Chapter 5
Conservation

Overview

Kent County possesses a wealth of natural resources including wetlands, woodlands, floodplains, coastal areas, waterways, underground aquifers, open space, and the animals and plants that inhabit these spaces. The viability of these resources is directly linked to the overall health and high quality of life that Kent County citizens currently enjoy. As development encroaches on these resources, their integrity is compromised. However, it is possible through the use of planning techniques such as infrastructure planning and site design requirements, to protect the County’s natural resources while also respecting the rights of property owners wishing to develop. In fact, as the County continues to develop, it is in the best interest of current and future residents to place a high value on protecting such resources as they ultimately serve to protect residents. By way of example, protection of an underground aquifer
provides clean and safe potable water, wetlands and floodplain serve to protect residents from the effect of storms, and protection of the coastal areas preserves both the environmental and economic interests of the County. If the County’s goal is to enable the creation of communities, the effort cannot be considered complete without also integrating natural resources in the design.

Agricultural preservation is not simply an issue of preserving open spaces or the rural character of Kent County; rather it is an issue of protecting a major economic force in both the County and the State. According to the Delaware Department of Agriculture, the agricultural industry in Delaware provides more jobs and impacts the State’s economy more than any other sector. Kent County has traditionally been an agrarian community and agriculture is tightly woven into the quality of life within the County. Establishing policies and procedures to encourage the retention of quality farmland in viable farms is a worthy public objective of voters and taxpayers. Therefore the County seeks to facilitate the promotion and preservation of the agricultural industry. One technique cannot address all of the challenges of farming; rather Kent County will utilize a combination of incentive based strategies and regulatory tools within its police powers and regulatory purview to protect and enhance the sustainability of the agricultural industry in Kent County.

Levy Court contributes approximately $100,000 annually toward the State’s Agricultural Preservation Program to purchase development rights and permanently protect farmland. Do you support increasing, maintaining, or decreasing the County’s efforts to perm

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Preserved Lands

Protected lands in Kent County include those owned and/or managed by some federal and state agencies, as well as private land conservancies (Map __). In addition, many landowners choose to sell their development rights and establish forestry or agricultural conservation easements. Many also choose to have their land placed in an agricultural preservation district or forestry preservation area where it is preserved for a period of time. Other lands that have restrictions from development include tidal wetlands and flood hazard zones. This section outlines the protected lands and natural resources of Kent County.

Water Resources

Kent County’s water resources are an essential component to a healthy and productive society in the present as well as the future. We all depend on a clean and abundant water supply for drinking water and activities such as swimming, boating and fishing, agricultural production, manufacturing, and tourism. In addition, healthy fish and wildlife habitat, which are important features for the recreational and economic components of Kent County, depend on water quality that will sustain these uses. While DNREC has some core responsibilities to protect Kent County’s water resources, Kent County has the primary responsibility to regulate land use activities that will protect our State’s ground waters and surface waters.

Surface Waters

Kent County has an extensive network of waterways in addition to the Delaware Bay Coastline (see map __). Major streams and their corresponding watersheds in Kent County include Silver Lake, St. Jones River, Killens Pond, and Murderkill River. The majority of the waterbodies in Kent County is impaired and not meeting water quality standards.

Under Section 303(d) of the 1972 Federal Clean Water Act (CWA), States are required to identify all impaired waters and establish total maximum daily loads (TMDLs) to restore their beneficial uses. A TMDL defines the amount of a given pollutant that may be discharged to a waterbody from point, nonpoint, and natural background sources and still allows attainment or maintenance of the applicable narrative and numerical water quality standards. A Pollution Control Strategy (PCS) specifies actions necessary to systematically achieve pollutant load reductions specified by a Total Maximum Daily Load for a given waterbody to reduce pollutants to levels specified by State Water Quality Standards.

Kent County is located within the greater Delaware River and Bay and Chesapeake Bay drainage basins. Within the combined area of the two drainages are 10 individual watersheds. These individual watersheds are assigned specific nutrient (nitrogen and phosphorus) and bacterial TMDL load reduction rates that must be met in order to comply with the State Water Quality Standards.

Achievement of TMDL targets is in large part predicated on where growth occurs and the management of the water pollutants that accompany growth. Land uses that impact the achievement of TMDLs include community and individual wastewater management as well as stormwater management. The current Kent County Subdivision and Land Development Code addresses TMDLs regarding wastewater
treatment limits and setbacks from waterways. For watersheds with an established TMDL, §187-53 (D) (7) requires individual and community septic systems to meet the nutrient load reductions prescribed by the TMDL either through system design or best management practices, and §187-78 (C) requires a 100' riparian buffer.

**Groundwater**

Groundwater is the sole source of public drinking water for Kent County. Since groundwater originates as rainwater, land use activities and practices affect the quality of groundwater. Groundwater is regulated by DNREC under the terms of the Delaware Environmental Protection Act (7 Delaware Code, Chapter 60, Subchapter 6). The responsibility for regulating public water supplies is shared among DNREC, the Department of Health and Social Services’ Division of Public Health, and the Public Service Commission.

The Delaware Legislature adopted Title 7, Delaware Code, Chapter 60, Subchapter VI (Source Water Protection Law) in June 2001. This law requires county governments and municipalities with populations of 2,000 or more to protect the areas delineated as source water protection areas including surface water supply watersheds, wellhead protection areas, and excellent groundwater recharge potential areas (see Map __).

In January 2011, Levy Court adopted a wellhead protection ordinance prohibiting development within 150 feet of a public well. The ordinance further requires that between 150 and 300 feet from a public well, stormwater from new development shall be treated using water quality best management practices. There are some public water supply wells in unconfined aquifers that could require protection in addition to the existing 150’ buffer. However, they are largely in already developed areas such as the Town of Smyrna or outside the Growth Zone and not subject to development pressure. It is understood that some industrial uses, primarily borrow operations, could be a threat to these wellfields. The County will work with DNREC to identify potential hazardous uses and develop use specific conditions to protect the wellfields.

With respect to Excellent Recharge Areas, they are located largely outside of the Growth Zone Overlay or in the more rural areas of the Growth Zone and away from development pressure. In addition, Kent County limits impervious cover for residential development outside of the Growth Zone to 23% and within the Growth Zone to 35%. These standards in addition to the County’s other efforts to protect natural areas effectively protect the resource.

**Wetlands**

Wetlands are areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands are characterized by one of three parameters: certain soil types, aquatic plants, and hydrology. An immense variety of species of microbes, plants, insects, amphibians, reptiles, birds, fish, and mammals can be part of a wetland ecosystem. Physical and chemical features such as climate, landscape shape (topography), geology, and the movement and abundance of water help to determine the plants and animals that inhabit each
wetland. In addition, wetlands provide great volumes of food that attract many animal species, benefit air and water quality, provide flood protection, prevent shoreline erosion, and provide recreation and open space opportunities.

Regulatory Protection of wetlands is mandated under Section 404 provisions of the Federal Clean Water Act. Certain other wetlands (mainly in tidal areas) are accorded additional regulatory protection under Title 7, Chapter 66 provisions of the Delaware Code. Compliance with these statutes may require a U.S. Army Corps of Engineers approved field wetlands delineation and/or an official DNREC wetland jurisdictional determination.

There are approximately 121,600 acres of wetlands in Kent County (See Map __). In an effort to protect wetlands, Kent County currently prohibits subdivision of wetlands and requires a minimum buffer of 25 feet. In the interest of improving water quality as well as protection of the various species dependent upon wetlands and protection of people and property from flooding, the County should consider implementing an increased buffering and replanting standard.

Floodplain
Due to its extensive network of waterways and coastline, Kent County has a significant amount of floodplain (see Map __). A floodplain is a land area adjacent to a waterbody that is susceptible to being inundated by water from the base flood. Floodplains are designated on the Flood Insurance Rate Maps (FIRMs) prepared by the Federal Emergency Management Agency (FEMA). Kent County has participated in the National Flood Insurance Program since 1978. The most recent FIRM update became effective July 7, 2014 and additional revisions are scheduled to become effective June 20, 2018. Protection of floodplains protects home owners from water damage to persons and properties, lowers insurance rates, reduces stress on community services, protects habitats and water quality and minimizes flooding. Currently, Kent County prohibits the subdivision of established floodplains and requires that construction on existing lots within the floodplain be elevated to 18 inches above base flood elevation.

Coastal Zone
In Kent County, the Coastal Zone as defined by DNREC, is all lands and waters just east of State Route 9 to U.S. Route 113 (south of Dover Air Force Base) to State Route 1 (north of Milford). A significant portion of the County's tidal wetlands: all of the beaches; four State Wildlife Areas (Woodland Beach, Little Creek, Ted Harvey, and Milford Neck); the Bombay Hook National Wildlife Refuge; fish and shellfish spawning and nursery areas; a substantial number of historic and archaeological sites; and significant natural areas initially identified by the Delaware Nature Society and included in Delaware’s Natural Areas Inventory, are located in the Coastal Zone. In addition to the significant flora and fauna that this area supports, the Coastal Zone also supports human activities that include agriculture, recreation, tourism, and fishing.

Within the State defined Coastal Zone, new industrial and heavy manufacturing uses are prohibited; however, residential and commercial uses are not addressed. Land uses in this area need to be protective of the habitat, natural features and human activities that depend on a healthy and functioning Coastal Zone. The Growth Zone Overlay District established in 1996 works to protect these
resources by directing growth toward the core infrastructure of the County rather than the outlying areas.

Further descriptions of the components of the Coastal Zone’s beaches, shorelines and coastal waters are incorporated below.

**Beaches and Shoreline**
Barrier beaches are narrow strips of land made up of unconsolidated material extending parallel to the coast and often separated from the mainland by a body of fresh, brackish, or salt water; or a marsh. Some of the beaches occur on Pleistocene age highlands, which outcrop along the coast; such beaches exist at Bowers. The County's sandy beaches occur intermittently from Woodland Beach to Bowers and continuously from there along the Bay to the Sussex County boundary. These beaches are high-energy systems, with constantly shifting equilibriums that are subject to landward migration of the shoreline and coastal storm events. Beaches provide protection to buildings and infrastructure during damaging storms as well as offer a variety of recreational opportunities.

A number of the Bay communities are subject to storm surge and elevated water levels from coastal storm events, shoreline erosion, and sea-level rise leading to flood damage. On November 23, 2016 the U.S. Army Corps of Engineers in conjunction with the Delaware Department of Natural Resources released a Feasibility Report and Integrated Environmental Assessment for the Beneficial Use of Dredged Material for the Delaware River. The tentatively selected plan consists of dune and berm construction at dredged material placement at eight locations along the Delaware Bay including Pickering Beach, Kitts Hummock, Bowers Beach, South Bowers Beach, and Big Stone Beach. Implementing the tentatively selected plan will increase coastal resilience, reduce storm impacts to people and property, and enhance tourism opportunities along the coast. In addition, nourishing beaches helps provide greater resilience of natural habitats and may ensure the continued existence of beach habitat in areas where development precludes inland migration of the beach. Therefore, Kent County is in support of the findings of the Feasibility Study.

**Coastal Waters**
Most of Delaware is near coastal waters, and no part of the State is further than eight miles from a tidal water. Delaware coastal waters include part of the Delaware Bay Sub-basin, one of the more productive fisheries in North America. Delaware coastal waters support approximately 138 species of fish and provide spawning and nursery grounds for more than 60 of these species. Kent County contains 6 estuary basin watersheds that support 19 commercially important fin fish and provide spawning and nursery grounds for approximately 40 fish species. In addition, nearly all of Delaware's oysters and 50 percent of blue crabs are landed in Kent County.

Maritime commerce in the Delaware Bay is substantial. According to the University of Delaware Sea Grant Program, an estimated 3,000 vessels transit the Delaware Estuary annually and the cargo ranges from petroleum to fruit to automobiles. Shipping activity continues to thrive in the Delaware River and Bay due to the presence of deep-water ports in Wilmington, DE and Philadelphia, PA. With the ongoing
main channel deepening of the Delaware River navigation channel from 40 to 45 feet, an increase in the volume and relative size of ship traffic is expected in the future.

The extent of recreational use of coastal waters indicates still another significant feature of this resource, namely its aesthetics. Indeed, the natural beauty of the coastal waters was noted more often by early explorers and settlers than its utilitarian values.

**Air**

Clean air is important for the health and well-being of Kent County citizens and is essential for continued growth and prosperity. However, growth and prosperity can actually exacerbate air quality problems. Increased population and sprawl development can result in increased air pollution from cars, energy generating facilities, lawn mowers, boats, leaf blowers and other fossil fuel emitting devices. Attainment of the ozone standard will require that ozone generation is minimized.

According to the Dover/Kent County Metropolitan Planning Organization 2017 Metropolitan Transportation Plan:

> Kent County is part of the Philadelphia-Wilmington-Trenton nonattainment area, though it is currently considered to be in attainment based on recent air quality data. The MPO region, however, includes the portion of Smyrna in New Castle County and the portion of Milford in Sussex County, both of which are considered nonattainment counties.

However, the MPO’s Plan also states that transportation emissions for nitrogen oxides and volatile organic compounds are forecast to be reduced by approximately 52% by 2040 as compared to 2012 emissions. The introduction of cleaner fuels and more fuel efficient vehicles play a significant role in reducing emissions. In addition, DNREC is administering the Delaware Clean Transportation Incentive program to “promote deployment, wider use and acceptance of clean alternative fuel vehicles, and to boost investment in clean transportation fuel infrastructure.” The County should explore opportunities to incorporate alternative fuel vehicles into its fleet of vehicles used for various field operations.

**Woodlands & Wildlife Habitat**

Woodlands are a crucial component of the environment providing oxygen and reducing carbon dioxide in the atmosphere. They aid in soil stabilization and provide shade and cooling when they are present. Woodlands are extremely important as plant and wildlife habitat. Of Delaware’s native plant species, 54% are forest dependent and 40% of the rare bird species in the State are forest dependent. Woodland areas provide an important physical, aesthetic and psychological balance to the built environment (see Map ____).

Forestland provides a wide range of benefits, including cleaner water, enhanced oxygen, carbon sequestration, recreational opportunities, and wildlife habitat. In addition, Kent County woodlands yield wood products, which support the agricultural economy. On average, approximately 1,000 acres of timber are harvested annually in Kent County. Furthermore, forestlands also provide both excellent water recharge and an opportunity for application of treated public wastewater.
According to DNREC’s Wildlife Action Plan, the Delaware Forest Service (DFS) (2010) reported that between 2002 and 2009, nearly 16,000 acres of Delaware’s remaining 217,000 acres of unprotected forest (privately owned without a permanent conservation easement) were included within areas approved for development. It has been estimated that by 2050, 43% of Delaware’s forestland will be converted to urban areas. Fragmentation subdivides large contiguous areas of natural land into smaller patches, resulting in each patch having more edge habitat and less interior. Thus fragmentation can lead to an overall deterioration of ecological quality and integrity. Some species of wildlife require larger blocks of habitat than others and can be negatively impacted by activities that fragment habitat.

Kent County currently limits the amount of woodland clearing permitted as part of a subdivision or land development approval. The regulations are more permissive inside the designated Growth Zone Overlay District, where clearing is dependent upon density, than outside of the Growth Zone where clearing is limited to 30%. As the County develops, such regulations should be further refined to focus on creating interconnected networks of open spaces to support habitat as well as maintaining riparian buffers to preserve water quality.

**Climate Change**

The earth’s climate is warming and this warming results in thermal expansion of ocean waters and sea level rise as the earth’s large planetary ice masses, such as glaciers, sea ice and the polar ice caps melt. While sea level rise and the movement of the shoreline westward is a normal phenomenon, it is exacerbated by global warming. Potential impacts of climate change include:

- **Average temperature increase**
  - Annual and seasonal temperatures in Delaware have already increased by 2°F since 1900
  - Average temperatures are expected to increase another 2.5°F to 4.5°F by 2050 and by as much as 8°F by 2100
  - May increase risk of illness such as heat stroke especially for vulnerable populations (children, the elderly, people with asthma or heart disease, and people with limited access to air conditioning and healthcare)
  - May worsen air quality
  - Could heighten peak demand for energy
  - Could lead to greater heat stress for poultry and other livestock and lead to higher energy costs for farmers
  - Combined with changes in rainfall could bring crop losses, reduced yields, and impaired pollination and seed development
Temperature extremes to become more frequent

- Higher summer temperatures (days over 95°F) and longer growing seasons are already being recorded
- The number of very hot days (over 95°F) is expected to increase
- Heat waves are projected to become longer and more frequent

More frequent extreme rainfall

- Average precipitation is expected to increase by about 10% by 2100
- Heavy rainstorms are expected to become more frequent and more intense with an increasing number of very wet days with 2 inches or more of rainfall
- Could increase exposure to allergens, tick & mosquito borne illnesses, and diseases common in warmer climates
- Combined with sea level rise may lead to failure of septic systems as groundwater levels rise
- May cause rapid erosion and flood damage to buildings, roads, bridges, and culverts
- May cause flooding that hinders movement of crops or livestock, prevents deliveries, or damages farm facilities
- May overwhelm stormwater and wastewater systems, increasing risk of contaminated flood waters
- Could affect water-based recreation such as fishing, boating, and swimming by worsening water quality in streams, rivers, and ponds
- Combined with sea level rise may increase tidal flooding, leading to greater erosion and reduced water quality

Sea Level Rise

- Likely to affect the condition of roads and bridges including access and evacuation routes to beaches and low lying areas
- May harm soil and groundwater quality in coastal regions and along rivers and streams, reducing agricultural productivity in tidal areas

In order to offset the impacts of climate change the County should maintain existing environmental standards (wetland protection, floodplain standards, stream buffers, impervious cover limitations) to protect people, property, and the environment and carefully weigh the costs and benefits of infrastructure investment in areas anticipated to be inundated by sea level rise (See Map __).
According to the 2012 Census of Agriculture, there were 863 farms totaling 172,251 acres of land in Kent County. The 2012 Census of Agriculture further reveals that the Kent County market value of farm production is $277,727,000. The average per farm net cash farm income of operation in 2012 was $91,196. As illustrated in the charts below, soybeans and corn are the two most significant harvest crops, while poultry comprises the majority of livestock raised.

In addition to the agricultural uses described above, Kent County has some less mainstream uses, including orchards and nurseries. In looking at the character of agriculture in the County, it is interesting to note that the average size farm is 200 acres, but the median is only 40 acres. The large percent of relatively small, family-owned farms contributes greatly to the quality of life and feeling of community for all residents of the County. However, this type of farm is often more susceptible to the vagaries of weather, crop prices, costs of planting and harvesting, and pressures from residential development.
Productive agricultural land is a finite and indispensable natural resource in Kent County. Economic opportunity, ensuring food security, environmental protection, community infrastructure, and quality of life are among the most compelling reasons to save farmland. As farmland is converted for development, the agricultural infrastructure of the County is compromised, thereby making it more difficult for the remaining farms to succeed. Ultimately, farmland protection is part of a larger set of policy challenges involving how the citizens of Kent County make choices in the use of our natural resources that fundamentally affect our future quality of life.

Land Use Trends in Agriculture
Over the years, there has been a steady decline of the number of farms and acreage in production in our State. However, in the decade between 2002 and 2012, the number of farms in Kent County increased by 16.45%, from 721 to 863 farms. It is interesting to note, however, that the number of acres being utilized by those farms decreased from 185,329 in 2002, or an average of 257 acres per farm, to 172,251 in 2012, or an average of 200 acres per farm. This resulted in more farms, but smaller in size.

Nationwide, there is also a trend of younger first generation farmers emerging especially in community supported agriculture (CSA) operations where farmers sell their products locally to individual customers and to institutions such as schools, hospitals, and nursing homes. (Source: 2012 Census of Agriculture Reveals Farming Trends, Dr. Rosmann, Farm & Ranch Guide). While the 2012 Census of Agriculture reveals the fastest growing group of farmers and ranchers is 65 and older, the second fastest growing group is young farmers and ranchers who are under 35.

According to a National Young Farmers’ Coalition report, the vast majority of young farmers (78%) did not grow up on a farm. For most of these first-generation farmers, securing land is a daunting obstacle. According to the NYFC survey, 70% of farmers under 30 rent farmland, compared to 37% of farmers over 30. In response to that challenge, the State of Delaware established the Young Farmers Loan Program in 2011. The program is designed to provide young farmers with capital needed to purchase land while also preserving the land. As of October 2017, the Department of Agriculture has settled 32 loans for a total of 2,497 acres.

Also notable is the number of women in agriculture nationwide and in Delaware. According to the 2012 Census of Agriculture, nearly 18% of Delaware’s farms have a woman as the principal operator. According to the U.S. Department of Agriculture, there are 1,207 female farmers in Delaware (32% of all farmers) managing 129,300 acres resulting in a $99.8 million economic impact.

Another trend in agriculture as with nearly all businesses is an increased reliance on internet access. In Delaware the number of farms with internet access rose more than 40% between 2007 and 2012 (250 and 359 respectively). The total percentage of farms with internet access is still relatively low at 15 percent. As the County explores expansion of high speed internet access as discussed in the Community Facilities Chapter, it should be mindful of the benefits to the agricultural community as well.

Progress in Agricultural Preservation
The Delaware Agricultural Lands Preservation Act signed into law on July 8, 1991, established a long term program for preserving agricultural lands within the State. As illustrated below, Kent County leads
both Sussex and New Castle County in farmland and forestland preservation. Map illustrates the lands currently preserved.

<table>
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<tr>
<th>County</th>
<th>Agricultural Preservation Districts</th>
<th>Agricultural Easements</th>
<th>Forestland Preservation</th>
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<td>Districts/Expansions</td>
<td>Farms</td>
<td>Acres</td>
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Source: Delaware Agricultural Lands Preservation Current Situation Report October 18, 2017

Since 2009 the Levy Court has contributed more than $1.1 million toward the State’s agricultural preservation program and dedicated at least $100,000 in each annual budget. As shown at the beginning of this chapter a clear majority of survey respondents support maintaining or even increasing the level of funding for preservation. Supporting the agricultural industry and rural character of the County are very much a community priority.

**Policy Emphasis**

Provide for protection of all of the natural resources of the County, while allowing for development by:

1. Further promoting the conservation of the full array of natural resources found within Kent County (water, land, flora, fauna, and habitats);
2. Ensuring that land use activities on lands designated as State Resource Areas protect the land’s unique ecological features while permitting reasonable use of the property;
3. Ensuring that land use activities are conducted in such a way as to minimize the impact on and reduce the risk of contamination to excellent groundwater recharge areas and wellhead protection areas which are a source of drinking water systems throughout the County; and
4. Seeking to preserve and enhance wildlife habitat.

Promote the preservation of the agricultural industry utilizing a combination of incentive based strategies and regulatory tools within its police powers and regulatory purview to protect and enhance the sustainability of the agricultural industry in Kent County by:

1. Promoting the retention of farms and farmland within Kent County;
2. Seeking to strengthen the agricultural sector of Kent County;
3. Developing regulations that will direct development to areas where infrastructure exists or is planned in order to encourage agriculture and maintain the current quality of life for the residents of the County; and
4. Seeking to promote and develop less mainstream agricultural uses such as organic farming, wineries, sod farms, and aquaculture.

Recommendations

1. Maintain existing environmental standards (wetland protection, floodplain standards, stream buffers, impervious cover limitations) to protect people, property, and the environment.

2. Carefully weigh the costs and benefits of infrastructure investment in areas anticipated to be inundated by sea level rise.

3. Increase the width of non-disturbance areas surrounding wetlands, waterbodies and conveyance systems, including tax ditches, to an average of 100 feet for 80% of the area, to be buffered with a minimum width buffer of 50 feet and, if previously cleared of vegetation, require such riparian buffer be replanted with native species prevalent in riparian areas. Where the slope along a waterbody exceeds 15%, the buffer measurement should commence from the top of bank. Required buffers should be designated as un-subdivided open space.

4. Utilize the passive open space provisions of the Subdivision and Land Development ordinance to require reintroduction of wildlife habitats and upland forests.

5. Help to reduce individual automobile trips through the promotion of shared or high occupancy vehicles. This could be done through the redesign of parking requirements for commercial uses and the continued promotion of mass transit bus stops throughout the County.

6. Promote more compact patterns of development and mixed use development to reduce travel demand and to encourage the expansion of the public transit system.

7. Seek to reduce ozone emissions by directing growth into areas that are immediately adjacent to employment and services.

8. Explore opportunities to incorporate alternative fuel vehicles into the County’s fleet of vehicles used for various field operations.

9. Review existing ordinances for efficacy in meeting federally required Total Maximum Daily Load (TMDL) requirements and make changes where appropriate.

10. Utilize the Wildlife Action Plan, Green Infrastructure, and Source Water Protection maps produced by DNREC in conjunction with Land Evaluation Site Assessment (LESA) scores in ranking properties for County agricultural land preservation funding.

11. Establish incentives such as reduction of impact fees, building permit fees, or density bonuses for environmentally sensitive design practices such as Leadership in Energy and Environmental Design (LEED) certification, Energy Star, or green technology best management practices.
12. Work with DNREC and the individual Tax Ditch Organizations to explore the feasibility of establishing landscape buffers along tax ditches in order to reduce erosion along ditch banks, reduce maintenance requirements, and improve water quality. On private ditches, where practical, the buffers should be planted on the south and west side of the ditch to maximize shading and trees and shrubs should be native species. Trees should not be planted within 5 feet of the top of the bank to avoid future blockages from roots. Tree and shrub planting in this manner will provide a shading effect promoting water quality. The buffers as well as the channel banks should be planted with herbaceous vegetation to aid in the reduction of sediment and nutrients entering into the conveyance. Grasses, forbs and sedges planted within this buffer should be native species, selected for their height, ease of maintenance, erosion control, and nutrient uptake capabilities.

13. Continue dedicating funds toward the Agricultural Land Preservation Program as finances permit.

14. Revise regulations for cluster subdivisions to ensure enough critical mass of open land for continued agriculture use and limit the intrusion of suburban development into vital agricultural areas.

15. Continue developing the Food Innovation District program.

16. Review existing zoning requirements for poultry houses and consider implementing buffering and ventilation standards that are becoming more common throughout the industry.

17. Review and revise the permitted uses in the Agricultural Conservation and Agricultural Residential zoning districts to better reflect current agricultural practices and businesses.

18. Establish additional incentives for the Transfer of Development Rights program in an effort to provide equity to land owners in areas designated for low density development.