



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

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

**DIRECTOR'S
OFFICE**

PHONE
(302) 739-9910

Requested by: February 8, 2022
Sent on: January 26, 2022

Mr. Matthew Jones
Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, DE 19901

Title: Wetlands and Subaqueous Lands Section Notices
Division: Water

Re: Public Notice #2

The Department of Natural Resources and Environmental Control (DNREC), Division of Water, Wetlands and Subaqueous Lands Section, will conduct a public hearing on Thursday, February 10, 2022 beginning at 6:00 p.m. to consider comments from the public on the Subaqueous Lands Lease application for Carlo and Teresita Businelli (Docket # 2022-P-W-0003.) The Applicant has applied to construct a 6 by 20 foot long dock extension and to install a 6 by 12 foot long floating kayak launch and to relocate an existing PWC lift in Herring Creek at 23962 Sundance Lane, Lewes, Sussex County, DE.

DFW Comments:

Anadromous Fish Species

Herring Creek is utilized by commercially and recreationally important fish species during migration and for spawning. Striped Bass (*Morone saxatilis*) and White Perch (*Morone americana*) are among the anadromous fish species which utilize this stream system from March 15th to June 30th for spawning activities and as nursery habitat for young-of-the-year. Additionally, sampling conducted by the Division indicated Pepper Creek is used by large numbers of American Eel (*Anguilla rostrata*) and is important for upstream passage of elvers (young eels) which typically occurs early March to mid-May. Therefore, to collectively minimize impacts to these fish species, we request that no pile driving occur from **March 1st through June 30th**.

Ecologically Important Wildlife Habitat

The wetland on this site has been identified as core wildlife habitat by the Delaware Ecological Network (DEN). The DEN, although non-regulatory, is a statewide conservation network developed using GIS and field collected datasets that help to identify and prioritize ecologically important areas for natural resource protection. The DEN includes ecologically important areas such as forests, wetlands, streams, habitats that supports rare species and areas of especially high quality. The DEN includes the following key elements: 1) core areas- contain relatively intact natural ecosystems, and provide high-quality habitat for native plants and animals, 2) hubs- slightly fragmented aggregations of core areas, plus contiguous natural cover and 3) corridors- link core areas together, allowing wildlife movement and seed and pollen transfer between them.

Please feel free to contact me with any questions or if you require additional information.

Sincerely,

A handwritten signature in black ink that reads "Danielle Ellis". The signature is written in a cursive, flowing style.

Danielle Ellis
Environmental Review Coordinator
Phone: (302) 223-2446
6180 Hay Point Landing Road
Smyrna, DE 19977