

July 12, 2024

Kimberly B. Cole, Administrator  
Delaware Coastal Management Program  
Department of Natural Resources & Environmental Control  
100 W. Water Street, Suite 7B  
Dover, Delaware 19904

**RE: Meoli Boat Docking Facility  
Delaware Coastal Zone Consistency Determination  
Coastal Management Program - Department of Army Individual Permit  
Tax Map Parcel 334-13.00-1318.00  
Lewes Rehoboth Hundred, Sussex County, Delaware  
Applicant: Michael Meoli**

Dear Ms. Cole,

Environmental Resource Insights (ERI) is writing on behalf of Michael Meoli to provide you with the Department of the Army Permit Application and plans for a proposed boat docking facility in the waters of the Lewes Rehoboth Canal. The Corps of Engineers advised me that a Coastal Zone Consistency Determination from your Program is required for this project. The project description and a response to applicable Coastal Zone Management Program Policies is provided in the attached Coastal Zone Management Act Federal Consistency Form. Mr. Meoli requests the issuance of a Coastal Zone Consistency Determination from your program. Upon your review of this information, I am available at your convenience should you have any additional questions.

Sincerely,

ENVIRONMENTAL RESOURCE INSIGHTS

Edward M. Lainay  
Senior Professional Wetland Scientist No. 875, Society of Wetland Scientists

Enclosures: Department of Army Application  
8 ½" x 11" Project Plans  
CZMA Federal Consistency Form

Cc: Michael Meoli  
Mike Yost, ACOE



Initial Review: \_\_\_\_\_  
Updated On: \_\_\_\_\_  
Complete: \_\_\_\_\_  
Official Use Only

## Coastal Zone Management Act Federal Consistency Form

This document provides the Delaware Coastal Management Program (DCMP) with a Federal Consistency Determination or Certification for activities regulated under the Coastal Zone Management Act of 1972, as amended, and NOAA's Federal Consistency Regulations, 15 C.F.R. Part 930. Federal agencies and other applicants for federal consistency are not required to use this form; it is provided to applicants to facilitate the submission of a Consistency Determination or Consistency Certification. In addition, federal agencies and applicants are only required to provide the information required by NOAA's Federal Consistency Regulations.

**Project/Activity Name:** Meoli Dock & Boat Lift - Lewes Rehoboth Canal

**I. Federal Agency or Non-Federal Applicant Contact Information:**

Contact Name/Title: Michael Meoli, 7 Johnson Court Rehoboth Beach, DE 19971

Federal Agency Contractor Name (if applicable): \_\_\_\_\_

Federal Agency: U.S. Army Corps of Engineers  
(either the federal agency proposing an action or the federal agency issuing a federal license/permit or financial assistance to a non-federal applicant)

Mailing Address: 1203 College Park Drive Suite 103

City: Dover State: DE Zip Code: 19904

E-mail: michaeldyost@usace.mil Telephone #: 302-736-9763

**II. Federal Consistency Category:**

- Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)
- Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)
- Federal Financial Assistance (15 C.F.R. Part 930, Subpart F)
- Federal License or Permit Activity (15 C.F.R. Part 930, Subpart D)
- Federal License or Permit Activity which occurs wholly in another state (interstate consistency activities identified in DCMP's Policy document)

**III. Detailed Project Description (attach additional sheets if necessary):**

See attached sheet.

**IV. General Analysis of Coastal Effects** (attach additional sheets if necessary):

The project proposes installation of a pier and dock fitted with a boat lift which will bridge over inter-tidal shoreline with a narrow band of shrub and emergent wetlands. No state regulated wetlands are impacted. A vinyl sheet pile retaining wall will be installed at the existing upland edge to create a stable and secure pier head area which will prevent any bank erosion at that location. Many similar dock structures are present and have been state and federally authorized along this portion of the Lewes Rehoboth Canal. The addition of the Meoli dock will have no substantial environmental impact and will not alter the nature of the surroundings. The dock will be channelward of the federal navigation channel and its buffer.

**V. Detailed Analysis of Consistency with DCMP Enforceable Policies** (attach additional sheets if necessary):

**Policy 5.1: Wetlands Management**

No state regulated wetlands will be impacted. The proposed retaining wall impacts 48 square feet of federally regulated wetlands and shoreline above mean high water. A Corps permit will be obtained prior to construction

**Policy 5.2: Beach Management**

No beaches are present.

**Policy 5.3: Coastal Waters Management** (includes wells, water supply, and stormwater management. Attach additional sheets if necessary)

The project involves construction of a single dock and pier structure landward of the federal channel and buffer similar to other residential docks as currently exist along the canal. No significant impact.

**Policy 5.4: Subaqueous Land and Coastal Strip Management**

A Subaqueous Land Permit will be obtained from the DNREC Wetland & Subaqueous Lands Section (WSLS) prior to construction. The dock is designed in accordance with WSLS standards.

**Policy 5.5: Public Lands Management**

No state owned lands are involved. A Real Estate License will be obtained from the Baltimore District Corps of Engineers prior to any construction.

**Policy 5.6: Natural Lands Management**

The location does not involve any state owned lands, park or natural land management areas.

**Policy 5.7: Flood Hazard Areas Management**

Not Applicable.

**Policy 5.8: Port of Wilmington**

Not Applicable.

**Policy 5.9: Woodlands and Agricultural Lands Management**

Not Applicable. The project does not result in any significant forest clearing impact.

**Policy 5.10: Historic and Cultural Areas Management**

No historic or cultural areas or resources are present at this location.

**Policy 5.11: Living Resources**

The project has been designed in accordance with Corps and WSLS design standards so as to minimize impacts on living resources and the environment.

**Policy 5.12 Mineral Resources Management**

Not Applicable.

**Policy 5.13: State Owned Coastal Recreation and Conservation**

Not Applicable.

**Policy 5.14: Public Trust Doctrine**

The project is not contrary to the public trust. State owned lands are not involved and the project will have no adverse impact on navigation.

**Policy 5.15: Energy Facilities**

Not Applicable.

**Policy 5.16: Public Investment**

Not Applicable.

**Policy 5.17: Recreation and Tourism**

The project will provide the Meoli family with recreational water access similar to that enjoyed by other residents who live along the portion of the Lewes Rehoboth Canal as approved by the Corps and WSLs.

**Policy 5.18: National Defense and Aerospace Facilities**

Not Applicable.

**Policy 5.19: Transportation Facilities**

Not Applicable. The project does not impact the federal navigation channel.

**Policy 5.20: Air Quality Management**

Not Applicable.

**Policy 5.21: Water Supply Management**

Not Applicable.

**Policy 5.22: Waste Disposal Management**

Not Applicable.

**Policy 5.23: Development**

The project serves an existing residential lot within a community developed in accordance with local, state and federal regulations.

**Policy 5.24: Pollution Prevention**

The project only utilizes approved materials.

**Policy 5.25: Coastal Management Coordination**

The project will obtain Corps of Engineers and WSLs approvals prior to construction.

**VI. JPP and RAS Review (Check all that apply):**

Has the project been reviewed in a monthly Joint Permit Processing and/or Regulatory Advisory Service meeting?

- JPP                       RAS                       None

\*If yes, provide the date of the meeting(s): \_\_\_\_\_

**VII. Statement of Certification/Determination and Signature** (Check one and sign below):

**FEDERAL AGENCY CONSISTENCY DETERMINATION.** Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity is consistent to the maximum extent practicable with the enforceable policies of the Delaware Coastal Management Program.

OR

**FEDERAL AGENCY NEGATIVE DETERMINATION.** Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity will not have any reasonably foreseeable effects on Delaware's coastal uses or resources (Negative Determination) and is therefore consistent with the enforceable policies of the Delaware Coastal Management Program.

OR

**NON-FEDERAL APPLICANT'S CONSISTENCY CERTIFICATION.** Based upon the information, data, and analysis included herein, the non-federal applicant for a federal license or permit, or state or local government agency applying for federal funding, listed in (I) above, finds that this proposed activity complies with the enforceable policies of the Delaware Coastal Management Program and will be conducted in a manner consistent with such program.

Signature:		Date:	6/24/24
Printed Name:	Michael Meoli	Date:	

Pursuant to 15 C.F.R. Part 930, the Delaware Coastal Management Program must provide its concurrence with or objection to this consistency determination or consistency certification in accordance with the deadlines listed below. Concurrence will be presumed if the state's response is not received within the allowable timeframe.

**Federal Consistency Review Deadlines:**

Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)	60 days with option to extend an additional 15 days or stay review (15 C.F.R. § 930.41)
Federal License or Permit (15 C.F.R. Part 930, Subpart D)	Six months, with a status letter at three months. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.63)
Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)	Six months, with a status letter at three months. If three month status letter not issued, then concurrence presumed. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.78)
Federal Financial Assistance to State or Local Governments (15 C.F.R. Part 930, Subpart F)	State Clearinghouse schedule

**OFFICIAL USE ONLY:**

Reviewed By:	Fed Con ID:	Date Received:
Public notice dates: _____ to _____	Comments Received: <input type="checkbox"/> NO <input type="checkbox"/> YES <i>[attach comments]</i>	
Decision type: <small>(objections or conditions attach details)</small>	Decision Date: _____	