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# Delaware Sierra News

A Sierra Club Newsletter about Environmental Matters Important to Delaware

Winter 2007

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## Letter from the Delaware Chapter Chair

by David Keifer

This has been an interesting year, for the environment and for the Chapter.

Global warming and energy conservation were elevated to where they should have been all along. Much energy was put into recognizing these areas while not losing momentum in other areas such as clean air and water and open space.

One communications initiative that seems to have promise is to break away from the annual membership meeting to a series of meetings around the State on specific topics, this year targeting solid waste issues in the late spring and water quality and air and the related matter of land use in the fall. There were also energy related meetings. This focus on education of members and the public holds promise as a way of stimulating informed activism.

While membership has been down slightly in the last few years, the pattern mirrors that of the Club nationally. There are indications that the education and related conservation initiatives are leading the membership recruitment. Time will tell.

Members came forward during the year to help with many programs, from the Newsletter to the Cool Cities program, particularly the activities in the Dover area.

I wish you all a healthy and happy Holiday season and look forward to your support in 2007.

## Cool Cities Program Progress in Delaware

by Ron Zink

Communities all over America are working independently to meet the international standards of reducing pollution by 2012 to 7% below the 1990 levels. There are about 500 cities, representing 50,000,000 citizens, taking the pledge.

Here in Delaware, Wilmington has signed on, while Dover and Newark are considering the various programs available. We are meeting with the Mayor, Town Council members and City Manager to implement these programs. Action vital to the city's participation is the modernization of city buildings with money-saving energy-efficient technology. In addition the city must make every effort to modernize their fleet of vehicles to meet 'green' standards. Continual analysis of a city's source of power is necessary to determine cost effectiveness and efficiency.

The League of Women Voters, led by Carol Reid-Grandfield has been most helpful.

### WELCOME ABOARD!

Welcome to the 62 new and 17 transfer members to the Chapter. We are delighted to have you join us in promoting conservation issues providing for a truly *Livable Delaware* and sustainable environment. We encourage your attendance at the Conservation and Executive Committee meetings listed elsewhere.

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# Conservation Committee 2006 Report

by Rich Anthony, Conservation Chair

**D**uring 2006 the Chapter's Conservation Committee has:

- 1) Monitored proposed ordinance changes associated with the pending Comprehensive Land Use Plan updates for Kent and Sussex Counties.
- 2) In concert with the Southern Delaware Group monitored the Inland Bays Pollution Control Strategy.
- 3) Worked in concert with and/or served in an advisory capacity by providing procedural advice to civic/community organizations regarding the public process for issues which have impacts on air and water quality, energy, sustainable growth and wetlands, issues.

Additionally, the subcommittees listed below have addressed the following:

## **AIR QUALITY & INDUSTRIAL POLLUTION**

- Continued monitoring and participating in the public process relating to the Metachem, Valero, Dioxin & VX controversies.
- In concert with the Pennsylvania and New Jersey Chapters-Sierra Club participated in and provided comments for the nominating process of the Delaware River to the American Rivers Group 10 most endangered rivers.

## **BAY AND RIVER DELAWARE**

- BP/LNG proposal - Continued to monitor and respond as applicable to the ongoing permitting process. Most recently, FERC denied Delaware's (DNREC's) request to reexamine the permit's status.
- Monitored and participated in the public commenting process on Coastal Zone applications

## **COASTAL and INLAND SHORELINE ARMORING and DREDGING**

These issues were addressed in concert with the Southern Delaware Group. See the Southern Delaware Group report for coverage.

## **COOL CITIES INITIATIVE**

- Working with the City of Dover to finalize implementation of the Cool Cities Program.
- Promoted the screening of *An Inconvenient Truth* and a petition related thereto.
- Presented materials for public review at Coast Day and at a public education and information event at Primehook National Wildlife Refuge.
- Currently discussing the potential for developing a program with the City of Newark
- Currently implementing a public education program through the Public Library and Public School Systems on energy efficient housing.

## **ENERGY & CLIMATE CHANGE**

- Conducted Climate Change and Alternative Energy Presentations to the Chapter Conservation Committee, Dover League of Women Voters and at the Chapter's Newark Public Workshop meetings.
- Cosponsored a program of music and poetry in support of alternative energy and climate change.
- Cosponsored an Alternative Energy symposium at Goodstay Center.

## **LAND USE**

The subcommittee has and/or is currently in the process of addressing the following land use issues:

- Inland Bays Pollution Control Strategy (IBs PCS):
  - 1) Chapter and Southern Delaware Group representatives participated in a November 16th multi-organizational meeting which focused upon the sufficiency of the latest amendments to the IBs PCS. Following DNREC's presentation, the participants presented data impeaching much of the rhetoric which had been used as a basis for demanding the changes. Members of the General Assembly were receptive and Speaker Terry Spence observed that he was considering holding a meeting of the House to hear and consider the presentations presented.
  - 2) Also in concert with the Southern Delaware Group, request for proposals (RFPs) have been distributed regarding the recently circulated changes to the strategy.
  - 3) Discussed the potential to co-fund a study to identify contamination in the bay's aquatic communities.
- In June, the Chapter cosponsored a program which consisted of :
  - 1) Three public information meetings addressing recycling issues in northern New Castle County;
  - 2) An invitational breakfast for recycling haulers to discuss the feasibility of establishing a comprehensive statewide recycling program; and
  - 3) A meeting with Secretary Hughes to promote implementing a system of clean, mixed waste stream, Materials Recovery Facilities in keeping with the Zero Waste Philosophy.
- The subcommittee is participating in the Mid Atlantic Environmental Law Clinic's program to develop a statewide coalition of civic and environmental organizations to address land use related air & water quality issues.

## **LEGISLATIVE COMMITTEE**

- The Committee presented testimony before the House Transportation, Land Use and Infrastructure Committee

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# Conservation Committee 2006 Activities

*Continued from Page 2*

opposing the adoption of HB 280 as a sprawl preventative measure because of the bills myriad inadequacies.

- The Committee presented testimony before the Senate Natural Resources & Environmental Control Committee impeaching several inaccuracies associated with SB 225 and the logic presented as a justification for failing to maximize the potential of recycling and instead increasing the burden placed upon Delaware's landfills and proposing an increase in land fill tipping fees.

## WILDLIFE & HABITAT

- The Delaware Chapter, in concert with the New Jersey Chapter - Sierra Club, and eight other organiza-

tions filed a 60-day notice of intent for violations of the Endangered Species Act regarding the Red Knot and the absence of same on the Endangered Species list.

- Again, the Delaware Chapter joined the New Jersey Chapter - Sierra Club and six other organizations in the filing of an amicus action to become a Respondent-intervener in support of the State of New Jersey's position on the Horseshoe Crab moratorium issue. (NOTE: Both of the foregoing actions are pending resolution.)
- On November 20th Secretary Hughes issued Secretary's Order No. 2006-F-0047. The order approves the Horseshoe Crab Harvest Moratorium, as a Final Regulation.

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## The Power House Project

*by Ron Zink*



Teaching children to live in the 21st century without consuming commercial energy will be the focus of the Club's Power House project.

The Project provides an engaging introduction to regenerative energy sources and sustainable living, while teaching basic concepts in physical science.

By building a model house and 20 other energy-related devices, they will learn about energy from the sun, wind, plants, and electrochemical reactions. The students will learn how to transform, store and use these forms of energy. The kit creatively integrates physical science lessons with the story of a group of island dwellers, learning to sustain life on a remote island. To survive they must learn how to harness the power of the sun, the wind and other natural resources. 10 of these units are being purchased by the Delaware Energy Department for classroom use around the state. The project is being supervised by Jim Achers, a Club member who is a retired Air Force Plant Operations chief. Promoting the project is Ruth Ann Purchase James. Ms. James, a Sierra Club member, is a conflict analyst and president and founder of Greenbridge, CDC where she develops experiential learning processes and mediation techniques using the common need for survival to promote environmentalism.

J. William Andrews, President of Delaware Electric Cooperative in Greenwood, announced that they would be hosting a session for the trainers. The northern training session for the project will be at the St. Andres School in Middletown. Other locations are also being considered.

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## DNREC Destroys Forest to Create Dredge Spoil Disposal Site

*by Steve Callanen*

Citizens of Delaware are unaware that the on-going environmentally destructive dredging of the Assawoman Canal has the related consequence of destroying a 2.5 to 3-acre young forest of 16 to 18-foot tall Loblolly pine trees in Fresh Pond State Park. This is the first time that state parkland has ever been used as a dredge spoil disposal site.

DNREC (Department of Natural Resources and Environmental Control) changed this parkland use without a public hearing. Upland forests have been identified by DNREC as an important disappearing state resource that should be protected, and yet it opted to destroy this valuable upland forest habitat rather than truck 13,000 cubic yards (approximately 928 truck loads) of 98 percent medium to coarse grain sand from the north end of the Canal to nearby severely eroding ocean beaches in Bethany and South Bethany.

Why isn't trucking this sediment an extra mile to the ocean beaches the first and most desirable option from an environmental protection standpoint? Governor Minner should be asked to explain DNREC's wanton destruction of trees on state parkland.

### 2007 Reorganization Meetings

#### Southern DE Group ExCom

7 PM - Monday, January 8th, 2007

Fenwick Island Town Hall / For info call 645-1732

#### Delaware Chapter ExCom

7 PM - Monday, January 15th, 2007

St Paul's Episcopal Church / 212 Old N. Road, Camden  
Future Conservation and ExCom meeting dates will be established at the reorganization meetings and posted on the Chapter web site.

# Southern Delaware Group 2006 Activities

by Rich Anthony, Chairperson

## PUBLIC EDUCATION & OUTREACH

- In addition to the Group's regular ExCom and Conservation Meetings the Group conducted two meetings (One in Kent Co., one in Sussex Co.) open to the general public during which air & water quality, land use and energy issues relevant to the localities were discussed.
- An additional conservation workshop, where the primary issues were land use and water quality, was scheduled at the request of the Southern New Castle County Alliance utilizing the same core of speakers.
- The Group furthered its effort to promote environmental awareness by enlisting additional members in a Southern Delaware multi-organizational coalition (The Responsible Growth Coalition) including Citizens For A Better Sussex, Citizens For Clean Power and the Sussex Co League of Women Voters.
- Hosted the 2nd Annual Assawoman Kayak Float.
- Held a community workshop for a group of NE Sussex County citizens concerned about ill conceived growth and its impacts on air and water.
- Held a public screening of *Kilowatt Ours*, an effective film that outlines a number of problems associated with the Indian River Power Plant.
- Participated in a multi-organizational program held at the Lewes Library which addressed the newly proposed Inland Bays Pollution Control Strategy.

## CONSERVATION

In addition to the issue specific topics elaborated below the Southern Delaware Group's Conservation Committee has, without limitation,

- 1) Monitored proposed ordinance changes associated with the pending Comprehensive Land Use Plan updates for Kent and Sussex Counties; and
- 2) Monitored the Inland Bays Pollution Control Strategy; and
- 3) Worked in concert with and/or served in an advisory capacity by providing procedural advice to local civic/community organizations and organizations advocating controlled/sustainable growth, the implementation of adequate public facilities ordinances, concurrency laws and associated impact fees, the public hearing process for zoning and subdivision issues which have impacts on

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Editor: Sallie Callanen

Production: Susan Oldenburg

wetlands, air and water quality. (e.g. The Citizens Action Foundation, Citizens Coalition, Coastal Communities Foundation, Community of West Rehoboth [EJ Issues], The Rte 5 & 30 Alliance).

Additionally, the Group's Conservation subcommittees have either monitored, addressed or provided guidance on the following issues:

## COASTAL and INLAND SHORELINE ARMORING and DREDGING

- DNREC applications seeking beach re-nourishment for private beach projects which involve the utilization of public resources but deny public access:
  - 1) Sea Colony Recreation Association
  - 2) Sea Colony – Carl Freeman Associates
- A coastal armoring proposal for Herring Point (Cape Henlopen State Park) involving an expansion of the existing groin field.
- Public Trust Doctrine / Public Lands Issues

## ENERGY - INDIAN RIVER POWER PLANT (IRPP)

- The committee monitored and testified on behalf of the Delaware Chapter regarding the regulatory process for air quality regulations associated with the IRPP.
- Additionally, the committee is monitoring a proposal to construct a second power generating facility at the existing site and the activity surrounding a proposal to construct a new ethanol plant at the IRPP site.
- Pursuing the expansion of air monitoring stations to include areas "downwind" of the IRPP.

## LAND USE

During 2006 the committee has been involved in monitoring and/or addressing the following land use issues:

- Issac's Glen
- Baywood
- New Milton – (NE Sussex Co - Broadkill watershed)
- Discovery – (Mid Western Sussex Co – Nanticoke Watershed)
- The Sussex County Comprehensive Plan Updates
- Promoting the need for Concurrency Laws, Adequate Public Facilities Ordinances, and supportive Impact Fees.

## SAFE & HEALTHY COMMUNITIES INITIATIVE

- Water Sentinel Program – The introduction of a program to collect water quality data for dissemination to public agencies and elected officials.
- Inland Bays Pollution Control Strategy – securing the services of private consultants to conduct an assessment of the most recent amendments and provide enhanced alternative methodologies
- The Group is also in the process of both

- 1) Assessing the feasibility of commissioning a study to identify the root causes of the recent marsh grass die off in the Inland Bays; and

- 2) Considering co-funding a study to identify contamination in the Inland Bay's aquatic communities.

## Chapter Challenges Recent DNREC Proposals

by Steve Callanen

### Sierra Club challenges donation of publicly owned sand to private beach community

**A**t an August 2006 DNREC public hearing the Sierra Club challenged DNREC's proposed donation of 290,000 cubic yards of publicly owned offshore beach quality sand to the private Sea Colony Recreation Association, which denies public access to its beach. A ruling on this matter is due shortly by DNREC Secretary, John Hughes. The Sierra Club does not challenge the right of Sea Colony to replenish its beach or the need for this action. However, public money should not be used to subsidize the replenishment of private beaches where public access is denied.

### Public hearing sought on DNREC's Herring Point groin construction project

**T**he Sierra Club has requested a public hearing on DNREC's proposal to reconstruct timber and stone groins at Herring Point with 17,900 square feet of stone rip-rap extending oceanward a maximum of 250 feet from the mean high water mark in Cape Henlopen State Park. The Sierra Club is requesting that alternative beach preservation measures be evaluated before DNREC embarks upon this proposed groin construction project, which will cost several hundred thousand dollars and is not designed to optimize preservation of the severely eroding Herring Point dune.

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## Congratulations, Dave!

**D**ave Keifer, Chairman of the Delaware Chapter, was recently appointed to serve as the Sierra Club's national representative on the Fish Conservation Network's Board of Advisors.

As a member of the Board of Advisors, Dave will be able to call upon the knowledge and experience garnered during his earlier career with the mid-Atlantic fisheries as he represents Sierra and offers input into the Fish Conservation Network's policies and strategies.

The Network is a nationwide organization consisting of 180+ member groups. Twenty-four of the member groups hold seats on the Board of Advisors. The network maintains a full staff in Washington, DC and regional representatives in the middle Atlantic, south-east Atlantic, Gulf of Mexico and Pacific Northwest. The goal of the network is the reauthorization and improvement of the Magnusson-Stevens Act.

For more information on the Fish Conservation Network visit their website at [conservefish.org](http://conservefish.org)

## Chapter and SDG ExCom Committee Elections

by Al Denio, Chair, Nominating/Election Committee

**T**he Nominating/Election Committee met on December 18 to count the 188 ballots received in the recent Chapter and Southern Delaware Group Executive Committee Election. Congratulations to the winners for the Chapter Excom: Jay Cooperson, Kathleen Davis, Dave Keifer and Tim O'Connor. Congrats also to Rich Anthony, John Fenton and Harry Haon who are the new members of the SDG Excom.

Thanks to Dick Bewick and Dionne Infante who are also members of the Nominating/Election Committee. Sallie Callanen and Sue Oldenburg invested many hours in preparing the ballots and candidate resume sheets plus the envelopes. I also wish to thank Steve Callanen, Matt Urban and Chad Tolman who joined the "ballot counting party." I hope that you will all give your support to our new leaders as they strive to achieve our Sierra Club goals. Happy New Year!



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# Delaware Chapter and Southern Delaware Group Leaders



All phone numbers are Area Code **302**

## Chapter Office

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678-2712

## Chapter Mailing Address

2742 Hazletville Road / Dover, DE 19904-5542

## Chapter Executive Committee

Rich Anthony	645-1732
Dick Bewick	736-1670
Kathleen Davis	286-0642
Lorri Fencer	LorriFencer@comcast.net
Tim O'Connor	697-7466
David Keifer	678-2712
Chad Tolman	478-3516
Matt Urban	661-2050

## Chapter Appointed Officers

*Chair:* David Keifer 678-2712  
*Vice Chair:* Kathleen Davis 286-0642

<i>Treasurer:</i> Dionne Infante	325-0110
<i>Conservation:</i> Rich Anthony	645-1732
<i>Litigation:</i> Carl Solberg	492-1225
<i>Outings:</i> Jennifer Egan	453-0827
<i>Membership:</i> Ron Zink	735-8996

## Southern Delaware Group (SDG) Executive Committee

Rich Anthony	645-1732
Carrie Bennett	732-3358
Sallie Callanen	539-0635
Terri Usuki	436-4042

## SDG Appointed Officers

<i>Chair:</i> Rich Anthony	645-1732
<i>Vice Chair:</i> Sallie Callanen	539-0635
<i>Conservation:</i> Terri Usuki	436-4042
<i>Secretary:</i> Carrie Bennett	732-3358

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