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Subject: Opposition to Starwood Digital Ventures Request for Coastal Zone Act Status Decision
Date: Thursday, January 1, 2026 10:11:51 PM

Secretary Gregory Patterson

Delaware Department of Natural Resources and Environmental Control

100 W. Water Street

Dover, DE 19904

**Re: Opposition to Starwood Digital Ventures Request
for Coastal Zone Act Status Decision – New Castle County**

Dear Secretary Patterson and the DNREC Review Staff:

We submit this comment in opposition to Starwood Digital Ventures' request for a status decision under the Delaware Coastal Zone Act (7 Del. C. Chapter 70) regarding its proposed project in New Castle County.

Given the project's location, scale, and infrastructure demands, the proposal does not qualify for an exemption, requires full Coastal Zone Act permitting at minimum, and raises serious questions as to whether it is a prohibited use under the Act.

**I New Castle County Is Already Experiencing
Cumulative Industrial and Infrastructure Impacts**

New Castle County contains the most heavily industrialized and infrastructure-burdened portion of Delaware's Coastal Zone, including ports, energy facilities, rail corridors, highways, pipelines, and electric transmission infrastructure.

DNREC has historically recognized that cumulative impacts matter most in New Castle County, where incremental approvals can produce disproportionate environmental and community harm.

Allowing a large, energy-intensive digital infrastructure project to proceed through an abbreviated status decision—rather than full Coastal Zone Act review—would ignore the cumulative context that the Act requires DNREC to consider.

II The Proposed Use Is Not Exempt Under Coastal Zone Act Precedent

DNREC precedent requires strict construction of exemptions, particularly in New Castle County, where the Coastal Zone Act has functioned as a critical safeguard against industrial creep.

Starwood Digital Ventures' proposal represents a new, infrastructure-intensive use, not a continuation of a lawful pre-1971 activity.

Data centers and related facilities are not listed as exempt uses and depend on extensive supporting systems, including:

- High-voltage electrical transmission and substations;
- Energy-intensive cooling infrastructure;
- Large-scale, continuous power consumption;
- Backup power generation and fuel storage.

Each of these elements independently triggers Coastal Zone Act concerns and defeats any claim of exemption.

III. Full Coastal Zone Act Permitting Is Required

If DNREC determines the project is not prohibited outright, it must require full Coastal Zone Act permitting, including:

- Public notice and a hearing accessible to New Castle County residents;
- Evaluation of impacts to air quality, water resources, and climate;
- Assessment of energy demand and grid reliability in northern Delaware;
- Consideration of secondary and off-site impacts, including transmission and generation requirements.

A status decision alone cannot lawfully substitute for this level of review.

IV. The Project May Be Prohibited Given Its Impacts and Location

The Coastal Zone Act prohibits heavy industry and uses that fundamentally alter the character of the coastal zone or impose long-term environmental risk.

In New Castle County, where industrial density is already high, the characteristics of the proposed project raise prohibited-use concerns, including:

- Exceptionally high, continuous electrical demand in an already constrained grid;
- Increased reliance on fossil-fuel generation to meet peak and backup needs;
- Heat rejection and cooling demands with potential water and air impacts;
- Permanent land-use conversion inconsistent with coastal protection goals.

These impacts are magnified by the project's location in New Castle County and weigh heavily in favor of a finding of prohibition.

V. The Coastal Zone Act's Purpose Is Especially Critical in New Castle County

The General Assembly intended the Coastal Zone Act to act as a firm backstop, particularly in places like New Castle County, where market pressures for industrial development are strongest.

Granting an exemption or overly broad status decision here would weaken the Act precisely where it is most needed and set a precedent encouraging additional large-scale infrastructure projects in Delaware's most burdened coastal communities.

Conclusion

For these reasons, we respectfully urge DNREC to:

1. **Reject any determination that the Starwood Digital Ventures project is exempt from the Coastal Zone Act;**
2. **Require full Coastal Zone Act permitting if the project is not deemed prohibited; and**
3. **Carefully evaluate whether the project constitutes a prohibited use, given its cumulative impacts in New Castle County.**

Thank you for your consideration and for protecting Delaware's coastal communities and resources.

Respectfully submitted,

John F. [REDACTED]

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