



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA DISTRICT
1650 ARCH STREET
PHILADELPHIA PA 19103-2004

Environmental Resources Branch

18 December 2025

Mr. Jesse Hayden, Administrator
Delaware Coastal Management Program
Department of Natural Resources
and Environmental Control
100 W. Water Street, Suite 7B
Dover, DE 19904
Jesse.Hayden@delaware.gov

Dear Mr. Hayden,

The purpose of this letter is to request a modification of the previously authorized Federal consistency concurrence for the proposed maintenance dredging of the Inland Waterway, Rehoboth Bay to Delaware Bay Shallow Draft Federal Navigation Channel (FNC), commonly referred to as the "Lewes and Rehoboth (L&R) Canal" to include a beneficial use of dredged material (BUDM) component along Thompson Island and within the Wolfe Neck Regional Wastewater Facility (WNRWF). The L&R Canal FNC connects Roosevelt Inlet at the Delaware Bay to Rehoboth Bay. At authorized depths, it provides sufficient navigation for commercial and recreational vessels operating within the canal between the two bays. Failure to perform maintenance dredging can result in hazardous navigating conditions and potential damage to commercial and recreational vessels.

A previous request for a Federal consistency concurrence determination was submitted to the Delaware Department of Natural Resources and Environmental Control (DNREC) Coastal Programs on 19 July 2024 which was subsequently approved by DNREC on 31 October 2024 (FC 2024.0048) for the previous version of the project which included all dredged material from the L&R Canal to be placed within the Lewes dredged material placement facility (DMPF). The project has been updated to include two proposed beneficial use of dredged material (BUDM) placement areas. The first proposed BUDM placement area includes adding dredged sediments into an empty sewerage treatment lagoon within the WNRWF for future construction purposes. The second BUDM placement area consists of placing clean sandy sediment along the southern and eastern shorelines of Thompson Island.

The proposed maintenance dredging work is expected to commence in October 2026 and will be conducted between approximately 300 feet southeast of the Theo C. Freeman Memorial Highway (Route 9) bridge (Station 23+000) to the canal terminus in Rehoboth Bay (Station 59+082) for a total project length of 8.24-miles (Figure 1). The project was originally proposed to be completed in two phases; however, the work will likely be completed in one dredging cycle. Approximately 90,000 cubic yards (CYs) of material will be removed as part of the proposed maintenance dredging within the 50-foot-wide L&R Canal navigation channel utilizing a contracted hydraulic cutterhead where depths are less than the authorized 6 feet mean lower low water (MLLW). The latest USACE surveys depicting the depths in the L&R Canal navigation channel are provided at this link –

<https://www.nap.usace.army.mil/Missions/Civil-Works/Surveys/Projects/DelawareInlets/>

The primary objective of the project is to maintain safe navigation within the areas of the L&R Canal proposed for maintenance dredging to a depth of 6 feet MLLW with an allowable one foot of over-depth to 7 feet MLLW. A secondary objective is the BUDM placements which include the filling of an existing, approximately 8.6-acre empty sewerage lagoon with dredged sediments to support a WNRWF construction project (Figure 2) and a shoreline stabilization project, initiated by the Delaware Center for Inland Bays (CIB), along the shoreline of the Thompson Island Preserve (Figure 3). The CIB has designed, permitted, and partially constructed the shoreline stabilization project which includes the deployment of prefabricated artificial reef structures and other low energy tactics (e.g. anchored oyster bags) along Thompson Island to reduce shoreline erosion, protect significant archaeological resources located on the island, protect the existence of a rare plant species on the island, enhance shoreline and near shore habitats, and other related water quality benefits. To support the CIB shoreline stabilization project, the USACE proposes to place clean dredged sandy material waterward of the mean high-water line and landward of the CIB proposed prefabricated artificial reef structures encompassing an area of approximately 11.2 acres. The CIB project was designed to accommodate the BUDM to enhance the natural sediment accretion rate landward of the shoreline stabilization structures. The USACE proposes to beneficially place approximately 28,000 to 30,000 CYs of high-quality sand to be dredged from the section of the L&R Canal between approximately Henlopen Acres (Station 46+216) and the City of Rehoboth Beach Wastewater Treatment Plant (Station 53+500) to support the CIB shoreline stabilization project. Approximately 30,000 CYs of sandy and fine-grained materials from Station 23+000 to approximately Station 46+216 is proposed to be placed within the empty lagoon in the WNRWF. The dredged materials will be hydraulically pumped to the empty lagoon via an influent pipeline through WNRWF property and an effluent pipeline running alongside the influent pipeline will be utilized to discharge the return water from the lagoon back to the L&R Canal (Figure 2). A small government furnished weir structure will be utilized at the lagoon to control the return water flow in the effluent pipeline and manage the turbidity and total suspended solids in the return water. All other fine-grained materials dredged from the southern extent of L&R Canal maintenance channel between Stations 53+500 and 59+082 are proposed to be hydraulically pumped to the two cells which constitute the Lewes dredged material placement facility (DMPF) (Figure 4). Beneficially utilizing the dredged sediments and not placing the entire 90,000 CYs in the Lewes DMPF prolongs the lifespan of the Lewes DMPF for future State, Federal, or local dredging projects. Additional project details for the maintenance dredging and one-time BUDM placements are provided in the draft plan set and the Federal Consistency Form included with this request.

In 2023, the USACE contracted Tetra Tech, Inc. to conduct sediment, water quality, and grain size analyses for samples obtained from shoaled areas within the canal. The chemical analyses were compared to Delaware's Department of Natural Resources and Environmental Control (DNREC) guidelines for sediment and surface water criteria. The results of the analyses indicated that the proposed maintenance dredging and placement of dredged materials into the Lewes DMPF is not expected to cause adverse effects to aquatic life or human health. Similarly, the proposed BUDM placement waterward of the Thompson Island shoreline is not expected to cause acute or chronic toxicity to aquatic life. The maintenance dredging and BUDM placement is proposed between October 1st and February 28th to minimize any potential adverse impacts to fish and wildlife species including horseshoe crabs, migratory shorebirds, summer flounder, and river herring. After a detailed review of all applicable regulations and policies associated with the project, it is our finding that the proposed maintenance dredging and BUDM placement project continues to comply with Delaware's approved Coastal Zone Management (CZM) Program.

We request your updated concurrence with our CZM consistency determination for the proposed maintenance dredging project and BUDM placements adjacent to Thompson Island and within the WNRWF. Future maintenance dredging events are anticipated to be scheduled every four to six years, contingent on funding, however as stated, the BUDM placements along Thompson Island and in the WNRWF will be one-time operations. In the event that significant modifications of the maintenance dredging operations are required in the future, the USACE will coordinate with your office with regard to Federal consistency, pursuant to the National Oceanic and Atmospheric Administration's regulations (15 CFR 930). We request your concurrence that the proposed project is consistent with Delaware's Federally approved CZM Program.

If you have any questions regarding this project, please contact Colin Greenwood of our Environmental Resources Branch at Colin.M.Greenwood@usace.army.mil or Dan Kelly of our Operations Division at Daniel.J.Kelly@usace.army.mil.

Sincerely,

Beth Brandreth
Acting Chief, Planning Division

Enclosures

cc: Jennifer Holmes, DNREC
Jennifer.Holmes@delaware.gov



Figure 1: Project Location Map – Location of Proposed L&R Canal Maintenance Dredging.

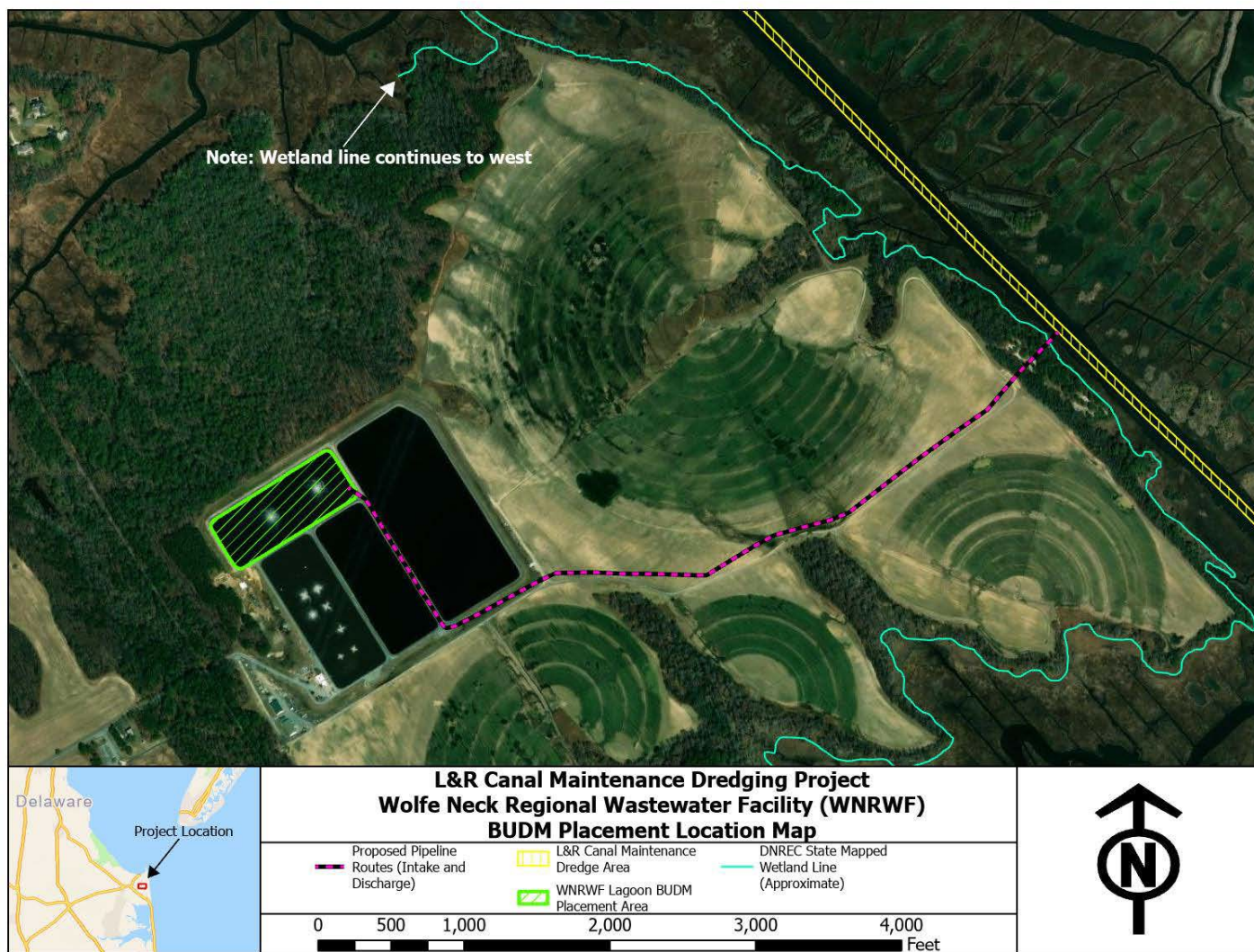


Figure 2: Wolfe Neck Regional Wastewater Facility BUDM Placement Location Map.

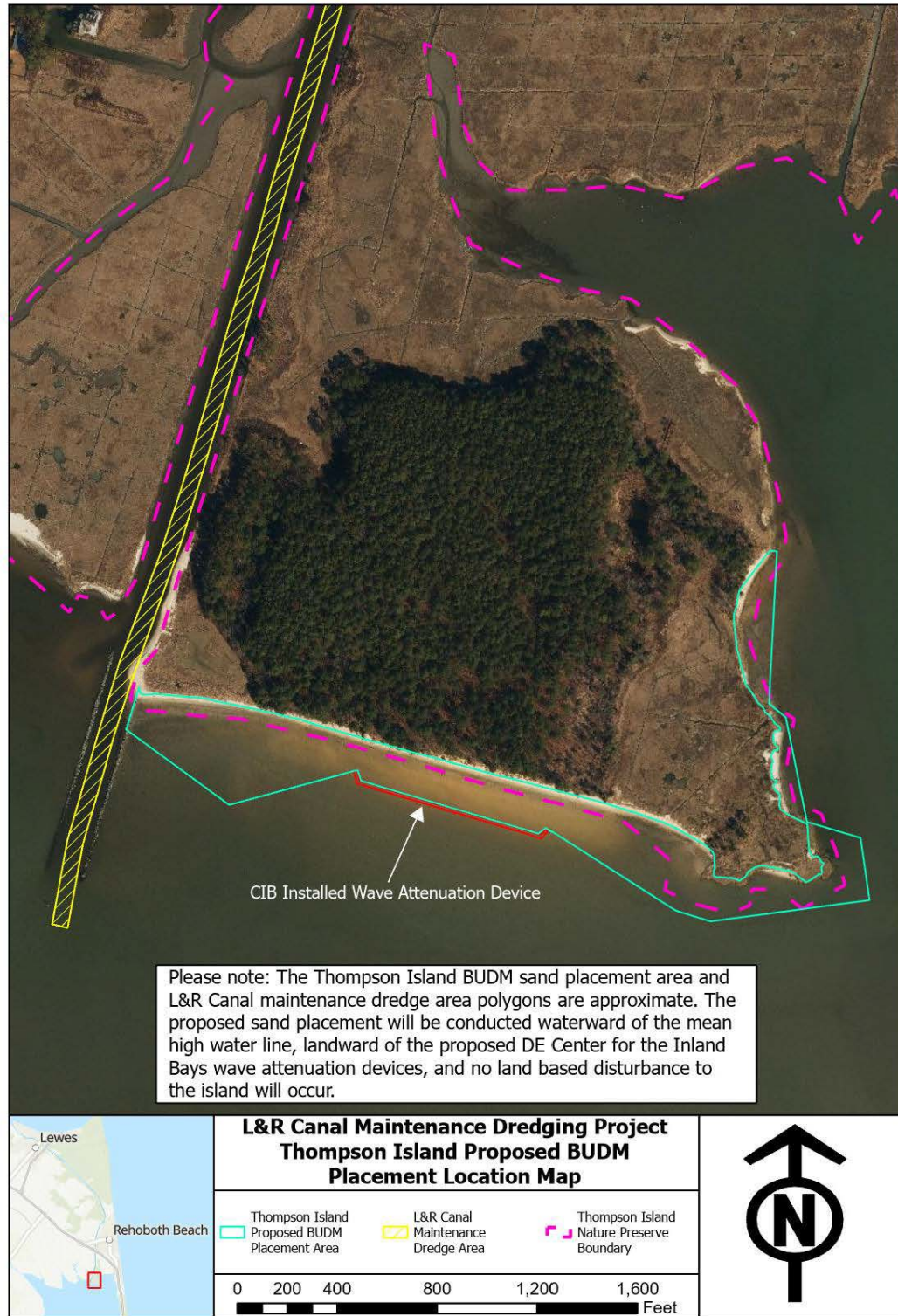


Figure 3: Proposed BUDM Along Thompson Island Shoreline Map.



Figure 4: Lewes Dredge Material Placement Facility (DMPF) Location Map.