



SPONSOR: Sen. Hansen & Rep. Phillips & Sen. Huxtable &
Sen. Townsend & Rep. Dorsey Walker
Sens. Gay, Lockman, Sokola, Walsh, Wilson; Reps.
Baumbach, Carson, Cooke, Griffith, Heffernan, Lambert,
Longhurst, Morrison, Osienski, Romer, Wilson-Anton

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 21

DESIGNATING JUNE 9, 2023, AS "FRESHWATER WETLANDS DAY" IN THE STATE OF DELAWARE.

1 WHEREAS, Delaware's wetlands provide critical function and value, including providing critical habitat for
2 threatened and endangered plant, insect, fish, bird, amphibian, and other wildlife species; reducing flood damage by
3 capturing, slowing, and holding water; helping purify the state's surface waters, groundwater, and water supply; providing
4 sediment and erosion control; and supporting economic development related to waterfowl hunting, bird watching, and other
5 outdoor recreation activities that help grow Delaware's tourism economy; and

6 WHEREAS, conserving and restoring wetlands will reduce Delaware's vulnerability to inland flooding from
7 intense precipitation and extreme storms, reduce future capital expenditures on water quality, and help grow Delaware's
8 tourism economy; and

9 WHEREAS, the protection of freshwater wetlands was recommended by the Delaware Statewide Ecological
10 Extinction Task Force in 2017 as one important element in addressing the precipitous decline of Delaware's native species;
11 and

12 WHEREAS, nearly 25% of Delaware's land area is comprised of wetlands, equating to 296,351 acres as of 2017;
13 and

14 WHEREAS, 75% of Delaware's wetlands are freshwater wetlands, also called non-tidal wetlands; and

15 WHEREAS, the regulation of freshwater wetlands in Delaware is a patchwork of state and federal authority, with
16 continuous changes in federal authority creating ambiguity, leaving approximately 30,000 acres or more unprotected; and

17 WHEREAS, federal authority over wetlands continues to be in flux with the case of Sackett vs. EPA still
18 undecided by the U.S. Supreme Court and the possibility of additional changes to federal wetland regulations; and

19 WHEREAS, existing state and federal preservation and restoration programs have failed to prevent the loss of
20 more than three thousand acres of freshwater wetlands during the past twenty years, contributing to increased flood damage
21 and adversely affecting landowners' safety, welfare, and personal property; and

22 WHEREAS, the State has acted to protect tidal wetlands, it has not taken equally vigorous action to protect the
23 State's non-tidal wetlands, relying instead on inconsistent federal regulations enforced by the United States Army Corps of
24 Engineers pursuant to the Clean Water Act; and

25 WHEREAS, twenty-five other states, including all other mid-Atlantic states, have adopted state programs to
26 conserve and restore freshwater wetlands, leaving Delaware as the only state in the mid-Atlantic region without a state-
27 level freshwater wetland regulatory program; and

28 WHEREAS, over the last several decades, the Delaware Department of Natural Resources and Environmental
29 Control (DNREC) has cataloged and documented the continued loss of regulated and unregulated wetlands across the State
30 for various reasons, nearly all being human driven; and

31 WHEREAS, Delawareans are without state control in establishing how freshwater wetlands should be protected as
32 valuable assets that belong to the people of Delaware; and

33 WHEREAS, the need to protect freshwater wetlands is of the upmost importance and calls for more attention; and

34 WHEREAS, drawing attention to the value of freshwater wetlands in Delaware through the designation of a
35 statewide "Freshwater Wetlands Day" will promote statewide public education on these valuable and threatened
36 environmental resources; and

37 NOW, THEREFORE:

38 BE IT RESOLVED by the Senate of the 152nd General Assembly of the State of Delaware, the House of
39 Representatives concurring therein, that June 9, 2023, is designated as "Freshwater Wetlands Day" in the State of
40 Delaware.

SYNOPSIS

This Senate Concurrent Resolution designates June 9, 2023, as "Freshwater Wetlands Day" in the State of Delaware.

Author: Senator Hansen