



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

Abby L. Pubusky and Thomas A. Taylor II
211 S. Union Street
Kennett Square, PA 19348
Tax Parcel: 2-34-18.00-257.00

Wetlands Permit: WE-519/18
Associated Lease: SL-519/18
Date of Issuance:
Construction Expiration Date:
Amended Date: N/A

WETLANDS PERMIT

GRANTED TO:

Abby L. Pubusky and Thomas A. Taylor II

TO CONSTRUCT:

**A 3 foot wide by 150 foot long wetland walkway
Connecting to structures on public subaqueous lands authorized by: SL-519/18**

TO CONDUCT:

**Wetland restoration within the degraded wetland path previously accessed by ATV:
To abandon the ATV path,
and regrade existing ruts to elevations that support wetland vegetation.
After two growing seasons, if natural re-colonization does not result in 85% coverage,
then plant wetland seedlings to expedite revegetation.**

LOCATED IN STATE-REGULATED WETLANDS

**Adjacent to Herring Creek,
At 23854 Brant Circle,
The Cove,
Lewes, Sussex County, Delaware**

Pursuant to the provisions of 7 Del. C. §6604, and the Department's Wetlands Regulations, permission is hereby granted on this _____ day of _____ A.D. 2023, to construct the above-referenced project in accordance with the approved plans for this Permit (5 Sheets) as approved on _____, as authorized by Secretary's Order No. _____, the application dated December 21, 2018, and received by this Department on December 31, 2018 with subsequent information received on September 29, 2020, July 2, 2021 and August 15, 2022.

WHEREAS, pursuant to the provisions of 7 Del. C. §6604, the Secretary of the Department of Natural Resources and Environmental Control 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 Wetland Permit General Conditions and the following special conditions:

SPECIAL CONDITIONS

1. The activities authorized herein shall be for the explicit purpose of accessing a docking facility and conducting wetland restoration. Any other use without prior Department approval shall constitute reason for this Permit being revoked.
2. 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.
3. The Permittee shall conduct wetland restoration within the degraded wetland path previously accessed by ATV. Restoration shall occur over a phased approach. The existing ATV path shall be abandoned, and existing ruts shall be regraded to elevations that support wetland vegetation. Due to the seedbank available onsite, the existing marsh vegetation would be expected to naturally revegetate in the impacted areas. The Permittee shall monitor the site for two growing seasons to document revegetation. If natural re-colonization does not result in 85% coverage, then wetland seedlings are required to be planted to expedite revegetation.
4. The Permittee shall schedule and attend a meeting with this office at the end of the monitoring period. The Wetlands and Waterways Section will review the site to determine if it meets the requirements of the restoration project.
5. The wetland walkway shall be constructed and aligned in accordance with the approved plans in order to not exceed 150 linear feet. The location shall be sited 26 feet from the post in the steps and end 71 feet west of the first-raised western piling associated with the existing pier.
6. All walkway decking boards shall be spaced a width of at least 1/2 of an inch to provide adequate sunlight penetration to the wetlands vegetation beneath.
7. The walkway pilings shall be spaced a minimum of 8 feet apart in order to minimize pile driving in the wetlands.
8. The walkway pilings shall not be installed by jetting the pilings into the wetlands.
9. There shall be no movement of equipment within State-regulated wetlands not specifically authorized by this Permit. Any equipment traversing wetlands as may be authorized by this Permit shall be supported on mats. Any such areas disturbed shall be returned to preconstruction conditions/elevations and appropriately stabilized.
10. Disturbance of wetlands and/or aquatic vegetation adjacent to the permitted structure by burning, cutting, herbicide treatments, heavy equipment or other methods is prohibited with

the exception of controlling Common Reed (*Phragmites australis*). Disturbance of shallow water habitat or terrestrial habitat in the path of the construction shall be minimized.

11. All wetlands disturbed during construction activities, except for those intended to be permanently altered, 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. The work authorized by this Permit is subject to the terms and conditions of the U.S. Army Corps of Engineers CENAP-OP-R-SPGP-20 and Nationwide Permit no. 27.

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 _____, 2023.

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

Julie R. Molina, Environmental Scientist
Wetlands and Waterways Section



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**WETLANDS PERMIT
CONTRACTOR'S COMPLETION REPORT
POST-CONSTRUCTION**

Wetlands Permit Number: WE-519/18

Name: Abby L. Pubusky and Thomas A. Taylor II **Address:** 23854 Brant Circle
Lewes, DE 19958
Parcel #: 2-34-18.00-257.00

I hereby certify that I have constructed the project authorized by the above-referenced Wetlands Permit in accordance with the approved plans for the project.

Printed Name of Contractor

Name of Company

Contractor's Signature

Date

Telephone Number

Upon completion of construction, this form shall be completed, signed by the contractor, and mailed to the Wetlands and Waterways Section at:

**DNREC
Wetlands and Waterways Section
89 Kings Highway
Dover, Delaware 19901**

This form must be received by the Department within ten days of the date that construction is completed.

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For official use only

Compliance inspection date _____ *Built in accordance with plans* *Yes* *No*

Scientist: Julie R. Molina

Affix Proper
Postage
Here

Mail to:

DNREC – Wetlands and Waterways Section
89 Kings Highway
Dover, DE 19901

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WETLANDS AND WATERWAYS SECTION

PERMIT NO.: WE-519/18

CONSTRUCTION EXPIRATION DATE: _____

TO CONDUCT THE FOLLOWING ACTIVITIES:

TO CONSTRUCT:

A 3 foot wide by 150 foot long wetland walkway

TO CONDUCT:

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LOCATED IN STATE-REGULATED WETLANDS:

**Adjacent to Herring Creek,
At 23854 Brant Circle,
The Cove,
Lewes, Sussex County, Delaware**

ISSUED TO: Abby L. Pubusky And Thomas A. Taylor II

LOCATION OF WORK: Same as above

**DISPLAY THIS CERTIFICATE IN A HIGHLY
VISIBLE LOCATION ON THE JOB SITE.**

Authorized by: _____