

Conservation District Operations DNREC Division of Watershed Stewardship

Presentation to the Legislative Oversight and Sunset Committee
March 9, 2020





Presentation Overview

- Overview of Drainage Program
- Tax Ditch Branch
- Public Ditch/RC&D Branch
- Importance of Programs
- Opportunities for Improvement

Evolution of the Drainage Program

1937

Dust Bowl
Roosevelt's
Uniform Soil
Conservation
Law

1940's

Soil
Conservation
District Act

Soil and Water
Conservation
Commission

Delaware
County
Conservation
Districts
Established

"Drainage
Program" from
each
Conservation
District

1951

Uniform Drainage
Law passes
"Tax Ditches"
Drainage
Organizations
prior were "Ditch
Companies"

1954

Public Law 566
Federal
Watershed &
Flood
Protection Act
brought Fed \$
for construction
of Tax Ditches

1960's

Demand for
work on
infrastructure
on State
roads and Tax
Ditches
constructed
resulted in
contractual
employees
hired

1970's

DNREC Division
of Soil & Water
Conservation
Established

- Soil Conservation District Program Guidance
- Tax Ditch Program
- Highway Crossing Program
- Watershed Program

Evolution of the Drainage Program

1970's

Tax Ditch
Construction
Peaks
Dragline to
Hydraulic
Excavator
Clean Water
Act Passes

1980's

Clean Water Act
halted/hindered
Tax Ditch
construction

DNREC
Sediment and
Erosion Control
Regulations
adopted

1985

Swampbuster
No aid to
producers
converting
wetlands to
cropland

SCS/NRCS begins
to end assistance
in drainage/tax
ditch
construction

1990's

Delaware sues
State of New
York over
Escheated
funds

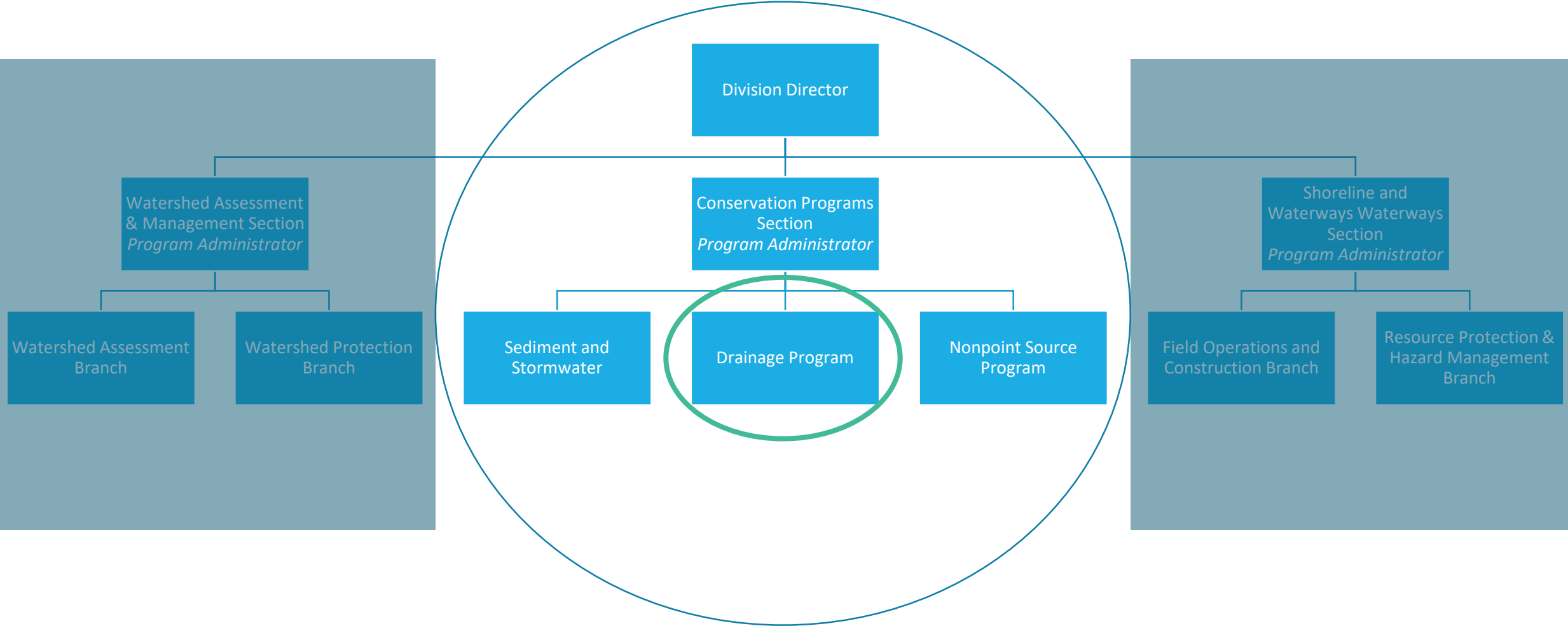
Resulting in 21st
Century Fund
establishment
21st Century
Fund \$ for use
in plan, design,
&
implementation
to address
reported
drainage
concerns

2000's

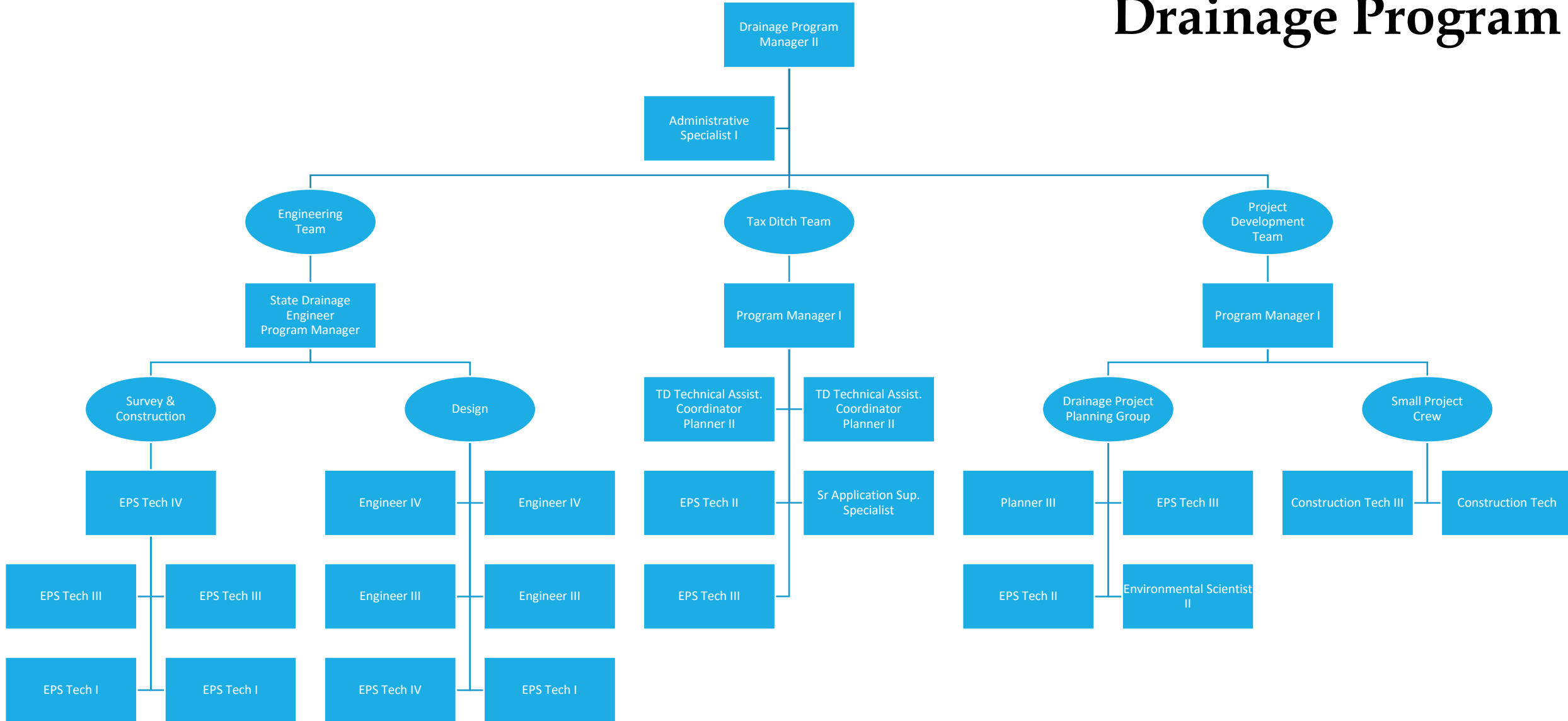
Drainage
and
Stormwater
Section
created and
Drainage
becomes a
"Program" in
DNREC

Pipe Crew
becomes
Small
Projects
Crew

Division of Watershed Stewardship



Drainage Program

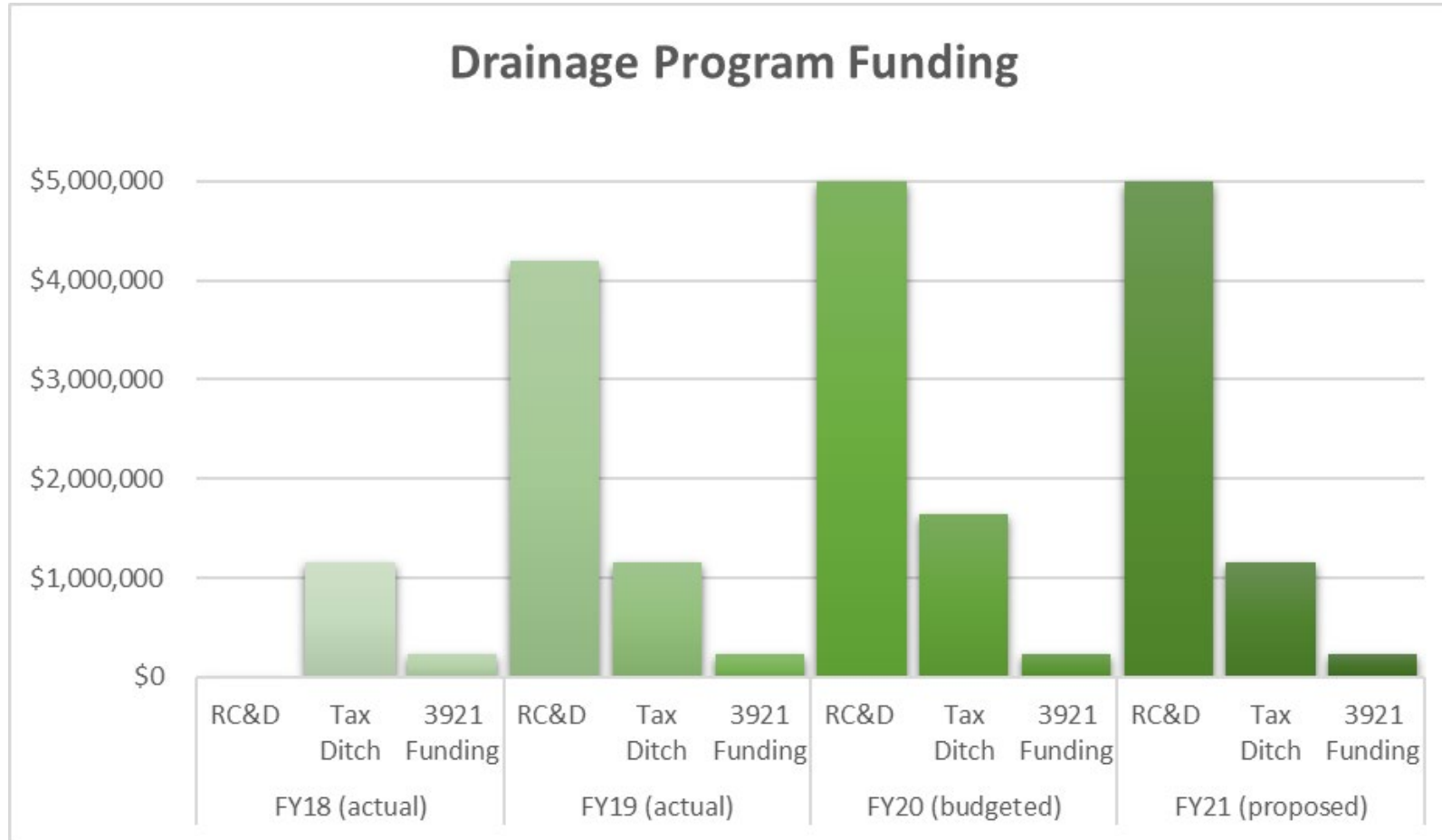




Drainage Program Functions

- Work with private and public landowners throughout the State to assist with water management problems.
- Work closely with the Conservation Districts, DelDOT, and other partners to accomplish our goals.
- Manage the State's Drainage and Stormwater Assistance Line
- Provide support to the Stormwater Sub-Committee of the Water Infrastructure Advisory Committee.

Drainage Program Funding

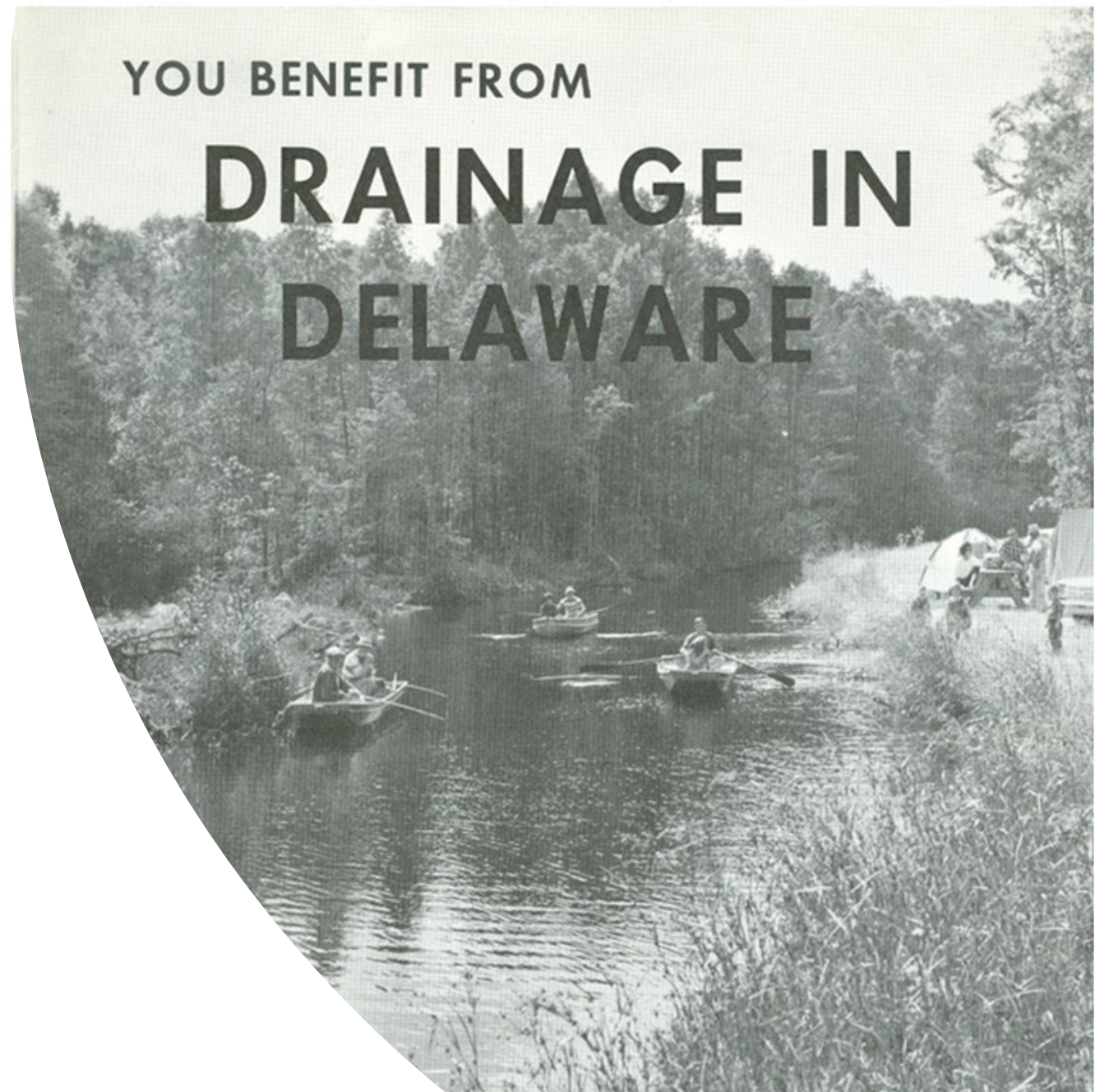


Tax Ditch Program

- Operates under the roles and responsibilities assigned in the Delaware Code under Title 7 Chapter 41
“Agricultural and Soil Conservation;
Drainage and Reclamation of Lowlands
- What are Tax Ditches?
- Responsibilities of Program:
 - Administrative and Technical assistance for tax ditch organizations
 - Administer funds to the Conservation Districts to provide financial assistance for tax ditch maintenance
 - Assist with maintenance and inspection of tax ditch systems
 - Repository for tax ditch systems and information

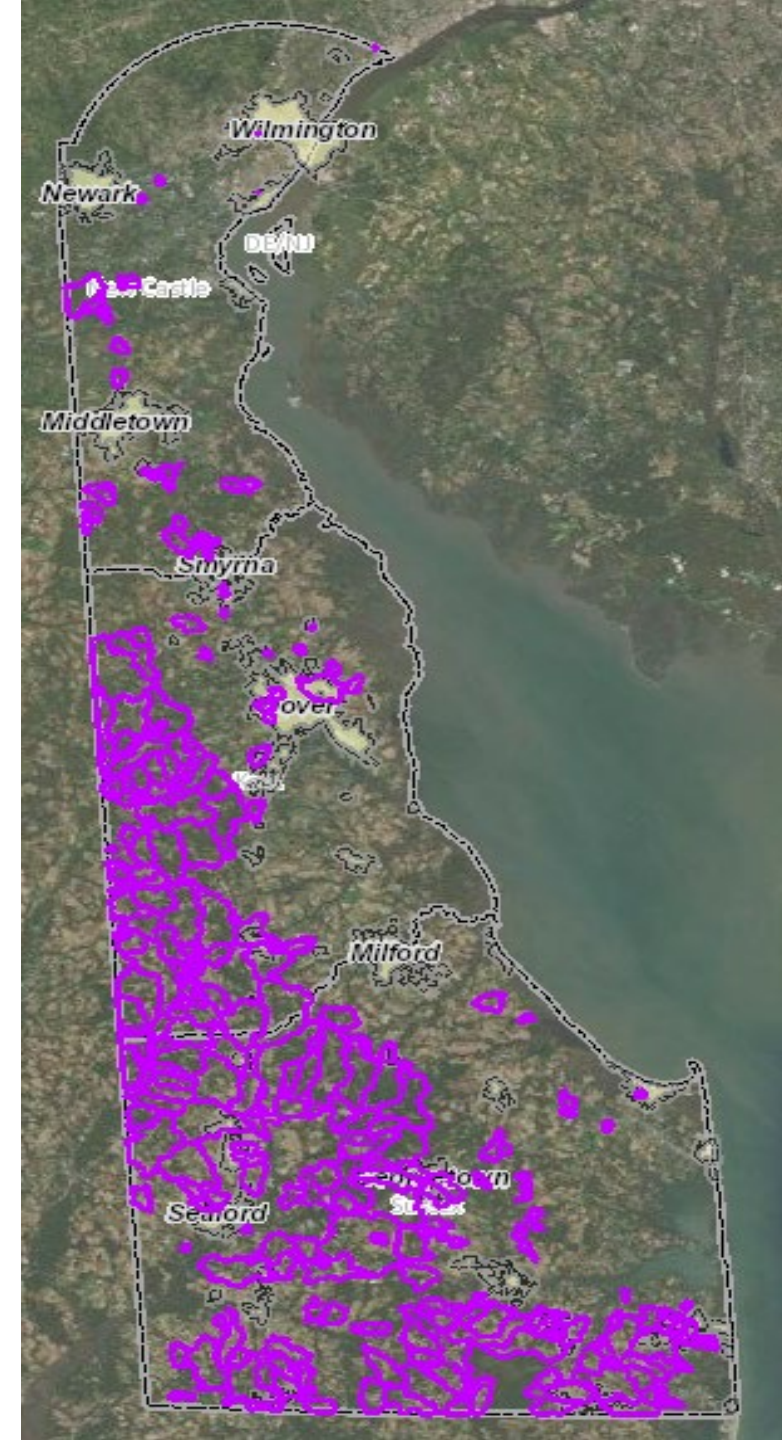
YOU BENEFIT FROM

**DRAINAGE IN
DELAWARE**



Tax Ditches in Delaware

County	Number of Tax Ditches	Miles of Tax Ditch Channel
New Castle	26	57
Kent	78*	769
Sussex	137*	1,193
Totals	234 (7 are dual county*)	2,019



Tax Ditch Stakeholders

- Taxables
- Tax Ditch Officers
- Landowners outside of watersheds
- Agencies – DNREC, Conservation Districts, DelDOT, municipalities



Tax Ditch Program Responsibilities *provided to Tax Ditch Officers*

Administrative Assistance	Technical Assistance
Tax Ditch System Maps for Managers	Maintenance Stakeout
Tax Ditch System Maps for Contractors	Tax Ditch Channel Survey for Evaluation
Tax Ditch Assessment Lists	Maintenance Inspection
Mailing Labels & Meeting Notices	Maintenance Crossing Pipe Sizing
Attendance at Annual Meetings	Environmental Permitting Assistance
Tax Ditch Audits	System Inspections
Bonding Guidance	Operation and Maintenance Plan Development
Warrant Calculation and Guidance	
Warrant Processing and Filing	
Annual Tax Ditch Assessment Updates	
Annual Tax Ditch Certified List Updates	
Tax Ditch Banking Assistance	

Tax Ditch Program Responsibilities *provided to Landowners*

Administrative Assistance	Technical Assistance
Right-of-Way Inquiry Responses	Maintenance Stakeout
Court Order Change Documents	Maintenance Inspection
Tax Ditch Assessment Inquiry Responses	Minimum Pipe Sizing
	Environmental Permitting Guidance
	Evaluation of Tax Ditch Concerns Reported
	Review of Land Development Plans for Letter of No Objection issuance
	Participation at Public Outreach Events
	Web Map Application

Public Ditch/RC&D

- RC&D Program
- Coordination with Districts for drainage projects
- Drainage concerns
- Project development
- Contract development and oversight
- Landowner permission
- Project oversight
- Small projects



Resource Conservation & Development Projects

- Began as a component of Delaware's 21st Century Fund
- Original 21st Century funds have been expended
- Projects require approval by Joint Committee on Capital Improvement
- At least 10% of total project costs must be from non-RC&D Funds
- Partnership between DNREC and three conservation districts



Stakeholders

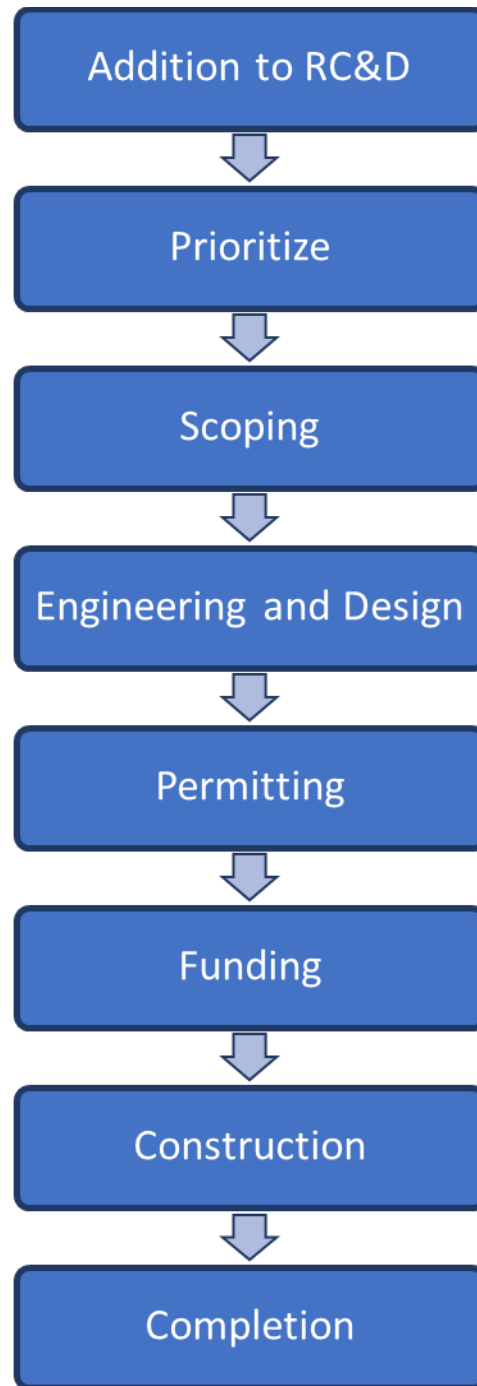


- Landowners
- Legislators
- Conservation Districts
- State agencies
- Municipalities

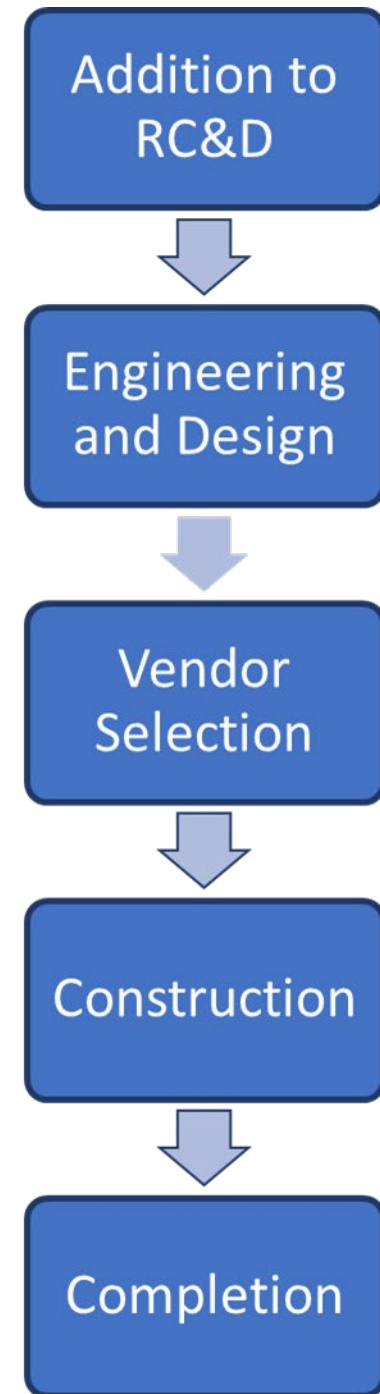


RC&D Process

Kent & Sussex Counties



New Castle County





Why Prioritize?

- Demonstrate Accountability
- Qualitative not Quantitative
- Factors Considered:
 - Public Safety
 - Frequency of Flooding
 - Project Status
 - Property Damage
 - Ability to leverage other funds
 - Age of Project

DRAINAGE & STORMWATER ASSISTANCE



DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL
DIVISION OF WATERSHED STEWARDSHIP

Drainage Concern Submission

Thousands of drainage and stormwater concerns are expressed each year in Delaware! An assistance program has been requested at the recommendation of the Governor's Surface Water Task Force to aid residents statewide with their unique drainage and stormwater concerns. Residents can call the number below or send an email to report their concerns when convenient. Once an individual's information has been logged into the system the concern will be assigned to the proper agency. If you are unsure of who to call this will allow you to have one central point of contact when seeking solutions to drainage and stormwater concerns!

ASSISTING DELAWARE RESIDENTS WITH MANY DRAINAGE AND STORMWATER CONCERNS:

- Water Runoff
- Standing Water
- Stormwater Ponds
- Tax Ditches
- Restoration Opportunities
- Stream Bank Stabilization
- Beaver Dams

- Submitted by:
 - Hotline number/email
 - Inquiry from legislator
- DNREC handles concerns for Kent and Sussex Counties
- NCCDC handles concerns for New Castle County

DRAINAGE AND STORMWATER ASSISTANCE

302-855-1955

E-MAIL:
DNREC_DRAINAGE@delaware.gov

DNREC
CONSERVATION PROGRAMS
SECTION



Leveraging Funding

- Federal dollars could be used on tax ditch & RC&D projects
- Often partner led – ie. USFWS, USDA, TNC, CIB
- Must have other co-benefits
 - Wildlife habitat
 - Water quality
- Future project planning will incorporate more features to be eligible for federal funding



Importance of Drainage Program

- Tax Ditch Program
 - Provide technical and administrative support to over 234 tax ditch organizations, ranging from 2 – 56,000 acres
 - Over 2,000 miles of channels are benefited by the Program
 - Encompasses ~100,000 people and one-half of the state maintained roadways.
- Public Ditch/RC&D Program
 - Maintain the State's Drainage Complaints
 - Administer RC&D funds
 - Work with Conservation Districts to develop projects, secure landowner permission, and conduct surveys
 - Secure project permits
 - Assist with manual drainage improvements

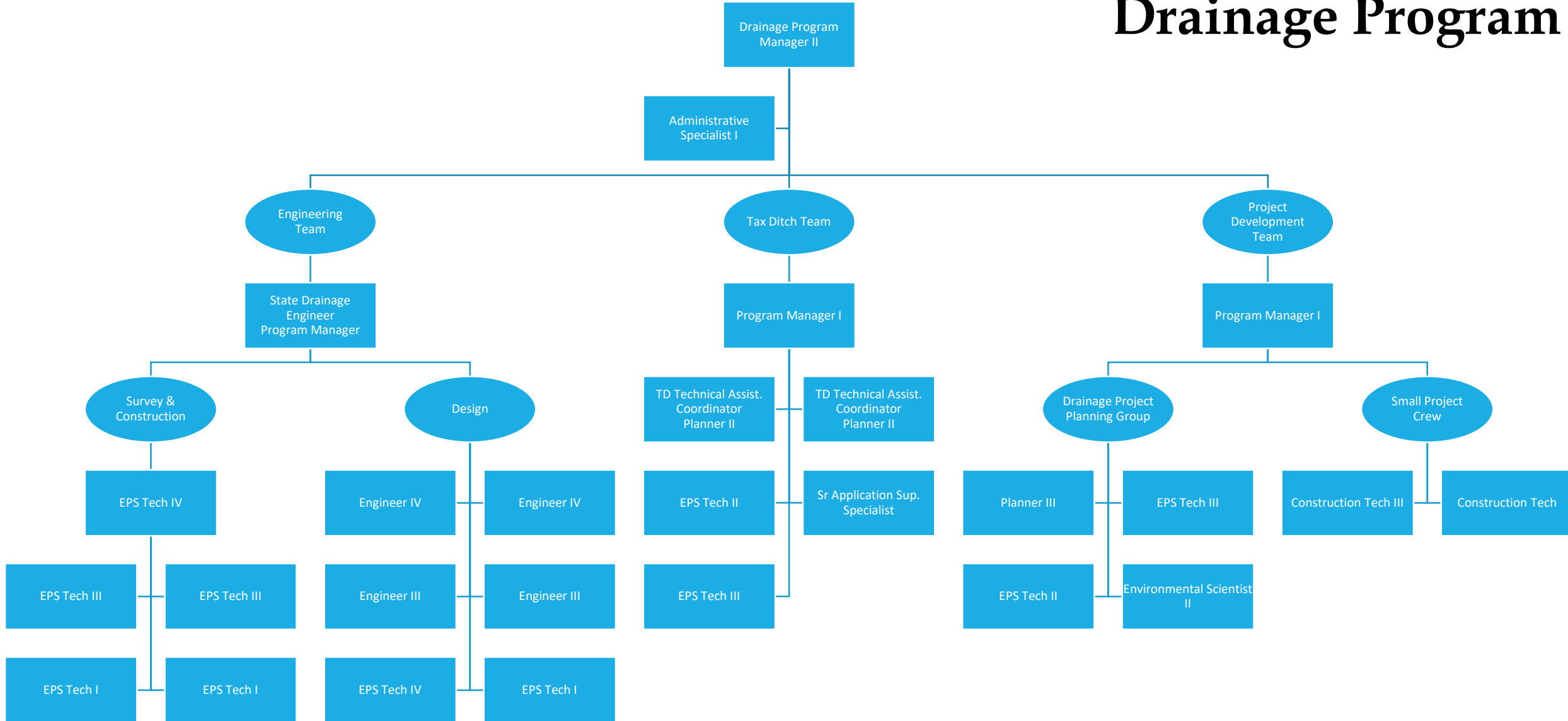




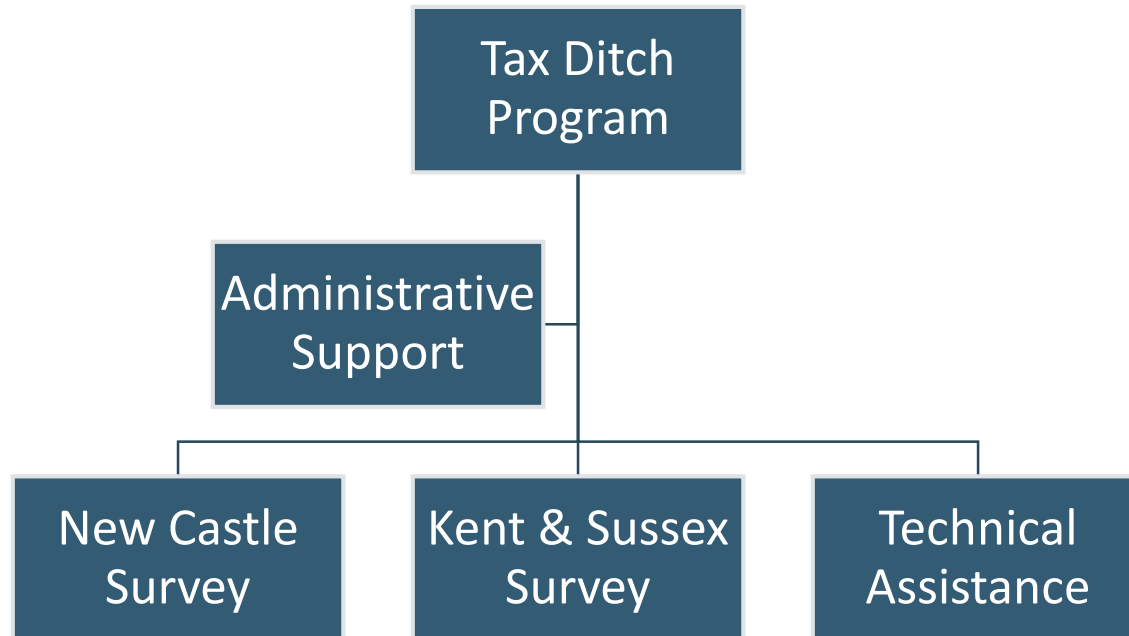
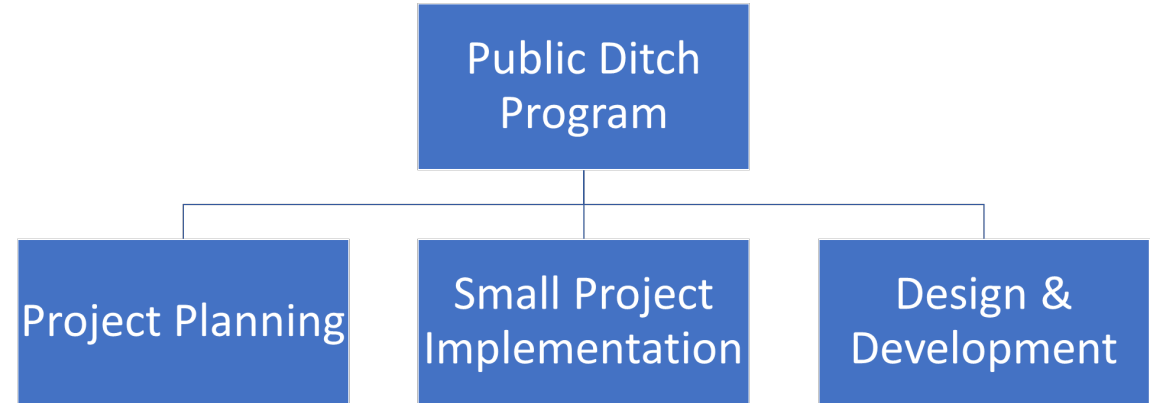
Opportunities for Improvement

- New Program Structure
- Tax Ditch Modernization
- Redefine RC&D roles in Kent and Sussex Counties

Drainage Program

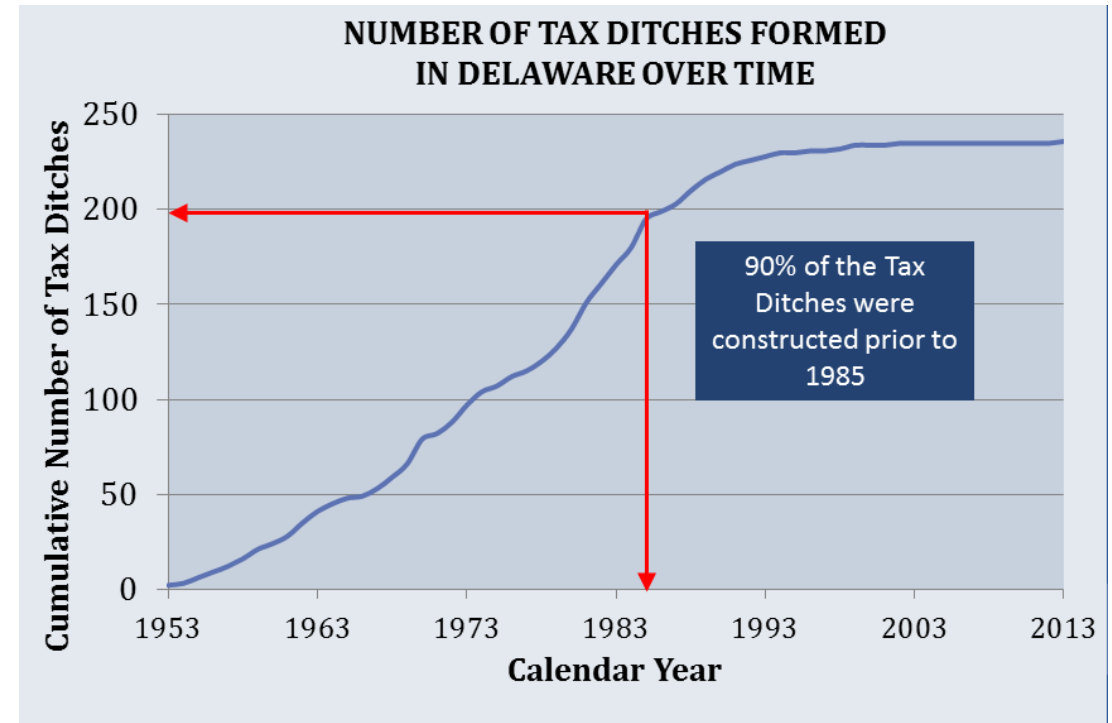


New Program Structure



Tax Ditch Modernization

- Continuous Improvement to streamline processes within Program
- Form a Tax Ditch Modernization Workgroup to address:
 - Funding
 - Volunteerism
 - Changing Environment



RC&D roles in Kent and Sussex County

- Increased collaboration between DNREC and the Conservation Districts
- Coordinated meetings between all parties with prioritization of project
- Additional funding will be provided to KCD and SCD to coordinate the RC&D programs in their respective counties, much like NCCD.





Thank you