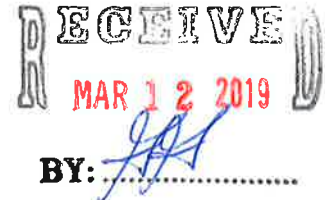


Geatz, George W. (DNREC)

From: Calder, Gayle H. (DNREC)
Sent: Tuesday, March 12, 2019 12:23 PM
To: Esposito, Katie (DNREC); Geatz, George W. (DNREC); Jones, Matthew R. (DNREC); Messick, Zachary M (DNREC); Molina, Julie (DNREC)
Cc: Brown, Tyler (DNREC); Smailer, Steven M. (DNREC)
Subject: FW: PN#5

Expires: Friday, May 31, 2019 12:00 AM

Switch-MessageId: 2b8177e8c26749f79e81334b05a6e152



From: Stetzar, Samantha (DNREC) <Samantha.Stetzar@delaware.gov>
Sent: Tuesday, March 12, 2019 12:13 PM
To: Calder, Gayle H. (DNREC) <Gayle.Calder@delaware.gov>
Subject: PN#5

LEGAL NOTICE

DNREC- Division of Water, Wetlands and Subaqueous Lands Section
Public Hearing

Sargio Corporation-The Department of Natural Resources and Environmental Control, Division of Water, Wetlands and Subaqueous Lands Section will conduct a public hearing on Sargio Corporation’s application to dredge material from Bay Vista Marina located at the end of Basin Street in Rehoboth Beach, Sussex County, and to dispose of the material on an adjacent upland parcel.

Sargio Corporation proposes to mechanically maintenance dredge 3,500 cubic yards of material to a depth of 4 feet below mean low water in the marina basin and to a depth of 6 feet below mean low water in the access channel. The total area of the marina basin to be dredged is 0.65 acres and the total area of the access channel is 0.11 acres.

The disposal area is directly adjacent to the marina to the north and is also owned by Sargio Corporation. The area is 0.34 acres in size and will be prepared by excavating a 2-3 foot deep cut and using the excavated material to create a 4 foot high earthen berm around the site. Silt fencing will also be placed around the bermed area. Following placement of the dredge spoil in the disposal site, the material will be allowed to dewater and will then be stabilized by leveling, capping with upland soil on top, and seeded.

The public notice of the Department’s receipt of the application was published in The News Journal and the Delaware News on September 19, 2018. The Department received a public hearing request on October 3, 2018. Pursuant to the requirements of the Subaqueous Lands Act (7 Del C., Chapter 72) and “The Regulations Governing the Use of Subaqueous Lands”, the Department of Natural Resources and Environmental Control will conduct a public hearing on March 14, 2019 at 6 pm at the DNREC Lewes Field Office, located at 901 Pilottown Rd., Lewes, DE 19958. The purpose of the hearing is to provide the public an opportunity to comment on the aforementioned permit application, and will include a presentation from DNREC staff.

“Given the close proximity of the project area to the Rehoboth Bay, and its importance to the larval ingress of summer flounder, we recommend that **no** dredging occur from March 1st – September 30th. This TOYR would

reduce the potential impact of dredging activities, within the canal or near the entrance of the marina to the canal, on young of the year and juvenile summer flounder.”

If you have any questions or need more information, please let me know.

Many Thanks,
Samantha Stetzar

RECEIVED
MAR 12 2019
BY: *[Signature]*

HARVEY Lee JANVIER JR.

DARLENE A JANVIER

37483 BASIN ST.
Bay Vista, Rehoboth Beach
Delaware, 19971
302-6905300

RECEIVED
MAR 08 2019

BY: *[Signature]*

TO: Bethany Fiske, OFFICE OF THE Secretary
Department of Natural Resources & Environmental
Control, 89 Kings Highway Dover, DE, 19901

We ARE IN FAVOR OF the
Dredging, AS IT IS A WATER SAFETY
CONCERN, MARINA AT LOW TIDE IS NOT
ACCESSIBLE TO EMERGENCY RESPONSE
VEHICLES.

THANK YOU
MR. HARVEY Lee JANVIER
Mr. Harvey Lee Janvier

Mrs. Darlene Janvier
Mrs Darlene Janvier

RECEIVED
MAR 08 2019

BY: *[Signature]*



RECEIVED
MAR 08 2019

BY: *[Signature]*



From: Curtis Leciejewski <ddscjl@aol.com>
Sent: Monday, March 4, 2019 11:55 AM
To: Fiske, Bethany (DNREC) <Bethany.Fiske@delaware.gov>
Subject: Bay Vista Dredging



Dear Bethany,

My name is Dr Curtis Leciejewski and I live in Bay Vista at 21073 Crazy Lane – Rehoboth Beach DE 19971, which is at the end of 5th street back in Bay Vista on the water. There are 2 things that I wanted to make a comment on.

One is that I am in full support of dredging in this area to allow for better boating access. Also, in this proposal would there be dredging going on in the canal that is directly behind my house? This area is in major need of dredging also.

Another point I wanted to bring up was – directly behind my house on Robin Lane there is a little outlet of land with many trees that are dead and some dying due to severe erosion that has gone on over the last 5-7 years. Many of these trees are ready to fall over into the waterway behind my house. There are a couple that already have been toppled. I contacted the state a few years back but never got anywhere with regards to having anything done. The erosion has substantially increased in that time as well. How do I go about having the state look into this as I think this is state land.

I appreciate your help in this matter.

Sincerely,

Curtis J Leciejewski DDS
21073 Crazy Lane
Rehoboth Beach DE 19971

My cell number is 302-228-1400 – please call me anytime for any other information you may need.

Morris JamesLLP

David C. Hutt
302.856.0018
dhutt@morrisjames.com

March 13, 2019

**Via: Email to Bethany.Fiske@delaware.gov
and U.S. Mail, First Class and Certified**

No. 7016 2140 0000 9657 8057

Office of the Secretary
Department of Natural Resources and Environmental Control (DNREC)
Hearing Officer: Bethany Fiske
89 Kings Highway
Dover, Delaware 19901

**RE: Bay Vista Marina Dredging Project; Public Hearing: March 14, 2019;
Permit # 368/18**

Dear Ms. Fiske:

This firm represents Henry and Pheobe Shaubach (the "Shaubachs"). I write to express my client's sincere and vehement opposition to Sargio Corporation's ("Sargio") application filed August 20, 2018 and amended February 15, 2019 (collectively the "Application") with the Department of Natural Resources and Environmental Control ("DNREC"). Sargio seeks approval to dredge the Bay Vista Marina and dump the spoils on Sargio property directly adjacent to the Shaubachs' home, located at 37499 1st Street, Rehoboth Beach, Delaware. This letter outlines the legal and practical deficiencies contained within Sargio's Application and asks that it be denied.

The Property

The Shaubachs' home lies on a picturesque parcel of land, just feet from the Lewes-Rehoboth Canal, with the property's back yard and one of its side yards adjacent to scenic marshland. Sargio seeks to dump 3,500 cubic yards of material dredged from the bottom of Bay Vista Marina onto Sussex County Tax Parcel #334-19.16-23.02. The Shaubachs' home is directly adjacent (SCTP # 334-19.16-135) to, and mere feet away from, the proposed dumping site. To be exact, the Shaubachs' home is less than 100 feet from the dumpsite.¹

¹ Exhibit "A" depicts the Shaubach's home in relation to the proposed dumping site with a Google Earth measurement from the dumpsite to the home.

The Material

Notably, and of great concern to the Shaubachs, the Application indicates the chemical composition of the dredged material has not been tested whatsoever. It appears at this point that the public record is devoid of any actual chemical testing related to the material to be dredged.² The Application states that 3,500 cubic yards of material will be deposited on the proposed dumpsite. Roughly speaking, 3500 cubic yards equates to 12 million pounds of material. It is candidly shocking to the Shaubachs that, contrary to the regulations applicable to DNREC for dredging permits, Sargio has not been required to provide the public notice as to what chemical contaminants exist in the spoils, especially when such material is to be dumped mere feet from the Shaubachs' home and water source.

Contamination zones are located very close to the dredging area.

The Lewes-Rehoboth canal is historically a location where heavy industrial use has occurred. The Rehoboth Beach Waste Water Treatment Plant is located less than five hundred feet, essentially across the canal, from the dredging area. Further, a four acre Brownfield, the Oyster House Village Site, is located less than half a mile from the dredging area.³ Additionally, the Lewes Boat Yard Brownfield Site is located just six miles from the dredging area.⁴ Finally, the heavy boat traffic in the canal leads to the presumption that the dredged material will contain marine-related toxins that must be properly identified and removed prior to disposal of possibly contaminated material only feet from the Shaubachs' property and the well on the Shaubach's property which supplies potable water to their residence.

Sargio Ignored the Application's Required Chemical Testing of the Dredged Material.

Appendix R, page 1, of the Application, states "Bottom samples to determine heavy metals or other toxic materials must be taken and analyzed if deemed necessary by the DNREC staff."

² Chemical testing may have been conducted, however, a review of the analysis by Seewald Laboratories, Inc., which does not exist anywhere in the public record, appears to prove the Shaubach's point. The testing shows heavy metals including Barium, Chromium, Lead, Selenium and Mercury are present in the spoils in amounts all significantly above the reporting limits. The public record must be supplemented to establish what these levels mean in terms of adverse health impacts to the public. In addition, the lack of the public record regarding any testing also leaves DNREC with no basis to conclude that adequate testing of the entire dredging area was conducted. Finally, the testing methodology is incomplete as it indicates a "grab" sample was collected but does not appear to provide enough information to demonstrate the sampling methodology and plan to ensure that the quality of sludge tested is representative of the sludge proposed for removal.

³ Exhibit "B" Certified Brownfield Sites in Delaware dated February 7, 2019.

⁴ *Id.*

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Page 2 goes on under section 7 b., “Chemical composition of material – Many areas have sediments with high concentration of pollutants (chemicals, organics, etc.) which may be re-suspended or reintroduced into the water. For heavily industrialized sites, a chemical analysis of this material should be provided (if applicable).” DNREC regulations governing Surface Water Quality actual include “dredged spoils” within the definition of the term “Pollutant.”⁵ Sargio unsatisfactorily answers the aforementioned question, “Information not available.” Sargio provides no basis to conclude that the information is not available, and perhaps should have answered that the requisite testing was ignored, or just not provided to DNREC to supplement the public record. The dredging area is immediately adjacent to a wastewater treatment facility, mere feet from one Brownfield, with another site miles away yet Sargio has failed to comply with basic Application instructions to provide chemical testing information to DNREC. As DNREC is aware, the Lewes-Rehoboth Canal along which the Bay Vista Marina is located is a tidal body. It is impossible to believe that the location of a wastewater treatment facility and Brownfield site within close proximity has not resulted in contamination of the bottom of the marina. The failure to perform any meaningful testing and supply such to the public record, when 12 million pounds of material is to be dumped feet from the Shaubachs’ property, should provide DNREC an adequate basis to deny the Application.

Shaubachs’ Water Quality

The potential danger related to the dumping of dredged material just feet away from the Shaubachs’ property is compounded by the fact that the Shaubachs’ potable water is supplied from a well, not from public water as claimed by Sargio in the Application.⁶ To be clear, the Shaubachs’ home is not served by public water, they have a well. Page 2, section 9 (c.) of the Appendix R asks, “What type of leachates will be produced by the spoil material and what is planned for the protection of groundwater?” Continuing with Sargio’s disregard of the possible contaminants contained within the dredged material, Sargio completely fails to describe what type of leachates may be within the spoil, and mistakenly avers that all of Bay Vista, including the Shaubachs’ property, is served by city water. In conclusion, Sargio asks DNREC to approve the dumping of 12 million pounds of material required by the Application to be chemically tested mere feet away from the Shaubachs’ potable water supply. Sargio asks DNREC’s approval to do so without any public record identifying the potential contaminants contained within the material or an examination of possible negative health affects to the surrounding community.

⁵ See 7 Del. Admin. § 7401 – 2.0.

⁶ See the Application Appendix R “Land Disposal Areas” 9c.

The Regulations

In addition to the myriad of problems mentioned above, and perhaps most importantly to DNREC's decision, the Application does not comply with DNREC regulations applicable to dredging permits. Certain DNREC Administrative Regulations under Title 7 including: Section 7500 Wetlands and Subaqueous Lands, Section 7501 the Marina Regulations, Section 7504 Regulations Governing the Use of Subaqueous Lands, and possibly Section 1301 Regulations Governing Hazardous Materials Section 1301, apply to Sargio's dredging activities.⁷ Further, dredging operations must comply Surface Water Quality Standards under 7 Del. Admin. § 7401.⁸

Marina Regulations (7 Del. Admin. § 7501)

7 Del. Admin. § 7501 - 11.4.2.1 requires that “[d]redging [] should avoid sensitive areas such as wetlands, shellfish resources, and SAV.”⁹ Nothing contained within the Application identifies whether Sargio considered or proposes to implement measures to avoid areas sensitive to aquatic life. In fact, Page 3 of Appendix R, indicates that its dredging and disposal schedule will be conducted in late fall/winter 2018/2019. However, given the Application's Public Hearing is scheduled for March 14, 2019, it is possible the dredging activities will occur in the spring, a time of year the same Appendix identifies as potentially important for aquatic life. Nothing in the Application establishes that short and long-term impacts on SAV and other aquatic life has been avoided and that any impacts have been minimized.¹⁰

Under 7 Del. Admin. § 7501 - 11.4.2.3, “[d]redging activities shall not be approved until the applicant can demonstrate that both initial and future maintenance dredging demands can be accommodated by the proposed disposal plan. Future maintenance dredging shall be estimated using a project life not less than 30 years unless the applicant can provide good reasons why the project life will be less than 30 years.” Again, the Application has no information whatsoever regarding future maintenance dredging demands and whether the current disposal plan can accommodate future disposal needs. Per the Application, the proposed disposal site is limited to

⁷ 7 Del. Admin. § 7501 - 11.4.2 “Dredging and Dredged Material Disposal. Dredging and dredged material disposal activities shall be in accordance with 7504 Regulations Governing the Use of Subaqueous Lands, as authorized by 7 Del.C., Ch. 72, and the following. Dredged material disposal activities may also be regulated, depending upon the nature of the spoil material, by 1301 Delaware Regulations Governing Solid Waste or 1302 Delaware Regulations Governing Hazardous Waste.”

⁸ 7 Del. Admin. § 7501 - 11.4.2.1 “Delaware Surface Water Quality Standards (Regulation 7401) must not be violated because of dredging operations.” 7 Del. Admin. § 7501 - 11.4.6.2 “Marina construction, maintenance, *dredged material disposal*, or operation shall not be allowed to contaminate a public water supply as defined by 7401 Delaware Surface Water Quality Standards, whether existing or reserved for future use.” (emphasis added).

⁹ 7 Del. Admin. § 7501 - 11.3.6. SAV means “Submerged Aquatic Vegetation. SAV is protected because it provides shelter and a source of food to small aquatic organisms, and because of its ability to filter and remove suspended solids and disperse wave energy.”

¹⁰ 7 Del. Admin. § 7501 - 11.3.6.1.

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“(0.35) acre in size, and will accommodate up to 3,500 c.y.” The Application is devoid of any mention of what will happen to future disposal of dredged materials.

Regulations Governing the Use of Subaqueous Lands (7 Del. Admin. § 7504).

Under 7 Del. Admin. § 7504 - 4.11.2, “[t]he Department shall consider the following additional factors in reviewing a dredging, filling, excavating, or extracting application:” including “Any environmental impacts at and surrounding the dredging site(s).” As stated *supra*, the potential environmental impacts on the Shabauchs’ water quality have not been considered, if not completely ignored. Sargio failed to test the dredging spoils, while at the same time presented false information to DNREC regarding the water source for the Schuabachs’ property. “All dredging is to be conducted in a manner consistent with sound conservation and water pollution control practices.”¹¹ Sargio has failed to recognize that dumping untested spoils on land immediately adjacent to the Shaubachs’ water supply does not comport with dredging “conducted in a manner consistent with sound [] water pollution control practices.”¹² DNREC must, at a minimum, require Sargio to make a public record regarding the chemical composition of the spoils.

Regulations Governing Hazardous Materials (7 Del. Admin. § 1301)

“Dredged material disposal activities may also be regulated, depending upon the nature of the spoil material, by 1301 Delaware Regulations Governing Solid Waste or 1302 Delaware Regulations Governing Hazardous Waste.”¹³ 7 Del. C. § 6302 (8) and (12) defines hazardous waste and solid waste:

(8) "Hazardous wastes" means a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical or chemical characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating irreversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of . . .

(12) "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities . . .

¹¹ 7 Del. Admin. § 7501 - 4.11.3.1.

¹² *Id.*

¹³ 7 Del. Admin. § 7501 - 11.4.2.

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As discussed above, Sargio seeks approval to dispose 12 million pounds of material, defined as a “Pollutant” in DNREC regulations, on land feet from the Schaubach’s property and drinking supply, without any public record regarding whether the dredged spoils are hazardous or not. The Application fails to identify the precautionary measures Sargio is obligated to abide by DNREC regulations if the dredged material is in fact hazardous to human health. Without further inquiry into the chemical makeup of the spoils, DNREC should not be satisfied that Sargio has complied with the Regulations designed to protect the community from hazardous waste disposal.¹⁴

Storm Water Management

A final concern of the Schaubachs is the unknown drainage consequences of dumping 12 million pounds of material down-elevation from the Schaubachs’ home. As DNREC is well aware, drainage in Sussex County, especially in the coastal regions, is a significant problem. As is the case in many communities near the Rehoboth Bay, at this particular site higher elevations exist to the west, with storm water flowing down-hill toward the Bay. This means that storm water flows down 1st street through the Schaubachs property over the proposed disposal site, and into the marsh. Therefore, disposal of the dredged spoils will act as a 12 million pound backstop immediately adjacent to the Schaubachs’ home, blocking storm water and creating a ponding effect on the Schaubach’s land. “Delaware law recognizes that ‘[a]n upper landowner unquestionably has the right to drain water by means of its natural flow toward downstream properties.’”¹⁵ The Sussex Conservation Application submitted by Sargio fails to identify the potential storm water drainage impact on the Schaubach’s property or a plan to maintain storm swales or other remedial measures to stop drainage damage in the future. At a minimum, Sargio should be required to analyze and propose a mitigation plan for any potential storm water impacts occurring as a result their proposed dredging.

Conclusion

While the approach proposed by this Application may be economically expedient for Sargio, DNREC is charged with determining at what cost this expedience comes to the environment and to neighboring properties—such as the Schaubach’s property.

There are numerous reasons, both substantive and legal, as to why DNREC should deny the Application. Sargio’s failure to evaluate the chemical composition of the spoils, the likely impact on the Schaubachs’ drinking water and the lack of a plan for drainage problems arising

¹⁴ It is recognized that under 7 Del. Admin § 1302 § 261 dredged material is not a hazardous waste if said materials are subject to the requirements of a permit issued by the Army Corps of Engineers, however, the Application indicates that a Federal Permit from the Corps is pending but is currently available. The Corps’ application was applied for in August of 2018 but inexplicably Sargio has not identified whether the permit was granted or not.

¹⁵ *Robinson v. Oakwood Village, LLC et al.*, C.A. No. 10154-VCG (Del. Chan. Apr. 28, 2017) (citing *Quereguan v. New Castle Cty.*, 2010 WL 4241583, at *5 (Del. Ch. Oct. 22, 2010)).

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Morris James^{LLP}

from the disposal, should alone be enough to deny the Application. However, if DNREC is inclined to grant the Application on its merits, the failure of the Application to comply with DNREC's own Regulations warrants a challenge of any Application approval as being contradictory to an orderly and logical deductive process.

Thank you for your attention and consideration of this matter.

Very Truly Yours,

MORRIS JAMES, LLP


David C. Hutt, Esquire

Enclosure

EXHIBIT "A"



Measure distance

Click on the map to add a point

Total distance: 98.01 ft (29.87 m)

EXHIBIT “B”

Certified Brownfield Sites in Delaware

February 7, 2019

	DE-#	Site Name	Address	Certification Date	Acreage
1	DE-1252	Cannery Village	703 Chestnut Street, Milton	5.7.02	35.00+/-
2	DE-1206	920 French St.,	920 French St., Wilmington	9.11.02	1.70+/-
3	DE-1169 (BPA) DE-1203 (VCP)	Hessler Property	401 Garasches Lane, Wilmington	9.17.02	8.75+/-
4	DE-1087	Deemer Steel	9th & Washington Sts., New Castle	9.17.02	6.74+/-
5	DE-1237	Riverfront Office Building	101 Avenue of the Arts, Wilmington	9.17.02	1.97+/-
6	DE-0197	Harper Thiel	3201 Miller Rd., Wilmington	9.17.02	2.48+/-
7	DE-1147	Peninsula Park	Lots 1, 2, 3, Industrial Street, Wilmington	11.19.02	12.00+/-
8	DE-0163	Del Chapel Place	1 Scholar Dr. (Formerly 70 S. Chapel St., Newark)	11.19.02	21.00+/-
9	DE-0084	Dureco	New Castle	12.12.02	98.00+/-
10	DE-1277	Former BABS Real Estate Property	Marsh Lane. Wilmington	01.09.03	5.0+/-
11	DE-1057	Penn-Del	S. Walnut St., Wilmington	02.10.05	5.0+/-
12	DE 1167	Lewes Boat Yard	Front Street & Lewes-Rehoboth Canal, Lewes	04.15.03	1.27+/-
13	DE-1068	DE Compressed Steel	503 S. Market St., Wilmington	04.15.03	2.4+/-
14	DE-0199	NVF-Newark	Margaret & Race Sts., Newark	05.21.03	10.20+/-
15	DE-1198	Wilmington Rolling Mills	11 th and Church Streets, Wilmington	08.25.03	3.10+/-
16	DE-1291	320 "A" Street	320 A Street, Wilmington	08.25.03	5.30+/-
17	DE-1294	Peninsula Ventures	7 th and Industrial Streets, Wilmington	10.27.03	16.70+/-
18	DE-1206	900 French Street	900 French Street, Wilmington	09.23.03	0.90+/-
19	DE-1171 (BPA)	Capitol Scrap	West Street, Dover	09.23.03	1.50+/-
20	DE-1181	Cobra Machine	2 James Ct., Wilmington	02.04.04	1.70+/-
21	DE-1224	Christina Landing Townhomes	200-207 A Street, Wilmington	02.05.04	2.0+/-
22	DE-1228	Christina Landing Tower 1	200-207 A Street, Wilmington	02.05.04	2.0+/-
23	DE-1247	Christina Landing Tower 2	200-207 A Street, Wilmington	02.05.04	3.97+/-
24	DE-0066	ACE/Eastern Disposal	Dover	04.16.04	26.3+/-
25	DE-1310	Basher Lane	Basher Lane, Hockessin	02.17.04	11.8+/-

26	DE-1281	Petrillo Prop.	758 Grantham Ln, New Castle	04.13.04	30.0+/-
27	DE-1309	Riverfront Headquarters/AAA	Justison and West Sts., Wilm	04.13.04	2.43+/-
28	DE-1322	Ion Power	0 Governor Lea Road, Bear	05.04.04	18.5+/-
29	DE-1324	Riverwalk at Deemers Beach	Route 9, New Castle	08.24.04	60.75+/-
30	DE-1328	Marina Overlook	500 Industrial Park, Wilmington (7 th St. Penin.)	08.24.04	13.24+/-
31	DE-1293	Christina Marina	1126 E 7 th St., Wilmington	09.22.04	8.3+/-
32	DE-1332	Madison Garden	710 W 3 rd St., Wilmington	02.10.05	0.76+/-
33	DE-1347	Speakman Townhomes	301 E. 30 th St., Wilmington	02.10.05	6.2+/-
34	DE-1300	Russell-Stanley	1207 E. 12 th Street, Wilmington	02.10.05	15.0+/-
35	DE-1342	Sussex Materials	Wintjen Road, Milford	02.10.05	17.1+/-
36	DE-1345	Former New Arc Welding	0-40 Commerce St., Wilmington	02.10.05	29.0+/-
37	DE-0270	Budd Metal	1000 S. Heald St., Wilmington	05.04.05	11.74+/-
38	DE-1110	Dover Ice House	645 W North St., Dover	07.29.05	2.59+/-
39	DE-0324	Wiley Cork	1400 N Church, 904-906 E 16 th Sts., Wilmington	07.29.05	3.79+/-
40	DE-1359	DelSteel	8 Eastlawn Ave., Wilmington	07.29.05	1.6+/-
41	DE-0325	Burns & McBride	101. S. Market St., Wilmington	08.26.05	1.5+/-
42	DE-1360	Former Timmons Marina	Dagsboro, DE	08.19.05	51.9+/-
43	DE-1248	5 th & Tatnall	415-127 Tatnall St., Wilmington	11.14.05	0.11+/-
44	DE-1369	Naga Foods	1331 N. Heald St., Wilmington	11.18.05	0.5+/-
45	DE-1372	Habitat for Humanity of New Castle County Property	1330 Thatcher Street, Wilmington, DE 1303 N. Heald Street, Wilmington, DE	12.15.05	0.76+/-
46	DE-1374	NVF Wilmington Property	700 Maryland Avenue, Wilmington, DE	1.26.06	2.01+/-
47	DE-1357	Lexington Avenue Property	513 Lexington Avenue, Smyrna, DE	2.10.06	2.4+/-
48	DE-1427	Chem-Solv Property	5301-03 North DuPont Highway, Cheswold, Delaware	3.23.06	2.4+/-
49	DE-1329	707 S. Market Street	707 S. Market Street, Wilmington	3.24.06	2.4+/-
50	DE-1382	38 Vandever Avenue	38 Vandever Avenue, Wilmington, Delaware 19801	3.24.06	0.38+/-
51	DE-1377	Justison Landing Project	300, 350 & 400 S. Madison Streets Wilmington, Delaware 19810; amended to include a portion of 221 S. Madison and the "triangle."	4.6.06 6.8.06	11.0+/-

52	DE-1384	Up the Creek Restaurant	1195 E. Seventh Street, Wilmington, Delaware 19801	4.13.06	4.52+/-
53	DE 1389	Schwartz Property	201-211 South Market Street Wilmington, Delaware 19801	6.13.06	0.62+/-
54	DE-1385 DE-0131 & DE-1331	Christina Crescent Property	100 Justison Street 101 South West Street, Wilmington, Delaware, 19801	6.13.06	5.9+/-
55	DE-0327	Bell Funeral Home Property	1908,1914,1920, 2002 and 2004 N. Market Street, Wilmington Delaware 19801	6.20.06	1.7+/-
56	DE-1393	Intersection of Rt. 13 and Rt.154	North DuPont Highway, Rose Bowl Road (Rt. 154) and Rt. 13 Dover, Delaware 19901	6.23.06	1.3+/-
57	DE-1376	Delaware Humane Association Property	701 A Street, Wilmington, Delaware 19801	6.23.06	6.05+/-
58	DE-0328	12 th and Brandywine Streets Garden Project Property	12 th and Brandywine Streets, Wilmington, Delaware 19801	6.26.06	0.33+/-
59	DE-1394	0 Miller Road Property	0 Miller Road, New Castle, Delaware 19720	8.02.06	2.3+/-
60	DE-1392	Railroad Crossing Project Property	5 th and Duncan Streets, Wilmington, Delaware 19801	8.02.06	3.0+/-
61	DE-1396	New Castle Avenue and B Street Lots Project Property	New Castle Avenue and B Street Wilmington, Delaware 19801	8.07.06	0.34+/-
62	DE-1395	Pavilion Project	501 N. DuPont Street Wilmington, Delaware 19805	8.15.06	0.71+/-
63	DE-1397	1101 East 8 th Street Property	1101 East 8 th Street, Wilmington Delaware 19801	8.18.06	1.2+/-
64	DE-1367	Newark Housing Authority Cleveland Heights Development	McKee Lane & Terrace Drive Newark, Delaware 19711	9.29.06	6.77+/-
65	DE-287	Former Peninsula Plating Facility Property	West 5 th Street and River Road Blades, Delaware 19973	10.31.06	5.73+/-

66	DE-1405	Heald Street Concrete Plant Property	1100 South Heald Street Wilmington, Delaware 19801	12.12.06	9.07+/-
67	DE-0151	Donovan Property	16773 Old Orchard Road Lewes, Delaware 19958	12.12.06	7.98+/-
68	DE-1383	600 A Street Property	600 A Street Wilmington, Delaware 19801	12.12.06	2.0+/-
69	DE-1334	Former Chesapeake Supply	West Street/Railroad Street Corridor Dover, Delaware 19901	12.15.06	1.3+/-
70	DE-1404	1000 East 12 th Street Property	1000 East 12 th Street Wilmington, Delaware 19801	1.5.07	6.77+/-
71	DE-1401	Howard Street Commercial Redevelopment Property	310-600 South Market Street Wilmington, Delaware 19801	1.10.07	8.7+/-
72	DE-1408	SIP, Inc. Property	1101 and 1225 East 8 th Street Wilmington, Delaware 19801	1.10.07	6.0+/-
73	DE-045	Deemer Landfill Property	9 th and Washington Streets New Castle, Delaware 19720	1.10.07	4.3+/-
74	DE-1410	1190 E. 7 th Street Property	1190 E. 7 th Street Wilmington, Delaware 19801	6.06.07	1.44+/-
75	DE-1412	Former Milford Fertilizer Property	4991 Summit Bridge Road Middletown, Delaware 19963	6.07.07	4.57+/-
76	DE-1414	Pep Up/Calhoun Property	Route 113 and Laurel Road Georgetown, DE 19947	8.03.07	13.0+/-
77	DE-1418	Limestone Shopping Center Property	2600 Limestone Road Marshallton, DE 19808	10.03.07	4.7+/-

78	DE-1461	(Formerly) NVF Yorklyn Property/Yorklyn Redevelopment Project	1166 Yorklyn Road Yorklyn, Delaware 19736	10.03.07	37.0+/-
79	DE-1420	Former Kershaw Construction Property	473-475 Old Airport Road New Castle, Delaware 19720	10.10.07	1.92+/-
80	DE-1419	Delaware and Van Buren Avenue Property	Intersections of Delaware Avenue and Van Buren Street Wilmington, Delaware 19801	10.10.07	1.69+/-
81	DE-1424	Mt. Vernon Street Property	00 Mt. Vernon Street Smyrna, Delaware 19977	12.5.07	0.57+/-
82	DE-1158	Former P&C Roofing Property	720 South Madison Street Wilmington, Delaware 19801	12.5.07	1.33+/-
83	DE-1425	Former Star Building Property	123 South Justison Street Wilmington, Delaware 19801	12.05.07	0.33+/-
84	DE- 1109	Brandywine Fibre Property	1421 Clifford Brown Walk Wilmington, Delaware 19801	12.05.07	1.2+/-
85	DE-1423	Panella Ski Shop Property	3916 Concord Pike Wilmington Delaware 19803	12.05.07	0.18 +/-
86	DE-1428	Crozier Center Property	400 Christiana Road Newark, Delaware 19713	1.4.08	25.25+/-
87	DE-1429	97 Vandever Property	97 Vandever Avenue Wilmington, Delaware 19802	1.4.08	1.01 +/-
88	DE-1426	Dureco Landfill Property	950 River Road New Castle, Delaware 19720	1.17.08	7.74+/-
89	DE-1430	Lippincott Project	300, 308, 314, 316 and 318 N. Market Street/7 and 9 E. Third Street/ 4 E. Fourth Street, Wilmington, Delaware 19801	1.25.08	0.6 +/-
90	DE-1314	Former Dover Machine Works	326 West Loockerman Street Dover, Delaware 19901	1.25.08	0.75 +/-

91	DE-1431	1020 Christiana Avenue	1020 Christiana Avenue Wilmington, Delaware 19801	2.13.08	13.62 +/-
92	DE-1433	300 Greenhill Avenue	300 Greenhill Avenue Wilmington, Delaware 19801	2.15.08	0.58+/-
93	DE-1434	Delaware Children's Museum Property	550 South Madison Street Wilmington, Delaware 19801	2.29.08	6.65 +/-
94	DE-1438	Delaware Civic Center	Crawford Carroll Avenue and West Rustic Lane Dover, Delaware 19901	4.24.08	43.7 +/-
95	DE-0339	Kalmar Nyckel Challenge	1120 and 1112 East 7 th Street Wilmington, Delaware 19801	4.24.08	3.36 +/-
96	DE-1083	Sunday Breakfast Mission	100-110 North Poplar Street Wilmington, Delaware 19801	4.30.08	1.64 +/-
97	DE-1421	Former Pack and Processing Facility	1101 East 8 th Street Wilmington, Delaware 19801	5.30.08	3.39 +/-
98	DE-1442	B Street Pack & Processing Property	600/610 and 620 Bradford Street 410 C Street, 1400 B Street Wilmington, Delaware 19801	7.18.08	2.83+/-
99	DE-1444	605 Vandever Avenue Property	605 Vandever Avenue Wilmington, Delaware 19801	7.30.08	0.52+/-
100	DE-1445	Sears Distribution Center	200 Sears Boulevard Newport, Delaware 19804	8.21.08	12.5+/-
101	DE-1446	829 N. Church Street	829 N. Church Street Wilmington, Delaware 19801	8.21.08	0.04+/-
101	DE-1304	Wilmington Piece Dye	0 Riddle Lane/38 Bancroft Mills Road Wilmington, Delaware 19806	8.21.08	21.73+/-
102	DE-0281	Diamond State Salvage	1300 North Pine Street 1300 North Spruce Street 702 East 14 th Street Wilmington, Delaware 19801	9.19.08	4.25+/-

103	DE-1153	Curtis Paper Company	925 Paper Mill Road Newark, Delaware 19711	9.19.08	7.32+/-
104	DE-1417	Former Wilson Baker Bulk Plant Property	25056 Shorty Road Georgetown, Delaware 19947	9.19.08	0.33+/-
105	DE 1415	900 South Madison Street Facility	760 Justison Street Wilmington DE 19801	10.23.08	1.83+/-
106	DE-1449	2440 Red Lion Road Property	2440 Red Lion Road Kirkwood, Delaware 19708	11.07.08	0.47+/-
107	DE-1450	A and Townsend Street Property	1017, 1019 and 1021 A Street 333, 335 and 337 Townsend Street Wilmington, Delaware 19802	11.07.08	0.19+/-
108	DE-1452	Ministry Row Property	625. E. 10 th Street Wilmington, Delaware 19801	11.07.08	0.33+/-
109	DE-1173	Former Domino Auto Salvage Property	810 S. Walnut Street Wilmington, Delaware 19801	11.07.08	1.6+/-
110	DE-1453	222 Maryland Avenue	222 Maryland Avenue Wilmington, Delaware 19801	11.07.08	.05+/-
111	DE-1451	680 Forest Street Property	680 Forrest Street Property Dover, Delaware 19904	11.07.08	0.99+/-
112	DE-1455	4001 New Castle Avenue (a/k/a Dixon Auto)	4001 New Castle Avenue New Castle, Delaware 19720	11.24.08	0.60+/-
113	DE-1458	900 S. Franklin Street Property	900 S. Franklin Street Wilmington, Delaware	12.08.08	0.58+/-
114	DE-1460	Milton Rails-to-Trails Property	Chestnut Street to Lavinia Street (Railroad Segment) Milton, Delaware 19968	1.15.09	3.0+/-

115	DE-0149	Former Jackson Pit Property	19000 Block of Beaver Dam Road Lewes, Delaware 19985	1.29.09	18.33+/-
116	DE-1462	Consolidated Fabrication Site	900/901 Green Street 1216 D Street 700 South Heald Street Wilmington, Delaware 19801	2.12.09	0.11 +/-
117	DE-0326	512 South Claymont Property	512 South Claymont Street Wilmington, Delaware 19801	2.25.09	0.19+/-
118	DE-1464	Former Classic Image Site	112 West Market Street Newport, Delaware 19804	3.20.09	0.29+/-
119	DE-1465	925 North Church Street Property	925 North Church Street Wilmington, Delaware 19801	3.20.09	0.18+/-
120	DE-1466	Garrett House-609 Washington Street	609 Washington Street Wilmington, Delaware 19801	4.08.09	0.23+/-
121	DE-1472	Former Thompson Gas Station Property	NW Corner of Central Avenue and Front Street Laurel, Delaware 19956	6.22.09	0.2 +/-
122	DE-1175	Merkin Auto Site	501 Garasches Lane Wilmington, Delaware 19801	6.22.09	6.06 +/-

123	DE-1474	Seeds of Greatness Church Site	610 West Seventh Street New Castle, Delaware 19720	7.10.09	15.99 +/-
124	DE-0105	Former Chrysler Newark Plant Site	550 S. College Avenue Newark, Delaware 19711	9.10.09	271 +/-
125	DE-1481	Kempf Storage Site	1101 East 7 th Street 1220 East 8 th Street Wilmington, Delaware 19801	10.05.09	3/72 +/-
126	DE-1131	Former American Scrap & Waste Site	20 Commerce Street Wilmington, Delaware 19801	10.29.09	1.63 +/-
127	DE-1482	Former Foulk Road Getty Site	1712 Foulk Road Wilmington, Delaware 19803	12.02.09	0.67 +/-
128	DE-1483	Middletown Manor Site	0 and 17 Wood Street Middletown, Delaware 19709	12.21.09	1.40 +/-
129	DE-1484	DMA Expansion Site	0, 118 and 116 Middleboro Road Wilmington, Delaware 19804	12.21.09	10.87 +/-
130	DE-1263	Purina Tower A Property	3400 Edgemoor Avenue 3410 Bellvue Avenue Wilmington, Delaware 1980	1.22.10, updated April 1, 2010	6.93 +/-

131	DE-1486	Syntech OU-1 Site	785 Dawson Drive Newark, Delaware	2.19.10	3.5 +/-
132	DE-1149	General Motors Corp- Wilmington Assembly Plant Site (a.k.a. Fisker Automotive)	801 Boxwood Road and Terry Place Wilmington, Delaware 19805	3.11.2010	141.68+/-
133	DE-1487	Braun Property Site	West Water Street and S. Governor's Avenue Dover, Delaware 19901	4.15.2010	0.49+/-
134	DE-1448	Former Straight Line Filters Site	701 Christiana Avenue Wilmington, Delaware 19801	5.26.2010	1.91+/-
135	DE-1491	Former Pep-Up Site	310 N. Race Street Dover, Delaware 19901	7.12.2010	1.0+/-
136	DE-1490	Bast Parking Lot Site	Corner of New Street and N. Race Street Georgetown, DE 19947	7.12.2010	2.0+/-
137	DE-0167	New Castle Gas Company Site	508 South Street 0 West 7 th Street New Castle, Delaware 19720`	7.16.2010	21.0+/-
138	DE-1493	Harry Wood Landfill (OU-1) Site	82 Frenchtown Road New Castle, Delaware 19720	7.28.2010	16.91+/-

139	DE- 1123	560 Terminal Avenue Site	560 Terminal Avenue Wilmington, Delaware 19720	8.13.2010	7.11 +/-
140	DE- 1494	Dukes Boat Yard Site	34836 (22) Long Neck Road Millsboro, DE 19966	9.10.2010	6.60 +/-
141	DE- 1495	Former Kirkwood Highway Gulf Station Site	4601 Kirkwood Highway Wilmington, Delaware 19808	9.10.2010	1.02 +/-
142	DE- 1496	M&N Property Site	209 and 405 South DuPont Road Wilmington, Delaware 19807	10.19.2010	1.25 +/-
143	DE- 1497	Former James Julian Construction Site	209 and 405 South DuPont Road Wilmington, Delaware 19807	10.19.2010	1.31 +/- 5.01 +/-
144	DE- 1498	Riverside Redevelopment Property Site	2300 Bowers Street Wilmington, Delaware 19807	11.18.2010	12.1 +/-
145	DE- 1377	Justison Landing Property	401 S. Madison Street Wilmington, Delaware	12.13.2010	5.96 +/-
146	DE- 1421	Pack and Process Site**	1113 East 7 th Street Wilmington, Delaware	12.14.2010	3.39+/-

147	DE- 1500	South Wilmington Storm Water Pilot Area	0 Walnut Street Wilmington, Delaware 19801	12.15.2010	2.76 +/-
148	DE- 1358	Former R&S Strauss Site	300 South Market Street Wilmington, Delaware 19801	12.23.2010	0.52 +/-
149	DE- 1502	733 South Market Street Site	733 South Market Street Wilmington, Delaware 19801	2.9.2011	0.95 +/-
150	DE- 1503	Former Defiance Athletic Club Site	1007 Coleman Street Wilmington, Delaware 19805-4707	3.11.2011	0.16 +/-
151	DE- 1504	Delta Outreach Center Site	330 East 30 th Street Wilmington, Delaware 19801	3.11.2011	1.62 +/-
152	DE- 1505	901 East 17 th Street Site	901 East 17 th Street Wilmington, Delaware 19801	3.11.2011	0.03 +/-
153	DE- 1507	Former Insteel Wire Site	700 New Castle Avenue Wilmington, Delaware 19801	5.3.2011	33.09 +/-
154	DE- 1510	Former S. DuPont Shell Station Site	178 South DuPont Highway Wilmington, Delaware 19720	6.17.2011	1.34 +/-

155	DE- 1511	Franklin Fiber Parking Site	909 East 14 th Street Wilmington, Delaware 19801	6.22.2011	.05 +/-
156	DE- 1512	Former Permaflex Rollers Site	375 Bellevue Road Newark, Delaware 19711	7.5.2011	1.66 +/-
157	DE- 1514	Former Commons Boulevard Sunoco Site	7 East Commons Boulevard New Castle, Delaware 19720	7.5.2011	2.57 +/-
158	DE- 0280	Former Diamond State Recycling Center Site	1600 Bowers Street Wilmington, Delaware 19801	10.4.2011	8.0 +/-
159	DE-1517	Former Milton Riverfront Site	117 Front Street Milton, Delaware 19968	11.30.2011	1.47. +/-
160	DE-1518	Riverfront Hotel Site	815 Justison Street Wilmington, Delaware 19801	1.17.2012	0.75 +/-
161	DE-1520	Former Chestnut Hill Exxon Site	366 East Chestnut Hill Road Newark, Delaware 19 713	2.14.2012	0.82 +/-
162	DE-0355	St. Patrick's House Site	1419 North French Street Wilmington, Delaware 19801	4.12.2012	0.14 +/-

163	DE-1523	Former Delmarva Rural Ministries Site	26 Wyoming Avenue Dover, Delaware 19904	4.23.2012	0.46 +/-
164	DE-1524	Former Crowell Corp. Site	1 Crowell Road Newport, Delaware 19804	4.3.2012	5.34 +/-
165	DE-1526	Berry Plastics Site	299 Clukey Drive Harrington, Delaware 19952	5.30.2012	43.5 +/-
166	DE-1527	Thompson Property Site	Freeman Highway and Monroe Avenue Lewes, Delaware 19958	7.27.2012	5.95 +/-
167	DE-1528	2110 Northeast Blvd. Site	2110 Northeast Boulevard Wilmington, Delaware 19801	7.27.2012	.22 +/-
168	DE-1513	Former Wings To Go Site	1804 West 6 th Street 525 North Scott Street Wilmington, Delaware 19805	10.23.2012	0.21 +/-
169	DE-1530	501 A Street Site	501 A Street Wilmington, Delaware 19801	10.23.2012	1.02 +/-
170	DE-1533	Conaway Miller Site	Water Street & South Front Street Seaford, Delaware 19973	10.23.2012	2.45 +/-

171	DE-0359	333 South Governors Avenue Site	333 South Governors Avenue Dover, Delaware 19901	10.23.2012	0.19+/-
172	DE-1535	217 New Road Site	217 New Road Wilmington, Delaware 19808	12.6.2012	0.42+/-
173	DE-1536	Mighty Muffler Site	301 Philadelphia Pike Wilmington, Delaware 19809	12.6.2012	0.27+/-
174	DE-1537	Former SMO Gas Station Site	701 Ogletown Road Newark, Delaware 19711	12.17.2012	0.63+/-
175	DE-1538	22 A East 23 rd Street Site	22 A East 23 rd Street Wilmington, Delaware 19801	2.14.2013	0.12+/-
176	DE-1539	600 North DuPont Highway Site	600 North DuPont Highway Site	2.14.2013	0.2+/-
177	DE-1534	Habitat for Humanity 14 th and Walnut Street Site	East 14 th and Walnut Streets Wilmington, Delaware 19801	2.14.2013	0.55+/-
178	DE-1543	2207 Mitch Road Site	2207 Mitch Road Wilmington, Delaware 19804	3.1.2013	0.59+/-

179	DE-1540	1320 Clifford Brown Walk	1320 Clifford Brown Walk Wilmington, Delaware	3.4.2013	2.04+/-
180	DE-1544	511 Concord Avenue Site	511 Concord Avenue Wilmington, Delaware 19805	4.1.2013	2.04+/-
181	DE-1542	Franklin Fibre Expansion Site	1317 Northeast Boulevard Wilmington, Delaware 19802	4.23.2013	1.15+/-
182	DE-1547	Davidson Lane Site	O Lambson Lane New Castle, Delaware 19720	5.7.2013	71.51+/-
183	DE-1550	Tieman Property	1965 DuPont Highway Dover, Delaware 19901	6.4.2013	0.95+/-
184	DE-1552	Former Playtex Property	519 Division Street Dover, Delaware 19910	6.7.2013	9.29+/-
185	DE-1553	218 Maryland Avenue	218 Maryland Avenue Wilmington, Delaware 19801	6.7.2013 Revoked 3.1.2018	0.08+/-
186	DE-1555	29984 Pinnacle Way	29984 Pinnacle Way Dagsboro, Delaware 19939	7.11.2013	107.0+/-

187	DE-1557	Former Modern Equipment Rental Site	22 and 24 Brookside Drive Wilmington, Delaware 19804	8.23.2013	2.34+/-
188	DE-1558	721 Terminal Avenue Site	721 Terminal Avenue Wilmington, Delaware 19801	9.12.2013	2.10+/-
189	DE-1562	Former Oceanic Gas Station	2801 Concord Pike Wilmington, Delaware 19803	11.18.2013	0.35+/-
190	DE-1563	Kaiser Yacht Property	1122 E. Seventh Street and 0 SS E. Seventh Street Wilmington, Delaware 19801	11.26.2013	1.09+/-
191	DE-1565	First State Military Academy Site	355 West Duck Creek Road Clayton, Delaware 19938	1.08.2014	35.65+/-
192	DE-0107	Hudson Pit Site	NS Route 1 and Tulip Drive Lewes, Delaware	1.28.2014	36.48+/-
193	DE-1568	3006 Lancaster Avenue Site	3006 Lancaster Avenue Wilmington, Delaware 19805	3.13.2014	0.26+/-
194	DE-1569	3203 Miller Road Site	3203 Miller Road Wilmington, Delaware 19802	3.13.2014	0.36+/-

195	DE-1570	Former Air Products Site	755 Governor Lea Boulevard Delaware City, Delaware 19706	3.13.2014	15.62+/-
196	DE-1572	800 Foulk Road Site	800 Foulk Road Wilmington, Delaware 19803	3.14.2014	0.44+/-
197	DE-1574	427 West 7 th Street-New Castle	427 West 7 th Street New Castle, Delaware 19720	3.28.2014	4.3+/-
198	DE-1575	Latin American Community Center Community Gardens	1121 and 1123 West 4th Street Wilmington, Delaware 19805	4.3.2014	0.06+/-
199	DE-1576	Former Able Machine Company Site	21-23 Brookside Drive Wilmington, Delaware 19801	4.3.2014	0.28+/-
200	DE-1577	3022-3028 New Castle Avenue, New Castle Site	3022-3028 New Castle Avenue New Castle, Delaware 19720	4.22.2014	12.89+/-
201	DE-1578	Former Mike's Mini Mart Site	1454 Frederica Road Frederica, Delaware	4.30.2014	0.3+/-
202	DE-1579	Former Take A Break Site	401-415 7 th Avenue 413-423 8 th Streets Wilmington, Delaware 19801	5.2.2014	1.39+/-

203	DE-1580	307 Ridge Road Site	307 Ridge Road Claymont, Delaware 19703	5.2.2014	0.40+/-
204	DE-1582	110 Water Street Site	110 Water Street Newport, Delaware 19804	5.9.2014	0.26+/-
205	DE-1047	Pee Wee's Truck Stop Site	5321 N. DuPont Highway Cheswold, Delaware 19904	6.2.2014	1.7+/-
206	DE-1583	Former Super Soda Center Milford II Site	320 N.E. Front Street Milford, Delaware 19963	7.11.2014	0.39+/-
207	DE-1584	2712-2714 Kirkwood Highway Site	2712-2714 Kirkwood Highway Elsmere, Delaware 19805	7.11.2014	0.18+/-
208	DE-1585	Former Super Soda Center- Harrington Site	7184 Milford Harrington Highway Harrington, Delaware 19952	8.20.2014	0.65+/-
209	DE-1586	Former FAS Mart #259 Site	501-503 East Market Street Georgetown, Delaware 19947	9.02.2014	0.95+/-
210	DE-1587	18904-18920 Coastal Highway Site	18904-18920 Coastal Highway Rehoboth Beach, Delaware	9.02.2014	1.6+/-

211	DE-1589	810 Justison Street Site	810 Justison Street Site Wilmington, Delaware 19801	9.18.2014	1.96+/-
212	DE-1592	Former BP Truck Maintenance Facility Site	945 River Road New Castle, DE 19720	10.03.2014	3.17+/-
213	DE-1593	Former Eastern Auto Body Site	1 Brookside Drive Wilmington, Delaware 19804	10.24.2014	0.20+/-
214	DE-1595	Former Avon Products Site	2100 Ogletown Road Newark, Delaware 19701	11.13.2014	45.51.+/-
215	DE-1596	Former Penny Hill Mobile Site	2509 Philadelphia Pike Claymont, Delaware 19703	11.19.2014	0.35.+/-
216	DE-1597	Former Free-Flow Packaging Site	111 Alan Drive Newark, Delaware 19711	1.9.2015	2.92+/-
217	DE-1598	Former 200 Churchmans Road Exxon Station Site	200 Churchmans Road Newark, Delaware 19711	1.8.2015	0.84+/-
218	DE-1599	Former Communications Printers Site	2840-2850 Ogletown Road Newark, Delaware 19711	1.7.2015	0.88+/-

219	DE-0127	Ennis Dump Site	First Avenue Smyrna, Delaware 19977	1.16.2015	22.5+/-
220	DE-1601	20618 North DuPont Blvd. Georgetown Site	20618 North DuPont Boulevard Georgetown, Delaware 19947	2.25.2015	11.37+/-
221	DE-1268	Amer Industrial Technologies Site	100 Amer Road Wilmington, Delaware 19801	2.25.2015	25.38+/-
222	DE-1603	2004 & 2008 Shipley Road	2004 & 2008 Shipley Road Wilmington, DE 19803	4.9.2015	8.41+/-
223	DE-1602	Cathedral of St. John Church Wilmington, DE	2020 North Tatnall Street and 1 Concord Ave. Wilmington, Delaware 19801	4.10.2015	2.5+/-
224	DE-1605	Liquid Alchemy Site	28 Brookside Drive Wilmington, Delaware 19804	5.7.2015	0.46+/-
225	DE-1606	726 A Street Site	726 A Street Wilmington, Delaware 19801	5.15.2015	0.47+/-
226	DE-0190	Lewes Coal Gas Site	Kings Highway Lewes, Delaware 19958	6.26.2015	1.1+/-

227	DE-1611	VEI Dover Crossroads Site	747 North DuPont Highway Dover, Delaware	6.26.2015	25.00+/-
228	DE-1610	Former McGrellis Auction House Site	713,721 and 729 Valley Road Hockessin, Delaware 19707	7.2.2015	27.19+/-
229	DE-1612	Wilmington University-Brandywine Campus Site	5014 Concord Pike Wilmington, Delaware	7.8.2015	1.16+/-
230	DE-1172	Former A-1 Auto Parts Site	410 Garasches Lane Wilmington, Delaware	7.14.2015	2.1+/-
231	DE-1613	Former Morheat Coal and Fuel Company Site	723 New Castle Avenue 801 South Clayton Street 1000-1001 Green Street Wilmington, Delaware 19801	7.17.2015	2.95+/-
232	DE-1614	0 South Chapel Street Site	0 South Chapel Street Newark, Delaware 19711	7.22.2015	0.89+/-
233	DE-1615	Former Delmar News Site	809 Taylor Street Wilmington, Delaware 19801	7.22.2015	0.22+/-
234	DE-1617	Former Dover Products Site	5200 West Denneys Road Dover, Delaware 19901	8.27.2015	14.7+/-

235	DE-1619	Former Greenwood Service Station Site	Route 13 and Hickory Lane Greenwood, Delaware 19950	9.16.2015	4.65+/-
236	DE-0245	Reichhold Chemical Site	144 Fork Branch Road Dover, Delaware 19901	9.16.2015	110+/-
237	DE-1620	Boyds Corner Property Site	451 Boyds Corner Road Middletown, Delaware 19804	9.16.2015	4.8+/-
238	DE-1621	1215 Philadelphia Pike Site	1215 Philadelphia Pike Wilmington Delaware 19809	10.14.2015	0.86+/-
239	DE-1622	Former Philadelphia Pike Texaco Site	801 Philadelphia Pike Wilmington, Delaware 19809	10.14.2015	0.39+/-
240	DE-1031	Seaford Power Plant Site	200 South Pine Street Seaford, Delaware 19973	10.23.2015	1.86+/-
241	DE-1623	Bowen Tract Site	838 Yorklyn Road Hockessin, Delaware 19707	11.2.2015	16.99+/-
242	DE-1624	459 Old Airport Road Site	459 Old Airport Road New Castle, Delaware 19720	11.5.2015	0.96+/-

243	DE-1625	Laurel Grain 2 Site	33222 Bi-State Boulevard Laurel, Delaware 19956	11.20.2015	17.84+/-
244	DE-1626	510 A Street Site	510 A Street Wilmington, Delaware 19801	11.30.2015	0.95+/-
245	DE-1627	4928 and 4929 N. DuPont Highway Salvage Yard Site	4928 and 4929 N. DuPont Highway Dover, Delaware 19901	11.30.2015	2.85+/-
246	DE-1628	0 Red Lion Road Site	0 Red Lion Road New Castle, Delaware 19720	11.30.2015	127.63+/-
247	DE-1180	American Tank Trailer Cleaning Site	535 South Market Street Wilmington, Delaware 19801	1.29.2016	5.18+/-
248	DE-1632	735 B South Market Street	735 B South Market Street Wilmington, Delaware 19801	2.19.2016	2.11+/-
249	DE-1573	Oyster House Village Site	37686 Oyster House Road Rehoboth Beach, Delaware 19971	4.8.2016	4.2+/-
250	DE-0323	201 Gold Property Site	201 Vandever Avenue Wilmington, Delaware 19801	5.17.2016	0.71+/-

251	DE-1556	1001 Garasches Lane Site	1001 Garasches Lane Wilmington, Delaware 19801	7.13.2016	2.49+/-
252	DE-1634	Former Mil-Del Site	700 and 718 McColley Street Milford, Delaware 19963	7.14.2016	3.97+/-
253	DE-1636	2-4 East 7 th Street Site	2-4 East 7 th Street Wilmington, Delaware 19801	8.29.2016	0.43+/-
254	DE-1637	200 West 9 th Street Site	200 West 9 th Street Wilmington, Delaware 19801	8.29.2016	0.18+/-
255	DE-1178	Former Shusters Auto Salvage Site	601 and 603 South Market Street Wilmington, Delaware 19801	9.29.2016	5.89+/-
256	DE-1638	Uniqema/Cherry Utility Corridor Site	900 Uniqema Boulevard New Castle, Delaware 19720	10.6.2016	2.06+/-
257	DE-0207	Thoro-Kleen, Inc. Site	11 Railroad Avenue Georgetown, Delaware 19947	11.2.2016	0.25+/-
258	DE-1642	1001 North Spruce Street Site	1001 North Spruce Street Wilmington, Delaware 19801	1.25.2017	0.02+/-

259	DE-1200	Former Holly Oak Substation Site	7001 Governor Printz Boulevard Claymont, Delaware 19703	1.27.2017	0.38+/-
260	DE-1643	Lidl Grocery Store Site	122 North DuPont Highway Dover, Delaware 19901	1.30.2017	7.23+/-
261	DE-1644	First State Crossing Site	4001 Philadelphia Pike Claymont, Delaware 19703	2.1.2017	0.4.78+/-
262	DE-1640	PB Wilmington RF 228 Site	516 and 518 A Street Wilmington, Delaware 19801	2.23.2017	0.765 +/-
263	DE-0043	Metal Masters Site	655 and 664 West Glenwood Avenue Smyrna, Delaware 19977	2.23.2017	11.14+/-
264	DE-1340	700 A Street Site	700 A Street Wilmington, Delaware 19801	3.3.2017	2.95+/-
265	DE-1650	Newtown Road Site	0 Newtown Road Newark, Delaware 19702	3.21.2017	2.10+/-
266	DE-1651	14028 Sussex Highway Site	14028 Sussex Highway Greenwood, Delaware 19950	3.28.2017	3.3+/-

267	DE-1654	Former Bobs Speed Shop Site	29122 Sussex Highway Laurel, Delaware 19956	4.18.2017	11.23+/-
268	DE-1655	Wilson Properties Site	800 and 810 South Market Street Wilmington, Delaware 19801	4.19.2017	3.69+/-
269	DE-0256	Homalite Inc. Site	11, 13 and 16 Brookside Drive Wilmington, Delaware 19804	4.19.2017	0.99+/-
270	DE-1660	Former Selbyville Foodrite Site	46-48 North Main Street Selbyville, Delaware 19975	6.20.2017	2.15+/-
271	DE-1661	504 Kirkwood Highway Site	504 Kirkwood Highway Elsmere, Delaware 19805	6.22.2017	0.36+/-
272	DE-1663	DTC- 2nd and Walnut Street Site	2nd and Walnut Street Wilmington, Delaware 19801	8.1.2017	0.29+/-
273	DE-1666	Former Pit Stop Deli Site	9758 South DuPont Highway Felton, Delaware 19943	10.10.2017	8.2+/-
274	DE-1667	1289-1313 Federica Road Site	1289-1313 Federica Road Frederica, Delaware 19946	10.23.2017	1.67+/-

275	DE-1669	Carney Machine Stores Site	0 East Front Street Wilmington, Delaware 19801	11.16.2017	1.65+/-
276	DE-0118	Sussex Lumber Site	Tract 1 B, Robinsonville Road Lewes, Delaware 19958	11.28.2017	8.8+/-
277	DE-0055	Timko Brothers Landfill Site	602 Main Street Wilmington, Delaware 19804	11.29.2017	22.26+/-
278	DE-0334	Christina River Bridge Site	1100 Justison Street Wilmington, Delaware 19801	12.12.2017	3.68+/-
279	DE-1172	A-1 Auto Parts Site	410 Garasches Lane Wilmington, Delaware 19801	12.18.2017	2.1+/-
280	DE-1670	3604 Downing Drive Site	3604 Downing Drive Wilmington, Delaware 19801	12.20.2017	5.14+/-
281	DE-1671	0 Garasches Lane Site	0 Garasches Lane Wilmington, Delaware 19801	12.20.2017	0.58+/-
282	DE-1674	Justison Landing, Parcel 1A Site	308 Justison Landing, Parcel 1A Wilmington, Delaware 19801	1.18.2018	1.28+/-

283	DE-0371	516 North King Street & Alico Road Site	516 North King Street & Alico Road Wilmington, Delaware 19801	2.01.2018	0.43+/-
284	DE-1677	119 North DuPont Highway	119 North DuPont Highway Dover, Delaware 19901	3.01.2018	0.76+/-
285	DE-1078	Former Connections CSP, Inc. Site	608 and 610 West Street 304, 306, 308, 310, 312 and 316 W. 7 th Street Wilmington, Delaware 19801	3.23.2018	0.3+/-
286	DE-1679	Christina Riverfront Hotel Site	820 Justison Street Wilmington, Delaware 19801	3.23.2018	0.3+/-
287	DE-1681	South Garasches Lane Site	South Garasches Lane Wilmington, Delaware 19801	5.31.2018	7.33+/-
288	DE-1683	John's Body Shop	2318 W Third Street Wilmington, Delaware 19801	6.21.2018	0.75+/-
289	DE-1682	West 4 th Street and Delamore Place Site	West 4 th Street and Delamore Place Wilmington, Delaware 19801	6.28.2018	0.41+/-
290	DE-0097	Sixteenth Street Quarry Site	1601 N. Spruce Street Wilmington, Delaware 19801	8.2.2018	7.29+/-

291	DE-1684	4601 N. Market Street Site	4601 N. Market Street Wilmington, Delaware 19801	8.9.2018	4.85+/-
292	DE-1686	Swain Property Site	5877 and 5899 Rehoboth Boulevard Milford, Delaware 19963	8.29.2018	7.65+/-
293	DE-0046	CitiSteel Area A Site	4001 Philadelphia Pike Claymont, Delaware 19703	8.30.2018	15.5+/-
294	DE-1685	Nanticoke Cleaners Site, Blades	35 North Market Street Blades, Delaware 19973	9.5.2018	1.0+/-
295	DE-1688	518 S. Heald Street Site	518 S. Heald Street Wilmington, Delaware 19801	10.19.2018	.39+/-
296	DE-1689	1320 E. 8 th Street Site	1320 E. 8 th Street Wilmington, Delaware 19801	10.23.2018	1.75+/-
297	DE-1345	Former New Arc Welding Site	30 Commerce Street Wilmington, Delaware 19801	10.23.2018	29.41+/-
298	DE-1693	501 East Front Street Site	501 East Front Street Wilmington, Delaware 19801	12.7.2018	0.62+/-

SARGIO CORPORATION/BAY VISTA MARINA

I am John Candeloro, and I am an authorized agent for Sargio Corporation. Sargio Corporation owns and operates the Bay Vista Marina and has for over 20 years. It also owns Lot O, the disposal site for the anticipated project for which we're meeting tonight. Greg and Lauren DeMichiel are the officers of Sargio Corporation and they are also my parents.

After years of complaints from our slip holders regarding the access into and out of the marina at mid and low tide, we have decided to start the permitting process to dredge the marina. Although the cost of the improvement far outweighs the money brought in each boating season, we feel this project needs to be undertaken for the betterment of the marina and the canal which it accesses.

We hired Evelyn Maurmeyer to assist us with the permitting. We filed permit applications with the following entities:

- DNREC
- SUSSEX CONSERVATION, WHO HAVE APPROVED THE PLAN
- AND THE US ARMY CORP OF ENGINEERS

After the public notices were sent out, we met with Mr. and Mrs. Shaubach to address their concerns regarding the project.

Henry's preliminary concerns were as follows:

1. Water drainage onto his lot after we put the materials onto Lot O.

SARGIO CORPORATION/BAY VISTA MARINA

- a. Our solution was to grade a swale directing all water away from his home after the site is stabilized. At that time, the solution was accepted by Henry.
2. Temporary spoils stockpile in the marina
 - a. Our solution was to eliminate the temporary stockpile completely and only have material on Lot O. At that time, Henry accepted that solution.
3. The temporary driveway going to Lot O was too high, and purportedly holding water back on the Shaubach's lot.
 - a. Our solution was to remove the temporary driveway the following week.
4. Henry Shaubach had concerns with possible contaminants from the spoils and wanted us to have a lab conduct testing from five different sample locations.
 - a. Our solution was to hire EnviroCorp and do exactly what was asked of us. All samples came back as "nondetectable" or acceptable levels.

After we left the meeting with the Shaubach's on October 25th, we felt confident that we had addressed all of their concerns and once we received the contaminant testing results, we believed that there would no longer be any further dissent from Mr. Shaubach regarding this project. It should be noted that also in attendance at that October 25th meeting were Georges Geatz and Tyler Brown of DNREC as well as a few of our slip holders.

After the proposed dredging project is completed, the elevation of Lot O will only be a couple feet higher than it is today. It is my feeling that a more accessible marina will only increase the

SARGIO CORPORATION/BAY VISTA MARINA

value of all the surrounding homes in the community, so this project not only benefits our private marina and its slip holders, but also the Bay Vista community as a whole.

Lot O is an approved single family building lot, in which provides us the right to raise the grade above the 100 year flood level.

In conclusion, we have done everything that was asked of us and have followed all proper permit applications for this project.

On behalf of Sargio Corporation and our slip holders, we respectfully ask for you to approve this project.

MAR 04 2019

February 28, 2019

DNREC
901 Pilottown Road
Lewes, DE 19958

To Whom It May Concern:

We have been slipholders at the Bay Vista Marina for three years. We were excited to learn about the possibility of the marina being dredged, but understand this project has now stalled due to a neighboring concern.

Over the past three years there have been numerous occasions when we were unable to get our boat out of the slip because the water level was so low. In many cases, our 23' boat was actually sitting on the bottom of the marina, making it impossible to go boating. There have been many other times when we enjoyed boating for the day only to come back to the marina to discover we didn't have enough water to navigate our boat in to our slip.

We have had many instances when we had to delay our departure/arrival until the tide was sufficient to get our boat in or out of the marina.

When the surveyor for this project came to the marina, we took her out on our boat so she could measure the water height in the middle of the marina. She was shocked at how low the water level was and questioned how we were even able to use the marina.

We totally support this project and encourage DNREC to think of the benefits to so many boaters that enjoy the marina and our access to the beautiful Delaware Bay.

We are traveling for business on March 14th and will be unable to attend the public hearing in person. Please accept this letter as our support for this much needed project.

Sincerely,



Randy and Susan Jernigan
106 Cornwall Road
Rehoboth Beach, DE 19971

MAR 12 2019

Applicant Exh. 3

ROBERT P. GARRITY

March 7, 2019

To whom it may concern at DNREC:

I am writing in support of the dredging project at Bay Vista Marina to be discussed with DNREC on March 14, 2019. Due to being out of state I can ~~not~~^{attend} the meeting to voice my support in person.

Bay Vista Marina is one of the few low-key, well maintained, environmentally friendly and neighborhood friendly facilities in the area. Dredging has been needed for several years. Without dredging the marina will continue to fill in and soon will be unusable for boaters. Please allow the dredging project to move forward in a manner that complies with all regulations, neighborhood and marine life considerations.

7 CATERBURY LANE
REHOBOTH BEACH, DE 19971

Respectfully submitted by ROBERT P. GARRITY

Robert P. Garrity
SLIP HOLDER

Fiske, Bethany (DNREC)

From: John Candeloro <john@martahomes.com>
Sent: Monday, March 18, 2019 9:11 AM
To: Fiske, Bethany (DNREC)
Cc: Hal Dukes; Geatz, George W. (DNREC)
Subject: Bay Vista Marina

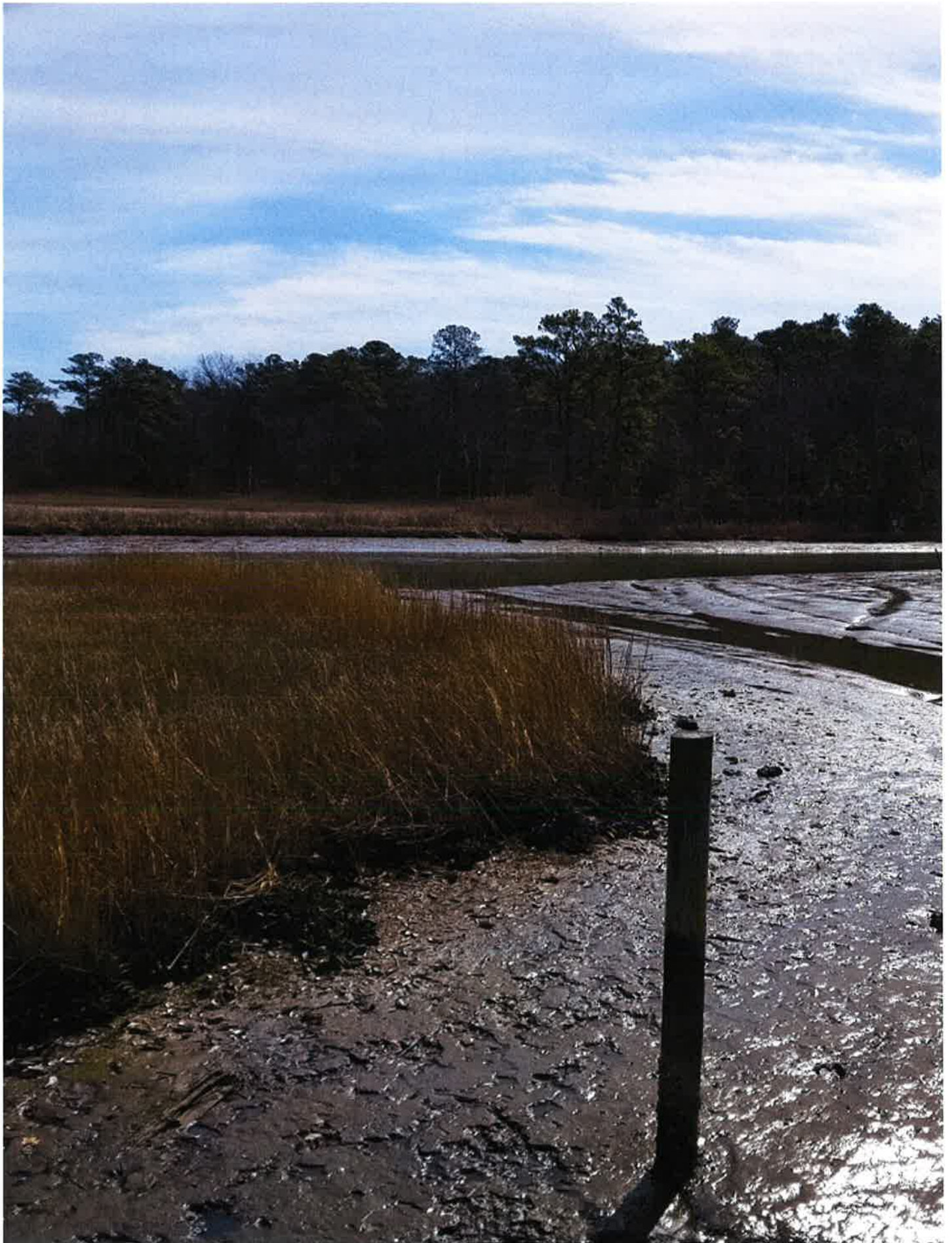
Good Morning Bethany,

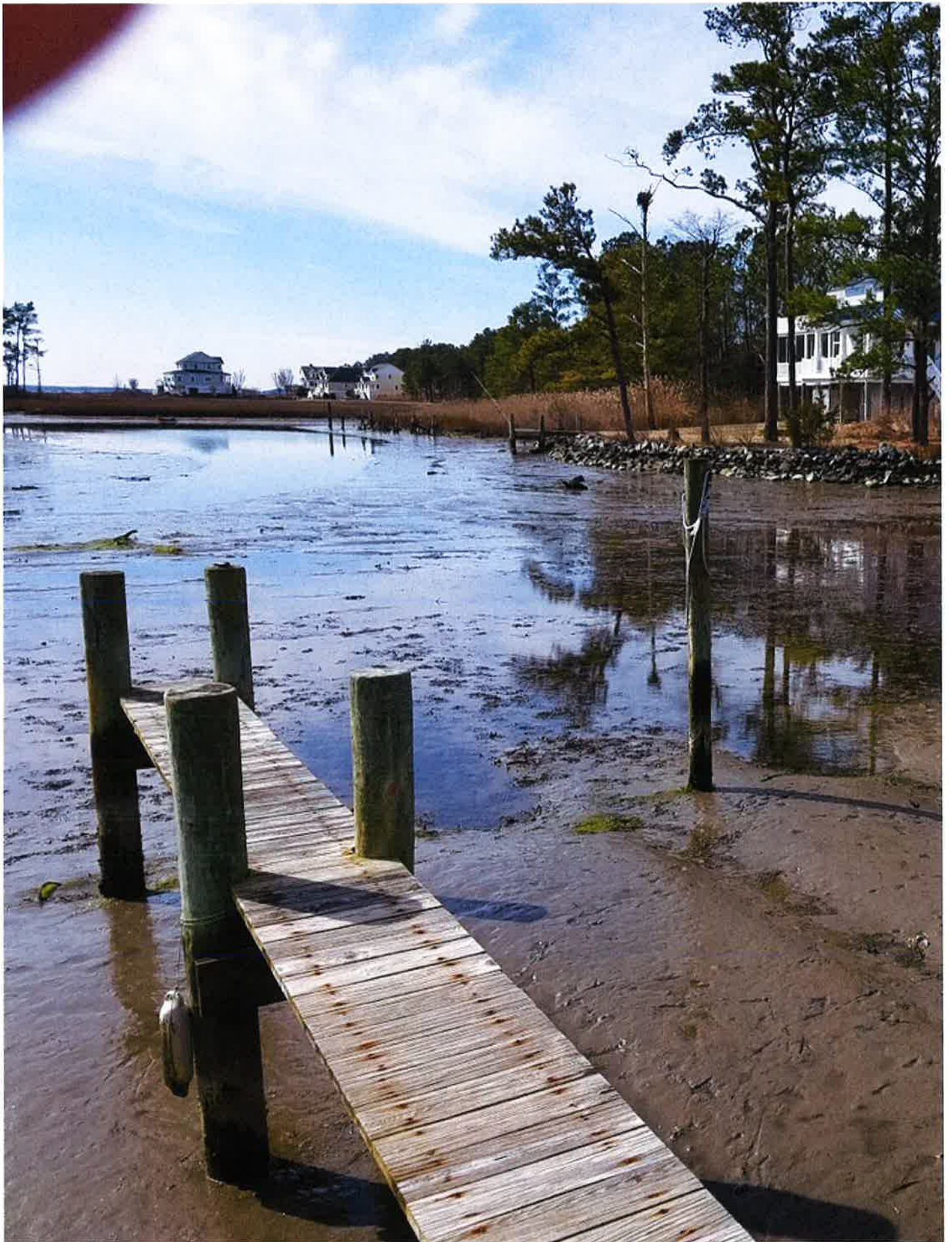
Attached are pictures of the marina at low tide. You can actually see pontoon marks in the slips.

We put together an estimate of \$120,000 to truck the material offsite within a 10 mile radius. This is on top of the \$140,000 to dredge. We don't have any other location to put the spoils and if we did, I'm sure it would head the same approvals as our current Lot O site. If this site isn't approved, we will not be dredging.

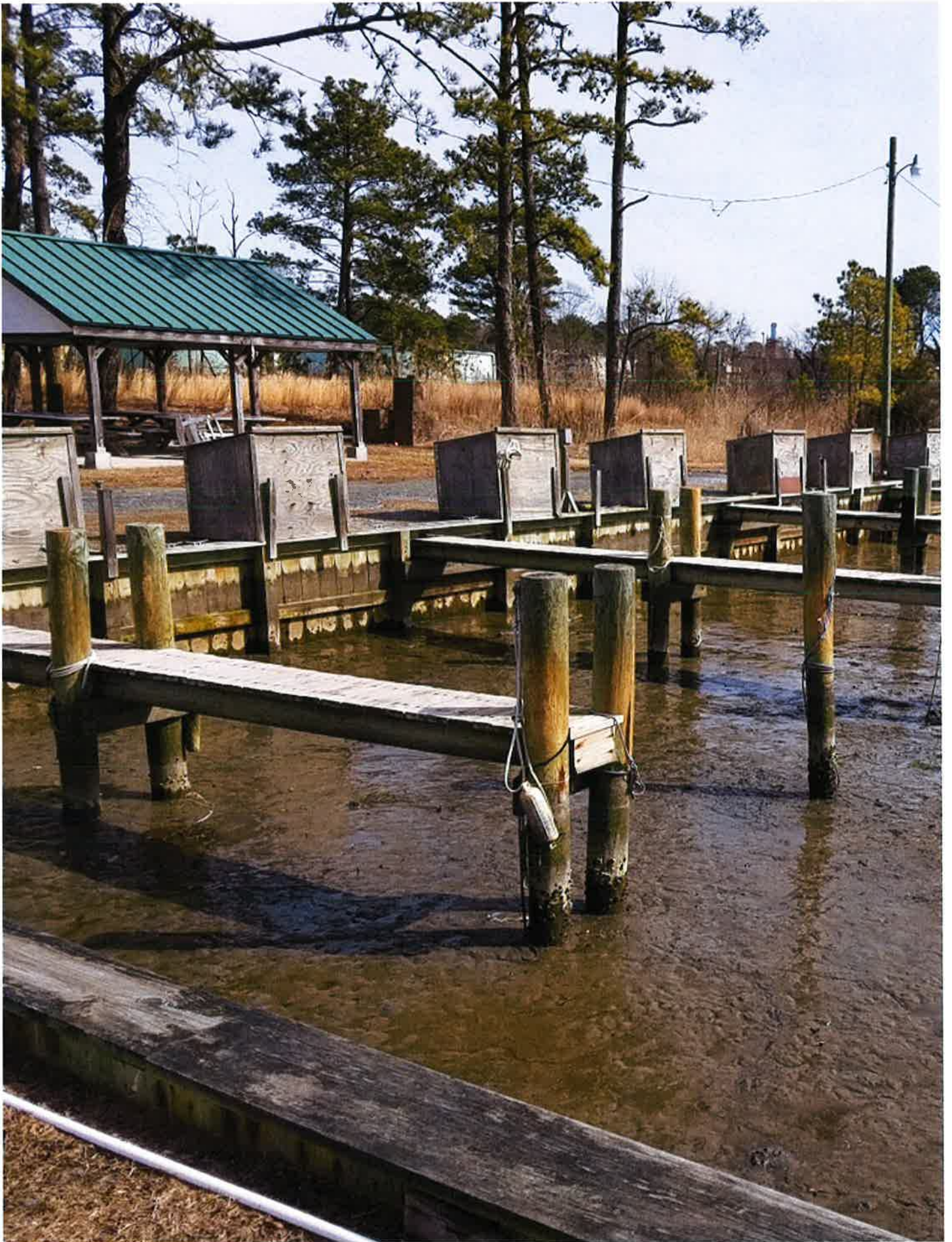
Thank you for your consideration.

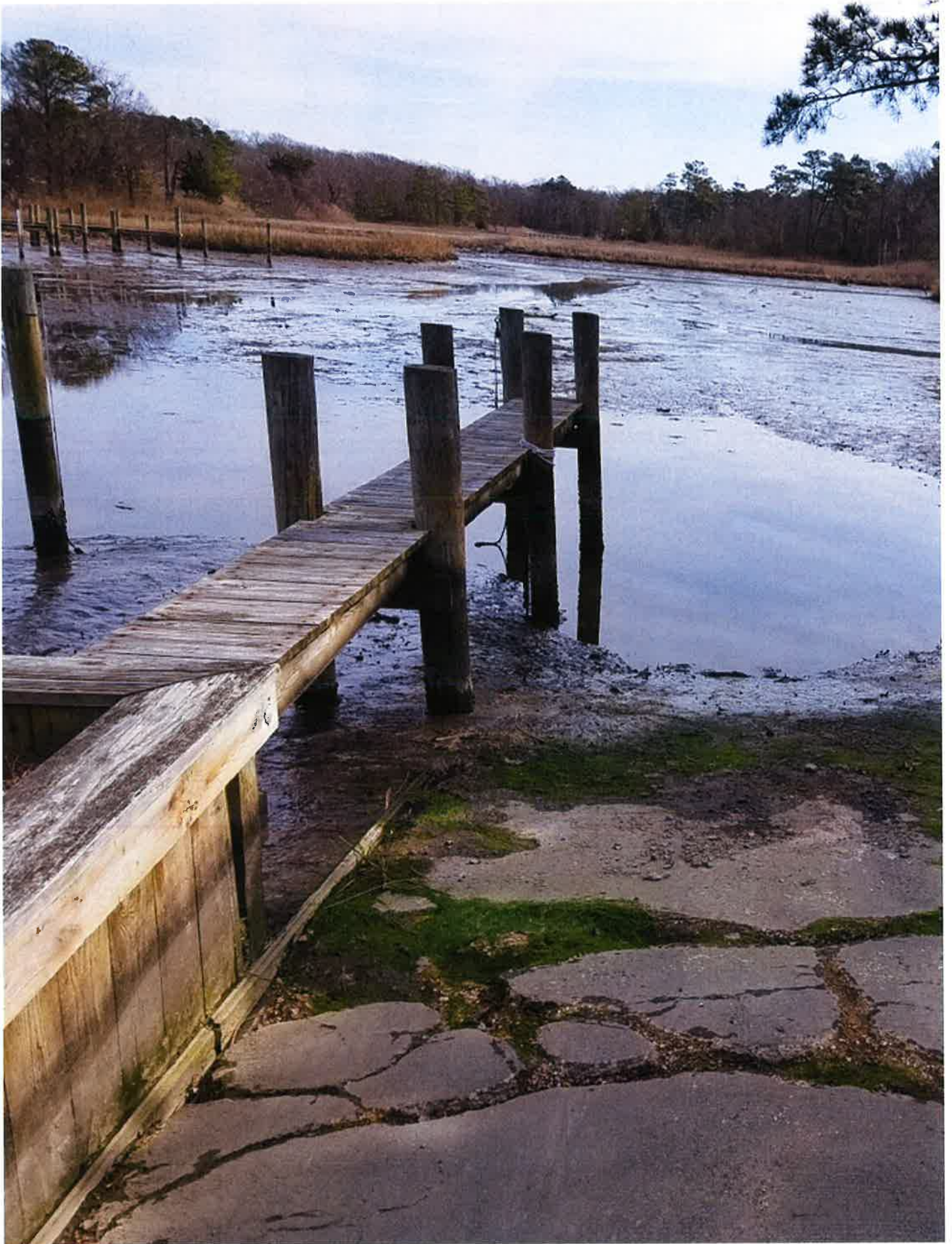












Best Regards,

John Candeloro
Marta Homes, LLC

2/16/19

I AM FOR THE Dredging
or Scoping of Bay Vista MARINA

Address

11 KENSINGTON RD

REHOBOTH BEACH, 19971

302 227 2148 Ph

410 299 8820 Cell

E MAIL Dave.hough@comcast.net

Dave M. Hough

Fiske, Bethany (DNREC)

From: Hutt, David C. <DHutt@morrisjames.com>
Sent: Monday, March 18, 2019 11:43 AM
To: Fiske, Bethany (DNREC)
Subject: Bay Vista Marina Dredging Permit Application
Attachments: 2019-03-18 Shaubach PPT.Revised.PDF

Ms. Fiske,

In reviewing the PPT presentation that was submitted at the hearing this past Thursday, a typographical error was discovered on the last page. The distance is 35' not 25' and was corrected on the attached copy of the PPT.

Please include the revised PPT presentation as part of the record for this matter.

Thank you,

David

David C. Hutt

Partner
dhutt@morrisjames.com

Morris James LLP

ATTORNEYS AT LAW

107 W. Market Street | P.O. Box 690
Georgetown, DE 19947
T 302-856-0018 F 302.856.7217



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DNREC

The Department of Natural Resources and Environmental Control

Division of Water, Wetlands and Subaqueous Lands Section

Public Hearing - Sargio Corporation's application to dredge material from Bay Vista Marina located at the end of Basin Street in Rehoboth Beach, Sussex County, and to dispose of the material on an adjacent upland parcel.

Attn: Hearing Officer

Included are our comments regarding the Sargio Corporation application for dredging the Bay Vista marina and placement of the dredged material on an upland parcel adjacent to our property.

Henry Shaubach Jr.
1004 Buck Road
Quarryville, PA. 17566

Phn: 717 468 8924
email: hsj1@epix.net

**Our Property
37499 1st Street
Rehoboth Beach, De.**

Constructed in 1980 – 81 time frame. This property has a well for potable water and Sussex County sewer service. The electric service, telephone, and CATV are underground. The underground utilities originate from the South side of 1st. Street at recently installed terminal splice boxes.



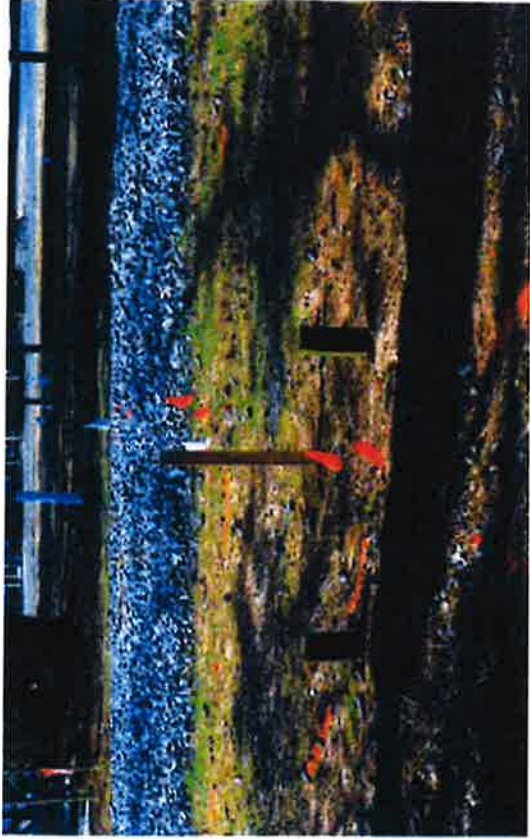


Area of Disturbance S.E. Lot Corner of our Property

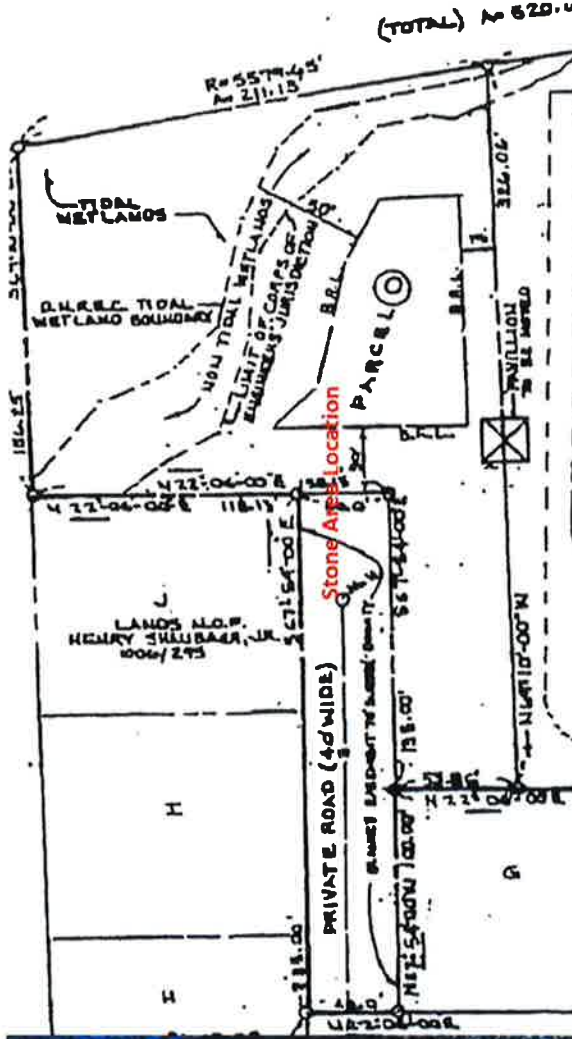
These photographs show the area that is presently being affected by storm water run off and water ponding. The ponding which will be seen in the next pictures began to occur in 2014 and 2015 after the excavation, installation of a stone construction entrance, fill brought into the adjacent lot "Parcel O", and was further exacerbated by the utility excavation.



The above photographs show the excavation and elevation change that occurred in 2014 from the stone installation and fill dirt dumped on this lot. The next set of photographs provide further changes that have negatively impacted storm water runoff.



The flag markers and stakes are the location of the underground facilities that serve our house. Note the utility pole in the right photograph which has been removed and the underground utilities have been re-routed along the South side of 1st Street and terminate in junction boxes. The required excavation has further changed the topography in this area diverting the storm water runoff to the North side of the street adjacent to our property resulting in the ponding seen in the prior photographs.



The photograph shows the debris that was pushed off to the North side of Parcel O starting at our Property corner. The plot section locates the area of disturbance that started in 2014. We visited both the Sussex County Zoning and Conservation District offices looking for details and information as to the reason for this activity. We were told that they have no information about this activity. However, they would look into the current activity. We are still waiting for a reply.



This Photograph shows the flow of Storm Water prior to the topographical changes that occurred in late 2014 and 2015 after a heavy rain event. As you can see, the water does not pond in our yard but was instead in the street and on the south side of the street.



This is the result of storm water run off on our property after a 2018 rain event. This ponding did not previously occur and would only be further negatively impacted with the proposed berm at the end of 1st Street.



Note the surface water ponding on both sides of the rail fencing caused by the ground elevation changes at this location.

The next (3) pages are my notes from an on site meeting 25 October 2018 and the response from DNREC as noted for each line item.

25 October 2018

Bay Vista Boat Basin Proposed Dredging Project.

On site meeting at the Delaware Property 10/25/2018 to discuss the proposed dredging of the Bay Vista boat basin. This meeting mainly dwelled on the disposal area size and magnitude and it's affect on the area and adjacent properties.

The following is my understanding of items discussed at this meeting.

- Attendance was as follows:
The Property owners, Consultant for the design / permitting, dredging company representative, Two DNREC officials, my Wife and myself.
- Sedimentation & Storm Water Run off. Sedimentation and Storm water Run off plan is required before work can be initiated as stated by Tyler. In addition an Erosion and sedimentation will be incorporated in the same plan.

Geatz, George W. (DNREC)
Correct, these plans are one in the same

Geatz, George W. (DNREC)
One chemical pollution test will be conducted. Several cores will be collected and homogenized to give a representative sample of the sediment characteristics in the basin. For example, 3 cores are suggested to be collected on a gradient from the canal inlet to the upper reaches of the marina. These 3 cores will be mixed thoroughly and the resulting mixture will be sampled and analyzed for contaminants of concern in dredging projects

- Storm water run off from I st. & Basin streets were discussed. Environmental tests, Tyler indicated several (4 Plus) tests at various locations would be completed.
- Well water contamination and assurance that the proposed location would not affect the well on Lot J (Our Well). Well water tests for our well and the "Public" water briefly discussed. Water tests were completed to establish a benchmark for future well water testing. I did not provide copies of the specific test results to the group.
- It appears there is no forward planning to keep the marina water depths at a usable level after the planned dredging is completed.
- No Bond will be required by DNREC.



Geatz, George W. (DNREC)

While we cannot say with 100% certainty that no well water pollution will occur, but it is the opinion of our experts at DNREC that well water contamination is extremely unlikely as the general groundwater flow pattern is towards the canal in this area. Chemical testing of the dredge material should help to quell some of these concerns when we receive the results as well.



Geatz, George W. (DNREC)

Siltation of marinas is a natural process that is continuously battled. Thus, dredging is a necessary practice that is undertaken to keep marinas at useable depths for the ingress and egress of boats in the Delaware Inland Bays region.



Geatz, George W. (DNREC)


This is not done on small projects such as the one in question.

- DNREC will provide inspection to assure the total project work is completed as stated on the Dredging permit and other plan documents.

GG Geatz, George W. (DNREC)
During dredging and post-dredging, DNREC Wetlands and Subaqueous Lands Section will monitor for compliance with all permit conditions.

- A close out plan for the dredged placement area is a requirement.

GG Geatz, George W. (DNREC)
The area will be capped with topsoil following completion of dredging activities.

-  The owners have agreed to remove the stone at the end of 1 ST. Street and restore the ground elevation to its natural elevation to allow storm water to drain into the marsh on parcel "O" adjacent to Lot J. This area extends approximately 35 feet from the existing wood fence into Parcel "O" as measured to the flags placed to establish the limit of dredged containment berm at the meeting on 10/25/2018.

GG Geatz, George W. (DNREC)
This was completed on 10/28/18.

This work is not complete as noted.

- DNREC stated they have no jurisdiction over the activity on parcel "O" after the permitted work is finalized. This leaves the possibility that fill could be placed in the area described in the last "Bull Dot".

GG Geatz, George W. (DNREC)
Unsure of what this means. All dredge material will be placed within earthen berms that have been agreed upon in the 10/25/18 meeting. An overview map will be sent to you shortly following collection of the points by GPS, which should occur in the next two weeks.

-  The Sedimentation and Storm water runoff plan should address the standing water issue at the lot corners as previously identified.

GG Geatz, George W. (DNREC)
The final dredge disposal site plans will call for the implementation of a swale to drain water off of the corner of the property nearest to your residence

- There were many other discussions of concern, however, those discussions are more in line with zoning and legal matters which fall outside the parameters of the dredging project at this time



This photograph was provided by DNREC with a comment that this work is complete. Referring to the on site meeting notes (previous 3 pages) on the last page, 3rd. comment describing stone removal & grading, this is far from complete. The circle indicates a catv cable cut off during excavation which is the fourth time since 2014 this has occurred.

9. Land Disposal Area

The proposed dredged material disposal site is a vacant, cleared upland area adjacent to the north of the dredging site, identified as Tax Map Parcel #1, 14, 19, 16, 25, 02 (Kangio Corp., owner). See Figure 5 for location map. Figure 5a for GoogleEarth 2017 aerial photograph; Figure 6 for site location on National Wetlands Inventory Map (also is unpaired uplands); Figure 7 for site location on State of Delaware DNR's wetland map (0016, 1' scale photograph (note is mapped U, other uplands or non tidal wetlands less than 400 acres); Figure 13 for ground-level photographs, and Figure 14 for plan view sketch with dimensions and description of proposed site preparation.

Dredged material will be contained by earthen berm and silt fencing. Construction will excavate to a depth of .2' to .3', and will use the material to build up an earthen berm .4' to .6' in height.



The Day Vista community is served by city water. There are no drinking water wells in the vicinity that would be affected by possible leachate/runoff water.

Latitude: 38.099° North (approximate center of disposal site)
Longitude: 75.096° West (approximate center of disposal site)

Construction will place excavated material directly into the gravel site, or into trucks for transport to minimize adverse effects on water quality. Earthen berm and silt fencing will contain excavated material after completion of dredging.

Present use of disposal area is open space. A portion of the site was previously used for disposal of excavated material from a nearby community.



Note C: above indicates there are no drinking water wells in the vicinity. In fact there is a private well on the adjacent lot J, +/- 150' away from the proposed disposal site. See the notes on page 2 from the on site meeting of 10/25/2018. Despite pointing this out, the application has not been modified nor has anyone considered the impact on the potable water source for our property.

PROPOSED 3,500 C.Y. MECHANICAL MAINTENANCE
 DREDGING TO -4' MLW (BASIN)-6' MLW (CHANNEL),
 WITH DISPOSAL AT ADJACENT UPLAND DISPOSAL AREA
 IN: Bay Vista Marine basin and access channel
 AT: Basin Street, Bay Vista,
 Richards Beach, Sussex County, DE 19971
 Tax Map Parcel #9-34-19-16-25 03
 APPLICANT: Sergio Corp.

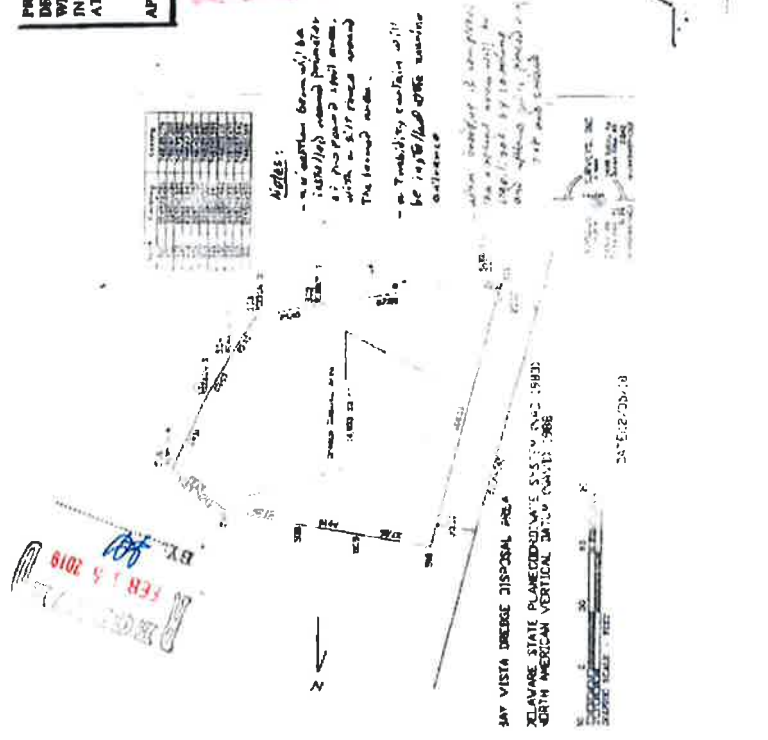


Figure 14. Plan view (survey) and cross-section of proposed disposal site.

This illustration was taken from the DNREC web site "Revised Application". On the profile plan of the proposed earthen berm, the cut from existing grade is shown to be 2' - 3'. The existing water depth is 0' - 3', does this place contaminants and salt water directly into the ground water?

7504 Regulations Governing the Use of Subaqueous Lands

4.11.3.1 All dredging is to be conducted in a manner consistent with sound conservation and water pollution control practices. Spoil and fill areas are to be properly diked to contain the dredged material and prevent its entrance into any surface water. Specific requirements for spoils retention may be specified by the Department in the approval, permit or license.

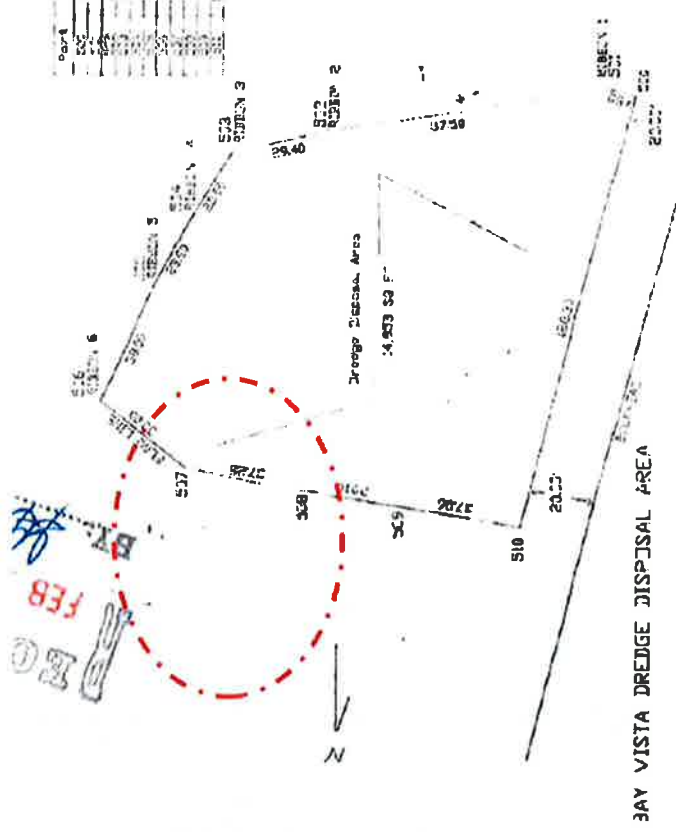
4.11.3.6 In approved disposal areas, the applicant may construct any temporary structures or use any, means necessary to control the dredge effluent, except borrowing from the outer slopes of existing embankments and/or hydraulic placing of perimeter embankments. For bermed disposal sites, a minimum freeboard of two (2) feet, measured vertically from the retained materials and water to the top of the adjacent confining embankment, shall be maintained at all times.

4.11.3.7 The applicant shall not obstruct drainage or tidal flushing on existent wetlands or upland areas adjacent thereto. The applicant shall leave free, clear, and unobstructed outfalls of sewers, drainage ditches, and other similar structures affected by the disposal operations. The dredged materials shall be distributed within the disposal area in a reasonably uniform manner to permit full drainage without ponding during and after fill operations.

We believe the above regulations should be adhered to for the placement of the dredged material proposed for this project.



Area View of two of the nearby potential sources of the material proposed to be dredged and placed adjacent to our property.



The photograph is for illustration of distance as measured on 10/25/2018 (Site Meeting) was 35 feet, later measurement was 22 feet from the rail fence to flag. This change decreases the distance to our property and the existing well. Also, see notes on site meeting, the location was not agreed to at the on site meeting of 10/25/2018.