

RESOLUTION NO. R 008 93

A RESOLUTION REQUESTING THE U. S. ARMY CORPS OF ENGINEERS TO ISSUE AN UTILITY CROSSING PERMIT

WHEREAS, Sussex County, in cooperation with DNREC, has committed itself to extending central sewer service to areas near the inland bays in order to eliminate adverse environmental impacts resulting from on-site septic disposal systems; and

WHEREAS, the Cedar Neck area, consisting of more than 1,800 homes unserved by central sewer, is within those areas near the inland bays worthy of protection; and

WHEREAS, on July 18, 1989, the Sussex County Council approved the Salt Pond Development Plan as a residential planned community; and

WHEREAS, a condition of that approval required the developer to install a central water and sewer service distribution system within the Salt Pond Development and to size the sewer system to provide adequate capacity for not only the Salt Pond, but for the entire Cedar Neck area as well; and

WHEREAS, the most cost-effective and practical method of connecting sewer service for the Cedar Neck area to the existing Bethany Sanitary Sewer District and the South Coastal Treatment Plant is through utility crossings under the Bethany Beach Loop Canal, adjoining the Salt Pond property; and

WHEREAS, DNREC has granted its approval for such utility crossings; and

WHEREAS, since Sussex County will own the entire sewerage service distribution system after construction by Salt Pond Development, at no cost to the County, it is a true party in interest with respect to the pending permit application before the U. S. Army Corps of Engineers for the Bethany Loop Canal utility crossings filed on May 16, 1991; and

WHEREAS, Sussex County Council has determined that the public interest and, in particular, the interests of the residents of Cedar Neck will be served through prompt issuance of the utility crossings permit;

NOW, THEREFORE,

BE IT RESOLVED by the Sussex County Council that the County Administrator is authorized to do the following:

(1) Request that the U. S. Army Corps of Engineers forthwith issue the utility crossing permit;

(2) Offer on behalf of Sussex County Council to substitute itself as the applicant for the utility crossing permit if substitution will expedite the permit process; and

(3) Forward a copy of this Resolution to the U. S. Army Corps of Engineers and to take such further necessary and appropriate action as will expedite the issuance of the permit to serve the public interest and, in particular, the interests of the citizens of the Cedar Neck Area.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 008 93 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 30TH DAY OF MARCH, 1993.



Robin A. Griffith
Clerk of the County Council