



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

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

**WETLANDS &
SUBAQUEOUS LANDS**

PHONE
(302) 739-9943

July 16, 2021

Abby L. Pubusky and Thomas A. Taylor II
211 S. Union Street
Kennett Square, PA 19349

Jurisdictional Determination No.: JD-266/21
RE: State-Regulated Wetland Jurisdictional Determination at 23854 Brant Circle Lewes, DE 19958
Tax Parcel #: 2-34-18.00-257.00

Dear Ms. Pubusky and Mr. Taylor:

On March 11, 2021 the Wetlands and Subaqueous Lands Section (WSLS) completed a jurisdictional determination on the property located at the above referenced parcel in Lewes, DE. The purpose of this jurisdictional determination was to delineate the State-regulated wetlands located on the parcel and identify the areas subject to 7 Del. C., Chapter 66, The Wetlands Act and the associated "Wetlands Regulations". The jurisdictional determination was requested to determine the location of a proposed wetland walkway.

An assessment of State Wetland Regulatory map # 82 indicates that wetlands on the above-referenced tax parcel fall within the boundary of State-regulated wetlands. These findings were verified using 2017 aerial photography and geographic information systems software to project digitized representations of the State-regulated tidal wetland lines on top of the aerial photos. The aerial was then uploaded and the online map was then used in the field to identify points along the State-regulated wetlands line.

During the site visit, the State-regulated wetland line was delineated in the field by Matthew Jones and Julie Molina of DNREC's Wetlands and Subaqueous Lands Section (WSLS). While on-site, WSLS staff utilized a Global Navigation Satellite System (GNSS) receiver capable of survey-grade accuracy to field identify the location of State-regulated wetlands. Six pink, wire flags were then placed at the landward limit of State-regulated wetlands and an additional six pink, wire flags were placed at the channelward limit of State-regulated wetlands. The latitudinal and longitudinal coordinates (in decimal degrees) contained in the table below delimit the State-regulated wetland jurisdictional boundaries on your property adjacent to the location of the proposed wetland walkway. All points were collected with centimeter grade accuracy. The enclosed aerial photograph and GPS coordinates can be used to re-create the State-regulated wetlands line in the event the flags are washed away or removed. It is also possible to hire a surveyor to survey the points delineated by the flags and transfer those points onto a property survey.

<u>State-regulated Wetlands</u>		
<u>Flag Location</u>	<u>Latitude</u>	<u>Longitude</u>
1	38.66024961	-75.16158084
2	38.66020288	-75.16149757
3	38.66014541	-75.16141259
4	38.66013314	-75.16136423
5	38.66012953	-75.16128987
6	38.6601271	-75.16123481
7	38.65957414	-75.16131201
8	38.65957998	-75.16142475
9	38.65963228	-75.16144986
10	38.65968684	-75.16147715
11	38.65980447	-75.16152217
12	38.6597369	-75.16148504

To conclude, the flags referenced above represent the positions of the State-regulated wetland boundaries. The comma-separated values (CSV) file of the coordinates will be electronically mailed to you. In addition, a map is included with this letter identifying the locations of the flags denoting the State-regulated wetlands adjacent to the proposed wetland walkway overlaid onto 2017 aerial photography. Any activities conducted in State-regulated wetlands will require authorization from the Wetlands and Subaqueous Lands Section. This letter does not exempt you from obtaining proper permits through the U.S. Army Corps of Engineers and other State or Government Agencies, as appropriate.

This jurisdictional determination is valid and can be relied upon for a period of three (3) years from the date of this letter.

If you have any questions or concerns about this determination, please feel free to call me at (302) 739-9384.

Sincerely,

Julie R. Molina
Environmental Scientist
Wetlands and Subaqueous Lands Section

CC: Steven M. Smailer, Environmental Program Administrator, Division of Water
Matt R. Jones, Environmental Program Manager, Wetlands and Subaqueous Lands Section

Enclosures: CSV File, 2017 Aerial Map



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Surdex Corp, 2017

Note, flag locations depicted are for guidance purposes only.
Reference the coordinates enclosed within JD-266/21.