



May 1, 2020

The Honorable John Carney
150 Martin Luther King Jr. Blvd
Dover, DE 19901

Dear Governor Carney,

The seven communities that constitute the Association of Coastal Towns (ACT), including Fenwick, South Bethany, Bethany, Dewey, Rehoboth, Henlopen Acres and Lewes, are honored that you have requested our proposal on how the critically important beaches of eastern Sussex will re-open.

Just like every other economic sector of the State, this issue is complex and involves the balancing of competing objectives and capabilities. The ACT Mayors have deliberated on these issues and are ready to share our thinking and guidance with you. Our approach is based on the following key premises:

- We are very sensitive to the needs for small businesses to regain their foothold in the economy and the significant, often fatal, losses they are now incurring in the shutdown.
- The resident populations of the coastal towns are insufficient to profitably support the large number of stores, restaurants, rentals and services that make up the beach economy. For that reason, beach-based businesses need tourism to survive and flourish.
- Beaches can provide the much-needed rest, relaxation and recharge that the population will be seeking as they emerge from sheltering in place. We expect the demand for time at the beach to be very large once travel bans are lifted and people feel comfortable with socialization.
- All coastal businesses are urging the return to beach-based tourism. That said, the safety of our communities and the safety of our visitors must be the driving force in our timing and decision making.

Conditions and parameters for re-opening:

1. Delaware is not yet in the position to know when the Phase 1 economic recovery will start, so ACT cannot foresee at this time a specific date for re-opening our many beaches. This decision should and will be linked to the Governor's establishment of Phase 1, 2 and 3 of the Economic Recovery. The non-essential travel ban is not lifted until Phase 2, so we should not be attracting non-residents to go to the beach by opening the beaches up in Phase I while non-residents are still mandated to not travel. The travel ban is an important valve in reducing travel to the beaches for nonessential, non-resident beach visits.

2. Considering the most current data on new cases, particularly in Sussex County, opening on or before Memorial Day weekend is not feasible. It appears unlikely at this point that Phase 1 will begin until after Memorial weekend. This will then put us in the position during the month of June to continue to gather experiences from other states as they open their beaches and to continue our dialogue with you over the coming weeks as more COVID-19 health data is forthcoming. It allows flexibility and evolution in the decision-making process regarding beach use. Data is the key to wise decision making.
3. While we had initially hoped that we could recommend a single plan for returning to beach use in all towns, it has become apparent to us that this is not the best approach. One size does not fit all beach towns, as there are significant differences between our towns pertaining to public demand, infrastructure (in terms of staff resources for closure and enforcement capability), and physical features (such as boardwalks and parking), that make a single policy for opening the beaches unwise. The very large volume of tourists in Rehoboth or Bethany Beach, for example, will pose a different level of challenges than in South Bethany, Dewey Beach, Henlopen Acres, Fenwick or Lewes.
4. We included Ocean City, MD in our discussions and they, following Governor Hogan's Roadmap to Recovery, have extended their emergency orders, enacted in March, which include closure of the beach, boardwalk and inlet parking lot, until May 15. In addition, restrictions on short-term rentals have been extended through May 22. **The amended declarations dates will be revised if Governor Hogan lifts the Stay-At-Home order as part of phase one of his Maryland Strong: Roadmap to Recovery.** Ocean City has not announced a date for reopening beaches but has extended the closure date and is linking their opening to Governor Hogan's lifting the travel ban.
5. We included DNREC's Division of Parks and Recreation in our discussion to compare what they are considering for the State beach parks. They have no specific date or process spelled out at this time but welcome our thinking and continued partnering as we continue to evolve our thinking.
6. It should be noted that currently the three oceanfront State Parks, Lewes and Henlopen Acres are allowing walking and exercising on their beaches. Rehoboth, Dewey, Bethany, South Bethany and Fenwick are currently closed to all beach use.
7. The short-term rental ban is as important as the nonessential travel ban in controlling the number of people at the beach. Once either or both of those are lifted, the potential crowding is likely to be overwhelming and rules in place on social distancing will be very difficult for our towns to control. State-supplemented staffing will be required to enforce social distancing on the beach in our view.

Our proposed path forward:

Rehoboth and Bethany, with boardwalks and boardwalk-front businesses, hotels and other rentals, and with ample public parking, anticipate a demand for beach use that will quickly lead to unenforceable crowding and risk of additional virus exposure. Simply stated, they will be overwhelmed once their beaches open. It is their intention to keep their beach and boardwalks closed until Delaware Recovery Plan **Phase 3** goes into effect.

The less congested beach towns of Lewes, Henlopen Acres, Dewey, South Bethany and Fenwick look for phased re-opening based on the Governor's "Restarting Delaware's Economy" phases as follows:

In **Phase 1**, they will open beaches to walking only and assess compliance. Lewes and Henlopen Acres are currently permitting this, and Dewey, South Bethany and Fenwick will join them in opening to that level of activity in Phase 1.

In **Phase 2**, all five of those towns will expand activities to include the broader use of exercising on the beach, small yoga classes, and recreation such as playing catch, kite flying, kicking a football or soccer ball. Available staff will try to enforce proper social distancing so that large crowds do not gather.

In **Phase 3**, the beach is fully open to all normal uses including swimming and sunbathing, and Rehoboth and Bethany will then open their beaches for the first time for all normal use. Dewey anticipates little ability to hold people back when 'beach-use light' at Phase 1 goes into effect and anticipates their users will charge forward to the Phase 3 level of use (swimming and sunbathing) with little ability to control it.

We understand that our conclusions and positions will prompt more discussion with you and your recovery team, and we are look forward to those conversations. This letter shares our best current thinking, and we anticipate that the changing conditions still ahead of us will require all of us to maintain flexibility as we address the many challenges coming in the weeks ahead. We look forward to your thinking about our beach openings and the conversations we anticipate this letter will promote.

Sincerely,



Gene Langan
ACT Chair
Mayor, Fenwick Island



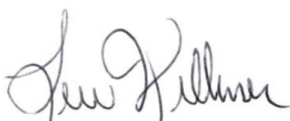
Paul Kuhns
ACT Co-Chair
Mayor, Rehoboth Beach



Ted Becker
Mayor
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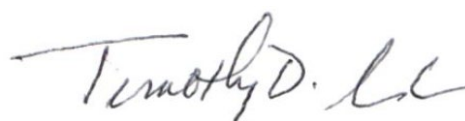
Dale Cooke
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Lew Killmer
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Joni Reich
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Tim Saxton
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