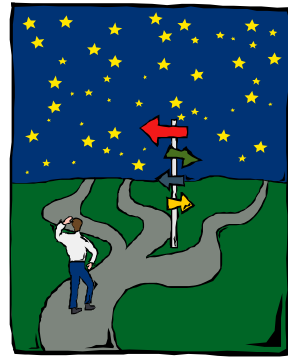


## PUBLIC FORUM

### What are YOU willing to do to clean-up the Murderkill River?



- Pay impact fees?
- Install an expensive septic system?
- Pay more for sewer service?
- Maintain a natural lawn?

Please attend!  
Lake Forest High School  
June 5, 2002  
7 pm

Sponsored by the Murderkill Tributary Action Team

## THE PROBLEM

In 2001, the Delaware Department of Natural Resources and Environmental Control (DNREC) set pollution limits for the Murderkill River and its tributaries. The River and its ponds suffer from excess nutrients and are considered “impaired.” The visible signs of this impairment include excessive algae growth and fish kills, not to mention the fact that you can’t swim in it or eat the fish that you catch. These pollution limits will require reductions in pollution from pipes—impacting the Harrington and Kent County Wastewater Treatment Plants, in particular. Since the Kent County Plant serves all of Kent County, people outside of the watershed could be impacted. Reductions in pollution from runoff (nonpoint source pollution) are also required—50% of nitrogen and 30% of phosphorus. This means that farming, lawn care, septic systems, and stormwater management could all be impacted.

Now, the community must gather together and recommend a **Pollution Control Strategy** to DNREC. Pollution limits and Pollution Control Strategies are responses to a federal court case that required the EPA and DNREC to set pollution limits for the Murderkill River. These limits are called “Total Maximum Daily Loads” or **TMDLs**. If we don’t do it—EPA will!

## THE PROCESS

The “Public Talk—Real Choices” approach to developing water pollution control strategies for the Murderkill River involves, you—the public—in a discussion about how water quality goals should be met. It is designed to provoke discussion, not to just lay out pat answers to complex questions. You may find some ideas that you like, and others that trouble you. **Keep in mind that we are not trying to solve water pollution problems at the forum—we are trying to explore what’s important to you and your fellow citizens.** A facilitator will guide you through the process.



During these forums...

Engage each other in the discussion.  
Everyone participate!  
Everyone be heard!  
Focus on the approaches.  
Listening is as important as talking.

For more information, contact:  
Angela Wood  
(302) 284-4299

## The Forum

Making decisions regarding current and future uses of the Murderkill River and the surrounding land area will be a difficult process. It will require people to share their values and beliefs in order to come to a common understanding of the issues and the most acceptable solutions to the pollution problems.



Your discussion will focus on [three approaches](#) to understanding water quality. The adjacent three panels describe ways to think about nutrient pollution including how to fix it. No solution is free of

costs, whether economic, environmental, or human. Consider the *trade-offs* we may have to debate:

- ◆ Should we create financial incentives to promote nutrient reducing practices EVEN IF individuals may not choose to use them and continue practices that increase nutrient loading to the River?
- ◆ Should we encourage the use of more regulations through a coordinated government system EVEN IF the costs of doing business may slow the economy and growth?
- ◆ Should we demand scientific agreement of the precise quantity of pollution that a parcel of land pollutes before regulating activities EVEN IF pollution continues as we wait for more science?

There is no “right” answer. Deliberation is not easy—you will have to struggle with issues, challenge the information presented, and weigh the pros and cons of the approaches. Hopefully, your discussion will produce common values and ideas that the Tributary Action Teams can use as the “common ground” on which to produce Pollution Control Strategies.

During the discussion think about the following questions. What are we willing to do? What are we willing to pay? Whose responsibility is it? Do we need more science to justify expense of clean-up?

## Approach 1—Using Dollars & Sense

*Water pollution is a consequence of many activities—lawn fertilization, farming, wastewater disposal, etc. The price of these activities do not reflect the cost of pollution produced by the activity. Since what we do on our land impacts water, we have a responsibility to be good stewards of the land. This means that people need access not only to information that will help them prevent pollution, but to financial incentives and disincentives that promote nutrient-reducing practices, too. If given the appropriate information and economic tools, people can be effective stewards of the land.*

### What can we do?

- Charge a septic system impact fee.
- Encourage the use of federal and state incentive programs to promote nutrient reducing best management practices (BMPs) on farms.
- Create additional financial incentives and disincentives to encourage nutrient-reduction practices in development design.
- Revise the tax structure so that development and its assault on natural resources is more expensive.
- Create a program for trading pollution rights.

### In Support

People should take responsibility for their actions.

Those who do the polluting should be the ones that pay for cleaning it up.

The benefits derived from activities that cause pollution may not be realized by all within the watershed.

### In Opposition

We should not have to subsidize people to make them do the right thing.

Educating citizens will be expensive and time-consuming.

There should be consequences for “bad” behavior.

### Did you know?

- Number of septic systems in the watershed 5307
- Nonpoint source nitrogen contribution



## Approach 2—Make Government Work

*Government (federal, state and local) has the authority to implement the nutrient load reductions needed to improve water quality. However, these entities have not effectively used their existing programs and authorities, laws, regulations and ordinances to prevent and correct pollution in the River. Unplanned growth, non-enforced laws, and conflicting programs can adversely impact water quality. All governments need to communicate, coordinate and collaborate in order to improve water quality in the Murderkill River efficiently.*

### What can we do?

- Plan communities and development so they have minimal environmental impacts.
- Enforce existing laws and regulations.
- Use citizen lawsuits to help government function.
- Review state, county and local land-use plans and implement them as they are, without multiple exceptions.
- Preserve rural character through zoning and the purchase of open space.

### What is a Tributary Action Team?

A group of diverse citizens and government representatives that meet in order to recommend a Pollution Control Strategy .



### In Support

This would lead to more efficient government.

Government has the expertise needed to take the appropriate actions.

Only government sees the “big picture” and can orchestrate where to have what type of development.

### In Opposition

Government can't solve the problem alone—citizens need to do their part.

This approach will lead to a loss of property rights.

Lands zoned for development are some of the best agricultural lands in the county.

## Approach 3—Shoulder the Burden

*Scientific evidence shows that the Murderkill River is polluted. But the impacts from that nutrient pollution may not be evident. No one has proven how much nutrient loading each parcel of land contributes to the River since most sources are difficult to pinpoint. Some of the pollution even comes from sources throughout the County—not just practices in the watershed. The burden of this pollution may only impact residents. Equitable division of the clean up responsibility must be achieved based on science, costs, and contribution towards the problem.*

### What can we do?

- Require the use of scientifically-tested and proven new technologies that reduce pollution.
- Conduct demonstration projects for new BMPs.
- Promote adaptive management—allow for changes in policy due to changes in knowledge.
- Only regulate certain practice once science is certain that those action will significantly reduce pollution.
- Consider equity when designing rules.

### In Support

We need to know which BMPs provide the most nutrient load reduction.

It takes time evaluate to a BMP. We need to be patient and not require a practice that may not be efficient or effective.

### In Opposition

Why should we spend more money on research when we can see that there is a problem.

We already have extensive monitoring data; the request for more data is a stall tactic.

Science can provide accurate estimates for nutrient loading by land use and BMPs.

### Watershed Fact

The Kent County Wastewater Treatment Plant serves the entire County, not just the Murderkill watershed.

