



To: The House Natural Resources Committee
From: Maya K. van Rossum, the Delaware Riverkeeper
representing the 20,000 members of the Delaware Riverkeeper Network
Date: June 7, 2017
Regarding: Opposition to HB 190

The Delaware Riverkeeper Network has been working since 1988 to protect the Delaware River, Estuary and Bay. While many of our members are here in the state of Delaware, we also represent members throughout the entire Delaware River watershed, all of which enjoy and depend upon the health of our River and Estuary ecosystems. I'm sure we are all familiar with the well regarded University of Delaware study that calculates the economic value provided by our healthy Delaware River system is \$21 billion, and if you carry that out over the next 100 year time frame the value to our region is \$683 billion. Delaware receives, in direct benefit from our healthy Delaware River, over \$2.5 billion of value. And over a 100 year time frame Delaware receives over \$81 billion of economic value. Much of Delaware's benefits come from its healthy coastal zone. And contrary to the spin that has been advanced by supporters of the legislation, it is a rollback in protection that is neither needed nor wanted from an ecological, economic, public health or safety perspective. The Delaware Riverkeeper Network is opposed to passage of HB 190. We stand with our members, our colleagues in the Delaware environmental community and Delawareans across the state urging you to withdraw the bill and instead advance a proposal

- to thoroughly study the environmental and economic benefits of the Coastal Zone Act as it stands today,

- to consider how the Act as currently written could be implemented in a way that even more effectively serves communities, the environment and economic interests, and
- to include in this review a robust public process that well engages all aspects of Delaware's communities.

The Coastal Zone is a crucial ecological element of a healthy river system. Delaware has, as we all know, been a leader in its protection. And yet today, with the threat of HB 190 looming, Delaware is poised to take a huge step backward, one that places the state on a slippery slope that will inevitably lead to more rollbacks of the protections of Delaware's Coastal Zone Act. And that is why the Delaware Riverkeeper Network is firmly opposed to advancing this legislation in any way, shape or form.

Additional considerations:

Delaware's Coastal Zone Act was created out of the recognition that Delaware's coastal areas are "*the most critical*" for quality of life. It is the goal of the CZA to "protect the natural environment of [the] bay and coastal areas" and to "safeguard their use *primarily for recreation and tourism*". HB 190 should be withdrawn and a study of the CZA's benefits must be conducted because the amendments proposed are completely counter to the Act's stated purpose, particularly in light of the Act's recognition that heavy industry is *incompatible with protection of the natural environment* and that *bulk product transfer presents significant danger of pollution in the coastal zone*. HB 190 would increase the presence of heavily-polluting, incompatible industry in the coastal zone and would increase the significant danger of pollution recognized by the CZA.

The CZA protects Delaware's ecologically important and scenic coastal areas, areas that play a vital role for migrating birds and marine animals, foraging and breeding fish, and for the people that enjoy these areas by swimming, camping, boating, fishing, crabbing, birding, and otherwise recreating in the coastal zone. Not only are these healthy natural resources important ecologically, recreationally or for quality of life in the State of Delaware, but they support important commercial fisheries and provide vital storm protection

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that is increasingly important with the onslaught of climate change. Former Governor Russell Peterson fought for the CZA because he had the foresight to concern himself “with the kind of state we want to pass on to our children and grandchildren”. Now, six years after Peterson’s death, Delaware’s legislators are seeking to completely undermine the CZA and to put this future in jeopardy. This is an incredible betrayal of the public trust.

For the former Governor, the key question was whether or not industrial use is the best use for this region. The citizens of Delaware have consistently answered this with a resounding “no”, by systematically standing up to defend the CZA when it is under attack like it is today.

The Coastal Zone Act recognizes the importance of Delaware’s scenic coast to the tourism industry, and protection of this area has had a positive economic effect. Because of the CZA, tourists visit the coast for recreation opportunities that would not otherwise be available today, and the pristine environment that draws these visitors would be permanently lost if HB 190 goes forward.

The CZA has been called the state’s “most comprehensive legislative achievement toward maintaining a livable environment”. The Act has served a vital role in protecting the state’s coastal ecology, and has resulted in hundreds of millions of tourism dollars flowing into Delaware *annually*. The amendments proposed by HB 190 fly in the face of the purpose of the CZA and as such, the bill should be withdrawn. Instead, if there is a desire to revisit the values of the law as written, the legislature should advance a study of the vast economic and environmental benefits created by the CZA and perhaps consider other ways the law can be implemented to achieve even greater benefits for the state of Delaware. Such an analysis should include a robust public process. But in no way should Delaware’s legislators be considering advancing HB 190.