

July 8, 2022

Mr. Gordon Woodrow
Program Manager I
MS4 Program
Surface Water Discharges Section
DNREC

Dear Mr. Woodrow:

On behalf of the Nature Conservancy in Delaware I am writing to provide comments regarding the Phase II Municipal Separate Storm Sewer System (MS4) entities MS4 Permit and also to request a public hearing.

The Nature Conservancy (TNC) is committed to creating a world where people and nature thrive. Formed in Delaware in 1990, TNC has 3,000 members statewide and manages 6 nature preserves. We advocate for policies that address the causes and impacts of climate change, conserves land and waters, helps our cities and towns become more sustainable, reduces pollutants in our air and waterways, and creates more opportunities for people to connect with nature.

Permit comments

TNC writing to request that:

- 1) Kent and Sussex be added to the MS4 permit process. The two counties are responsible for a sizeable portion of the 2010 urbanized area, and stormwater in these two areas has an enormous impact on Delaware's water quality. If we are truly to make progress on water quality as outlined by the MS4 permit program, the two counties should be included, particularly in an era of more frequent and more intense storm events.
- 2) There be a more clearly articulated long-term water quality goals of the MS4 program and language outlining a proposed timeline for when the reductions would be expected.
- 3) Stronger guidance should be provided on the types of acceptable BMPs with attention to green infrastructure and resiliency.
- 4) Add climate change considerations, where possible, to any MS4 permit regulatory decisions.
- 5) DNREC increase the transparency of the MS4 Permit process, including holding a public hearing to give the public the opportunity raise the points in their comment letters and posting public comments online. Water quality and stormwater management impacts all Delawareans, particularly in an era of climate change, and it is vital to provide an opportunity for the public to comment in a way that is transparent and meaningful.

Thank you for the opportunity to comment and on-going work to improve water quality in Delaware.

Sincerely,

Emily Knearl

Emily Knearl
DE Director of Gov't Relations & External Affairs
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