

U.S. Army Corps of Engineers (USACE)
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

For use of this form, see 33 CFR 325. The proponent agency is CECW-CO-R.

Form Approved -
 OMB No. 0710-0003
 Expires: 08-31-2023

The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpcid.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ca.aspx>

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

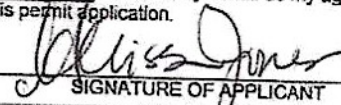
1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Dr. Blair & Melissa Last - Jones Company - E-mail Address - melissajones516@gmail.com		8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Evelyn Middle - M. Last - Maurmeyer Company - CER, Inc. E-mail Address - maurmeyer@udel.edu	
6. APPLICANT'S ADDRESS: Address- 145 Torquay Ct. City - Rehoboth State - DE Zip - 19976 Country - USA Beach		9. AGENT'S ADDRESS: Address- PO Box 674 City - Lewes State - DE Zip - 19958 Country - USA	
7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence (302) 745-0092 b. Business c. Fax		10. AGENTS PHONE NOS. w/AREA CODE a. Residence b. Business (302) 645-9610 c. Fax	

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Evelyn Maurmeyer to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.


 SIGNATURE OF APPLICANT

5/8/2024
 DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) JONES DOCKING FACILITIES	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Lewes and Rehoboth Canal	14. PROJECT STREET ADDRESS (if applicable) Address 73 Tidewaters City - Henlopen Acres State - DE Zip - 19971
15. LOCATION OF PROJECT Latitude: +N 38.723168°N Longitude: -W -75.089771°W	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID #334-13.12-2.01 Municipality Town of Henlopen Acres Section - -- Township - -- Range - --	

17. DIRECTIONS TO THE SITE

See Figures 1, 2, 3, and 4 for maps and directions.

18. Nature of Activity (Description of project, include all features)

- Repair/replace existing access steps (landward of MHW)
- Repair/replacement of existing 20' long x 4' wide pier.
- Repair/replacement/enlargement of existing 40' long x 5' wide dock to 50' long x 5' wide (to accommodate proposed boat lift)
- Installation of new 10K side-mount boat lift
- Installation of new 12' long x 6' wide floating kayak dock with fixed ladder.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

Purpose of repair/replacement is to remove the existing, deteriorating structures (see photograph, Figure 8) and to install safe new structures. Purpose of the boat lift is to keep the applicant's boat out of the water when not in use; secondary purpose is to prevent the boat from resting on the bottom at extreme low tides. Purpose of the dock enlargement is to accommodate the proposed boat lift. Purpose of the floating kayak dock is to provide a launching facility for the applicants' kayaks. Purpose of the ladder is to provide access from the fixed dock to the floating kayak dock.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

No discharge proposed.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards: None proposed

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
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22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions) None proposed

Acres
or
Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

See attached sheet.

BLOCK 23.

Avoidance. Avoidance of impacts (“no action”) is not feasible. The existing structure has deteriorated to the point that use is unsafe (see photograph, Figure 8). Additionally, unless a boat lift is installed, the applicants’ larger, deeper draft vessel will rest on the bottom at extreme low tides. And finally, the existing structures are not suitable for the applicants to launch their kayaks.

Minimization. The applicants’ contractor has minimized the project to the greatest extent feasible by designing the repair/replacement/enlargement of the existing structures, and the new docking facilities to serve their intended purposes. The larger 50’ long x 6’ wide dock will provide mooring space for the applicants’ two motorized boats (including one boat on the proposed boat lift). Use of a 10K Side-Mount Boat Lift has minimized impacts so that outer pilings are not necessary. The cradle is 9’ in width, so that the structure does not encroach into the Lewes and Rehoboth Canal buffer zone. The floating kayak dock is only 6’ wide x 12’ long, sufficient to launch kayaks.

Compensation. There will be no impacts in vegetated wetlands associated with the proposed project, therefore, no compensation is proposed.

BLOCK 25.

Names and addresses of adjoining property owners:

<u>Tax Map Parcel #</u>	<u>Name, address of owner</u>
#334-13.12-2.00	Nancy and Mark Duber, 71 Tidewaters, Henlopen Acres DE 19971
#334-13.12-8.00	R. Croft LLC, 102 West Pennsylvania Ave., Towson MD 21202
Bright Water Ride:	Town of Henlopen Acres, 104 Tidewaters, Henlopen Acres, DE 19971
#334-19.00-173.00:	Lewes and Rehoboth Canal, USA, PO Box 2000, Georgetown DE 19947

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).
See attached sheet and Figure 4.

a. Address-

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
DE DNREC W&WS	Subaq. lease	n/a	6/21/2024	pending	
DE DCMP	CZM Cert.	"	"	"	
USACE Balt.	RE License	"	"	"	

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.



COASTAL & ESTUARINE RESEARCH, INC.

Marine Studies Complex
P.O. Box 674
Lewes, Delaware 19958
302-645-9610

June 2024

**PROJECT DESCRIPTION
BOAT DOCKING FACILITIES:**

Applicants

Dr. Blair and Melissa Jones
73 Tidewaters
Henlopen Acres, DE 19971

Site Location

The proposed project site is 73 Tidewater Road, Henlopen Acres, Sussex County, Delaware (Tax Map Parcel #334-13.12-2.01). See Figures 1, 2, 3 and 4 for location maps and directions to site. The site location is depicted on USGS topographic map, Rehoboth Beach, Delaware quadrangle (Figure 5), and is adjacent to the Lewes and Rehoboth Canal. Width of waterway at project site = 120'±. The site location is depicted on State of Delaware DNREC Wetland Map #DNR035, 1988 photobase (Figure 6), and is mapped O (other, uplands or non-tidal wetlands less than 400 acres), adjacent to W (Water). See Figure 7 for aerial photograph, and Figure 8 for ground-level photograph of site.

Existing Structures

The following existing structures are present on site:

- 20 l.f. stone rip-rap bank stabilization
- Access steps from upland bank (steps are landward of MHW).
- 20' long x 4' wide pier
- 5' wide x 40' long fixed dock

The structures were authorized by SL-351/04 and CENAP-OP-R-200601253-23, and approved by Delaware Coastal Management Federal Consistency Certification FC 05.013.

Proposed Project

The applicant proposes the following activities (see Figures 8 and 9 for plan view and cross-sections):

- Repair/replace existing access steps (landward of MHW)
- Repair/replacement of existing 20' long x 4' wide pier.
- Repair/replacement/enlargement of existing 40' long x 5' wide dock to 50' long x 5' wide (to accommodate proposed boat lift)
- Installation of new 10K side-mount boat lift
- Installation of new 12' long x 6' wide floating kayak dock with fixed ladder.

Project Purpose

Purpose of repair/replacement is to remove the existing, deteriorating structures (see photograph, Figure 8) and to install safe new structures. Purpose of the boat lift is to keep the applicant's boat out of the water when not in use; secondary purpose is to prevent the boat from resting on the bottom at extreme low tides. Purpose of the dock enlargement is to accommodate the proposed boat lift. Purpose of the floating kayak dock is to provide a launching facility for the applicants' kayaks. Purpose of the ladder is to provide access from the fixed dock to the floating kayak dock.

PART I

I. PROJECT DESCRIPTION:

- A. General Site Location: Accurately locate the project site with respect to State, county, or other subdivision, and in relation to streams and rivers.
Project site is located in State of Delaware, Sussex County, adjacent to the Lewes and Rehoboth Canal.
- B. Specific Site Locations: Completely locate the project site with respect to cove, creek, property owner, plot number, etc.
Project site is 73 Tidewaters, Henlopen Acres, DE 19971, Dr. Blair & Melissa Jones, owners (Tax Map parcel #334-13.12-2.01).
- C. Description of Proposed Action: Carefully describe the action proposed, including the method of construction, equipment, and materials to be used. Details in your description are important. Attach additional sheets if necessary.
See attached Project Description for details.
- D. Purpose of Proposed Action: Define the purpose of the proposed structure or work. For example, the purpose of bulkheading may be to stabilize an eroding bank; whereas, the purpose for a pier may be for the mooring of a private boat, for access to a public or private facility, for a marina, or for another purpose.
See attached Project Description for project purpose.
- E. Submit color photographs of the site, with explanations of the views shown (prints only). Photographs help us to better understand your project. The more photographs you provide, the easier it is to understand and process your application.
See Figure 7 for aerial photograph, and Figure 8 for ground-level photograph.

PART II - ENVIRONMENTAL IMPACT CHECKLIST

ENVIRONMENTAL IMPACT	YES	NO	QUALIFYING REMARKS
A. Physical			
1. Topography	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
2. Geological Elements and Leaching	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
3. Air	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
4. Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will improve recreational boating
5. Handling of Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None involved
6. Spoil Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
7. Sewage and Solid Wastes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
8. Water Resources			
a. Water Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Possible minor, localized turbidity during construction
b. Hydrography, Circulation, Littoral Drift	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Possible localized, minor effects
c. Ground Water	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
B. Biological			
1. Vegetation			
a. Terrestrial	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
b. Aquatic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
2. Fish and Wildlife			
a. Mammals	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
b. Birds	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
c. Amphibians	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
d. Reptiles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
e. Fish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Possible minor disturbance during construction
f. Shellfish	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts (area closed to shellfish harvesting)
g. Invertebrates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Possible minor impacts
3. Rare or Endangered Species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None known on site

ENVIRONMENTAL IMPACT	YES	NO	QUALIFYING REMARKS
C. Cultural			
1. Land Use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Similar structures in vicinity
2. Population Density and Trends	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
3. Regional Development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
4. Historic Places	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None known on site
5. Archaeological Sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
6. Aesthetics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will improve aesthetics
7. Utilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
8. Transportation Systems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will improve recreational boating
9. Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	"
10. Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
D. Other Factors			
1. Secondary Effects	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None anticipated
2. Controversiality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
3. Is significant dredging involved?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No dredging involved
4. Is significant filling involved?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No filling involved



DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT, CORPS OF ENGINEERS
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

REPLY TO
ATTENTION OF

CENAP-OP-R

PUBLIC NOTICE

The Philadelphia District of the Corps of Engineers requests that applicants for Department of the Army permits for work in waters of the United States provide in their permit application the following information:

- a. street address, lot and block number, latitude and longitude of the proposed project site;
- b. names and addresses of adjoining property owners, lessees, etc. to the proposed project site;
- c. mailing addresses of post office, city and county governments, and local newspapers in the vicinity of the proposed project site.

The more the applicant provides, the easier it is to understand and process an application. The above information is necessary in order to initiate processing of the permit application. Failure to provide the information will result in the withdrawal of the permit application without prejudice.

A handwritten signature in black ink, appearing to read "Frank J. Cianfrani".

Frank J. Cianfrani
Chief, Regulatory Branch

INFORMATION FOR PUBLIC NOTICE

Applicants

Dr. Blair and Melissa Jones
73 Tidewaters
Henlopen Acres, DE 19971

- a. **Street Address:** 73 Tidewater Road, Henlopen Acres, DE 19971
Tax Map Parcel #334-13.12-2.01

Lot and Block Number: Lot 3, Block H
Latitude: 38.723168° N.
Longitude: -75.089771° W.

- b. **Names and addresses of adjoining property owners:**

<u>Tax Map Parcel #</u>	<u>Name, address of owner</u>
#334-13.12-2.00	Nancy and Mark Duber, 71 Tidewaters, Henlopen Acres DE 19971
#334-13.12-8.00	R. Croft LLC, 102 West Pennsylvania Ave., Towson MD 21202
Bright Water Ride:	Town of Henlopen Acres, 104 Tidewaters, Henlopen Acres, DE 19971
#334-19.00-173.00:	Lewes and Rehoboth Canal, USA, PO Box 2000, Georgetown DE 19947

- c. **Mailing Addresses:**

1. U.S. Post Office, 179 Rehoboth Avenue, Rehoboth Beach, DE 19971
2. Town of Henlopen Acres, 104 Tidewaters, Henlopen Acres, Rehoboth Beach, DE 19971
3. Sussex County, The Courthouse, P.O. Box 589, Georgetown, DE 19947
4. News Journal Newspaper, 950 West Basin Road, New Castle, DE 19720
5. Delaware State News, 425 Webbs Lane, Dover, DE 19901



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT CORPS OF ENGINEERS
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

OCT 02 2018

CENAP-OP-R-Coastal Zone Management (Delaware)

Public Notice

SUBJECT: "Consistency Certification" with Approved State Coastal Zone Management Programs

Federal regulations require that applicants for Department of the Army permits to perform work in waters of the United States, which fall under the jurisdiction of a State with a Coastal Zone Management (CZM) Program approved by the Secretary of Commerce, must provide a signed consistency certification statement to the Corps of Engineers with their application for a Department of the Army permit.

On August 21, 1979, a CZM Program was approved for the State of Delaware by the U.S. Department of Commerce. Therefore, all applications for Department of the Army permits for work in Delaware's designated Coastal Zone, which is the entire state of Delaware, **MUST CONTAIN A SIGNED CONSISTENCY CERTIFICATION** stating that: "The proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program."

Furthermore, concurrent with the application for a Department of the Army permit, the applicant **MUST ALSO PROVIDE A SIGNED CONSISTENCY CERTIFICATION STATEMENT DIRECTLY TO THE Delaware Coastal Management Program (DCMP)** for their review and concurrence. This certification must be accompanied by the following information:

- A copy of the Federal application for the Department of the Army permit.
- A detailed description of the proposed activity and its associated facilities which is adequate to assess the activity's probable coastal zone effects. Including but not limited to, maps, diagrams, technical data, etc.
- A brief assessment of the probable coastal zone effects of the proposal and their relation to the relevant policies of the DCMP. A DCMP Policy Document may be obtained by contacting the DCMP at (302) 739-9283.
- A brief set of findings, derived from the above assessment, indicating that the proposed activity and the effects are all consistent with the provisions of the DCMP.

The above information should be sent to:

Delaware Coastal Management Program
Delaware Department of Natural Resources and Environmental Control
100 W. Water Street, Suite 7B
Dover, Delaware 19904
(302) 739-9283 (V)
(302) 739-2048 (F)

A handwritten signature in cursive script, reading "Edward E. Bonner".

Edward E. Bonner
Chief, Regulatory Branch



COASTAL & ESTUARINE RESEARCH, INC.

Marine Studies Complex
P.O. Box 674
Lewes, Delaware 19958
302-645-9610

CONSISTENCY CERTIFICATION

“The proposed activity, repair/replacement of existing steps (landward of MHW) and a 20’ long x 4’ wide pier; repair/replacement/enlargement of an existing 40’ long x 5’ wide dock to 50’ long x 6’ wide to accommodate installation of a new 10K Side-Mount Boat Lift, and installation of a new 12’ long x 6’ wide floating kayak dock with fixed ladder adjacent to the Lewes and Rehoboth Canal at 73 Tidewaters, Henlopen Acres, Sussex County, Delaware (Tax Map Parcel #334-13.12-2.01), Dr. Blair and Melissa Jones (applicants) complies with and will be conducted in a manner that is consistent with the approved Delaware Coastal Management Program (DCMP).”

Evelyn M. Maurmeyer
Agent for applicants

6/21/2024
Date