

**GERALD W. HOCKER**  
STATE SENATOR

Twentieth District



SENATE

STATE OF DELAWARE

LEGISLATIVE HALL

DOVER, DELAWARE 19901

Tuesday, February 10, 2015

COMMITTEES

Administrative Services/Elections

Agriculture

Bond

Labor & Industrial Relations

Natural Resources & Environmental Control

Small Business

District Engineer

U.S. Army Corps of Engineers

Philadelphia District

Regulatory Branch

Wanamaker Building

100 Penn Square East

Philadelphia, PA 19109-3390

**Re: NWP 48 Proposed Regional Condition Request of Delaware Department of Natural Resources and Environmental Control (DNREC) for Shellfish Aquaculture in the Inland Bays**

Dear District Engineer:

It is with great concern that I write to you today as the sitting Senator for the area that includes the proposed site for shellfish aquaculture. I must pose my objection to the condition request of Delaware Department of Natural Resources and Environmental Control (DNREC) and offer some possible suggestions regarding this request. I have lived in this area my entire life; raised a family here and have several successful businesses and it concerns me, greatly, that this program has been undertaken without adequate studies of the impact to navigation, recreational uses, environmental impact, rights of the adjacent property owners, or the health and safety of the bay itself and the bordering properties.

This is not to mention the fact that DNREC failed to provide adequate notice to the communities of any public forums, specifically in not identifying the location by its popular name.

This was concerning to both Representative Gray and I so much so that we called for a Town Hall meeting on October 6, 2014 with invited panel members from DNREC, Center for Inland Bays, University of Delaware, and potential aquaculture farmers. This panel had an opportunity to address over 200 citizens in attendance and Representative Gray and I had hundreds more emails expressing great concern over the proposed location.

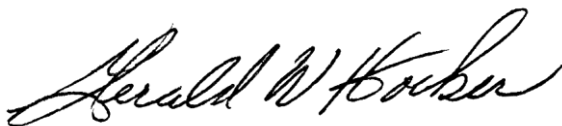
The citizens living in the Beach Cove area strongly voiced their concerns over this issue at the Town Hall Meeting. Many of them purchased and built homes there because of the protect cove and the relatively safe area to enjoy water sports such as rafting, water-skiing, crabbing, and kayaking. The cove is not a through way to other areas as most boats entering there are ret7urnign home. The enjoyment and availability of the cove is the primary reason that many residents have invested their life savings in that area.

Beach Cove is a very shallow body of water with two channels running north and south and intersected by channel that runs east to west, forming an "H" configuration. Should a boat try to cut across the inside areas at any time other than high tide, the boat will run aground, thus becoming a navigational threat to the oyster farmers and impacting accessibility to the farming beds in order to maintain them.

The Little Assawoman Bay is another proposed area of which I have great concern. This area of wetlands has been damaged by coastal storms and erosion over the years and is very critical to the environmental balance needed to maintain water quality. The area supports various birds, snow geese, and animals native to the area. The Seatowne community owns the Little Assawoman Bay wetlands adjacent to them, along Rout One. To help the restoration needed, DNREC has plans to restore these wetlands with spoils from the dredging project. The issue here is that the oyster beds, if implemented for this particular area, will be very close in proximity to the area to be restored. This will certainly impact any coastal wetland improvement in place for Seatowne community. In the Little Assawoman Bay area I suggest starting with a pilot program in an area farther from the adjacent private property lines.

Thank you for your immediate time, attention, and consideration of my letter of opposition to the current NWP 48 Proposed Regional Condition Request of Delaware Department of Natural Resources and Environmental Control (DNREC) for Shellfish Aquaculture in the Inland Bays.

Kindest Regards,

A handwritten signature in black ink, appearing to read "Gerald W. Hocker". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Gerald W. Hocker, Senator  
20<sup>th</sup> Senatorial District

GWH/pla