

Town of Bethany Beach
Stormwater and Tidal Flooding Committee Meeting
March 20, 2023

The Stormwater and Tidal Flooding Committee held a meeting on Monday, March 20, 2023, at 10:00 A.M. at the Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, DE 19930.

Present: Ron Calef(Chair), Bruce Frye, Chip Smith, Mark Bauernhuber, Jack Gordon, John Koby and Cliff Graviet (Town Manager) .

Also present: Andrea Harpster, Secretary.

Mr. Calef called the meeting to order at 10:00 am.

Approval of the Agenda

Mr. Frye made a motion to approve the agenda. Seconded by Mr. Gordon. The motion was unanimously approved.

Approval of the minutes from the January 11, 2023, meeting

Mr. Frye made a motion to approve the Minutes. Seconded by Mr. Gordon. The motion was unanimously approved.

Update on the Steel Gate Dam project (Town Manager)

We have pushed the construction of the Dam back however many weeks or months. We have gone back to our engineer and have had dialogue about them doing more survey work and linear work, to not only look at potential effects on Bethany but other Towns surrounding Bethany as well. We want to dot our I's and cross our T's regarding the impact on the Assawoman before we do anymore work on the project. I am fairly convinced that it doesn't have any impact, but we wanted to expand what we were

doing and wanted to make sure we could unequivocally answer the question. In conversation with our engineers, we decided to go back and do a little more work in the department. A Lidar fly over will be done in a week. Currently, they are on the ground doing survey work . We are just taking an extra hard look. Moving forward with the project we need to make sure the questions have corrected answers. When applying for grants and other funding if it isn't the right answer the project gets derailed.

Update on status of beach replenishment

The tentative schedule was released, and they should be starting in Rehoboth soon. The replenishment will run from Rehoboth to Dewey then run South.

Town Manager: Weeks Marine has the contract to do all the beach replenishment. Given the timeframe I'm afraid we are going to have a replenishment during the summer again. In the meantime, most crossovers are open. We can't put Mobi mats on the crossovers until they are reconstructed. Any high tide breaks at the dune. We would have to move the mats during every weather event. Even if we have replenishment done in June or July they won't be getting to fencing and pathways until even later in the Summer. They come back with separate contractors to do that.

Update on Back Bay Study

The first meeting with The United States Army Corps of Engineers and DNREC will happen shortly, after that they would have dialogue with the communities that will be affected directly. This is between DNREC and The United States Army Corps of Engineers, not local governments.

Recent Town soil Boring Study

Town Manager:

The Town did a soil analysis, in all 40 boring locations, the zero-2ft depth was described as wet. More interesting was the saturation level of the soil. The average saturation level is 3.2 ft. Some are right at the surface. Sometimes when you see standing water or a swale that's overflowing it's not that it's not draining, it's just that the ground is already saturated.

The Sea Grant Study

The Study is underway to provide an update of the 2012 study on the "The Economic Contribution of the Coastal Areas of Delaware to the overall State of Delaware Economy". Bethany has initiated the restudy and most ACT towns will be contributing. Part of the study is to help demonstrate the importance of the economy to the coastal areas. It is going to be reevaluated and prepared and will be ready at the end of May. Its purpose is to demonstrate the importance and emphasize that within the State of DE and Sussex County, for purpose of obtaining grants. The ACT took the 2020 study to the County and spoke with

them about investing in an infrastructure fund to help with the beach replenishment and the dredging of water ways and canals, things that the State hasn't been able to fund as well as they should. The County said that was something they could not do because they couldn't do something that was specific to the Coastal communities, it had to be more generous to the entire county. So, they took a portion of their transfer taxes and distributed them entirely to all the municipalities in Sussex County including the coastal towns. The importance from the Association of Coastal Towns perspective is for this report to demonstrate that Delaware's industries have fluctuated over the years. The industry that Delaware considers the prime industry is now agricultural. The previous study listed a tax benefit of 7 billion dollars in State local and Federal taxes because of what they classify as Coastal Industry. The study is broad, but it will look at the true impact of the beach on the region. The Coastal industry now is probably worth 8-9 billion dollars and probably eclipses agriculture. What happens though is that the agriculture industry has a very aggressive lobbying campaign, and you hear a lot about it but essentially nobody is a lobbyist for the Coastal Industry. Things that help the Coastal Industry are maintaining the infrastructure that supports it. The ACT (Association of Coastal Towns) hopes to be able to get this document and use the document in the State with state legislators and federal legislators as well. The Town of Bethany Beach put up the funds to get this study started. The other municipalities have contributed.

Update of Loop Canal Bulkhead, Living Shoreline, and Dredging Projects

There was an article in Coastal Point which noted what the status was of the current dredging. They are behind schedule. They have to stop their operations as of the 31st of March. There is a pump here at the Route 26 bridge. They are pumping their spoils all the way from White's Creek up to the Assawoman Wildlife Preserve to replenish existing wetlands.

Update from the Town Manager:

The state will be dredging the Assawoman next spring. The Town wanted to piggyback off their engineers and their spoil site. DNREC was interested in helping us. We are exploring what it will cost for dredging. There was a Bathometric study of the Loop Canal done to look at the possibility of dredging. There will be a dialogue about maintenance and or complete dredging and that's something that would be cost-dependent.

Independent of that would be the bulkheading of the land strip at Lake Bethany. It's estimated at \$750,000 for simple construction cost and the living shoreline would be \$150,000. We are in the permitting and design process. We are also seeking grant money and federal funding to help with the cost of this project. It's important enough that if we aren't able to find the funding, the Town might just move forward with the project. If we don't shore up the land strip on the Loop Canal side, it will further erode and especially once the Assawoman is dredged. The water level won't increase but the speed of the force of the water will increase once dredging starts, and we need to preserve the land strip. We aren't sure how long DNREC will take to permit this. We have a first permitting meeting with DNREC

next week. This is probably not something we would want to do this summer but there's a possibility for this fall.

Questions/Comments:

Eric Seleznow (Lake Bethany):

What's the timeline projected to be like for the flap dam given what you just added?

It was more like a 60% percent study instead of the proposed 30% study. Most of the design work has been done already. We aren't far off. The timeline is dependent on funding. We are aggressively looking for funding. We currently have some pre-applications out for funding but when this happens depends on when we will find the two plus million dollars to build it.

Matt Kirks 614 Sixth St:

Do you mean the entire loop canal would be dredged?

Town Manager:

We would look at the entire Loop Canal and possibly some of the Tingle and Evans canals. It will be a consideration. The study includes those.

The soil boring was it just for information?

Town Manager: Yes, informational purposes only.

Eric Seleznow: 934 Heron Drive

My property backs up to the Salt Pond. That part of the marsh is dying. The water is too high. I asked DNREC and asked them why they were pumping the spoils up all the way up to South Bethany when it would be much shorter to pump it in there and fill up those spots. I talked to the Coastal Bays about it too and they understood the problem with that marsh dying so I would suggest or urge you to think about when there is future dredging here that we think about filling in the area behind Heron Drive.

Town Manager:

When we were first interested in getting rid of all that shoaling right there, we thought the marsh was dead there and we were talking about taking those spoils and replenishing that marsh. They told us they didn't think that was originally a marsh and they weren't going to let us do that. They considered it low land not marsh. They wouldn't talk to us about restoring it. If moving spoils are an issue and DNREC will permit it, it would make more sense.

Matt Kirks:

In answering that question, you mentioned there was a study that was done there in that area, how long ago was that done?

Town Manager:

About 3-4 years ago.

Anne Mastropolo (523B Spinnaker Ct):

I was very involved in stormwater in New York. Unless you use this initiative with other municipalities nothing is going to work. I am concerned about stormwater pollution. You need more than just Bethany

Mr. Calef:

There's an association of Coastal Towns and that's what they do specifically.

Mr. Koby:

I joined this committee because I have flooding. The street was paved and now there's 3 ft ditches on each side and now my basement floods. Water has to go somewhere, when we pave streets, we remove artificial barriers. Now when I sell, I'm going to have to disclose that I've had water in my basement. It's a problem we all share. Just making the committee aware of that.

Tracy Mulligan (993 Sandbar Ct):

I had two thoughts on your agenda items on adjusted best practices and community strategies. We are having an addition built. We were unaware there was a need for a permit to restore the pavers and gravel that were already there. I'm familiar with the Town website and I've attended the meetings. I do not understand the new ordinance completely. If you have details on your website how to comply with the new ordinance adjustment that would be helpful. The stones and the walkway need to be pervious and impervious. I had no idea there was a permit requirement. The adjusted best practices, if it can better explain what a homeowner has to comply with it would be very useful.

I have questions like; Is gravel impervious or pervious? It needs to be explained more. I couldn't understand any of it. The code is not easy to understand. It's not the building inspector's role to communicate it either. It's not an easy subject. The folks that wrote it have all the background of all the meetings and I don't. I want to comply but don't comprehend it.

The committee and Town Manager acknowledged that it was difficult to read and will continue to look for ways to make it easier to communicate.

Ed Bresuciak (Beach Haven Drive):

We have had plenty of water issues. About a month ago my wife came to a meeting and said something about the problems we were having, and the Town came out and it helped a lot. The road next to has never been done. Is there any chance someone can come look at that. When it rains it totally floods. You can't even park there or put trash cans out.

Town Manager:

I knew the Town went out there, but I didn't know it was left undone. There are some issues that can't be resolved because of the swale there that borders your community and Lake Bethany. We will have someone come out there to talk to you about it and look at it.

Mr. Bresuciak:

We received a letter about a month and a half ago about what was going on with the water issues and we have misplaced it. Can we get another copy of that?

Town Manager:

I'm not aware of a letter like that being sent out from the Town.

Update on the status of "Greening of Bethany Initiative."

Mr. Bauernhuber:

The Planning and Zoning Commission has been finalizing the comprehensive plan for the Town Council review and approval. We have tabled some items beyond pervious pavement that we completed last year. We will be getting back into some items after the comprehensive plan is approved. Hopefully at the next meeting I can share a deeper update. It's an open initiative to review different code and other items to approve or define or redefine some definitions. The Town is looking for opportunities as time goes on to consider initiatives to support sustainability.

Discussion of new Impervious Surfaces Ordinance Amendments 425-27 and 425-5 and possible follow up "adjusted best practices" to conform with them.

These adjusted practices should emphasize the importance of reducing street run off, nuisance flooding, the "Greening of Bethany Initiative", and pollution. With committee agreement this will go to the Town Council for approval.

Mr. Calef would like to submit the draft to the Town Council for approval. Mr. Gordon made a motion to approve the request. Seconded my Mr. Frye. It was unanimously approved.

Discuss development of communications strategy and procedures to educate and inform citizens on flooding and pollution issues as well as ongoing town projects and plans. Considering "A" frame signage displayed at town events and means to disseminate copies of "Best Practices".

Mr. Calef would like to see and put together an A frame signage and a plastic sleeve similar to that realty firms use and put it out at various town events. This will benefit the Town more in the off season.

Discussion of new DeIDOT Route 1 initiative and how this may impact Bethany Beach(Town Manager)

DeIDOT has begun a program to make Route one itself more resilient and to make it essentially a road you could travel on during a storm event. North of the inlet they elevated the black top, and flooding isn't as bad as it used to be. They are extending that sort of analysis up and down the coastline. They met with us in Bethany and tell us this is a long-range thing they are looking at and don't expect anything

immediately. The winter 98 storm was the most significant we've had. The water has never crossed Route one in Bethany, so I don't think any of it will affect us. The recommendation I made is to seriously consider looking at the Vines Creek Bridge. The water is usually over the top or right at the edge. You can get to Route 113 without having to cross the bridge but it's not very manageable. They will look at it, but this will be long term.

Discuss individual research of flood studies in other areas

There have been a series of articles coming out in the Coastal Point recently which are relative to a number of different areas. They are producing some nice research and it's good to know this community is looking into flooding. BBLA put together a good newsletter in making the public aware of the flooding situation, what is being done and what could be done.

New Business

Adjourn: Mr. Frye made a motion to adjourn the meeting. Mr. Gordon seconded the motion, and it was unanimously approved. The meeting was adjourned at 11:02 a.m.

Respectfully submitted:

Andrea Harpster, Secretary