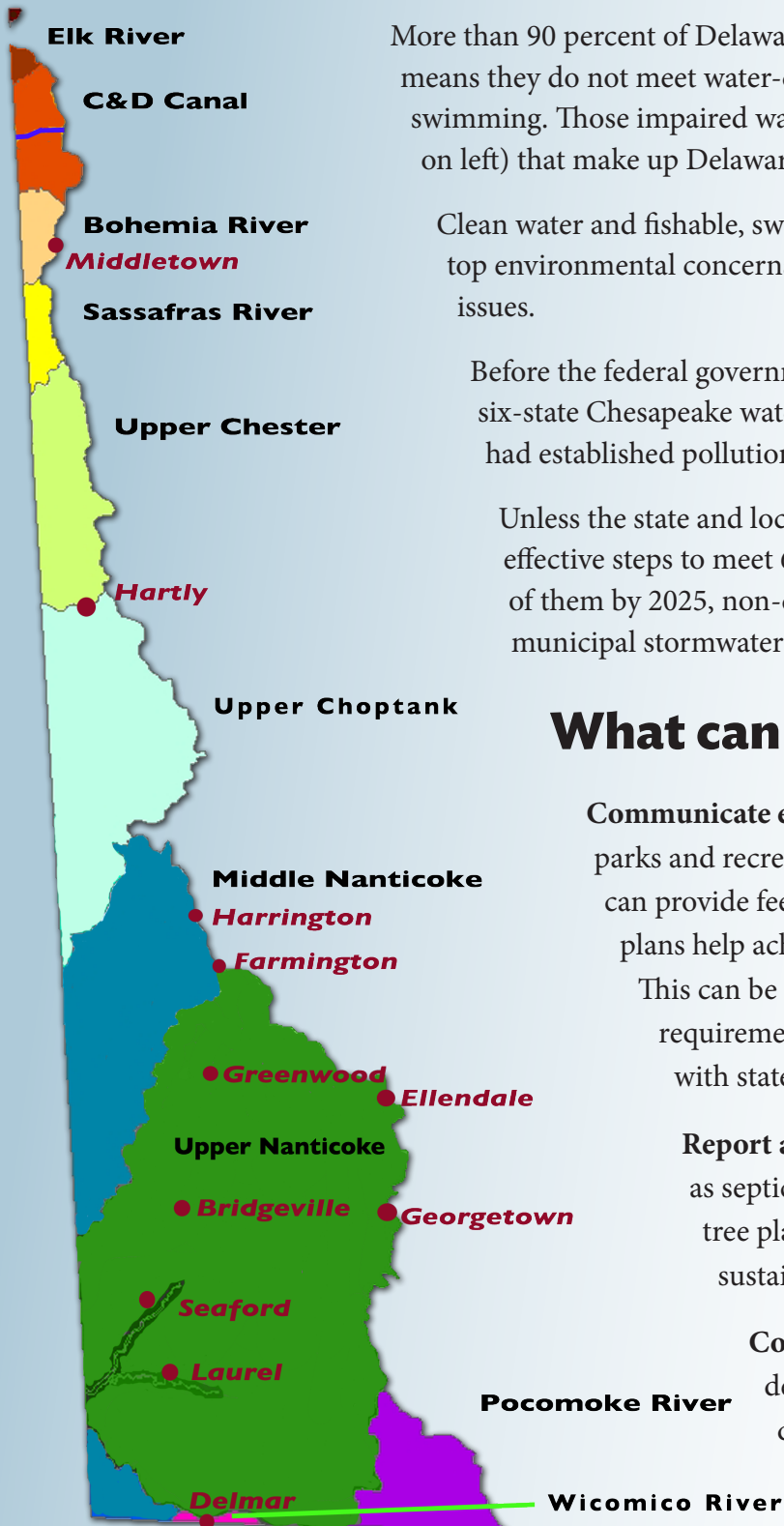


# A partnership to clean up our waterways

Cooperative actions local governments can take to improve water quality with a Delaware solution, rather than more federal regulation.



More than 90 percent of Delaware's waters are considered impaired, which means they do not meet water-quality standards for uses such as fishing or swimming. Those impaired waters include the smaller subwatersheds (see map on left) that make up Delaware's portion of the Chesapeake watershed.

Clean water and fishable, swimmable rivers and streams are consistently the top environmental concerns when Delawareans are polled about pollution issues.

Before the federal government set limits on nutrient pollution in the entire six-state Chesapeake watershed, including Delaware, our state already had established pollution targets for all of its waterways.

Unless the state and local governments partner now and take cost-effective steps to meet 60% of our water-quality goals by 2017 and 100% of them by 2025, non-compliance will result in more severe federal municipal stormwater and wastewater regulations.

## What can we do together?

**Communicate early** on long-term plans such as annexations, parks and recreation, and wastewater expansions so that we can provide feedback, technical advice and set aside funding if plans help achieve compliance with our water-quality goals.

This can be accomplished by following comprehensive plan requirements in the Delaware Code and working proactively with state agencies before plans and updates are due.

**Report and get credit** for water quality initiatives such as septic elimination, rain gardens, backyard habitats, tree plantings, voluntary green stormwater and other sustainable development practices.

**Consider incentives and ordinances** that demonstrate a commitment to enhancing water quality. *See other side for examples.*

# What specifically can local governments do?

Water quality protection goals can be met by promoting well designed cluster development. This development allows for proper wastewater disposal, limits tree removal, and promotes forested or grassed buffers.

Balancing pollutant loads becomes more difficult when forestland is converted to development or if individual septic systems are not discouraged.

Other similar incentives or ordinances could include:

- Tree preservation or tree canopy goals.
- Limiting impervious cover (relaxing parking, street-width and building-height standards where appropriate, requiring pervious pavers and/or landscaped islands);
- Establishing non-paved open space requirements;

linking open space to surrounding meadows and woodlands, if present.

- Recognize changing demographics and market demands, ensuring that local zoning codes allow for trails and sidewalks, mixed uses and housing styles, flexible lot sizes, proximity to work sites, and the ability to access daily needs without excessive vehicle trips.
- Follow the guidelines for comprehensive planning in Delaware Code, which require advanced consultation on wastewater, stormwater, housing, natural resources, and economic development elements. Such proactive planning could identify cost-effective opportunities to improve water quality.

## The state's ongoing role in meeting Chesapeake goals

The state is continuing to prioritize financial assistance programs such as municipal wastewater and conservation cost-share for agriculture, as well as apply for relevant grants from the Environmental Protection Agency, National Fish and Wildlife Foundation, and other sources.

New statewide stormwater regulations control the quantity of water flow, but also in many cases help developments also achieve water quality goals. They are expected to take effect in 2013.

In addition, new statewide onsite wastewater disposal regulations will set new limits on nitrogen and phosphorous in the flow from larger community onsite and regional wastewater treatment systems. In cases where a new septic system would be within 1,000 feet of a tidal waterway, advanced treatment would be required.

The state leases 3,500 acres for agricultural use in the Chesapeake watershed and plans to start requiring sustainable practices such as cover crops, a very cost-effective means of reducing pollution from nutrients. In addition, the state owns about 26,000 acres of forests and wetlands in the watershed and can prescribe a plan for ensuring that those lands are preserved and enhanced through restoration projects.

### Offsetting future pollution

All new nutrient loads in the Chesapeake must be offset, according to U.S. Environmental Protection Agency requirements. That means if water quality goals cannot be met on a particular parcel, one option would be to allow the proposal of offset projects that would eliminate the same (or greater) amount of nitrogen, phosphorous and sediment somewhere else within the watershed.

The state is considering an offset regulation that will provide such an option to developers and others who can't meet water-quality goals solely by compliance with state stormwater or onsite wastewater disposal regulations. Those projects would have to be documented and monitored to ensure they meet performance goals.

### Questions or assistance?

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