



Photo by Peggy Douglas

Sallie H. Forman, Founder and President

A lake is the landscape's most beautiful and expressive feature. It is earth's eye; looking into which the beholder measures the depth of his own nature. ~Henry David Thoreau

SOLA3 is happy to be back issuing our annual newsletter about our activities to improve the water quality and environment of Silver Lake, Lake Comegys and Lake Gerar. In the future we will be sending our newsletter in the fall.

The quote from Thoreau demonstrates how we should see our lakes. While they may appear "beautiful" they are more accurately described as merky and polluted. Silver Lake and Lake Gerar continue to be polluted with contaminants and hazardous materials from over 50 Rehoboth Beach storm drains. Following is how we are addressing this issue.

Our article herein provides a summary of and a link to our full comments for Rehoboth's 2022 Comprehensive Development Plan. We specify the need to develop and implement a comprehensive storm water management plan that will improve the water quality of the lakes and will address flooding and other serious consequences resulting from climate change. Rehoboth's current budget includes \$1 million for specific projects relating to their stormwater system, but is not a comprehensive plan.

We are grateful for Rehoboth Beach Commissioner Jay Lagree's article herein that effectively provides the details of why it is important for Rehoboth to develop a comprehensive stormwater management plan.

We are disappointed that the "scope of work" developed by the partnership working on the lakes management plan does not include in its "Tasks" improving the water quality of the lakes by recommending that Rehoboth adopt State and EPA clean water regulations.

SOLA3 recognizes that the value of trees are beyond the

beauty they bring to the landscape. So we will fund the installation of trees in Rehoboth to contain stormwater runoff and erosion in and around Silver Lake and Lake Gerar.

We also report on SOLA3's opposition to projects initiated by property owners around Silver Lake and Lake Comegys that violate State protected wetlands and a State conservation easement taken for private use.

As you'll see from articles from our board members, we have been active on a number of other fronts, including ways to eliminate plastics in our environment; sponsoring and dedicating bird interpretive signs to educate our community about these native lake inhabitants; creating a new grant for projects that benefit the lakes and their environment; developing a more effective and user friendly data base; and the value and importance of your financial support to accomplish our mission.

As the year draws to a close, I wish to express my gratitude to all who serve on our board, as they are the foundation of our past and future accomplishments as we work with others in our community on our common goal of meaningful environmental improvements to our treasured lakes.

We especially thank you for your continued support and wish you the very best for the holiday season and into the New Year.

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THE NEED FOR A COMPREHENSIVE STORMWATER MANAGEMENT PLAN.

Jay Lagree, Rehoboth Beach Commissioner

What is storm water? The simple answer is: All of the precipitation that falls from the sky and soaks into the earth. Storm water also drains into lakes, rivers, and the ocean, and that is why a management plan is so important!.

Only in the past 100 years have we been cognizant of the need for storm water management. Indeed, historically, that need has been minimal here. Our soil on the Delmarva Peninsula is sandy and porous, facilitating absorption of storm water. In addition, our terrain is fairly flat and natural runoff is slow, further helping storm water soak into the soil before reaching our lakes. Until 100 years ago, the Delmarva Peninsula was rural. Vegetation covered the land, slowing the movement of storm water and giving it yet more time to soak into the soil. Until the 20th century, there were few concrete or asphalt roads and hard surface parking lots that shed storm water and also leach petroleum hydrocarbons as they age. We didn't have subdivisions with hundreds of shingled roofs and concrete driveways that now cause storm water to move fast over the soil and into ditches and drains that finally gush into our rivers, lakes, and the ocean.

In the beginning, our work to manage storm water was not designed to prevent contamination of lakes, rivers, and ocean, but rather to control flooding in areas where storm water could not drain quickly. However, we've now learned that storm water acquires inorganic contaminants such as nitrogen, phosphorous, and potassium as it drains through fertilized fields and lawns. It acquires organic contaminants and fecal microorganisms as it drains through barnyards, pet runs, dog parks, and areas where food preparation, and meat processing occur. Fast moving storm water also picks up solid materials that are carried into lakes, streams, and ocean. Erosion caused by fast moving storm water is the biggest enemy of clean lakes, rivers, and our ocean. Our problems have become magnified and complicated as the area becomes more populous and developed with less open space.

Rehoboth Beach needs a Comprehensive Storm water Management Plan. The goal of storm water management is **to slow it down and clean it up**. Watershed experts cannot overemphasize the importance of ponds and lakes in this effort. However, we must do everything we can to clean our storm water before it reaches our lakes.

Answers to our storm water challenges can be found in Delaware DNREC publication:

<https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/handbook/>

This handbook addresses the control of erosion and sediment with best management practices available today.

Once we [City of Rehoboth Beach] have developed and adopted a Comprehensive Storm water Management Plan, we can proceed to the formulation of a Storm water Utility, which will allow us to fund the improvements in infrastructure that are so critical to our existing storm water facilities and to fund the new projects necessary for storm water management in the future.



SOLA3 DEDICATES INTERPRETIVE BIRD SIGNS AT SILVER LAKE

Diane Hanson, Secretary and Project Manager

On October 9 Save Our Lakes Alliance3 (SOLA3) dedicated two new resident bird interpretive signs as our gift to our very supportive community, which is in keeping with an objective of our mission to educate the public about our local lakes and their inhabitants.

After years of delay in launching this project, I worked with many sectors of our community to get to completion of the project. This included the assistance of Anthony Gonzon of DNREC’s Division of Fish and Wildlife, who identified the birds, wrote their descriptions and arranged for the installation of the signs.

I consulted with the Sussex Bird Club and the Coastal Camera Club in selecting the birds to be featured. They invited their members to send in photographs of the selected bird species. All were more than willing to share their talents with the community.

Aloysius Butler and Clark (abccreative.com) immediately offered to design the signs free of charge since this was a public education project done by a nonprofit. Precision Color Graphics of Wilmington produced the signs.

At the dedication, attended by State and local officials, over 90 Friends of SOLA3 and community leaders, I acknowledged and thanked all who made the signs possible. That was followed by comments from Sallie Forman, SOLA3 President; Speaker Pete Schwartzkopf; Lt. Governor Bethany-Hall Long; Senator Ernie Lopez; and David Saveikis, Director of DNREC’s Division of Fish and Wildlife. Afterward we all celebrated with a reception in the lovely yard of Trudie Thompson, which borders Silver Lake. A special thank you goes to Trudie for sharing her yard with us and to Joe Filipek and Larry Richardson for setting up and providing the beautiful arrangements on each table.

We encourage you to visit these beautiful and informative signs at the bird refuge site at Silver Lake.



Left to Right Rehoboth Mayor Stan Mills, State Auditor Kathy McGuinness, Diane Hanson, Sallie Forman, Speaker Schwartzkopf, David Saveikis, Senator Lopez, Lt. Gov. Bethany Hall-Long, Tim Bennett, Susan Gay, Jan Konesey, Dan Payne



SOLA3 EFFORTS TO ELIMINATE PLASTICS AND STYROFOAM

Jan Konesey, Director



Designed by Plastic Free Delaware and being distributed by the city Environmental Committee for use in local restaurants

The public is more aware than ever that these products are harmful to our lakes, wildlife and the overall environment. Since our letter to SOLA3 Friends, in July, 2020, reporting on our efforts with the City of Rehoboth to ban single use plastics, we learned that many of the local businesses and larger restaurants had already determined that offering plastic bags and straws were not good business. We then discovered, through an interpretation of language in the State bill to resolve the use of plastics, that a clause in a State of Delaware law forbade communities of less than 50,000 people from passing new plastics legislation.

Because of Covid everything seemed to be on hold. Our restaurants and small businesses were suffering and we felt it was not the time to push forward at the local level. However, Plastic Free Delaware continued to work on the issue at the State level. This year the State of Delaware passed a ban on the use of plastic bags throughout the State. Only bags with sewn handles will be available in Delaware after the effective date of July 2022. SOLA 3 actively supported this bill, with a letter to Speaker Schwartzkopf, who voted for the bill.

In the meantime, we have continued our work to eliminate plastic straws and styrofoam. Our position on plastic straws is that they should be available by request only until affordable options are available. It has been a tough two years for the restaurant business and the Board decided that the best

way to move forward was to reinforce positive behavior and recognize those food businesses that already have stopped using plastic straws and for SOLA3 to identify and help small establishments with SOLA3 grants to purchase biodegradable straws. We will finalize the details of the program this winter and expect an early Spring roll-out.

We will continue to work with the Rehoboth Environmental Committee, the Chamber of Commerce and other organizations in an effort to protect our environment and ensure the health of our lakes.



COMPREHENSIVE DEVELOPMENT PLAN (CDP) UPDATE



The new Comprehensive Development Plan (CDP) for the City of Rehoboth Beach is now due to be adopted in July 2022. Originally scheduled for 2020, the project has suffered from numerous delays due to Covid and a change in the consultants who are advising the City on the project.

SOLA3 presented its recommendations for the CDP in August 2020. [Read the full recommendations here.](#) While the recommendations are comprehensive, SOLA3 put special emphasis on the need for Rehoboth to develop a comprehensive storm water management

plan to address flooding throughout the city and to improve the quality of the water entering the lakes (as we did in Rehoboth's 2010 CDP and the 2015 update). Now the need for this plan is more critical than ever. SOLA3 states that the impact of climate change could result in coastal inundation from the Atlantic Ocean by as much as 7 feet and areas round Lake Gerar and Silver Lake by as much as 3 feet, and recommends that Rehoboth install a citywide green infrastructure, along with updating its code to require pervious surfaces for roads, sidewalks and driveways.

A draft of the 2022 CDP is due to be released by the end of 2021. SOLA3 will review all aspects of the Plan to assure that it contains appropriate goals for developing and implementing a comprehensive stormwater plan and a city-wide green infrastructure plan to protect public and private property, the natural environment, the health of water bodies, and the public health.

CITY OF REHOBOTH WINS LAWSUIT OVER BEACHWALK DEVELOPMENT

After more than 5 years of litigation, the Court of Chancery found that the development of the BeachWalk site (BayMart property along the Forgotten Mile) will require major subdivision review by the Planning Commission. Developer proposed 63 residences as a condominium on a single lot of 7.71 acres.

SOLA3 has previously joined with the Rehoboth Beach Homeowners' Association to express serious concerns about the potential impact of the proposed development on the environmental and Silver Lake, and on public health, safety and welfare.



LAKES MANAGEMENT PLAN

To date neither SOLA3 nor any other members of our community have been asked by the partnership of Rehoboth Beach, Dewey Beach, Sussex County, DNREC and the Army Corps of Engineers, to participate in any aspect of developing the plan for Silver Lake and Lake Comegys.

This is particularly disappointing as since our founding 18 years ago our accomplishments have always included working in collaboration with State and local officials, as well as our communities.

We had no input in the scope of work that was approved by the partnership. While it addresses a number of issues, it does not address how the plan will improve the lakes water quality by requiring municipalities (specifically Rehoboth Beach) to adopt State regulations for cleaner water to lessen the impact of pollutants flowing into the lakes.

Since the budget to develop the plan has risen to \$200,000, there is also a concern about where the money will come from to actually implement the plan.

VIOLATIONS TO RESTRICTED STATE WETLANDS AND STATE CONSERVATION EASEMENT

As a follow-up to SOLA3's opposition to an application for an oversized gangway and floating dock at Lake Comegys, in June 2021 Sallie Forman, SOLA3 President, provided extensive written comments to DNREC and participated in DNREC's virtual meeting to provide the details of our opposition to this project.

SOLA3 objected to an incomplete application and inaccurate statements submitted to DNREC for a large private dock on Silver Lake in June of 2020 that also violates Rehoboth's 10' set back requirement.

To date, DNREC has not approved these applications.

As we went to press with this newsletter, a property owner was in the process of installing a private hard surface patio and concrete wall within the DELDOT conservation easement at Lake Comegys. Initially no Sussex County permit was issued and the owners were cited for that violation. SOLA3 and nearby neighbors are working with State and Sussex County officials to have the installation removed, the conservation area restored, along with any other remedial actions that are required.



DELAWARE'S WETLANDS DISAPPEARING AT ALARMING RATE

While wetlands currently cover nearly 25% of Delaware, it's estimated that over 50% of wetlands and subaqueous lands have been lost in the last 30 years. There are tidal and non-tidal wetlands. Our Rehoboth Lakes are non-tidal. They consist of wetland plants, wetland soils, and evidence of water at or near the surface.

The wetlands along these lakes control floodwaters, erosion, protect water quality and provide habitat for fish, wildlife and plant species. And, they give us lovely open spaces.

SOLA3 has been active in opposing threats to our Rehoboth lakes' wetlands and applications for new docks at Silver Lake and Lake Comegys that do not comply with Delaware's Subaqueous Lands Act.

Delaware's Subaqueous Lands Act authorizes DNREC's Division of Water to regulate subaqueous lands of both Silver Lake and Lake Comegys (up to the ordinary high water mark). Any activity within that jurisdiction requires their authorization. Activities on the public portions of subaqueous lands may be in the form of a DNREC Subaqueous Lease, if granted. Anyone claiming private ownership of any portion of the lakes requires proof of that ownership (Deed or Title) and the authorization, if granted, would be in the form of a Subaqueous Permit.

Getting a Grip on Our Data

Tom Childers, Vice President

Frustrated by years of trying to manage information about the Friends of SOLA3 through a cumbersome excel spreadsheet and special-purpose mailing lists, we finally bit the bullet and hired a consultant to design and implement a flexible, user-friendly database.

Nate Saadon, from Drexel University's College of Computing and Informatics, signed on for the job in January, 2021.

The Alpha 2 version of the new database is in hand and is being reviewed by members of the Board, prior to being transformed into the final, Beta, version. In my own test drive, it seems to meet our criteria of flexibility and intuitiveness, and moves us significantly forward—to a greatly improved database that will help us manage information on our Friends' contact points, contributions, volunteer preferences, and so on; produce custom statistical displays about them; and generate mailing lists and mailing labels.

Enhancement of the SOLA3 Web site is part of the project. It will follow completion of the database improvement.

From Grants to Selective Environmental Investments

Tom Childers

Vice President, SOLA3

Save Our Lakes Alliance 3 (SOLA3), committed to promoting the health of Silver Lake, Lake Comegys, and Lake Gerar, has adopted a new policy for supporting improvements to the lakes and their surroundings.

For several years we have offered grants to property owners through competitive application. From this point forward, SOLA3 will offer financial support to current or planned projects that benefit the lakes and the lakes environment. The projects will be under the stewardship of private or governmental entities at the local, state, or national level. The SOLA3 Board will determine which projects will be supported, criteria and the amount of support SOLA3 will offer.

For more information go to www.SOLA3.org, or contact SaveOurLakes3@aol.com.



YOUR INVESTMENT IN SOLA3

Dan Payne, Treasurer

I have been a Board member and treasurer of SOLA3 for many years. As such I have participated in SOLA3's expanded efforts to use our financial resources in the best ways to address the lakes. environmental issues.

We could not do this without your monetary and /or volunteer support, which we greatly appreciate.

A prime example of what your dollars/efforts have accomplished is the recently installed Bird Identification signs, described by Diane Hanson's article herein.

For over 10 years, SOLA3 has worked and provided funding for workshops for the 5th graders at the Rehoboth Elementary School to learn the ecology of the lakes and how to be good stewards of their environment.

For the first time we are sending out the newsletter primarily electronically. This not only benefits the environment, but will get the information to you more quickly and save money by eliminating printing and mailing costs. (That said, we will send a hard copy for those that desire one.)

This will free up funds to assist or establish other worthwhile projects to enhance the ecology of the lakes,

You will note in the revised donation form, which is attached to this newsletter, that we are asking you for new areas where you want to volunteer as we welcome your participation to accomplish SOLA3's mission.

We have also created some new opportunities through which you may make donations that will have a beneficial tax impact. For example, in addition to direct dollars, you can contribute through all or part of your minimum distribution from your IRA, or a contribution of stock, directly to SOLA3 (of course we suggest you consult with your financial and/or tax advisor).

We would be pleased to discuss some of these options with you if you desire.



FUN HISTORY FACTS: Did you know?

Before Rehoboth Beach became “the nation’s summer capital”, the Nanticoke tribe had regular summer encampments around Silver Lake to gather shell fish from the Ocean, that they smoked to be preserved for the winter.

Until about 200 years ago, Silver Lake and Lake Comegys were conjoined. The separation took place early in the 1800’s to contain the pollution from the tannery located there, when it was then named Tan Vat Cove.

The Lake Gerar area, until the 1930’s, was basically a swamp -- with shallow water in rainy periods. A branch of the DuPont family, with homes on the north side, agreed with the City of Rehoboth Beach, to clean up the wetland and make it a proper lake, in exchange for nearby lands.



Lake Gerar

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Editor: Sallie Forman

