

May 12, 2025

Mr. Matt Jones
Department of Natural Resource and Environmental Control
Division of Water
89 Kings Highway
Dover, DE 19901

SUBJECT: Leipsic Research Dock and Storage Facility
Request for DNREC Wetlands and Subaqueous Lands Permit and WQC

Dear Mr. Jones:

On behalf of our client, DNREC Division of Fish and Wildlife (DFW), Century Engineering, Inc. (Century) is pleased to inform the Wetlands and Subaqueous Lands Section (WSLS) about the Leipsic Research Dock and Storage Facility project (project; also referred to as the “Whedbee Property Research Vessel Dock and Storage Building” project) at the eastern terminus of Lombard Street in Leipsic, Kent County, Delaware. This application package provides the documentation supporting a request for a WSLS Permit and a 401 Water Quality Certification (WQC).

The purpose of the project is to construct a new research vessel dock, fueling facility, and storage building. The proposed fixed dock is 120’ long x 10’ wide with a 5’ x 5’ hose platform at the end of a 10’ wide gangway. The structure extends approximately 25.2 feet channelward of Mean Low Water (MLW) and 41.1 feet channelward of Mean High Water (MHW). The dock and gangway will require 18 support piles and will have water and electric service. The building will be 60’ x 66’ with a portion (20’ x 66’) dedicated to boat storage. The facility will not be used as a repair yard or for vessel maintenance. Construction of the dock will take place from the shore.

The dock is intended to regularly support one (1) research vessel, the First State, that is 60’ long. Other vessels may be moored at the dock from time to time; however, no more than four (4) vessels will utilize the dock at any one time. The size of the dock is to ensure a second vessel could be moored if the First State is already moored. The gangway and dock width are necessary to provide space for pallet jacks and personnel to transport large equipment from the research vessel to the storage facility, and to safely use a hydraulic boat boom to move oyster equipment.

Century is engaged in ongoing coordination with the State Fire Marshal Office (SFMO) for the building plans and fuel storage tank. The project scope was reviewed with Jeff Cerri, Fire Protection Specialist, Kent Division on 12/16/2024 and a submittal process was established for site plans, building plans, fire alarm plans, and tank plans.

DFW is applying for authorization under an U.S. Army Corps of Engineers (USACE) Individual Permit Letter of Permission (IP LOP, requiring Water Quality Certification and Coastal Zone Federal Consistency) for Section 10 impacts to an estuarine, unconsolidated bottom, subtidal channel (E1UBL). DFW is also applying for authorization under a USACE Nationwide Permit (NWP) 3 for repair and slight

reconfiguration of the existing pavement. The site is depicted on State Regulated Wetlands Map #269 and is mapped as water (W) and Other; Upland or non-tidal wetlands less than 400 acres (O). The proposed project will result in 0.0354 acre of unavoidable, permanent shading to the Leipsic River. The project will not result in any loss of State regulated wetlands or waters.

Based upon the Century wetland delineation (completed March 2021) and State Tidal Wetlands Maps, the proposed activities will have the following impacts (refer to Environmental Compliance sheets included in Design Plans):

ID	IMPACT DURATION	DESCRIPTION	MAPPED RESOURCE	AREA (AC)	LOSS (AC)
O-02	PERMANENT	DOCK AND SUPPORT PILES	W	0.0354	0.000
T-08	TEMPORARY	CONSTRUCTION	W	0.0102	0.000
TOTAL STATE REGULATED WETLAND PERMANENT IMPACTS				0.0354-AC	
TOTAL STATE REGULATED TEMPORARY IMPACTS				0.0102-AC	
TOTAL STATE REGULATED WETLAND LOSS				0.000-AC	

In a letter dated May 12, 2025, DNREC- Species Conservation and Research Program (SCRP) indicated that the project area does not lie within a State Natural Heritage Site, nor does it lie within a Delaware National Estuarine Research Reserve. The SCRCP requests a work restriction April 1st to July 31st to avoid impacts to marsh nesting birds and a restriction March 1st to May 15th to allow upstream passage of young eels. In addition, the Leipsic River is utilized by anadromous fish so a time-of-year restriction on in-water work March 15th to June 30th will be followed. No in-water work will occur from March 1 through July 31 to adhere to all RTE guidance.

SCRCP identified habitat on this parcel as ecologically important by the Delaware Ecological Network (DEN) and indicated portions of the project area are classified as a core area and a hub. 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 that will be protected to the fullest extent possible.

Consultation with USFWS indicated “No effect” to federally rare, threatened, or endangered species. The NOAA Essential Fish Habitats (EFH) mapper indicated that the project boundary intersects with EFH for 12 species and one (1) Habitat Areas of Particular Concern (HAPC). The Leipsic River provides anadromous fish habitat, so a NOAA Fisheries Greater Atlantic Regional Fisheries Office Essential Fish Habitat (EFH) Assessment & Fish and Wildlife Coordination Act (FWCA) Consultation Worksheet was included with the USACE IP application. The NOAA Section 7 mapper indicated life stages of Atlantic sturgeon and Shortnose sturgeon may occur within the vicinity of the action area. A GARFO ESA Section 7: NLAA Program Verification Form was included as supporting information for the USACE IP application.

The Delaware State Historic Preservation office (SHPO) was notified of the project on April 17, 2024. The 30-day comment period has passed, so we have assumed concurrence with our “No Adverse Effects” findings.



Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

CENTURY ENGINEERING, LLC, A KLEINFELDER COMPANY

A handwritten signature in black ink, appearing to read 'Missy M. Kalb'.

Missy Kalb, CE
Senior Environmental Scientist

- WSLs Application w/ Signature Page
- Appendix A
- Vicinity, USGS, NWI, Aerial Maps
- Design plan sheets
- RTE Correspondence
- Historical/Archaeological Correspondence
- Photolog
- Copy of USACE Individual Permit and NWP Application Packages

cc: Jeremy Ashe, DNREC
Alex Schmidt, Century

WETLANDS AND SUBAQUEOUS LANDS SECTION PERMIT APPLICATION FORM

**For Subaqueous Lands, Wetlands, Marina and
401 Water Quality Certification Projects**

**State of Delaware
Department of Natural Resources and Environmental Control
Division of Water**

Wetlands and Subaqueous Lands Section



**APPLICATION FOR APPROVAL OF
SUBAQUEOUS LANDS, WETLANDS, MARINA
AND WATER QUALITY CERTIFICATION PROJECTS**

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY**Application Instructions:**

1. Complete each section of this basic application and appropriate appendices as thoroughly and accurately as possible. Incomplete or inaccurate applications will be returned.
2. All applications must be accompanied by a scaled plan view and cross-section view plans that show the location and design details for the proposed project. Full construction plans must be submitted for major projects.
3. All applications must have an original signature page and proof of ownership or permitted land use agreement.
4. Submit an original and two (2) additional copies of the application (total of 3) with the appropriate application fee and public notice fee* (prepared in separate checks) to:

**Department of Natural Resources and Environmental Control
Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, Delaware 19901**

*Application and public notice fees are non-refundable regardless of the Permit decision or application status.

5. No construction may begin at the project site before written approval has been received from this office.

Helpful Information:

1. Tax Parcel Information:

New Castle County	(302) 395-5400
Kent County	(302) 736-2010
Sussex County	(302) 855-7878
2. Recorder of Deeds:

New Castle County	(302) 571-7550
Kent County	(302) 744-2314
Sussex County	(302) 855-7785
3. A separate application and/or approval may be required through the Army Corps of Engineers. Applicants are strongly encouraged to contact the Corps for a determination of their permitting requirements. For more information, contact the Philadelphia District Regulator of the Day at (215) 656-6728 or visit their website at: <http://www.nap.usace.army.mil/Missions/Regulatory.aspx>.
4. For questions about this application or the Wetlands and Subaqueous Lands Section, contact us at (302) 739-9943 or visit our website at: <http://www.dnrec.delaware.gov/wr/Services/Pages/WetlandsAndSubaqueousLands.aspx>. Office hours are Monday through Friday 8:00 AM to 4:30 PM, except on State Holidays.

APPLICANT'S REVIEW BEFORE MAILING

DID YOU COMPLETE THE FOLLOWING?

_____ Yes	BASIC APPLICATION
_____ Yes	SIGNATURE PAGE (Page 3)
_____ Yes	APPLICABLE APPENDICES
_____ Yes	SCALED PLAN VIEW
_____ Yes	SCALED CROSS-SECTION OR ELEVATION VIEW PLANS
_____ Yes	VICINITY MAP
_____ Yes	COPY OF THE PROPERTY DEED & SURVEY
_____ Yes	THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET
_____ Yes	APPROPRIATE APPLICATION FEE & PUBLIC NOTICE FEE (Separate checks made payable to the State of Delaware)

Submit 3 complete copies of the application packet to:

**Department of Natural Resources and Environmental Control
Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, Delaware 19901**

Before signing and mailing your application packet, please read the following:

The Department requests that the contractor or party who will perform the construction of your proposed project, if other than the applicant, sign the application signature page along with the applicant in the spaces provided. When the application is signed by the contractor as well as the applicant, the Department will issue the Permit to both parties. For Leases, the contractor will receive a separate construction authorization that will make them subject to all of the terms and conditions of the Lease relating to the construction

Section 1: Applicant Identification

1. Applicant's Name: _____ Telephone #: _____
 Mailing Address: _____ Fax #: _____
 _____ E-mail: _____

2. Consultant's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 _____ Fax #: _____
 _____ E-mail: _____
3. Contractor's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 _____ Fax #: _____
 _____ E-mail: _____

Section 2: Project Description

4. Check those that apply:
☐ New Project/addition to existing project? ☐ Repair/Replace existing structure? (If checked, must answer #16)
5. Project Purpose (attach additional sheets as necessary):

6. Check each Appendix that is enclosed with this application:

<input type="checkbox"/>	A. Boat Docking Facilities	<input type="checkbox"/>	G. Bulkheads	<input type="checkbox"/>	N. Preliminary Marina Checklist
<input type="checkbox"/>	B. Boat Ramps	<input type="checkbox"/>	H. Fill	<input type="checkbox"/>	O. Marinas
<input type="checkbox"/>	C. Road Crossings	<input type="checkbox"/>	I. Rip-Rap Sills and Revetments	<input type="checkbox"/>	P. Stormwater Management
<input type="checkbox"/>	D. Channel Modifications/Dams	<input type="checkbox"/>	J. Vegetative Stabilization	<input type="checkbox"/>	Q. Ponds and Impoundments
<input type="checkbox"/>	E. Utility Crossings	<input type="checkbox"/>	K. Jetties, Groins, Breakwaters	<input type="checkbox"/>	R. Maintenance Dredging
<input type="checkbox"/>	F. Intake or Outfall Structures	<input type="checkbox"/>	M. Activities in State Wetlands	<input type="checkbox"/>	S. New Dredging

Section 3: Project Location

7. Project Site Address: _____ County: ☐ N.C. ☐ Kent ☐ Sussex
 _____ Site owner name (if different from applicant): _____
 _____ Address of site owner: _____

8. Driving Directions: _____

 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: _____ Subdivision Name: _____

WSLS Use Only:		Permit #s: _____		_____		_____		_____	
Type	SP <input type="checkbox"/>	SL <input type="checkbox"/>	SU <input type="checkbox"/>	WE <input type="checkbox"/>	WQ <input type="checkbox"/>	LA <input type="checkbox"/>	SA <input type="checkbox"/>	MP <input type="checkbox"/>	WA <input type="checkbox"/>
Corps Permit: SPGP 18 <input type="checkbox"/> 20 <input type="checkbox"/>		Nationwide Permit #: _____		Individual Permit # _____					
Received Date: _____		Project Scientist: _____							
Fee Received? Yes <input type="checkbox"/> No <input type="checkbox"/>		Amt: \$ _____		Receipt #: _____					
Public Notice #: _____		Public Notice Dates: ON _____		OFF _____					

Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: _____ waterbody is a tributary to: _____

11. Is the waterbody: ☐ Tidal ☐ Non-tidal Waterbody width at mean low or ordinary high water _____

12. Is the project: ☐ On public subaqueous lands? ☐ On private subaqueous lands?*

☐ In State-regulated wetlands? ☐ In Federally-regulated wetlands? **and waters**

*If the project is on private subaqueous lands, provide the name of the subaqueous lands owner:

(Written permission from the private subaqueous lands owner must be included with this application)

13. Present Zoning: ☐ Agricultural ☐ Residential ☐ Commercial ☐ Industrial ☐ Other

Section 4: Miscellaneous

14. A. List the names and complete mailing addresses of the immediately adjoining property owners on all sides of the project (attach additional sheets as necessary):

B. For wetlands and marina projects, list the names and complete mailing addresses of property owners within a 1,000 foot radius of the project (attach additional sheets as necessary):

15. Provide the names of DNREC and/or Army Corps of Engineers representatives whom you have discussed the project with:

A. Have you had a State Jurisdictional Determination performed on the property? ☐ Yes ☐ No

B. Has the project been reviewed in a monthly Joint Permit Processing Meeting? ☐ Yes ☐ No

*If yes, what was the date of the meeting? _____

16. Are there existing structures or fill at the project site in subaqueous lands? ☐ Yes ☐ No

*If yes, provide the permit and/or lease number(s):

*If no, were structures and/or fill in place prior to 1969? ☐ Yes ☐ No

17. Have you applied for or obtained a Federal permit from the Army Corps of Engineers?

☐ No ☐ Pending ☐ Issued ☐ Denied Date: _____

Type of Permit: _____ Federal Permit or ID #: _____

18. Have you applied for permits from other Sections within DNREC?

☐ No ☐ Pending ☐ Issued ☐ Denied Date: _____ Permit or ID #: _____

Type of permit (circle all that apply): Septic Well NPDES Storm Water

Other: _____

Section 5: Signature Page**19. Agent Authorization:**

If you choose to complete this section, all future correspondence to the Department may be signed by the duly authorized agent. In addition, the agent will become the primary point of contact for all correspondence from the Department.

I do not wish to authorize an agent to act on my behalf ☐


I wish to authorize an agent as indicated below ☐

I, _____, hereby designate and authorize _____
(Name of Applicant) (Name of Agent)
to act on my behalf in the processing of this application and to furnish any additional information requested by the Department.

Authorized Agent's Name: _____ Telephone #: _____
Mailing Address: _____ Fax #: _____
_____ E-mail: _____

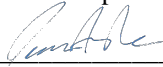
20. Agent's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.

Agent's Signature  _____
Date _____

21. Applicant's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application. I grant permission to authorized Department representatives to enter upon the premises for inspection purposes during working hours.

Applicant's Signature  _____
Date _____

Print Name

22. Contractor's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge, and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.

Contractor's Name _____
Date _____

Print Name

BOAT DOCKING FACILITIES

Any boat docking facility for more than four (4) vessels is considered a marina facility (see definitions and explanations section) and requires the applicant to complete Appendices N and O, and make application to the U. S. Army Corps of Engineers for approval.

Please make sure answers to all of the questions in this appendix correspond with information on the application drawings.

1. Briefly describe the project. (Attach additional sheets as necessary.)

2. Please provide numbers and dimensions as follows:

Structure Type	Number of Support Pilings	Dimensions (Channelward of MHW or OHW)		Dimensions (Channelward of MLW- n/a for non-tidal water)		New, repair or maintain
Dock, Pier, Lift, gangway		Width ____ ft.	Length ____ ft.	Width ____ ft.	Length ____ ft.	
Freestanding Pilings	Number					

Mooring Buoy: How many moorings will be installed? _____
 What will be used for the anchor(s)? _____
 Anchor/Mooring Block Weight _____
 Anchor Line Scope (Length or Ratio) _____
 Water Depth at Mooring Location _____

3. Approximately how wide is the waterway at this project site? _____ ft. (measured from MLW to MLW)
4. What will be the mean low water depth at the most channelward end of the mooring facility? _____ ft.
5. What type of material(s) will be used for construction of the mooring facility (e.g. salt treated wood, aluminum, fiberglass floats, etc.) Use of creosote-treated wood is prohibited. **Aluminum dock on steel piles**
6. Circle any of the following items that are proposed over subaqueous lands:
 Fish Cleaning Stations/Benches/Ladders/Water Lines/ Satellite/Electric Lines/ Handrails/Other (Describe)

If any of the items are circled above, include their dimensions and location on the application drawings.

7. What will be the distance from the most channelward end of the docking facility to the edge of any natural or man-made channel? _____ ft.
8. Describe the vessels that will be berthed at the docking facility. Please draw proposed vessel locations on plans and drawings. See Environmental Compliance Plan in the design sheets. Note a second vessel is shown to demonstrate the size of the dock is needed for an additional vessel to occasionally dock at the facility with the First State.
- | | | | |
|------------------|--------------|-------------|-------------|
| Make/model _____ | length _____ | width _____ | draft _____ |
| Make/model _____ | length _____ | width _____ | draft _____ |
| Make/model _____ | length _____ | width _____ | draft _____ |
| Make/model _____ | length _____ | width _____ | draft _____ |
9. Please provide a copy of the current state registration or Coast Guard Certificate of Documentation for each motorized vessel listed above.
10. Give the number and type of each Marine Sanitation Device (e.g. MSD III, Portable toilet) that will be used on vessels to be docked at the facility. The MSD on board is an Incinoleet which burns waste onboard.
11. Is there currently a residence on the property? _____ Yes _____ No
12. Do you plan to reach the boat docking facility from your own upland property? _____ Yes _____ No If "No", explain your proposed means of access and provide documentation of easement or documentation authorizing access if you intend to cross someone else's property.
13. Will any portion of the structure be located in privately owned underwater land (such as a pond or lagoon) owned by someone other than the applicant? _____ Yes _____ No.
If yes, written permission of the underwater land owner must be provided with this application.
14. What is the width of the waterfront property frontage adjacent to subaqueous lands? _____ ft. ~750 ft of frontage
Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line?
_____ Yes _____ No
If yes, a letter of no objection from the adjacent property owner must be included with this application.

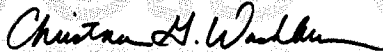
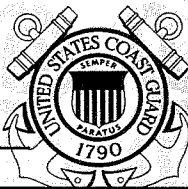


UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD

NATIONAL VESSEL DOCUMENTATION CENTER

CERTIFICATE OF DOCUMENTATION

VESSEL NAME FIRST STATE		OFFICIAL NUMBER 1126487	IMO OR OTHER NUMBER DKRD3600D202	YEAR COMPLETED 2002	
HAILING PORT DOVER DE		HULL MATERIAL ALUMINUM		MECHANICAL PROPULSION YES	
GROSS TONNAGE 63 GRT	NET TONNAGE 50 NRT	LENGTH 62.0	BREADTH 17.0	DEPTH 9.0	
PLACE BUILT MAMARONECK NY					
OWNERS STATE OF DELAWARE DIVISION OF FISH AND WILDLIFE		OPERATIONAL ENDORSEMENTS FISHERY			
MANAGING OWNER STATE OF DELAWARE DIVISION OF FISH AND WILDLIFE ATTN: VICKI RHODES 89 KINGS HIGHWAY DOVER DE 19901					
RESTRICTIONS NONE					
ENTITLEMENTS NONE					
REMARKS None					
ISSUE DATE MARCH 07, 2025		THIS CERTIFICATE EXPIRES MARCH 31, 2026			
					
		DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			

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