



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF WATER
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

WETLANDS &
WATERWAYS
SECTION

PHONE
(302) 739-9943

Andrew M. Bolduc and Maureen A. Bolduc
32410 Holly Terrace Road
Ocean View, DE 19970
Dredging Tax Parcel: 1-34-9.00-186.00
Disposal Tax Parcel: 1-34-7.00-187.00

Subaqueous Lands Permit: SP-065/18
Associated Permit: SA-199/09
Date of Issuance:
Construction Expiration Date:
Amended Date: N/A

SUBAQUEOUS LANDS PERMIT

GRANTED TO:

Andrew M. Bolduc and Maureen A. Bolduc

TO UTILIZE:

A 4 foot wide by 25 foot long dock

TO AUTHORIZE:

**A 4 foot wide by 1 foot long dock extension
with connecting 4 foot wide by 5 foot long access steps**

TO MECHANICAL MAINTENANCE DREDGE:

Approximately 153 ± cubic yards of material to a depth of - 3 feet MLW

LOCATED ON PRIVATE SUBAQUEOUS LANDS:

**In an Unnamed Lagoon east of White Creek,
Located at 32408 Holly Terrace Road,
Ocean View, Sussex County, Delaware**

TO DISPOSE OF THE DREDGED MATERIAL:

**Via long reach excavator into sealed dump trucks to a Burrow Pit,
Located Northeast of the Intersection of Irons Lane and Old Mill Road,
Dagsboro, Sussex County, DE
38.566005°, -75.134981°**

Pursuant to the provisions of 7 Del. C., §7205, and the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this _____ day of _____ A.D. 2024, to construct the above-referenced project in accordance with the approved plans (7 sheets), as approved on _____ as authorized by Secretary's Order No. _____,

and the application dated February 27, 2018, and received by this Division on March 5, 2018, and with subsequent information received on April 16, 2018, April 12, 2019 and February 19, 2020.

WHEREAS, pursuant to the provisions of 7 Del. C., §7203, the Secretary of the Department of Natural Resources and Environmental Control through his duly authorized representative finds that it is not contrary to the public interest if this project is approved subject to the terms and conditions herein set forth.

NOW THEREFORE, this Permit is issued subject to the attached Subaqueous Lands Permit General Conditions and the following special conditions:

SPECIAL CONDITIONS

1. This approval is in accordance with the plans and application submitted to the Department of Natural Resources and Environmental Control, a copy of which is attached hereto and made a part hereof.
2. This Permit is granted for the purpose of authorizing the existing docking facility and providing navigable water depths. Any other use without prior written approval shall constitute reason for this Subaqueous Lands Permit being revoked.
3. This Permit authorizes the as-built of the existing dock which in total encompasses the 4 foot wide by 26 foot long dock with connecting 4 foot wide by 5 foot long set of access steps.
4. This Permit shall be valid for a three (3) year period and authorizes the maintenance dredging of up to 153 cubic yards of material during one dredging event.
5. The Permittee shall perform the authorized dredging mechanically using a long reach excavator. The post dredging water depth shall not exceed 3 feet below mean low water. A post-dredging bathymetric survey of the site, showing depths relative to mean low water shall be submitted to this office within 60 days of the completion of the dredging.
6. This Permit authorizes the placement of the dredged material via long reach excavator into sealed dump trucks to a Burrow Pit located northeast of the intersection of Irons Lane and Old Mill Road, Dagsboro, Delaware (38.566005°, -75.134981°) only. Any further handling (including, but not limited to transportation, removal of the sediment or re-grading) requires prior notification to the Department. Additional authorization may be required at that time depending upon the proposed use.
7. The primary species of concern for the disposal site project area are Eastern Tiger Salamander (*Ambystoma tigrinum*). To protect this State endangered species, dredged materials shall be deposited at the disposal site during September and/or October.
 - a. If the material must be transported to the disposal site any other time of year, the Permittee shall contact the Department's herpetologist, Nate Nazdrowicz, two weeks prior to completing the work. Mr. Nazdrowicz can advise based on recent weather conditions whether it is safe to deposit the material. If it is not safe, Mr. Nazdrowicz will trap and relocate any tiger salamanders or larvae that are present prior to the disposal of the dredged material. Mr. Nazdrowicz can be contacted at Nathan.Nazdrowicz@delaware.gov.

8. Prior to the commencement of the dredging operations, the disposal area shall be examined to ensure that it is in good condition, and repairs shall be completed if necessary. The Permittee is also responsible to effectively maintain the disposal site during dredging and de-watering to avoid failure of the facility and to prevent the entrance of the dredged material into any surface water or wetland.
9. A temporary turbidity curtain shall be installed to minimize suspended solids and turbidity prior to the commencement of dredging operations.
10. All dredging and disposal shall be conducted in a manner consistent with sound conservation and water pollution control practices.
11. All waters disturbed during construction activities, except for those intended to be permanently altered for the authorized dredging, shall be restored to pre-disturbance conditions to include bank elevations and slopes, waterway and wetland surface elevations and contours, and wetland vegetation and densities.
12. Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the current Delaware Erosion and Sediment Control Handbook, so as to minimize entry and dispersal of sediment and other contaminants in surface waters.
13. The work authorized by this Permit is subject to the terms and conditions of the U.S. Army Corps of Engineers NAP-SPGP-18.

IN WITNESS WHEREOF, I, Matthew R. Jones, the duly authorized representative of Shawn M. Garvin, Secretary of the Department of Natural Resources and Environmental Control, have hereunto set my hand this _____ day of _____, 2024.

By Matthew R. Jones, Section Manager
Division of Water, Wetlands and Waterways Section

Julie R. Molina, Environmental Scientist
Wetlands and Waterways Section