



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL

89 KINGS HIGHWAY  
DOVER, DELAWARE 19901

PHONE: (302) 739-4403  
FAX: (302) 739-6242

OFFICE OF THE  
SECRETARY

Secretary's Order No. 2004-W-0059

Re: Regulation on the Total Maximum Daily Loads ("TMDLs")  
for the Little Assawoman Bay and its Watershed

Date of Issuance: **December 9, 2004**

Effective Date: **December 9, 2004**

Under the authority vested in the Secretary of the Department of Natural Resources and Environmental Control under 29 Del. C. §§8001 et seq., the following findings and conclusions are entered as an Order of the Secretary:

In sum, I find and conclude that:

1. Based on the record developed, as reviewed in the Hearing Officer's Report("Report"), dated December 9, 2004, and appended hereto and incorporated herein, I find and conclude that the record overwhelmingly supports approval of issuance of the proposed regulation as a final regulation, as recommended in the Report;

2. The Department provided adequate public notice of the proposed regulation and public hearing as required by the law and Department regulations;

3. The Department, acting through an order of the Secretary, adopts the proposed regulation as a final

*Delaware's Good Nature depends on you!*

3. The Department, acting through an order of the Secretary, adopts the proposed regulation as a final regulation under the Clean Water Act and regulations promulgated thereunder;

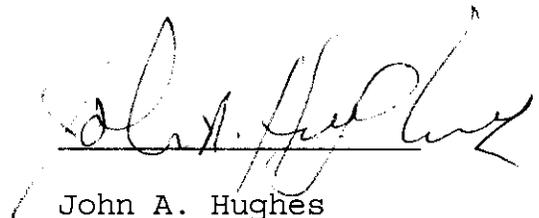
4. The issuance of the proposed regulation as a final regulation will protect and improve the water quality of the Little Assawoman Bay;

5. The issuance of the proposed regulation as a final regulation will comply with the federal consent decree;

6. The issuance of the proposed regulation as a final regulation will enable the Pollution Control Strategy to be developed and implemented in a subsequent regulation proceeding;

7. The TMDLs were developed consistent with the applicable law and regulatory standards; and

8. The Department has an adequate record for its decision.



John A. Hughes  
Secretary

**Hearing Officer's Report**

**MEMORANDUM**

TO: The Honorable John A. Hughes  
Secretary, Department of Natural Resources and  
Environmental Control

FROM: Robert P. Haynes, Esquire,  
Hearing Officer, Office of the Secretary  
Department of Natural Resources and Environmental  
Control

RE: Proposed Regulation on the Total Maximum Daily Loads  
("TMDL") for the Little Assawoman Bay and its  
Watershed

DATE: December 9, 2004

**Table of Contents**

I. BACKGROUND ..... 1  
II. SUMMARY OF THE PUBLIC HEARING RECORD ..... 2  
    A. Inland Bays Environmental Study..... 7  
    B. LAB Environmental Study..... 11  
    C. Study's Conclusion..... 12  
III. DISCUSSION..... 16  
IV. CONCLUSIONS AND RECOMMENDATIONS ..... 17  
Appendix A- ..... 19

**I. BACKGROUND**

This Hearing Officer, delegated authority by the Secretary of the Department of Natural Resources and Environmental Control ("DNREC" or "Department") pursuant to 29 Del. C. §§6606 and 8003, presided over a duly noticed public hearing commencing 3:00 p.m. on November 30, 2004 in the Town of Bethany Beach's Town Hall, Bethany Beach, Delaware.

The hearing was held to consider public comments and questions on the Department's proposed regulation, which is to implement a Consent Decree and Settlement Agreement in American

*Littoral Society & Sierra Club v. Environmental Protection Agency et al*, Civil Action 96-591 (D. Del.). The consent decree was an area-wide agreement that set forth the Environmental Protection Agency's ("EPA") obligation to issue regulations under the Clean Water Act for numerous bodies of waters and watersheds, including the portion of the Little Assawoman Bay in Sussex County.

The proposed regulation will set the Total Maximum Daily Loads ("TMDLs") for the Little Assawoman Bay ("LAB") and its watershed. The Department, acting under EPA's delegated authority, is to issue a Secretary's order on the LAB's TMDL in order to comply with the consent decree's schedule.

## **II. SUMMARY OF THE PUBLIC HEARING RECORD**

The public hearing record contains fourteen transcribed pages from the public hearing, and documents, marked as DNREC Exhibits ("Exh.") A through G, which were admitted into the record as hearing exhibits. Two members of the public attended the public hearing along with several representatives from the Department and EPA. One member of the public spoke until he realized that his comments were on an implementation plan that will be the subject of a further hearing if the proposed rule is adopted.

Dr. Hassan Mirsajadi, P.E., Environmental Engineer in the Division of Water Resources, Watershed Assessment Section, sponsored the Department's presentation for the record. DNREC Exh. A is a copy of the *Delaware Register of Regulations* November 1, 2004 publication of the proposed regulation. The proposed regulation notes the intensive water quality monitoring that has occurred for the LAB, which support the conclusion that the LAB is highly enriched with the nutrients nitrogen and phosphorous that have promoted excessive macroalgae growth, phytoplankton blooms, large daily swings in dissolved oxygen, the loss of submerged aquatic vegetation, and fish kills. These adverse impacts threaten the future of the LAB as a viable waterway, and its associated contribution to the local and state from tourism and property values.

The proposed regulation discusses the need to reduce the amount of nitrogen and phosphorous that enter the LAB and its watershed from point sources (regulated discharges into the water) non-point sources (surface run offs, septic systems, ground water discharges), and the atmosphere.

Under Section 303(d) of the federal Clean Water Act, Delaware is to develop a list of waterbodies for which existing pollution control activities are not sufficient to attain applicable water quality standards. The waterbodies on the list

are subject to TMDL regulation, which controls the pollutants through three components: 1) the Waste Load Allocation ("WLA") for point source discharges, 2) Load Allocations ("LA") for nonpoint sources, and 3) a Margin of Safety ("MOS").

The proposed regulation would establish, if adopted, a forty percent reduction for nitrogen from all nonpoint sources within the watershed. Based upon the three-year study period of 1998-2000, this would reduce the amount of nitrogen entering LAB from 594 to 357 pounds per day.

For phosphorous, the proposed regulation would establish, if adopted, a forty percent reduction from all nonpoint sources within the watershed. Under the same three-year 1998-2000 baseline period, this would reduce the amount of phosphorus entering LAB from 49 to 30 pounds per day.

The proposed regulation, if approved, would be implemented by a Pollution Control Strategy ("PCS"), which is to be developed informally with interested parties and subject to a subsequent formal rulemaking proceeding. DNREC Exhibit B is a study entitled "Total Maximum Daily Loads (TMDLS) for The Little Assawoman Bay and Tributaries and Ponds of the Indian River, Indian River Bay, and Rehoboth Bay," dated November 2004, which was prepared for DNREC by the consulting firms ENTRIX, Inc. and J.E. Edinger Associates, Inc. The consultants enhanced the

existing hydrodynamic and water quality model called the Generalized Environmental Modeling Surface Water System ("GEMSS") to verify the effectiveness of prescribed point and nonpoint source load reductions to meet the TMDLs' objectives. The model was originally developed in 2000 for DNREC as part of the Inland Bays Flushing Study, which was to estimate water quality improvements resulting from proposed methods to increase ocean exchange with the Inland Bays. The model has been expanded and enhanced by connecting Rehoboth Bay and Indian River to Little Assawoman Bay via the Little Assawoman Canal, as well as by including connected streams and ponds on the State's 303(d) list of impaired water bodies. The model, a union of 1-dimensional (1-D) streams and the 3-dimensional (3-D) river and bays, was then used to project water quality conditions as a result of point and nonpoint source load reductions.

The study described the prior TMDL process, beginning in 1998 when DNREC adopted a TMDL Regulation for nitrogen and phosphorous for the estuarine portions of the Indian River, Indian River Bay, and Rehoboth Bay. This regulation significantly reduced nutrient loads from point and nonpoint sources, but did not include the Little Assawoman Bay or the freshwater streams and ponds which were on the State's 303(d) list of impaired waters. Consequently, the updated study

examined the efficacy of the load reductions called for by the 1998 TMDL Regulation for meeting water quality standards in the remaining impaired waters in order to recommend the TMDLs for Little Assawoman for the proposed regulation and ultimately regulation.

The study described its scope as follows:

The GEMSS model was configured to project water quality that would result if the recommended 1998 TMDL point and nonpoint source load reductions were applied to the entire Inland Bays watershed. Modeled concentrations were compared to water quality standards and nutrient target values. According to Delaware's surface water quality standards, to attain the SAV during growth season (March 1 to October 31), dissolved inorganic nitrogen (DIN) must average 0.14 mg/L as N or below, and average dissolved inorganic phosphorus (DIP) must not exceed 0.01 mg/L as P in tidal portions of the Inland Bays. Furthermore, the State Water Quality Standards require that average dissolved oxygen concentrations not to be below 5 mg/L, and daily minimum values must not be below 4 mg/L for these tidal waters. For freshwater streams and ponds, the State water quality standard for DO is 5.5 mg/l as daily average and 4.0 mg/l as daily minimum. Furthermore, in the streams and ponds, modeled nutrient concentrations were compared to target values for total nitrogen (TN) and total phosphorus (TP).

The GEMSS model was configured to add various species of nutrients together in order to calculate the total and dissolved forms of the nutrients. One assumption that was made to enable these calculations was that dissolved orthophosphate is the principal component of dissolved inorganic phosphorus.

Using GEMSS, the point and nonpoint source nutrient reduction loads prescribed in the 1998 TMDL analysis of the Indian River, Indian River Bay, and Rehoboth Bay (DNREC, 1998), were applied to the entire watershed and water quality effects were examined. As

required under the 1998 TMDL report, all nutrient point source loads were reduced to zero. Nutrients, chlorophyll a, and dissolved oxygen levels averaged over the critical time period in the streams and ponds within the Inland Bays watershed were compared to target values. Similarly, nutrients and dissolved oxygen concentrations in the tidal portions of the Inland Bays (including Little Assawoman Bay) averaged during the critical time period were compared against standards while chlorophyll a was compared against its target values.

The results of the model runs (as will be described later in this report) showed that implementation of the load reductions required by the 1998 TMDL Regulation to the entire watershed would result in achieving all applicable water quality standards and target values.

Exh. B at 1-3 - 1-4.

**A. Inland Bays Environmental Study**

The study described the LAB waterbodies affected as part of the interlocked Delaware Inland Bay System, which includes two main water bodies: Indian River Bay and Rehoboth Bay. The study noted that the Delaware Inland Bays are located in the southeastern part of the state in Sussex County, and that the Indian River Bay is connected to the Atlantic Ocean on the east via the Indian River Inlet and to Little Assawoman Bay to the south via the Little Assawoman Canal. Rehoboth Bay is connected to Delaware Bay to the north via the Lewes-Rehoboth Canal and to Indian River Bay to the south. The western portion of Indian River Bay, referred to as the Indian River, terminates at Millsboro Dam.

The drainage area of the system is 55,647 hectares, of which 14,339 hectares is upstream of the impoundment at Millsboro. The basin contains one long-term stream gauging station (USGS Station #01484500) on the Stockley Branch. Mean flow for the period of record (43 years) is 0.196 m<sup>3</sup>/sec or 1.44 x 10<sup>-4</sup> m<sup>3</sup>/sec-hectare. Employing the runoff at Stockley to characterize the remainder of the basin indicates a long-term basin mean flow of 8.03 m<sup>3</sup>/sec.

Surface area and volume of the bay system are 7.31 x10<sup>7</sup> m<sup>2</sup> and 1.21 x 10<sup>8</sup> m<sup>3</sup>, respectively. Mean depth is 1.66 m, which characterizes most of the system. Near the inlet, local mean depth exceeds 10 m. Mean tide range at the inlet is 1.25 m. The tidal prism is 51x10<sup>6</sup> m<sup>3</sup>. The system is well mixed from surface to bottom and is saline virtually throughout its tidal cycle. Median salinity is 22.7 ppt and 95% of observations exceed 4.3 ppt. The lowest salinities occur immediately downstream of the Millsboro Dam during periods of high runoff. Residence time of the system, determined as volume divided by freshwater flow rate, is approximately 174 days. An alternate way to characterize residence time (total volume divided by tidal prism divided by the tidal period) yields a much shorter value: 1.2 days as established in a 2001 study. Except near headwaters and in constricted areas in which the tide is

dampened, tidal flushing is more effective than runoff in the determination of volumetric flows and mass transport throughout the system.

In the past, the inlet to Indian River Bay has periodically been closed, at times up to more than a year, which created a freshwater dominated system. By 1940, the construction of twin parallel jetties resulted in a permanent opening of the inlet approximately 152 m wide and 4.5 m deep. The purpose of this effort was to increase salinity, decrease stagnation, control mosquitoes, and provide a stable navigational waterway. Dredging around the inlet has been repeated periodically through 1990. By 1968, the interior shoreline of the inlet was stabilized to protect against erosion. Inlet scouring has occurred at different rates over the years. Between 1942 and 1974, the mean inlet depth at mean low water deepened from 3.0 m to 7.6 m. However, by 1994, the inlet had scoured to depths ranging from 9.1 m to 33.5 m (Gebert et al., 1992). This scouring has resulted in an increase in the cross-sectional area of the inlet from approximately 84 m<sup>2</sup> to 2880 m<sup>2</sup> between 1939 and 1991 (DIBEP, 1993). From 1939 to 1988, the scouring of the inlet had increased the quantity of water passing through the inlet from approximately 368 cms to 1727 cms (Raney et al.,

1990). During this period, freshwater inflow has remained relatively constant, rarely exceeding 8.5 cms (DIBEP, 1993).

In 1951, a channel was dredged extending the entire length of Indian River Bay from the inlet upstream to the base of Millsboro Dam. The channel was dredged to a depth of 2.7 m from the inlet to Old Landing and to a depth of 1.2 m from Old Landing to the base of Millsboro Dam (DIBEP, 1993). Dredging resulted in the removal of over 4.6 million cubic meters of substrate from Indian River Bay between 1937 and 1992. In addition, dredging has been conducted in Indian River Bay to create marinas, artificial lagoons, and provide greater access into the tributaries. These modifications to the inlet and channel have greatly increased salinity intrusion into the estuary and increased tidal flushing throughout the bays (DIBEP, 1993). This flushing has also reduced nutrient levels (i.e., nitrogen) in the lower and middle portions of the bay. However, this flushing has not been adequate to reduce the eutrophic conditions in the upper bay and Rehoboth Bay. The increased influence of marine water has had a direct influence on the biological communities that utilize the middle and upper portions of the bay.

The study relied upon the geological and hydrographical information from the United States Army Corps of Engineers report (Cerco et al, 1994).

#### **B. LAB Environmental Study**

The study found that LAB has a surface area of approximately 600 hectares, and it is tidally connected at its southern boundary to the much larger Assawoman Bay, in the state of Maryland. To the north, it is tidally connected to the Indian River Bay through a long navigation canal. There are two major drainage areas entering Little Assawoman Bay as tributaries, a major wetland area bordering it, and a smaller area of nonpoint source runoff. The major drainage areas are Dirickson Creek (with a drainage area of about 550 hectares to the south), and Miller Creek (with a drainage area of about 40 hectares to the north). An additional major nonpoint source area affecting water quality in Little Assawoman Bay is the Assawoman Wildlife wetlands area. This drainage area is proportionally larger to its adjacent water body surface area than found for the wetlands and tidal flats in Indian River Bay and Rehoboth Bay. The smaller area of nonpoint source runoff is in the southeast corner of the bay near the southern inlet and has

about 25 hectares of built-up area extending along the interior beach to the west of U.S. 1.

### **C. Study's Conclusion**

The study's concluded by setting forth the eight regulatory requirements for a TMDL, and how the proposed TMDL satisfied each requirement, as summarized below:

1. TMDLs must be designed to achieve applicable water quality standard.

Section 1.2 describes the water quality standards for DO, nitrogen, and phosphorus in the Delaware Inland Bays. The criteria for DO are daily average of 5.0 mg/L (tidal water) and 5.5 mg/L (fresh water). For total nitrogen, the target values are daily maximums of 1.0 mg/L (tidal water) and 3.0 mg/L (fresh water). Total phosphorus target values are daily maximums of 0.1 mg/L (tidal water) and 0.2 mg/L (fresh water). In tidal waters, there are dissolved inorganic nitrogen and phosphorus criteria of 0.14 mg/L and 0.01 mg/L respectively. The target value of 20 µg/L (tidal water) and 50 µg/L (fresh water) for chlorophyll-a was listed as well.

The results of the TMDL Scenario modeling indicate that these criteria and target values were met in all waters of the Inland Bays. Therefore, it can be concluded that the proposed TMDL meets the applicable water quality criteria and target values.

2. TMDLs must include a total allowable load as well as individual waste load allocations for point sources and load allocations for nonpoint sources.

The total allowable loads have been calculated, as presented in Table 3-4. All individual point source WLA have been set to 100% removal of N and P from discharges. Load allocations for nonpoint source are described in Section 3-1.

3. The TMDLs must consider the impact of background pollutants.

The impact of background pollutants is considered via utilization of a comprehensive water quality database. This database (described in Section 3.1) includes extensive coverage both spatially and temporally across the bays and the surrounding tributaries of various dissolved and particulate forms of nitrogen and phosphorus, DO, temperature, chlorophyll a, salinity, pH, biological oxygen demand (BOD), and total organic carbon (TOC). Measurements at the ocean boundaries were used to establish the background concentrations entering the system due to tidal flushing. Measured values of sediment nutrient and oxygen demand fluxes were incorporated into the model. In areas where the HSPF model's nonpoint source estimates applied, calculations were made based upon watershed-specific knowledge of livestock populations and manure per land-use categories, method and schedules of organic and mineral fertilizer applications, planting and harvesting dates, and atmospheric depositions of nutrients (Gutiérrez-Magness and Raffensperger, 2003).

4. TMDLs must consider critical environmental conditions.

The TMDL Scenario was run for summertime conditions to reflect the time of the year when DO conditions are typically at their lowest and chlorophyll is at its highest due to the combination of the ambient temperatures with available nutrients. As described in Section 3-2, there was no single critical year. Therefore the summertime three-year average of 1998-2000 was used for the TMDL analysis.

5. TMDLs must consider seasonal variations.

Modeling is performed for three consecutive years from 1998 through 2000. Although the focus was on the critical time period of the summertime, the model was

calibrated from January to December in 1999, and verified from January to December in 2000. Therefore, seasonal variations were considered in the modeling.

6. TMDLs must include a margin of safety.

Section 303(d)(1)(C) of the Clean Water Act describes the requirements of States to develop TMDLs for waters with impaired water quality. This section also recommends inclusion of a margin of safety to account for uncertainty related to the field data interpretation and modeling for the establishment of TMDLs. The reductions in current loads used for the TMDL analysis were chosen not to simply meet standards and target values but to attain water quality above the standards and targets. The three-year summertime average concentrations (Figure 3-6 and Figure 3-7) indicate that all applicable water quality standards and target values will be met with a reasonable margin of certainty. Although an explicit margin of safety, in which there is a specific percentage of the assimilative capacity of the system targeted, was not used, EPA's technical guidance allows for an implicit margin of safety. An implicit margin of safety provides assurance of the model's predictions through use of conservative assumptions. The TMDL modeling performed utilized conservative assumptions such as analysis during critical summertime conditions under low flows and high temperatures, use of conservative reaction rates, pollutant loads, and other environmental conditions. Therefore, an implicit margin of safety has been considered for establishing the proposed Little Assawoman Bay TMDLs.

8. TMDLs must have been subject to public participation.

The 1998 TMDLs was adopted following significant public participation process including public workshops and public hearing.

This proposed TMDL has also been subject to public participation. The result of this analysis was presented to the Delaware Inland Bays Scientific and Technical Advisory Committee (STAC) on July 9, 2004 and to the Inland Bays Tributary Action Team on August 10, 2004. Additional public workshops and hearing is

planned prior to formal adoption of the proposed TMDL Regulation.

8. There should be a reasonable assurance that the TMDLs for the Little Assawoman Bay and Tributaries and Ponds of the Inland Bays can be met.

The proposed TMDLs for the Little Assawoman Bay and Tributaries and Ponds of the Inland Bays require systematic elimination of all point sources within the watershed and significant reduction of nonpoint source nutrient loads.

The DNREC is currently working with the Inland Bays Tributary Action Team (TAT) to develop and finalize a Pollution Control Strategy for implementing the requirements of the 1998 TMDLs for the Indian River, Indian River Bay, and Rehoboth Bay. The TAT will be asked to assist the Department in expanding the Pollution Control Strategy to include the Little Assawoman Bay and other areas that were not part of the 1998 TMDL.

It is noteworthy to mention that the Department has already made significant progress in implementing the requirements of the 1998 TMDL Regulation by eliminating several point source discharges and reducing nonpoint source loads. Delaware DNREC is committed to continue this path forward and implement requirements of the proposed TMDLs for the Little Assawoman Bay and Tributaries and Ponds of the Inland Bays.

The study concluded that a forty percent reduction from the baseline levels for nitrogen and phosphorous were appropriate and necessary to protect the LAB's water quality.

DNREC Exhibit C was a study entitled "Enhancement and Expansion of Hydrodynamic and Water Quality Modeling System for the Delaware Inland Bays for TMDL Analysis" dated March 2004. Essentially, this study expanded the study for the tributaries

and other waterbodies within the watersheds that flow into the Delaware Inland Bays. This included extensive field data measurements from within the Delaware Inland bays' watersheds.

DNREC Exhibit D is a copy of the current Delaware Surface Water Quality Standard, as amended July 11, 2004, which describes the waterbodies and watersheds. It is these standards that the LAB's TMDLs must achieve.

DNREC Exhibit E is the 2002 Delaware Clean water Act Section 303(d) list of waters that need TMDLs, and LAB is listed on it. DNREC Exhibit F is the consent decree. DNREC Exhibit G was a copy of the Power Point presentation made at the September 28, 2004 workshop.

### III. DISCUSSION

I requested the assistance of the Department personnel in considering the public hearing's record, particularly on the informal background that resulted in the proposed regulation. The Department's response ("Response Document") is attached hereto as Appendix A and incorporated herein.<sup>1</sup>

As the above review of the record indicates, there was no public comment to consider. The proposed regulation was properly

---

<sup>1</sup> The Response Document is not a document in the public hearing record, but instead was prepared as an aid the Hearing Officer in reviewing the record and providing technical advice and recommendations. It is in the administrative record, and included as part of this report to benefit the public's understanding.

published in the manner and form prescribed by law, and my review of the underlying exhibits finds that there is more than adequate support for the proposed regulation. Consequently, I recommend approval of the proposed regulation as a final regulation.

#### **IV. RECOMMENDED FINDINGS AND CONCLUSIONS**

Based on the record developed, as reviewed above, and the technical expertise of DNREC's personnel, I find and conclude that the record supports approval of the proposed regulation.

In conclusion, I recommend adoption of the following findings and conclusions:

1) The Department provided adequate public notice of the proposed regulation and public hearing as required by the law and Department regulations;

2) The Department, acting through an order of the Secretary, adopts the proposed regulation as a final regulation under the Clean Water Act and regulations promulgated thereunder;

3) The issuance of the proposed regulation as a final regulation will protect and improve the water quality of the Little Assawoman Bay;

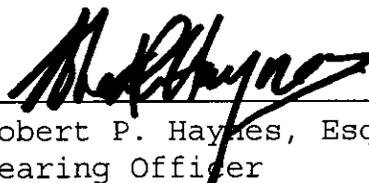
4) The issuance of the proposed regulation as a final regulation will comply with the federal consent decree;

5) The issuance of the proposed regulation as a final regulation will enable the Pollution Control Strategy to be developed and implemented in a subsequent regulation proceeding;

6) The TMDLs were developed consistent with the applicable law and regulatory standards;

7) The Department has an adequate record for its decision;  
and

8) The Department shall have the regulation published in next possible publication of the *Delaware Register of Regulations*, and the regulation will take effect ten days after its publication in the *Delaware Register of Regulations*.



---

Robert P. Haynes, Esquire  
Hearing Officer  
Dated: December 9, 2004

**Hearing Officer's Report**

**Appendix A**



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL  
**DIVISION OF WATER RESOURCES**  
WATERSHED ASSESSMENT SECTION  
SILVER LAKE OFFICE PLAZA, SUITE 220  
820 SILVER LAKE BOULEVARD  
DOVER, DE 19904-2464

PHONE: (302) 739-4590

FAX: (302) 739-6140

**MEMORANDUM**

**DIVISION RESPONSE DOCUMENT**

TO: Robert P. Haynes, Esquire  
Hearing Officer, Office of the Secretary

FROM: Hassan Mirsajadi, D.Sc., P.E., Environmental Engineer  
Division of Water Resources  
Watershed Assessment Section

DATE: December 9, 2004

SUBJECT: Background and Public Participation Information re. Proposed Total Maximum Daily Loads Regulation for the Little Assawoman Bay Watershed

---

As requested, the following is background and public participation information regarding the above proposed TMDL. Please contact us if you have any questions or need additional information.

**BACKGROUND**

The State of Delaware Department of Natural Resources and Environmental Control (DNREC) has proposed to establish and adopt Total Maximum Daily Loads for nutrients and oxygen demanding materials for the Little Assawoman Bay watershed.

The proposed TMDL was established based on extensive analysis of a coupled Watershed and Hydrodynamic/Water Quality Model of the entire Inland Bays Watershed, including the Little Assawoman Bay. Significant public participation effort was undertaken by the Department during development of the watershed/water quality models and establishment of the proposed TMDL to facilitate public input. For example, during model development phase, several presentations were made to Department's Model Review Committee. Model Review Committee members include DNREC's technical staff as well as researchers and scientists from

*Delaware's Good Nature Depends on You!*

University of Delaware College of Marine Studies and other interested parties. In addition, several presentations were made to the Scientific and Technical Advisory Committee (STAC) of the Center for Inland Bays. STAC members include scientists and researchers from several State and Federal agencies as well as academia and general public who advise the Center on technical and scientific issues relating to environmental conditions of the Inland Bays. Comments provided by the Model Review Committee members and the STAC during above presentations were incorporated in the final models.

Following completion of the watershed and water quality models and establishment of the TMDLs, Department's public participation effort continued by making additional presentations to the STAC as well as to the Inland Bays Tributary Action Team (TAT). The Inland Bays TAT, made up of concerned citizens and other affected parties within the Inland Bays watershed, was formed in 1999 to assist the DNREC in developing a Pollution Control Strategy to implement requirements of the Inland Bays TMDL.

In addition to the above public participation efforts, a public workshop was held in September 28, 2004. Notice of the workshop was posted on Department's web site, advertised in several local and state-wide newspapers, and was announced through a Department's News Release. During the workshop, DNREC again presented the proposed regulation and the technical basis for the regulation and responded to questions and comments from the audience.

Finally, a public hearing was held on November 30, 2004. Notice of the hearing, as well as the proposed regulation was published in November 1, 2004 issue of Delaware Register of Regulations, Volume 8, Issue 5. Furthermore, notice of the hearing was posted on Department's web site, advertised in several local and state-wide newspapers, and was announced through a Department's News Release. No comment was received during the public hearing of November 30, 2004, or any earlier time.

#### **ATTACHMENTS**

Copies of sign up sheets for the public workshop and public hearing

Copies of notices published in several newspapers regarding the public workshop and public hearing

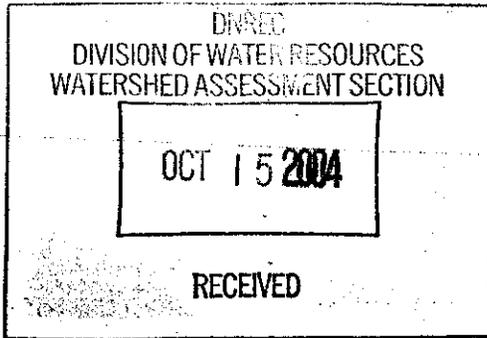
# SIGN UP SHEET

## LITTLE ASSAWOMAN BAY

NAME	AFFILIATION	<del>HOME</del> ADDRESS
Lele Geld	EPA	1658 Arch St Philadelphia PA
Josh Thompson	CIB	
Wolfgang von Baumgart	IPOD	37 Comanche Circle Millsboro DE 19966
Adele von Baumgart	IPOD	" "
Tom Henry	EPA	

**IN**  
**SIGN SHEET**  
**LITTLE ASSAWOMAN BAY**

NAME	AFFILIATION	EMAIL ADDRESS
Robert C. Collins	Trib. Team & Cripple Craft	c.collins@compuserver.net
Gerald Hecker	State Rep	
BUZZ HENIFIN	CAC	
Michelle Cooper	AUC	m.cooper@artesianwater.com
M. Patricia Titus	Coastal Point	patricia.titus@mchri.com
Linda Popels	CIB	science@inlandbays.org
LOIS HUGHES		
Marilyn Keller	Environmental Commissioner	Fenwick.9774336@vide. edu
Suz Jewers	The WAVE	



# Independent Newspapers, Inc.

P.O. Box 7001 • Dover, Delaware • 19903 • 1-800-282-8586

State - DE

*Delaware State News*



## DNREC - Watershed Assessment Section

### Public Workshop

The Department of Natural Resources and Environmental Control (DNREC), Watershed Assessment Section, will conduct a Public Workshop regarding proposed Total Maximum Daily Loads for the Little Assawoman Bay on Tuesday, September 28, 2004, at 3:00 p.m., at Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, Delaware.

Copies of the draft regulation and supporting documents will be available by request on or after September 13, 2004. Comments, questions and suggestions may be presented either orally or in writing prior to, or at the workshop. To present written materials, please submit them (preferably by email) to Hassan.mirsajadi@state.de.us

Or by regular mail or facsimile to:

Hassan Mirsajadi  
Watershed Assessment Section  
Department of Natural Resources and  
Environmental Control  
Silver Lake Plaza - Suite 220  
820 Silver Lake Boulevard  
Dover, DE 19904-2464  
Phone: (302) 739-4590  
Fax: (302) 739-6140

515371 DSN 9/12,15/04

auto, pw/pl, am/fm cassette, sunroof, \$1800 neg. (302)672-7900

**SATURN SL**  
1996, gd. cond, under 100K, Must sell! \$2000. (302)398-4115

**Classic Cars 4015**

**CADILLAC 1967** 4dr. hard top, 83k original mi. Exc. cond. \$2,350 neg. (302)653-7084.

**CADILLAC HEARSE 1987**  
Excellent condition. Black. \$3500 or best offer. 302-492-1523

**CHEVY CHEVELLE 1969:**  
454, Turbo 400, motor & trans 1000 mi. \$6000 negotiable. 302-422-9342

**CHEVY CORVETTE COUPE 1985:** Auto, 350 cu in, removable sun roof. \$7000. 302-875-4484

**CHEVY EL CAMINO 1980**  
1 Owner, Runs & Looks good. Must sell! \$2,500, (302) 730-1966.



**CHEVY NOVA 1976**  
Show condition!  
402 big block engine.  
\$4000. Call 674-4647.

**CHEVY PU 1966,** Short bed, 283 small block rebuilt, new trans. \$2000 best offer. (302)698-1825



**CHEVY P/U 1969**  
w/automatic shifter, 350 engine. Must see. \$4,200. Call (302)378-4064

**CORVETTE, '77-** blue/grey, 155K, 90% restored, new interior, runs good, \$7700. (302)331-9480.

**FORD MAVERICK**



**DNREC - Watershed Assessment Section**

**Public Hearing**

The Department of Natural Resources and Environmental Control (DNREC), Watershed Assessment Section, will conduct a Public Hearing regarding proposed Total Maximum Daily Loads for the Little Assawoman Bay on Tuesday, November 30, 2004, at 3:00 p.m., at Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, Delaware.

The hearing record will remain open until 5:00 p.m., November 30, 2004. Please bring written comments to the hearing or send them to:

Robert P. Haynes  
Hearing Officer  
DNREC  
89 Kings Highway  
Dover, DE, 19901  
Fax: (302) 739- 6242  
Email: Robert.haynes@state.de.us

For planning purposes, those individuals wishing to make oral comments at the public hearing are requested to notify Marianne Brady, (302) 739-4590; facsimile: (302) 739-6140; email: (marianne.brady@state.de.us) by 4:30 p.m., November 29, 2004

Copies of the proposed regulation and supporting technical document are available at the Department website at: <http://www.dnrec.state.de.us/water2000/Sections/Watershed/FMDL/fmdlinfo.htm> or may be obtained by contacting:

Hassan Mirsajadi  
Watershed Assessment Section  
Department of Natural Resources and Environmental Control  
Silver Lake Plaza - Suite 220  
820 Silver Lake Boulevard  
Dover, DE 19904-2464  
Phone: (302) 739-4590  
Fax: (302) 739-6140  
Email: Hassan.mirsajadi@state.de.us

530606 DSN 10/31;11/3,7/04

**Four Wheel Drive 4035**

**DODGE RAM CHARGER**  
1989, 4WD. \$1500 or best. (410)482-2658 Ask for David McGinnis

**FORD BRONCO 1986,** 4 wd, 351W, Auto. Needs fly wheel & some body work.

**Parts-Repairs 4045**

**ALTERNATOR**  
From a '94 Nissan Altima, good working cond. \$40. (302)697-2030

**AUTO TRANS.**-'94 Toyota, elec overdrive, w/new converter, good cond, \$400 (302)337-7628.

**LOCATION: 848 Todds Chapel Road., Greenwo**

A cashiers or certified check of \$2,000.00 will be required at the sale at the time your winning bid is accepted.

**Terms of Sale:** 20% day of sale and the balance Monday, January 3, 2005. Sale is subject to confirmation by Superior Court. Sale is also subject to a ware Realty Tax and or a County/Town Tax: 1/2 paid by the Seller and 1/2 to be paid by the Purchaser.

Seized and taken in execution as the property of:  
**Estate of Ada L. Bobak and David E. M. Sr.**

Will be sold by: **JIM HIGDON, SHERIFF**  
KENT COUNTY  
530479 DSN 11/03,10,17/04

**Kent County Sheriff's Office**  
**SHERIFF'S SALE OF VALUABLE REAL ESTATE**

By virtue of a Writ of Levari Facias, for the sale of to me directed, will be exposed to public sale by w Public Vendue at the Kent County Court House, D Kent County, State of Delaware, on:

**THURSDAY, DECEMBER 9, 2004**  
**Beginning at 10:00 A.M.**

**PARCEL NO. NM-00-086.03-02-38.00-000**

**ALL** that certain lot, piece or parcel of land, situate in North Murderkill Hundred, Kent County, State of Delaware, lying on the east side of Pennwood Drive short distance north of Chadwick Drive, being all or 129 as shown on a plan of Pennwood Subdivision Section 5, and being more particularly bounded and scribed in accordance with a survey by Robert L. Moore, RLS, dated December 17, 1996, as follows wit:

**BEGINNING** at a point in the easterly line of Pennwood Drive at a corner for this lot and for Lot 128, point being located North 15° 35' 01" East 200.00 from the northerly end of a 25 foot radius junction circle which joins the east line of Pennwood Drive (50.00 wide) with the north line of Chadwick Drive (50.00 wide); thence from said point of beginning along east line of Pennwood Drive North 15° 35' 01" 150.00 feet to a point in the east line of Pennwood Drive at a corner for Lot 130; thence along line of Lot South 74° 24' 59" East 200.00 feet to a point at a corner for Lot 130 in line of Lot 141; thence along line of Lot 141 and with the centerline of a 30 foot wide easement South 15° 35' 01" West 150.00 feet to a point corner for Lot 128; thence along line of Lot 128 with the centerline of a 30 foot wide easement North 74° 24' 59" East 200.00 feet to a point

*Delaware State News*

*NewsJournal*

7 color display. EC \$150 or best offer. 610-299-2531  
 Speaker Box, large for car, \$100 or best offer.  
 Call 302-998-1504

Speakers 2 sets, 1 Technic & 1 Pioneer w/Pioneer Equalizer, \$150 all for best offer; 302-994-6784

Sub Woofer, Carwin Vega 15" sub woofer, 250 watts, black finish, like new, \$300 for all, Jeff, 302-562-2654

Television 61" Sony, & JVC 51" TV, both \$1,400 each, excellent condition call Stephanie 302-838-1862

Television by Accel Vision 15" flip down for SUV or car \$600 call 302-764-8366

TV's needs work, u pick-up. FREE Call 302-764-7205

Two Stereo Speakers, "Realistic", 60watts each, dark wood, \$10 for the pair Call 302-234-4707

2 Rock Fos Punch 12" Subs-sealed MTX box - like new - very very loud \$200 call 302-978-4716

**VCR/Video**

DVD Player \$40, optical output, Unlocked for every country. 521-4206 or okaufma@udel.edu

been sold by young boy. Please call 856-467-8553

Silver Verizon flip phone vicinity of Willow Run, August 23, REWARD call 302-998-3479

**Auction Sale**

**HAROLD S. HILL & SON**  
 AUCTIONEERS  
 610-274-8525

**STORE FIXTURE LIQUIDATION!** See our Store & Office Equipment

**Notices**

A 3 Digit RV Tag \$800/best offr. 328-1653

All cash for your home, any cond., fast settlement. Home Buyers, 234-9999

Black & White Tags, active, 32536, \$400/bst offr, 302-996-6494

Black & White Tags (2), 5 digit DE license plate #'s 13\*\*\* & 50\*\*\*, \$1,000 each Call 302-793-0337

Five Digit DE Tag, \$700/bst offr, 302-477-1522

The Delaware Greenways and Trails Council will meet Wednesday, September 22, 2004 at 9:30 a.m. at the Lewes Public Library. For further information, contact Susan Moerschel at (302) 739-5285, Division of Parks and Recreation, 89 Kings Hwy., Dover, DE 19901.  
 9/8, 12-NJ (A-42007) (O-901433)

**DNREC- Watershed Assessment Section Public Workshop**

The Department of Natural Resources and Environmental Control (DNREC), Watershed Assessment Section, will conduct a Public Workshop regarding proposed Total Maximum Daily Loads for the Little Assawoman Bay on Tuesday, September 28, 2004, at 3:00 p.m., at Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, Delaware.

Copies of the draft regulation and supporting documents will be available by request on or after September 13, 2004. Comments, questions and suggestions may be presented either orally or in writing prior to, or at the workshop. To present written materials, please submit them (preferably by email) to Hassan.mirsajadi@state.de.us.

Or by regular mail or facsimile to:

Hassan Mirsajadi  
 Watershed Assessment Section  
 Department of Natural Resources and Environmental Control  
 Silver Lake Plaza - Suite 220  
 820 Silver Lake Boulevard  
 Dover, DE 19904-2464  
 Phone: (302) 739-4590  
 Fax: (302) 739-6140

9/12, 15-NJ (A-42091) (O-906825)

meritorious objection within 15 days from request shall be deemed familiarly with the assessed statement of the  
 9/12-NJ

**DN MAIL**

**TITLE V SYNTH AMENDMENT**

Notice is hereby given that an application pursuant to Section 2.1, 11.2(j) of their operation permit (Permit No. 2) for the operation of a grain storage loadout facility at the location of the former Pardee Farms, Inc., request for a permit to increase the grain storage loadout facility. There will be no increase in the amount of grain stored on site. The application, the draft Title V Amendment 3 (MS) and the permit application submitted to the Department of Natural Resources and Environmental Control (DNREC) for such a permit, may be inspected and Waste Management, 19901 and 715 Grantham, submit comments, for an appointment to inspect the facility at the location of the former Pardee Farms, Inc. in the Dover area. A public hearing concerning the application for such a permit will be held on Tuesday, October 12, 2004, at 10:00 a.m. at the location of the former Pardee Farms, Inc. in the Dover area. The hearing will be held in writing and must be in writing and must be received by the Department of Natural Resources and Environmental Control on or before October 12, 2004. The hearing will be held at the location of the former Pardee Farms, Inc. in the Dover area. The hearing will be held at the location of the former Pardee Farms, Inc. in the Dover area.

AIR QUALITY MANAGEMENT DIVISION OF AIR & SOILS (302) 739-6140

9/12-NJ

**Catch last night's results in today's Sports Section.**

**The NewsJournal** **Worth every minute.**

www.delawareonline.com

**REQUEST FOR QUALIFICATIONS AND PROPOSED ASSESSMENT SECTION**

The Delaware Department of Natural Resources and Environmental Control (DNREC), Division of Water Resources, Watershed Assessment Branch, invites all interested parties to submit 4 copies of their most recent resumes (hard copy and electronic) and 5 copies of their proposed technical approach to develop, calibrate, and verify watershed and water quality models for the Mispillion River and Cedar Creek Watersheds in Delaware and to establish Total Maximum Daily Loads (TMDLs) for nutrients, dissolved oxygen consuming compounds, and bacteria. The Department shall consider the submittals, as well as oral presentations by prospective contractors, in selecting the contractor to conduct the work and as the basis for entering into a contract to execute the scope of the work as outlined below:

- Analyzing all available hydrologic and water quality data, pollutant sources and loads, and identifying data gaps, if any, for the Mispillion River and Cedar Creek Watersheds.
- Selecting appropriate mathematical modeling frameworks, developing, calibrating, and verifying watershed and water quality models for the Mispillion River and Cedar Creek Watersheds, and establishing Total Maximum Daily Loads for nutrients, dissolved oxygen consuming compounds, and bacteria for the above two watersheds.
- Preparing technical reports documenting the activities outlined in items 1 and 2 above.
- Conducting technical transfer sessions to train DNREC staff and other interested parties with regard to the use of developed models.
- Assisting DNREC in conducting public workshops and public hearings to share the results of water quality modeling effort and TMDL analysis with stakeholders and general public.

A copy of the Qualifications and Proposal package can be obtained by contacting Marianne Brady (Marianne.brady@state.de.us) at the following address:

Marianne Brady  
 Watershed Assessment Section  
 DNREC Division of Water Resources  
 820 Silver Lake Boulevard  
 Dover, DE 19901  
 302-739-4590  
 Fax: 302-739-6140

The package also includes the rating criteria that DNREC will use in ranking the submittals.

Copies of the Qualifications/Proposal statements along with a letter of interest should be addressed to:

Hassan Mirsajadi  
 Watershed Assessment Branch  
 DNREC Division of Water Resources  
 820 Silver Lake Boulevard  
 Dover, DE 19901  
 302-739-4590  
 Fax: 302-739-6140

The deadline for submission is Friday, October 15, 2004, 4:00 p.m. The oral presentation by prospective contractors will be on Tuesday, October 26 and Wednesday, October 27, 2004 at the Watershed Assessment Section Office. It is anticipated that the contract will be awarded by December 2004. The time schedule for completing this project is one full year.

9/12, 15, 19-NJ (A-42078) (O-903057)

**Gr Discharge Septic**

Patricia Keeler submitted an on-site wastewater treatment system to the Department of Environmental Control, Section. The system is located at 825 Lighthouse Road, Dover, Delaware.

David Beste submitted a on-site wastewater treatment system to the Department of Environmental Control, Section. The system will be installed at 825 Lighthouse Road, Middletown, Delaware.

Wateroak Holding Company submitted a proposal to construct a on-site wastewater treatment system to the Department of Natural Resources and Environmental Control, Section. The system will be installed at 600 Mathe Drive, Bear, Delaware.

The above applications can be contacted by:

Katie Groundwater  
 89 King  
 Dover, DE  
 (302) 739-6140

A public hearing on this application will be held on Tuesday, October 12, 2004, at 10:00 a.m. at the location of the former Pardee Farms, Inc. in the Dover area. The hearing will be held at the location of the former Pardee Farms, Inc. in the Dover area. The hearing will be held at the location of the former Pardee Farms, Inc. in the Dover area.

(9/12 - NJ)

**C - Parks & Recreation  
GAL NOTICE**

Parks and Recreation Council for  
arks and Recreation is scheduled  
ay, November 3, at the Ronald  
ware located at 1901 Rockland

(A-39236) (O-938250)

**DNREC - Water  
Supply  
Legal Notice  
Well Permits**

ewatering system to temporarily  
5 inch diameter for 500 well points  
ary sewer construction. The proj-  
s and the water discharge location  
p. The location of the site is East  
p. The North side of CR 312, and  
l of Millsboro, Sussex County. The  
ll systems for 1000 gallons per

re available for review or copies

a Nickerson  
upply Section  
ey, Dover, DE 19901  
739-4793

ive applications will NOT be held  
NREC determines that a public  
erest or if a written meritorious  
is received within 15 days from  
request shall be deemed meritori-  
ty with the application and pro-  
of the action's probable impact.

(A39253)(O-940744)



**DNREC - Air  
Quality  
Management Section**

**LEGAL NOTICE  
REG. 2 PERMIT APPLICATIONS**

Notice has been given that:

1. University of Delaware requests a permit to operate a natural gas-fired emergency generator with a rated heat input of 6.2 mmBTU/hr in the parking garage located at the intersection of Orchard Road and Amstel Avenue, Newark. Estimated emissions will be: 2.78 TPY of NOx; 0.26 TPY of CO; 0.01 TPY of PM; 0.76 TPY of THCs and 0.01 TPY of SOx. Permit# 2005/0038

2. Arlon, Inc. requests a permit to construct/operate a degreaser at 1100 Governor Lea Road, Bear. Permit# 2005/0030

3. Edward J. Kaye Construction, Inc. requests a permit to operate a 200 TPH crusher. Estimated emissions will be: 7.55 TPY of NOx; 1.63 TPY of CO; 0.61 TPY of PM<sub>10</sub>; 0.62 TPY of VOCs and 0.50 TPY of SOx. Permit# 2005/0012

The application may be inspected at the offices of the Division of Air and Waste Management, 156 S. State Street, Dover, Delaware and 715 Grantham Lane, New Castle, Delaware. To submit comments, for additional information or an appointment to inspect the application, please contact Joanna Austin at the Dover Office at 739-4791.

AIR QUALITY MANAGEMENT SECTION  
DIVISION OF AIR & WASTE MANAGEMENT  
156 S. STATE STREET  
DOVER, DE 19901  
(302) 739-4791

**A public hearing on the above applications will not be held unless the Secretary of DNREC receives a request within 15 days from the date of this notice, ending November 15, 2004. A request for a hearing shall be in writing and must also show a familiarity with the application and a reasoned statement of the permit's probable impact.**

10/31- NJ

(A-39246) (O-939945)



**DNREC -  
Watershed Assessment  
Section**

**Public Hearing**

The Department of Natural Resources and Environmental Control (DNREC), Watershed Assessment Section, will conduct a Public Hearing regarding proposed Total Maximum Daily Loads for the Little Assawoman Bay on Tuesday, November 30, 2004, at 3:00 p.m., at Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, Delaware.

The hearing record will remain open until 5:00 p.m., November 30, 2004. Please bring written comments to the hearing or send them to:

Robert P. Haynes  
Hearing Officer  
DNREC  
89 Kings Highway  
Dover, DE 19901  
Fax: (302)739-6242  
Email: [robert.haynes@state.de.us](mailto:robert.haynes@state.de.us)

For planning purposes, those individuals wishing to make oral comments at the public hearing are requested to notify Marianne Brady, (302)739-4590; facsimile: (302)739-6140; email: [Marianne.brady@state.de.us](mailto:Marianne.brady@state.de.us) by 4:30 p.m., November 29, 2004.

Copies of the proposed regulation and supporting technical document are available at the Department website at: <http://www.dnrec.state.de.us/water2000/sections/watershed/mtd/mtdinfo.htm> or may be obtained by contacting:

Hassan Mirsajadi  
Watershed Assessment Section  
Department of Natural Resources and Environmental Control  
Silver Lake Plaza - Suite 220  
820 Silver Lake Boulevard  
Dover, DE 19904-2464  
Phone: (302)739-4590  
Fax: (302)739-6140  
Email: [Hassan.mirsajadi@state.de.us](mailto:Hassan.mirsajadi@state.de.us)

(10/31;11/3- NJ)

(A-39249)(O-940020)

**YUNDAI**

**NAL DAY!**

**NOVEMBER 1st, 9AM-9PM**

**VERY NEW**

**2004**

**YUNDAI**

**MODEL**

**ACCENTS  
SANTA FE'S**



**MISCELLANEOUS**

Continued from page 45  
**10 GALS. MARINE PAINT**  
 bright white enamel,  
 Sherwin Williams \$70 645-  
 2794 (9d)

**DVD PLAYER. AKAI model**  
 200 BL. Used once, original  
 box and manual. \$45. 227-  
 4949. (9)

**BBY ITEMS** new swing,  
 walker, toys, Jenny Lind  
 changing table, Diaper  
 Genie, Boppy, vent free  
 bottles, tub, boys' clothes up  
 to 24 months, more. 644-  
 8619

**F. ANDERSON SLIDING**  
 door plus hardware and  
 door size vertical blinds.  
 Excellent condition. \$100  
 complete 227-5667

**LADDER JACKS FOR**  
 sale. Three 24' two 6' with  
 galvanized uprisers. \$700.  
 644-4162. (9d)

**PLAYBOY MAGAZINES.**  
**OVER 325** covering 4  
 decades. Very good  
 condition. \$350. 430-7697.  
 (9d)

**ASSORTED DRILL PRESS**  
 and many other hand tools,  
 Troy roto-tiller, assorted  
 ladders, lamps, sleep sofa  
 and end tables. 227-4046.  
 (9d)

**FOUR CHEFS COATS**  
 Large & extra large. \$7  
 each. 227-6940. (10d)

**TWO OAK WARDROBE**  
 units, \$75 each. 14'  
 aluminum folding ladder  
 \$30. Two VCR's \$25 each.  
 Two oak file cabinets \$40

**MISCELLANEOUS**

**VINYL TECH WINDOWS**  
 with screens for 15x16  
 sunroom. 73" high, 5 panels  
 in each window. Call for  
 individual window widths.  
 \$1,000 or sell separately.  
 226-9881. (9d)

**PC, 266 MHZ CPU, 32 mb**  
 RAM, 2 GB HD, 56k  
 modem, 2 speakers, Win  
 98, MS Works, games,  
 Internet ready. Best offer  
 227-8503 (10d)

**TRAMPOLINE \$55** 645-  
 0921

**WOLF TANNING. BED**  
 Originally cost \$2,000. Must  
 sell \$600. 227-9398 (10d)

**FREE 4 ROOM DIRECTV**  
 system includes installation,  
 4 months free programming  
 with NFL Sunday ticket  
 subscription. Over 205  
 channels. Limited time offer.  
 S&H, restrictions apply.  
 (800) 976-4229.

**REMINGTON ELECTRIC**  
**CHAIN saw.** New, in box.  
 \$85 OBO. 645-0066. (10d)

**FULL WET SUIT** Billabong,  
 worn 3. times. XL. \$100.  
 945-6613. (10d)

**WANTED-GENTLY LOVED**  
 upright piano. Can't afford  
 much but will pick up. (302)  
 381-3731 (10d)

**MEN'S SCHWINN 10-**  
**SPEED** bike. Oversized  
 frame for tall man \$35 644-  
 2395 (10d)

**MISCELLANEOUS**

**DAVE KOZ TICKETS** two  
 for \$118. Rehoboth  
 Convention Center, 10/17,  
 2:00 PM. Right section, row  
 5, seats 4 & 5. (814) 383-  
 2395 (10d)

**DENSE APPOINTMENT**  
 calendar. \$2. 644-1567 (9d)

**1989 MALVA RACING** bike.  
 Like new, \$150. 645-9627.  
 (10d)

**PORTABLE HOT TUB**  
 excellent condition. \$2,200  
 (302) 245-1999 (10d)

**DIRECTV FREE 3 ROOM**  
 system installed & delivered  
 free. Say goodbye to cable  
 forever. Access over 225  
 channels. Call (800) 659-  
 0440 www.directv.com

**CD's, mahogany polished**  
 finish, mint condition.  
 \$7,500 for quick sale OBO  
 (302) 628-4176 (11d)

**SINGER SEWING** machine including  
 table. \$28 OBO. 226-7599.  
 (10d)

**CATCH THE BUG!**  
 www.swapbug.com. Buy,  
 sell, swap online for less.  
 Garage sale listings. Free  
 during September.

**COMPUTER monitor.** Looks  
 and work like new. \$75.  
 (302) 644-4717 (11d)

**LAWN & GARDEN**

**WANTED, LEFT FRONT**  
 door with lock stem for 30  
 cubic foot Rubbermaid  
 outside storage box or will  
 buy whole box. Call for  
 price. 226-7599 (9d)

**UTILITY HANDSCAPE**  
 saw, like new. \$75. 945-  
 9627 (10d)

**BOARD TRACTOR** Good  
 mechanical condition,  
 \$1,800. 645-2784. (10d)

**TOMATO CAGES. \$10.**  
 Free fencing. 684-5597.  
 (10d)

**OCEAN CITY, MARYLAND**  
 Best selection of affordable  
 rentals. Daily, weekly. Call  
 now for free brochure. Open  
 7 days. Holiday Real Estate.  
 (800) 638-2102.  
 www.holidayoc.com

**STYLIST SEWING** machine including  
 table. \$28 OBO. 226-7599.  
 (10d)

**BUG!**  
 www.swapbug.com. Buy,  
 sell, swap online for less.  
 Garage sale listings. Free  
 during September.

**COMPUTER monitor.** Looks  
 and work like new. \$75.  
 (302) 644-4717 (11d)

**COMPUTER monitor.** Looks  
 and work like new. \$75.  
 (302) 644-4717 (11d)

**NOTICES**

**NOTICES**



**DNREC - Watershed Assessment Section**

**Public Workshop**

The Department of Natural Resources and Environmental Control (DNREC), Watershed Assessment Section, will conduct a Public Workshop regarding proposed Total Maximum Daily Loads for the Little Assawoman Bay on Tuesday, September 28, 2004, at 3:00 PM, at Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, Delaware.

Copies of the draft regulation and supporting documents will be available by request on or after September 13, 2004. Comments, questions and suggestions may be presented either orally or in writing prior to, or at the workshop. To present written materials, please submit them (preferably by email) to Hassan.mirsajadi@state.de.us or by regular mail or facsimile to:

**Hassan Mirsajadi**  
 Watershed Assessment Section  
 Department of Natural Resources  
 and Environmental Control  
 Silver Lake Plaza - Suite 220  
 820 Silver Lake Boulevard  
 Dover, DE 19904-2464  
 Phone: (302) 739-4590  
 Fax: (302) 739-6140

**NOTICES**

**"Diabetes is a serious disease, but you can manage it."**

Did you know that diabetes is the leading cause of adult blindness, kidney failure, and amputations?

Diabetes is a growing problem for Asian Americans and Pacific Islanders. But you can manage your diabetes and stay healthy - now and in the future - by controlling your blood sugar levels.

Keep your blood sugar close to normal by choosing healthy foods and getting regular exercise. Take your prescribed medications and test your blood sugar on a regular basis.

Manage your diabetes. You'll feel better and have more energy. Best of all, you will lower your chances for serious health problems.



Call 1-800-438-5383 to learn more. Or visit us at <http://diabetes.nhlbi.gov>.



**S NOTICES NOTICES NOTICES**

**INVITATION TO BID**

**PLANNING AND ZONING DEPARTMENT**

Planning and Zoning public hearings will begin at 7:00 PM

Meeting on September 23, 2004 at the Lifesaving Dagsworthy Beach, Delaware.

Text and maps of this proposal may be examined by interested parties in the Planning and Zoning Office, County Administrative Building, Georgetown, Delaware, between 8:30 AM and 4:30 PM Monday through Friday.

**WATER RESOURCES ASSESSMENT SECTION**

Invited comments received from the workshop.

Unable to attend the public hearing, written comments will be accepted but must be received prior to the public hearing.

For additional information contact the Planning and Zoning Department at (302) 855-7878

**RECEIVED**

own hall 72  
ce at (302)

Elliott,  
nager

04

**ES**

**IS GIVEN**

Planning Commission will hold a meeting on **EVENING, 2004** in the Chambers Administrative Building, Delaware, to consider Use of land Agricultural District for a parcel of land lying in Lewes and Sussex.

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A DOCTORS OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 3.601 ACRES, MORE OR LESS, (land lying north of Route 9 (Savannah Road), 700 feet east of Ritter Road; application filed on behalf of PATRICK SWEIR, M.D.; CU #1562).**

Copies of the above Ordinance are available in

the Office of the Clerk of the Sussex County Council, County Administrative Office Building,

Continued on page 146  
delay, and all persons having demands against the deceased are required to the said deceased are required to make payments to the said Executrix without delay, and all persons having demands against the deceased are required to exhibit and present the same duly probated to the said Executrix on or before the 23rd day of March, A.D. 2005, or abide by the law in this behalf.



**DNREC - Watershed Assessment Section**

**Public Workshop**

The Department of Natural Resources and Environmental Control (DNREC), Watershed Assessment Section, will conduct a Public Workshop regarding proposed Total Maximum Daily Loads for the Little Assawoman Bay on Tuesday, September 28, 2004, at 3:00 PM, at Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, Delaware.

Copies of the draft regulation and supporting documents will be available by request on or after September 13, 2004. Comments, questions and suggestions may be presented either orally or in writing prior to, or at the workshop. To present written materials, please submit them (preferably by email) to Hassan.mirsajadi@state.de.us or by regular mail or facsimile to:

**Hassan Mirsajadi  
Watershed Assessment Section  
Department of Natural Resources  
and Environmental Control  
Silver Lake Plaza - Suite 220  
820 Silver Lake Boulevard  
Dover, DE 19904-2464  
Phone:(302) 739-4590  
Fax: (302) 739-6140**

**DNREC - Watershed  
Assessment Section****Public Hearing**

The Department of Natural Resources and Environmental Control (DNREC), Watershed Assessment Section, will conduct a Public Hearing regarding proposed Total Maximum Daily Loads for the Little Assawoman Bay on Tuesday, November 30, 2004, at 3:00 PM, at Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, Delaware.

The hearing record will remain open until 5:00 PM, November 30, 2004. Please bring written comments to the hearing or send them to:

**Robert P. Haynes**  
Hearing Officer  
DNREC  
89 Kings Highway  
Dover, DE 19901  
Fax: (302) 739-6242  
Email: [Robert.haynes@state.de.us](mailto:Robert.haynes@state.de.us)

For planning purposes, those individuals wishing to make oral comments at the public hearing are requested to notify Marianne Brady, (302) 739-4590; facsimile: (302) 739-6140; email: [marianne.brady@state.de.us](mailto:marianne.brady@state.de.us) by 4:30 PM, November 29, 2004.

Copies of the proposed regulation and supporting technical document are available at the Department website at <http://www.dnrec.state.de.us/water2000/Sections/Watershed/TMDL/mcinfo.htm> or may be obtained by contacting:

**Hassan Mirsajadi**  
Watershed Assessment Section  
Department of Natural Resources  
and Environmental Control  
Silver Lake Plaza - Suite 220  
820 Silver Lake Boulevard  
Dover, DE 19904-2464  
Phone: (302) 739-4590  
Fax: (302) 739-6140  
Email: [Hassan.mirsajadi@state.de.us](mailto:Hassan.mirsajadi@state.de.us)

11/2  
11/5

**DNREC Watershed Assessment Section  
Public Workshop**

The Department of Natural Resources and Environmental Control (DNREC), Watershed Assessment Section, will conduct a Public Workshop regarding proposed Total Maximum Daily Loads for the Little Assawoman Bay on Tuesday, September 28, 2004, at 3:00 p.m., at Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, Delaware.

Copies of the draft regulation and supporting documents will be available by request on or after September 13, 2004. Comments, questions and suggestions may be presented either orally or in writing prior to, or at the workshop. To present written materials, please submit them (preferably by email) to [Hassan.mirsajadi@state.de.us](mailto:Hassan.mirsajadi@state.de.us).

Or by regular mail or facsimile to:

Hassan Mirsajadi  
Watershed Assessment Section  
Department of Natural Resources and Environmental Control  
Silver Lake Plaza, Suite 220  
820 Silver Lake Boulevard  
Dover, DE 19904-2464  
Phone: (302) 739-4590  
Fax: (302) 739-6140

wv 09-15-04 2T 751056

WAVE

**DNREC — Watershed Assessment Section**  
**Public Hearing**

The Department of Natural Resources and Environmental Control (DNREC), Watershed Assessment Section, will conduct a Public Hearing regarding proposed Total Maximum Daily Loads for the Little Assawoman Bay on Tuesday, November 30, 2004, at 3:00 p.m., at Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, Delaware.

The hearing record will remain open until 5:00 p.m., November 30, 2004. Please bring written comments to the hearing or send them to:

Robert P. Haynes  
Hearing Officer  
DNREC  
89 Kings Highway  
Dover, DE 19901  
Fax: (302) 739-6242

Email: [Robert.haynes@state.de.us](mailto:Robert.haynes@state.de.us)

For planning purposes, those individuals wishing to make oral comments at the public hearing are requested to notify Marianne Brady, (302) 739-4590; facsimile: (302) 739-6140; email: ([marianne.brady@state.de.us](mailto:marianne.brady@state.de.us)) by 4:30 p.m., November 29, 2004.

Copies of the proposed regulation and supporting technical document are available at the Department website at: <http://www.dnrec.state.de.us/water2000/Sections/Watershed/TMDL/tmdlinfo.htm> or may be obtained by contacting:

Hassan Mirsajadi  
Watershed Assessment Section  
Department of Natural Resources and Environmental Control  
Silver Lake Plaza — Suite 220  
820 Silver Lake Boulevard  
Dover, DE 19904-2464  
Phone: (302) 739-4590  
Fax: (302) 739-6140

Email: [Hassan.mirsajadi@state.de.us](mailto:Hassan.mirsajadi@state.de.us)

wv 11-03-04 1T 733839

To place a Legal Notice in  
call Janet at (302) 537-1881 for r

WAVE