

Governance Subcommittee Meeting – February 11, 2005

In attendance:

Stephanie Hansen – Chair	Richards Layton and Finger
Janet Kilpatrick (for Roger Roy)	House of Representatives
Paul Petrichenko	Natural Resources Conservation Service
Ralph Reeb	DelDOT
Charles Baker	New Castle County Land Use
George Haggerty	New Castle County Special Services
Colleen Arnold (for Kash Srinivasan)	City of Wilmington
Lee Ann Walling	Governor's Office
Frank Piorko	DNREC
David Athey	URS

Primary discussion points:

- Ten State laws and over two dozen regulations are applicable to drainage issues. Subcommittee must decide what it is that needs to be governed and who will do it.
- Stephanie Hansen presented lists of organizations performing all aspects of stormwater work in the State. What levels of government need to be involved?
- DNREC's role may be best to set standards and encourage/support others to comply.
- Comfort level (particularly in two lower counties) is high for Conservation Districts – may be best organization to manage a utility.
- Proactive planning on a watershed level is needed.
- A Statewide utility would give a level playing field such that one county or municipality does not have an advantage over another for development and redevelopment.
- A stormwater utility would be less government, not more as a single entity would consolidate responsibilities previously performed by others.
- Delaware's Sediment and Stormwater Regulations are adequate but could be more stringent. Pending TMDL issues may force the issue.
- Mechanism is needed for private basins and BMP's to be maintained by a public entity. If publicly maintained, would everything be maintained including cutting of grass or just more structural items? Would a utility have rights of access onto private lands?
- Would a utility have planning responsibilities and authority to approve development plans?
- Options other than a utility need to be considered. If a utility is not accepted, task force's recommendations would be for naught.

Action items:

- Models of existing utilities will be brought to next meeting – Frank Piorko
- Reformatting organizational lists into tabular or matrix format – David Athey

Future meetings:

- Subcommittee meeting – February 25, 1:30 p.m., New Castle County Government Building