



Main Office

Ashland Nature Center
P.O. Box 700, Hockessin, DE 19707
302.239.2334 • Info@DeINature.org • DeINature.org
Educate. Conserve. Advocate.

October 16, 2020

Susan E. Love, AICP
Administrator, Climate & Sustainability Programs
DNREC Division of Climate, Coastal, and Energy
100 W. Water Street, Suite 10B
Dover, DE 19904

Dear Ms. Love:

The Delaware Nature Society (DeINature) appreciates the opportunity to provide input on Delaware’s First Climate Action Plan.

Climate change is a complex and challenging issue facing our society. It is no longer just a threat to future generations, but a modern-day challenge for people across the world, and right here in Delaware. We must act now and commit across our community to remediating and mitigating its impact on Delawareans and on our wildlife and lands. This is not DNREC’s fight alone. The public and private sectors must work together, including all state agencies, federal and local governments, public health authorities, education institutions, businesses, nonprofits, community groups, faith-based organizations and many more.

The below climate change policy suggestions are broken into six categories and, when available, bill numbers from other states’ legislation are included. While those bills might not be a perfect fit for Delaware; there are many good ideas we can adapt for the First State.

Education

A majority of Delawareans view climate change as a fact but knowledge varies significantly on what can be done about it. Individual choices matter and people should be empowered with that knowledge. We must more aggressively educate our children and our community on what they can do to fight climate change. We propose:

- Follow the New Jersey climate change school model and require climate education in every grade (<https://www.nj.gov/education/cccs/2020/>). Invest in and strengthen education programs involving science, technology, engineering, and math (STEM) to enable future generations to better understand the changing environment and to provide strong problem-solving skills (see US HR 4979)
- Sharply increase the education funding and outreach for what individuals can do to fight climate change (e.g., how to reduce a home’s carbon footprint, recycling, weatherization, shopping local, etc.).

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- Increase children’s appreciation and understanding of the natural world through more outdoor education and recreation programming across the community, prioritizing schools which qualify for free and reduced lunch (see WA HB 1677)

Individual and Business Incentives

Individual and business decisions have an enormous impact on climate change. Delaware has made a good start in incentivizing choices that protect our planet for today and tomorrow, but more must be done. We propose:

- Substantially increase cash rebates for the DNREC Clean Vehicle program for new Battery Electric Vehicles and Plug-In Hybrid Electric Vehicles to \$3,500 each.
- Build upon existing Delaware Housing Authority and other weatherization home and rental property loan improvement programs aimed at low to moderate income households to address climate resiliency, energy efficiency and environmental remediation projects (See 2020 MD S 722)
- Increase energy efficiency of government-subsidized existing affordable housing and increase the availability of energy-efficient single family and multifamily housing through tax incentives and technical assistance.
- Eliminate emissions from new state buildings by 2030 by requiring they follow net-zero-emission building codes
- Use tax rebates to incentivize green building construction practices and encourage retrofits of commercial buildings
- Create incentives for counties and cities to adopt net-zero building codes.
- Incentivize efforts by private landowners and business properties to protect and create native wildlife habitats
- Develop Extreme Heat & Community Resilience Program in vulnerable communities (see CA A 2441)

Government Planning: State Investments, Land Use and Construction

State government plays an integral role in reducing the impact of climate change, but they are not the only ones. In addition to the ideas below, we suggest that Delaware explore federal additional funding opportunities and partnerships as they become available in 2021. We propose:

- Require that the state of Delaware not invest state retirement funds in any of the top 200 companies that have the largest reserves of fossil fuels (see NJ S 330 and VT H 352)
 - Require developers to mitigate any climate change issues identified (e.g. destruction of old forests, impact on wetlands, etc.) by the State Planning Office (SPO) to gain approval for large subdivision and land use plans, e.g., 2:1 replacement.
 - Add new funding to grant program to support and incentivize municipalities to develop local climate action and sustainability plans, as well as to initiate local climate projects regarding mitigation and resiliency
 - Require local land use plans by developers include climate change hazard vulnerability assessment, accounting for sea level rise, drought, etc. (see NJ A 2785) as part of county and city approval process
 - Require all state agencies internally develop climate change sustainability goals and plans, such as installing solar panels, reducing employee vehicle mileage, etc. (see ME S 728) and require consideration of climate impacts in procurement and supply chains
 - Require that any given statewide climate resiliency plan be updated every 3 years to account for new findings, and that an assessment of climate-related financial risks be submitted (see CA A 839). The plan should be developed with the guidance of a newly created climate action council for the state, comprised of state and local individuals, such as the Secretary of Finance, and include non-government climate and environmental justice experts
 - Restrict future construction of nonrenewable-energy-producing facilities (see MN S 34)
 - Fully outlaw use of hydrofluorocarbons (HFCs) (see ME H 1505)
 - Continue to make grant funding available for Delaware research institutions to conduct high quality climate change analysis and the production of publicly accessible climate models, projections, and public health impacts
 - Require that all environmental assessment reports include climate change risk analysis to account for tangible climate threats (see NYS 8435)
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Environmental Justice

Climate change is fundamentally an issue of environmental justice. Often those most vulnerable to its impact are low income and live in environmental justice (EJ) communities. We propose:

- Allocate funding to the construction of climate resilient affordable housing, and provide disaster relief in response to climate change (see CA S 795)
- Establish a grant program that supports both clean energy projects in EJ communities and sustainable businesses owned by underserved groups (see MDS 887)
- Fund research on current clean energy incentives available to the most economically disadvantaged Delaware residents (see MA H 2874) and develop additional programming
- Require that an environmental impact report be created for any significant projects within a mile of an EJ community, with subsequent public comment for any projects that would affect the community (see MA H 4264, NJ S 232)
- Promote work projects and employment opportunities that help to resolve the present effects of climate change, with priority given to projects in areas of high unemployment (see NY A 10480)
- Create an Environmental Justice Council to ensure that clean energy programs reach and benefit EJ communities (see NJ A 4185)
- Establish job training programs directed toward lower income individuals in the production of green goods and services (see MN S 3143)
- Require reports on the social costs of pollution and create an air pollution pricing fund that distributes financial support to EJ communities (see NYS 3616)
- Provide financial assistance for well-water treatment for properties with contaminated wells, including for low-income families with private wells (see MELD 1263)
- Develop “managed retreat” policies to proactively facilitate the relocation of communities that are located within a floodplain. Often these communities are comprised of low-income individuals who may be more vulnerable to extreme weather events compared to wealthier communities.

Renewable Energy Emissions Goals

Increasing renewable energy use is the cornerstone of any work to address climate change. We must be bold and still build upon our existing strengths and local expertise. We propose:

- Pursue renewable energy portfolio legislation, including increasing Delaware’s renewable energy portfolio requirement to 40% by 2032 and 100% by 2050.
- Establish a panel of technical experts knowledgeable about the offshore wind industry and markets, to define a fully informed wind procurement process. The group would build upon the work of the original Wind Power Task Force and help to answer the technical questions raised by that group.
- Create a state task force to study modern energy and energy conservation technologies to redesign the Delaware energy system. The redesign would move away from the current centralized grid system to one that includes, for example: (a) many micro-grids [including community solar] that use new energy sources like solar, geothermal and electric power from electric/hybrid electric/fuel cell electric vehicles and (b) energy efficiency/energy conservation/building design technologies/approaches that reduce power demand from the grid.
- Set a greenhouse gas emissions (GHG) reduction goal of reaching carbon neutrality (net zero emissions) by 2050; aim to maintain net negative GHG emissions thereafter. (see CA A 2832, CT S 354, MA H 832, NJ S 344, RI S 2165, VT H 462)
- Require all buses used for public transportation purchased in 2029 or later to be zero-emission (see NYS 7349)
- Continue expanding Delaware’s electric vehicle charging network

Adaptation and Resiliency Strategies: Agriculture, Conservation, Clean Water and Wildlife

Nature is adaptable but it is also under stresses like never before. Given we know that climate change is being felt already, here, today, we must do aggressive work to build programs that both adapts and increases resiliency to climate change. We propose:

- Create a grant program for developing resiliency strategies in the agricultural sector (see CA A 49)
- Provide financial and technical assistance to farmers eager to deploy climate stewardship and regenerative agriculture practices
- Increase investments to preserve farmland and open spaces from development and prevent the conversion of natural spaces to new agricultural or other kinds of development to maximize carbon sequestration
- Increase funding for DE Coastal Program, including Resilient Communities grant partnership, for projects concerning coastal habitat restoration, sea level rise, flood and resource management, and non-point source pollution control (see RI H 7165)
- Address climate adaptation and resilience strategies that pertain to the negative impacts of climate change on public health (see VTS 185)
- Support aggressive reforestation policies, including planting new trees and additional state and local protections for existing mature forests.
- Create a Delaware Climate Change Wildlife Protection Plan that focuses on the mitigation of climate change impacts on wildlife and protection of existing habitats. The plan should be detailed, include strategies that protect native plant, animal and insect species, and build upon existing [USDA resources](#) and others.
- Support additional protections for Delaware wetlands and marshes and to the extent feasible plan for continual landward migration of coastal wetlands.
- Increase flood mitigation strategies, including MS4 stormwater permit requirements, and protections for clean water.

Finally, we are asking for urgent action on climate change, including state FY22 budget investments and legislative proposals. The plan development process is an important first step, but we need the upcoming Governor's Legislative Agenda and Proposed Budget to reflect implementing recommendations. As part of that Agenda, we are requesting formation of a public and private statewide Climate Change Committee (including representatives from environmental justice communities) to move any recommendations to concrete actions.

Please do not hesitate to reach out if questions. Thank you.

Sincerely,

Emily Knearl
Director of Advocacy and External Affairs
