
January 25, 2019
MINUTES

A meeting of the Association of Coastal Towns was held on January 25, 2019 at 10:00 A.M. in Lewes City Hall, 114 E. Third Street, Lewes, DE, with the following present: Chairman Lewes Mayor Ted Becker, Henlopen Acres Mayor Joni Reich, Bethany Beach Mayor Lew Killmer, Fenwick Island Mayor Gene Langan, Dewey Beach Mayor TJ Redefer, Rehoboth Beach Mayor Paul Kuhns, South Bethany Mayor Tim Saxton, ACT Consultant Tony Pratt, and Recording Secretary Jackie Doherty.

1. CALL MEETING TO ORDER

Mayor Becker called the meeting to order at 10:00 A.M. welcoming Kate Rohrer of Senator Coons' office and Sussex County Council Vice President I.G. Burton to the meeting today.

2. APPROVAL OF DECEMBER 14, 2018 MEETING MINUTES

ACTION: *Mayor Redefer made a motion to approve the December 14, 2018 meeting minutes as presented; Mayor Langan seconded the motion, which passed unanimously.*

3. FINANCIAL ACTIVITIES

Mayor Reich reported the current balance is \$14,445.00 with all payments made for transcription services and Mr. Pratt for December. The financial report was accepted by consensus.

4. UPDATE FROM TONY PRATT

- **Proposed Revised Definition of "Waters of the United States"**

Mr. Pratt reported activities have been slow this month due to the holidays and the government shutdown. Mr. Pratt spoke of meetings he had this month in Washington D.C. with federal agencies to discuss coastal resiliency and coastal land systems; possible coalition of NGOs as a structured group to meet on a regular basis; opportunities with Senator Carper sitting on the EPW Committee for advanced work in Delaware and funding possibilities. There were conversations with DNREC this month to review improvements in water management, water supply, water quality, and flooding issues.

Regarding the definition of "Waters of the United States" Mr. Pratt spoke about the EPA review and revisions to the 2015 Guidelines including a 60-day comment period. The changes proposed for the navigation waterways and tax ditches will not include ACT communities.

Mayor Killmer stated his concern is that the communities with local rules regarding development of wetlands would have precedent over federal changes.

Mr. Pratt stated dates for the 7001 Workshop have been postponed due to the shutdown.

Vice President Burton stated the National Association of Counties has named mitigation for sea-level rise as one of their top priorities for 2019.

Mr. Pratt requested a meeting with Vice President Burton for further discussion regarding water issues and including Sussex County in this mitigation plan.

5. OFFSHORE SEISMIC TESTING

- **OP-ed Letter Discussion**

Mayor Becker provided a copy of the draft letter for review and discussion.

Mayor Redefer stated the Coastal Association of Realtors has also sent a letter to their representative stating they are against the offshore drilling and seismic testing. Each municipality should send their own letter with a bipartisan message stating we will not support the efforts for seismic testing and offshore drilling. Each town has one common goal, which is to protect our shorelines.

Mayor Langan stated because of the government shutdown, things are at a standstill with permits postponed until March 1, 2019. The 90-day comment period also begins on March 1, 2019. There are now 10 states involved in a lawsuit, including Delaware, to stop the testing.

After discussion, it was agreed that each town will send their own letter, and Mayor Becker will inform OP-ed of the decision.

6. UPDATE ON RESILIENT COMMUNITITES PARTNER GRANT

Rehoboth Beach City Manager Sharon Lynn reported the Resilient Communities has also been impacted by the government shutdown. DNREC has prepared an agreement with NOAA to fund the scope of work submitted by consultants AECOM and KCI. The agreement will be submitted after the shutdown has ended.

The next meeting will be on January 30th at 1:00 P.M. in Rehoboth City Hall to include a DNREC presentation on the MS-4 Program.

7. DNREC BAY BEACH TRUCKFILL PROJECT

Mr. Jesse Hayden reported Senate and House Bills from the last session regarding the issues of offshore drilling and seismic testing contained the word ‘mineral’ in reference to excluding activities in federal waters. The word ‘mineral’ may include sand and require going farther offshore into federal waters for sand resources for beach nourishment projects.

Mr. Hayden stated there is no update on the Back Bays study since last month; the formal agreements to begin the project are still being reviewed by officials and lawyers.

- **DE Bay Beach Truck Fill Project**

Mr. Hayden reported the bid opening for sand material suppliers was yesterday; the project will include Pickering, Kitts Hummock and Bowers Beaches for about 60,000 tons of sand (40,000 cubic yards) on the beaches; date to begin is February 4th with work until mid-April; project is designed to offset chronic erosion.

- **Massey's Ditch Dredge and Indian River Inlet Northside Beach Fill Project**

Mr. Hayden reported the mandatory pre-bid meeting was held on January 16th with five potential bidders attending; bid opening is scheduled for January 30th at 2:00 P.M.

- **Update on Upcoming Rehoboth-Dewey Beach Nourishment Project**

Mr. Hayden stated Bethany Beach, South Bethany and Fenwick Island sand pumping was completed in Summer 2018; beach grass planting began on December 26th with two more days of work planned for January 28th and 29th to complete; also included in the contract is applying two rounds of fertilizer in the Spring.

Mr. Hayden reported the beach nourishment plan for Rehoboth and Dewey Beaches includes a May bid timeframe; bids will be opened in May with the award given in July and work to begin at the start of Fall/Winter. The money may be delayed by the government shutdown, but there is still enough time before the bids are submitted. Money is available to begin the design work and prepare the official documents.

- **January 31st Beach Nourishment Finance Meeting**

Mr. Hayden stated invitations were sent to all mayors and representatives. The goal of the meeting is for DNREC to present the challenges regarding shoreline management and to receive feedback from everyone. These challenges include the increase in demands for sand and the increase in project costs. The meeting is on January 31st from 9:00 A.M. to Noon at the Lewes office.

Mr. Pratt requested another letter be sent to the Secretary stating the importance of the Back Bay Study in order to help move it forward.

8. CIB UPDATE

Ms. Michelle Schmidt reported there is a Grant Writing Workshop scheduled for June 18, 2019 at the Center for Inland Bays' conference room from 9:00 A.M. to Noon. The purpose of this workshop is to help those working with communities to write grants. Expert grant writer and author Ms. Valerie Mann will be present to speak. There will also be a discussion on loan opportunities. Registration is required due to limited seating. The Center is busy preparing for Spring; the CCMP is moving forward to be completed in a few months.

Mayor Becker stated Mr. Chris Bason gave a presentation at the Delaware League Dinner last night on 'Clean Water Fees' and requested further information be discussed at the February ACT meeting.

Mayor Killmer stated he was a member of the 2015 Clean Water Task Force and read their information into the record.

Mayor Becker stated continued discussion is needed regarding the proposed fees of \$45.00 per property and \$500.00 for businesses based on the number of employees. This should also be an agenda item for the April 12th S.C.A.T. meeting.

9. SEA GRANT UPDATE

Mayor Becker read a statement provided by Ms. Danielle Swallow stating RASCL would be holding their quarterly coffee meeting on February 5th in Kent County at 9:30 A.M. in the Dover Public Library. This event has reached capacity with 50 people registered to attend.

Mayor Becker continued stating Sea Grant has hired David Christopher as their new Educational Outreach Specialist to begin on February 11th. He will be invited to attend the February ACT meeting. Fenwick Island City Manager Terry Tieman has joined the Sea Grant Advisory Council as the community and ACT representative.

10. LEWES WATER WORKSHOP FEBRUARY 21ST 4-6 p.m.

Planning Consultant Ms. Savannah Edwards stated the time is 4:00 P.M. to 6:30 P.M. at the Rollins Community Center; invitations are being sent. Representatives from DNREC, Delaware Sea Grant, Sussex Conservation District, Center for Inland Bays, Nature Conservancy, Lewes Board of Public Works, and the insurance industry will be present to answer questions.

11. ADDITIONAL TALKING POINTS

Mayor Killmer spoke about the importance of the 2020 census to Sussex County regarding how undercounting causes the loss of federal funding and the need for more state-level representation in the County.

Vice President Burton stated the Sussex County density ordinance passed with the agreement that a committee would be formed to review buffers. The first assignment for the committee will be definitions with ACT being asked to review these definitions. Mr. Chris Bason and Ms. Danielle Swallow have been asked to join the committee.

Mayor Becker stated Lewes has hired a hydrologist for the first time to study the Canary Creek Basin and the impact of the four proposed new developments that will include 450 new homes.

12. SCHEDULING NEXT MEETING

The next meeting is scheduled for Friday, February 22, 2019 at 9:00 A.M.

Mayor Becker adjourned the meeting at 11:00 A.M.

Respectfully submitted,
Jackie Doherty, Recording Secretary
Association of Coastal Towns