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: <u>http://www.nap.usace.army.mil/Missions/Regulatory.aspx.</u>
- For questions about this application or the Wetlands and Subaqueous Lands Section, contact us at (302) 739-9943 or visit our website at: <u>http://www.dnrec.delaware.gov/wr/Services/Pages/WetlandsAndSubaqueousLands.aspx</u>. 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: <u>William H. duPont, Jr. & Christine T. D</u> uPont Mailing Address: <u>24234 Big Oak Lane</u> Millsboro, DE 19966 | Telephone #: <u>302-275-4944</u> Fax #: E-mail:_ <u>wdupont1021@gmail.com</u> |
|----|---|---|
| 2. | Consultant's Name: Mailing Address: | Company Name: Telephone #: |
| | | Fax #: |
| | | E-mail: |
| 3. | Contractor's Name: <u>N/A</u> | Company Name: |
| | Mailing Address: | Telephone #: |
| | | Fax #: |
| | | E-mail: |

Section 2: Project Description

4. Check those that apply:

 $\mathbf{X}\mathbf{\overline{X}}$ New Project/addition to existing project?

□ Repair/Replace existing structure? (If checked, must answer #16)

Addition to existing project/renewal of expiring Subaqueous Lands Lease Project Purpose (attach additional sheets as necessary): 5.

- Applicant seek: (i) the addition of a 7x20 floating dock to last bay on current dock ramp as an after-action submission and (ii) to renew the expiring Subaqueous Lands Lease (SL 390/14, SU. 439/15)

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

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

Section 3: Project Location

- Project Site Address: __In Hopkins Prong at-7.
- -24234 Big Oak Lane, Millsboro, Sussex County, 19966-

County: \square N.C. \square Kent \bigvee Sussex Site owner name (if different from applicant): _ Address of site owner:

8. Driving Directions: From DE-1, sharp right onto US-9 W (0.1mi) take left onto Belltown Rd (217 ft), turn left onto DE-1D/ Plantation Rd (0.7mi), turn right onto Robinsonville Rd (5.4mi), turn right onto DE-24 W (1.7 mi), turn left onto Rd (Attach a vicinity map identifying road names and the project location) 298/Banks Rd (0.2mi), turn left onto Big Oak Lane

(destination will be on the left (0.3 mi). 24234 Big Oak Lane, Millsboro, DE 19966 Subdivision Name: Big Oak

9. Tax Parcel ID Number: 2-34-17.00-60.00

| WSLS Use | e Only: | Permi | t #s: | | | | | | _ |
|------------|-------------|----------|----------------------|---------------|--------------|------|-------------|----------------------|------|
| Туре | SP 🗆 | SL □ | SU □ | WE 🗆 | WQ 🗆 | LA 🗆 | SA 🗆 | $\mathbf{MP} \ \Box$ | WA 🗆 |
| Corps Per | mit: SPGP 1 | 8 🗆 20 [| ☐ Nationwide | e Permit #: | | Indi | vidual Perm | nit # | |
| Received I | Date: | | Pro | ject Scientis | t: | | | | |
| Fee Receiv | ved? Yes 🗆 | No 🗆 | Amt: \$ | | Receipt #: _ | | | | |
| Public Not | tice #: | | Public Notice | e Dates: ON | - | OFF | | | |

Section 3: Project Location (Continued)

| 10. Name of waterbo | dy at Project Location: Hopkins Prong, waterbody is a tributary to: Rehoboth Bay |
|--------------------------------------|---|
| 11. Is the waterbody: | Herring Creek XX Tidal Non-tidal Waterbody width at mean low or ordinary high water 603 feet |
| 12. Is the project: | XX On public subaqueous lands? On private subaqueous lands?* In State-regulated wetlands? In Federally-regulated wetlands? |
| *If the project is on p | rivate subaqueous lands, provide the name of the subaqueous lands owner: |
| (Written permission f | rom the private subaqueous lands owner must be included with this application) |
| 13. Present Zoning: | \Box Agricultural XX Residential \Box Commercial \Box Industrial \Box Other |
| Section 4: Miscellan | eous |
| | es and complete mailing addresses of the immediately adjoining property owners on all sides of the ditional sheets as necessary): |
| | livia Sr., 24206 Big Oak Lane, Millsboro, DE 19966 (TPN 234-17.00-53.00) Barto, 24324 Big Oak Lane, Millsboro, DE 19966 (TPN 234-17.00-61.00 |
| | |
| foot radius of the proj N/A | and marina projects, list the names and complete mailing addresses of property owners within a 1,000 ect (attach additional sheets as necessary): |
| B. Has the project | a State Jurisdictional Determination performed on the property? t been reviewed in a monthly Joint Permit Processing Meeting? was the date of the meeting? Yes XX No Yes XX No |
| | g structures or fill at the project site in subaqueous lands? $X \square Yes \square No$ ide the permit and/or lease number(s): |
| S L 036/04, SL 261/09, SL | . 346/13, SL 390/14 SL 439/15 |
| *If no, were | structures and/or fill in place prior to 1969? |
| | l for or obtained a Federal permit from the Army Corps of Engineers? Pending Issued Denied Date: |
| Type of Permit: | Federal Permit or ID #: |
| | I for permits from other Sections within DNREC? Pending |
| Type of permit (circl | e 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 corresponde agent. In addition, the agent will become the primary point of | |
| I do not wish to authorize an agent to act on my behalf X | |
| I wish to authorize an agent as indicated below \Box | |
| I,, hereby design | ate and authorize |
| (Name of Applicant) to act on my behalf in the processing of this application and t Department. | (Name of Agent) |
| 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

11/28/2023

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

William H. duPont, Jr. & Christine T. duPont 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

APPENDIX A

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.

Briefly describe the project. Applicants seek renewal of the current Subaqueous Lease as well as approval of an after-action submission to the current lease (SL-390/14) to add a 7 x 20 Wave Armor residential floating dock secured by two (2) galvanized poles within existing facilities.

| and the second sec | No. of | Dimension | ıs | Dimensions (Cha | annelward of MLW) | New, repair or |
|--|---------|-----------|------|-----------------|-------------------|----------------|
| | Support | (Channely | | Width | Length | maintain |
| | pilings | MHW or (| JHW) | | | |
| Fixed Access Pier | 4 | 6 | 11 | | | Maintain |
| Gangway Ramp | 0 | 4 | D | 4 | 5 | Maintain |
| Floating Pier (5 parts) | 2 | 6 | 115 | 6 | 115 | Maintain |
| 2 Floating Finger Docks | 2 | 4 | 24 | 4 | 24 | Maintain |
| Concrete Boat Ramp | 0 | 12 | 11 | | | Maintain |
| Jet-Ski Floating Dock | 0 | 5 | 14 | 5 | 14 | Maintain |
| Boat Lift | 4 | | | | | Maintain |
| Floating Boat Dock | 2 | 7 | 20 | 7 | 20 | New |
| Freestanding | Number | | | | | |
| Pilings | 0 | | | | | |

2. Please provide numbers and dimensions as follows:

Mooring Buoy: How many moorings will be installed? 0

- 3. Approximately how wide is the waterway at this project site? 600 ft. (measured from MLW to MLW)
- 4. What will be the mean low water depth at the most channelward end of the mooring facility? 3 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. No mooring but galvanized steel for posts which are 4.5 inches in diameter secured in sand. Professional installer (Steve Williamson, owner and operator of Waterbilly Dockworks (website here https://waterbillydockworks.com) 410.430.2898) ran an air compressor hose down the center of the pipe which allowed the galvanized posts to go down into the sand to support the floating dock. All piers and decks are salt treated wood.
- 6. Circle any of the following items that are proposed over subaqueous lands: None. Fish Cleaning Stations/Benches/Ladders/Water Lines/ Satellite/Electric Lines/ Handrails/Other: None.

Alle & Reddlard Rt. Swite I

- 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? 0 ft.
- 8. Describe the vessels that will be berthed at the docking facility. Please draw proposed vessel locations on plans and drawings.

| 2020 Grady-White center console | length 26' 10" | width 8.5' 0 | draft 23" |
|---------------------------------|----------------|--------------|-----------|
| 2022 Excel 2072 Stalker | length 20' | width 7.5' | draft 7" |
| 2019 Sea Doo | length 11' | width 4' | draft 8" |

- 9. Please provide a copy of the current state registration or Coast Guard Certificate of Documentation for each motorized vessel listed above. DL7W; DL46252AN and DL286AR
- 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. None.
- 11. Is there currently a residence on the property? Yes.
- 12. Do you plan to reach the boat docking facility from your own upland property? Yes.
- 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? No.
- 14. What is the width of the waterfront property frontage adjacent to subaqueous lands? 50 ft. Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line? No

of One Dollar (\$1.59), hereful access of the United States of America, the receipt whereof is hereby admossible density grant and country units the parties of the second part, and their here and and grant.

ALL fast certain lot, pince or percel of first with the buildings thereon erected, situate in Indian River Hundred, Sustex County and State of Delaware and hong more particularly bounded and described in accordance with a recent survey prepared by Couten Enginteeing LLC, Mohanl Sonie Center, Professional Engineer, December 5, 2018, as follows, to wit:

COMMERCIPICING as a caused into their set, said rebut being the point and place of BECANDIANO and a corner for the lands described herein and the lands now or former's of land & Post Ohm and the interaction of the conflowesterity and conflowesterity right of way land of Big Gas Lane CO which, and coast also being 1,650 feet plus or minus from the interaction of the sorritometerity eight of way line of Big Oak Lane and the northeasterity right of way line of the sorritometerity eight of way line of Big Oak Lane and the northeasterity right of way line of lands have been well on the lands now or formerly of Chiva, having a bearing of North deficient of the definition of 92.75 feet, passing over an iron pipe found at 85.00 line, to a plate definition to a definition of 92.75 feet, passing over an iron pipe found at 85.00 line, to a plate definition of the terming with Hopfelter from the lands now or formerly of here a definition of the terming with Hopfelter from the lands now or formerly in the sorritometerity eight of using a terming with Hopfelter from the lands now or formerly for the sorritometer of the terming with Hopfelter from the lands now or formerly in the sorritometer of the terming with Hopfelter from the lands now or formerly of here 0. Definition is been to a ring that for a based or or formerly of here 0. Definition is been to a ring that for all the lands now or formerly of here 0. Definition is been to a ring that for all "West for a definition of 109.95 fort, after the formerly been with the rings of way line of Big Oak Lands, hereing a lands of 109.95 fort, after the formerly been with the rings of way line of Big Oak Lands, hereing a lands of 109.95 fort, after the formerly been with the rings of way line of Big Oak Lands, hereing a lands of the sorre of 109.95 fort, after the formerly been with the rings of the of the base of Big Oak Lands, hereing a lands of the sorre of 109.95 fort, CONTAINING AREA 4,933± square fact or 0.113± improvements located thereon.

BEING the same lands conveyed to Charles I Raymond L. Lavois, Jr. and Marysiler S. Michola dated in dia Office of the Records: of Deeds, in and for Suss Deed Mook 4198, page 176. 2-34 17.00 60.00 PREPARED BY & RETURN TO: Sergovic Carmean Weidman McCartney & Owens, P.A. 406 S. Bedford St, Suite 1 P.O. Box 751 Georgetown, DE 19947-0751 File No. RE-9881

THIS DEED, made this 18th day of December, 2018,

- BETWEEN -

<u>CHARLES F. DILLMAN</u> and <u>FERN L. DILLMAN</u>, of 11474 Misty Ridge Drive, Roanoke, TX 76262, parties of the first part,

- AND -

WILLIAM H. DUPONT, JR. and CHRISTINE A.T. DUPONT, of 204 Rockland Road West, P.O. Box 128, Montchanin, DE 19710, husband and wife, as tenants by the entirety, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part, and their heirs and assigns:

ALL that certain lot, piece or parcel of land with the buildings thereon erected, situate in Indian River Hundred, Sussex County and State of Delaware and being more particularly bounded and described in accordance with a recent survey prepared by Cotten Engineering LLC, Michael Soule Cotten, Professional Engineer, December 5, 2018, as follows, to wit:

COMMENCING at a capped iron rebar set, said rebar being the point and place of **BEGINNING** and a corner for the lands described herein and the lands now or formerly of Janet & Paul Oliva and the intersection of the northwesterly and northeasterly right of way line of Big Oak Lane (20' wide), said rebar also being 1,650 feet plus or minus from the intersection of the northwesterly right of way line of Big Oak Lane and the northeasterly right of way line of Banks Road, thence with the lands now or formerly of Oliva, having a bearing of North 49°32'23'' East for a distance of 93.75 feet, passing over an iron pipe found at 85.00 feet, to a point, thence turning and running with Hopkins Prong, having a bearing of South 49°54'31'' East for a distance of 50.10 feet, to a mag nail found, thence with the lands now or formerly of James & Sherri Barto, having a bearing of South 50°27'41'' West for a distance of 109.91 feet, to an iron rebar found, thence with the right of way line of Big Oak Lane, having a bearing of

North 31°01'06'' West for a distance of 48.31 feet, to the point and place of **BEGINNING**, **CONTAINING AREA** $4,933\pm$ square feet or $0.113\pm$ acres, more or less, together with all of the improvements located thereon.

BEING the same lands conveyed to Charles F. Dillman and Fern L. Dillman from Raymond L. Lavoie, Jr. and Maryalice S. Nichols dated November 20, 2013 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware, in Deed Book 4198, page 176.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware.

IN WITNESS WHEREOF, the party of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of.

(SEAL)

Charles F. Dillman

(SEAL)

Fern L. Dillman

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

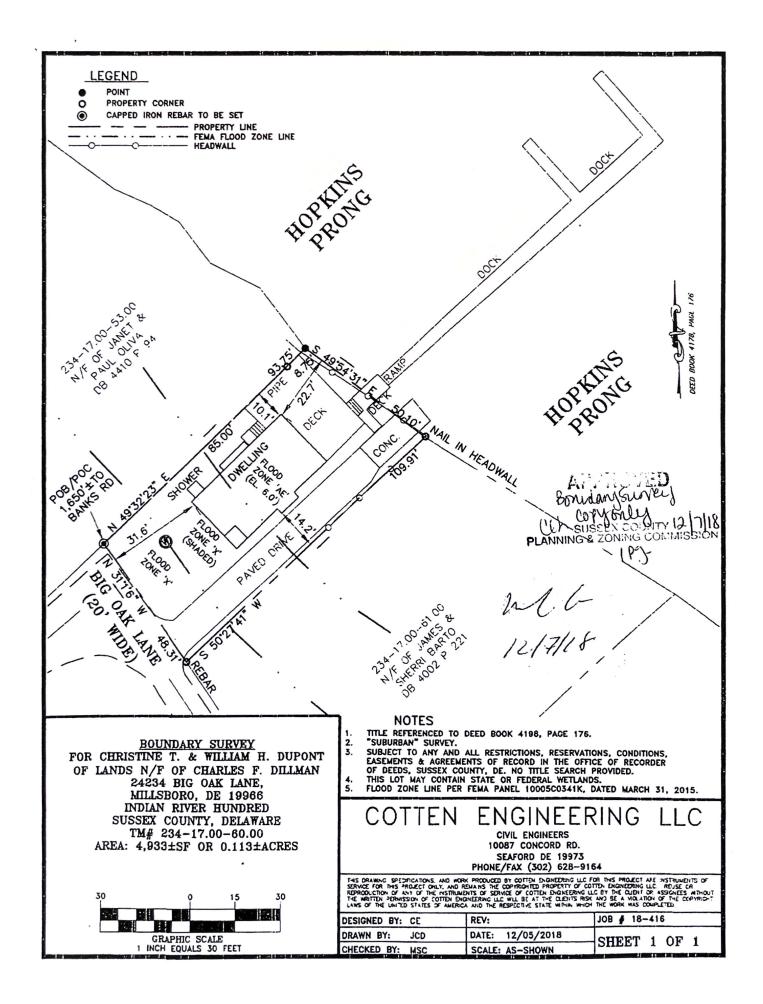
BE IT REMEMBERED, that on December 18, 2018, personally came before me, the subscriber, Charles F. Dillman and Fern L. Dillman, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

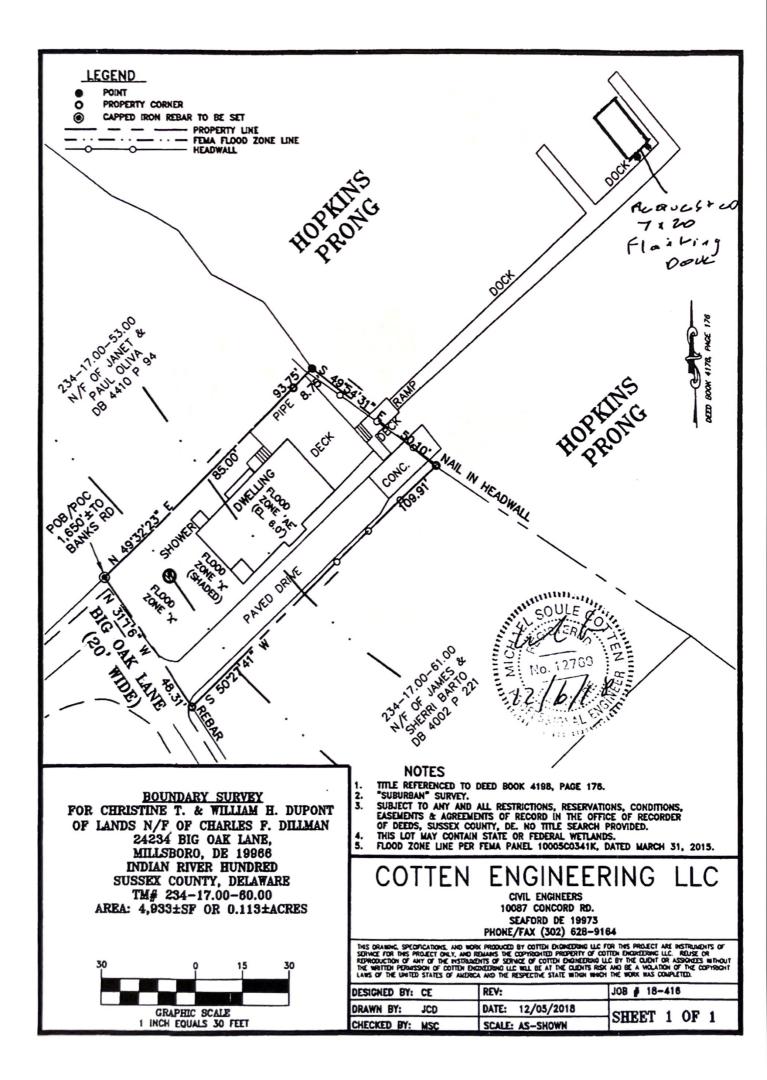
Given under my Hand and Seal of office the day and year aforesaid.

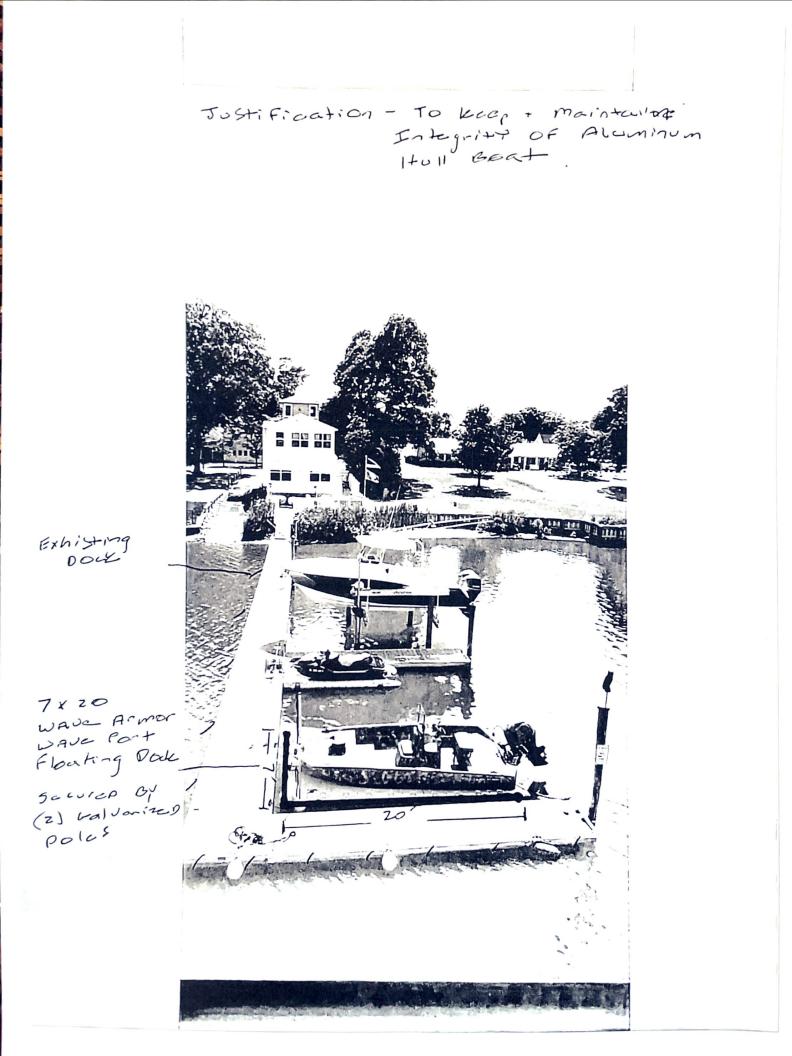
Shannon Carmean Burton Attorney Admitted to the Delaware Bar 12-15-03 Bar ID #004386 Uniform Law on Notarial Acts

Uniform Law on Notarial Acts Pursuant to 29 Del C Sec. 4323(a)(3) Notary Public Printed Name:

My Commission Expires:







STATE OF DELAWARE

BOAT REGISTRATION CERTIFICATE

| HULL ID NO | REG NO | MAKE | YEAR |
|------------------------------|--------------------------|--------------------------|-----------|
| YDV26562E919 LENGTH | DL286AR HULL MATERIAL | SEA DOO PROPULSION | OPERATION |
| 11' 0" VESSEL TYPE | Fiberglass FUEL | Propeller ENGINE TYPE | Pleasure |
| Personal Watercraft OWNER | Gasoline BOAT NAME | Inboard | 2024 |
| | | | |

CHRISTINE AT DUPONT Or WILLIAM H DUPONT 24234 BIG OAK LN MILLSBORO, DE 19966

SHEFFIELD FINANCIAL

STATE OF DELAWARE BOAT REGISTRATION CERTIFICATE

| AULL ID NO | ELCE DAN | TOTAL | |
|-------------------------------------|---------------|-------------------------|-----------------------|
| LENGTH | HULL MATERIAL | PULSION V | OPERATION Pleasure |
| VESSEL TYPE | FUE | ENGINE TYPE Outboard | EXPIRATION |
| | BOAT NAME | | |
| 24234 BIG OAK LN MILLSBORD, DE 1 | 1966 | A state of | |

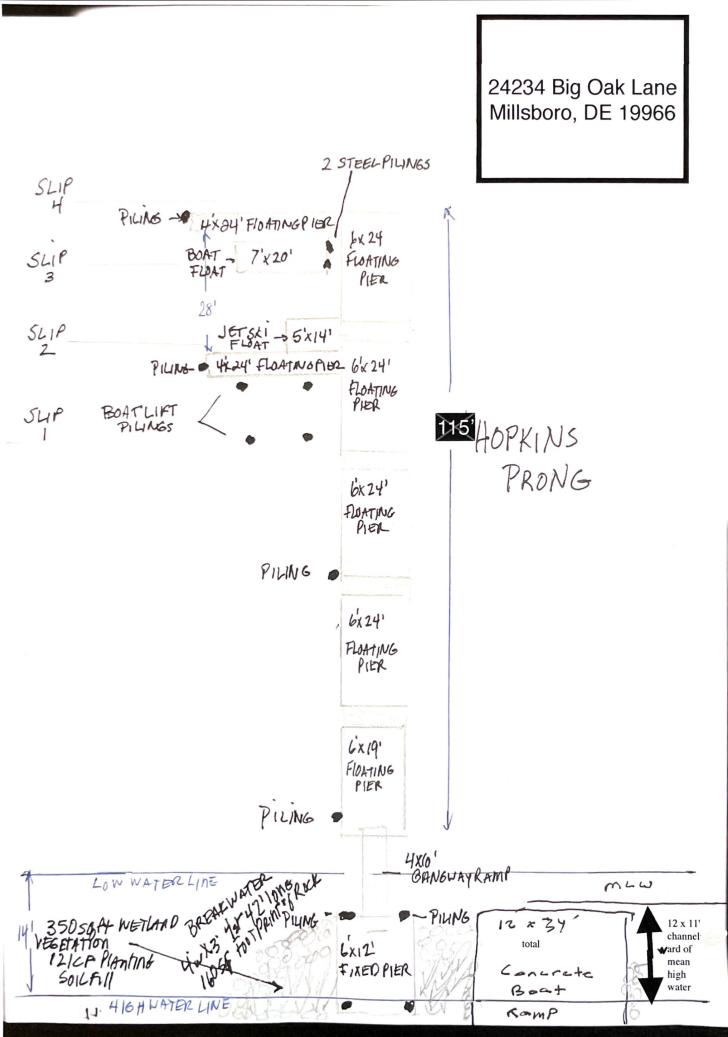
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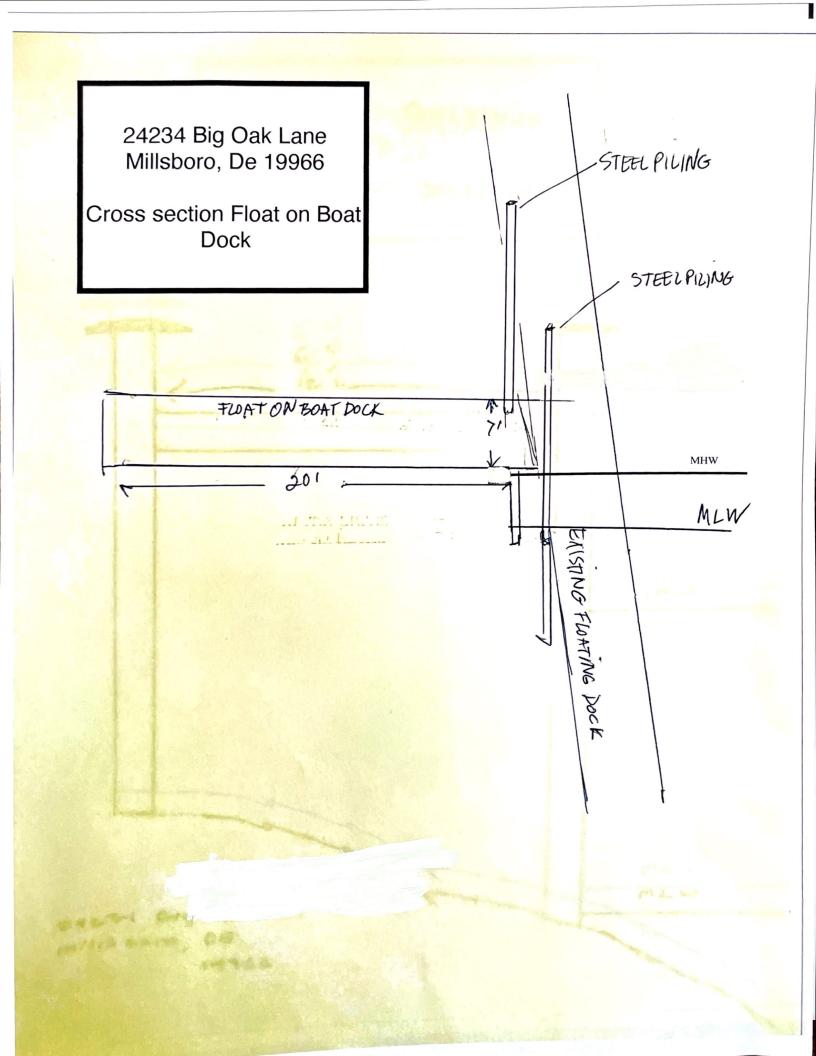
STATE OF DELAWARE

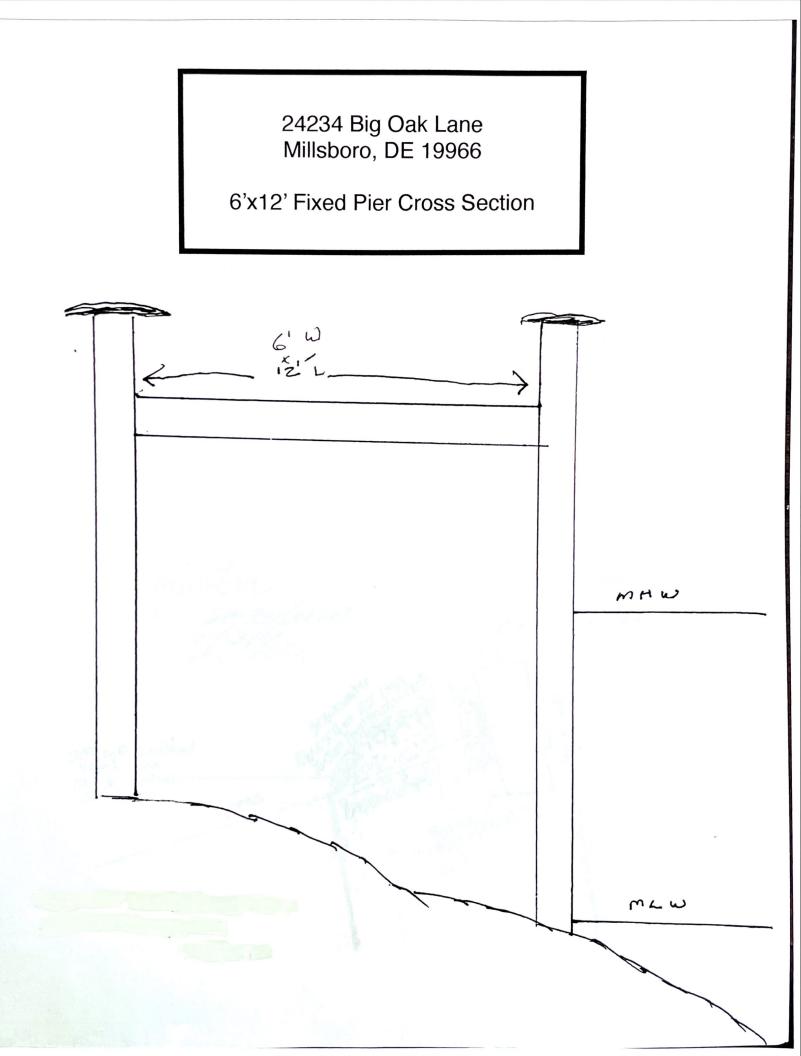
BOAT REGISTRATION CERTIFICATE

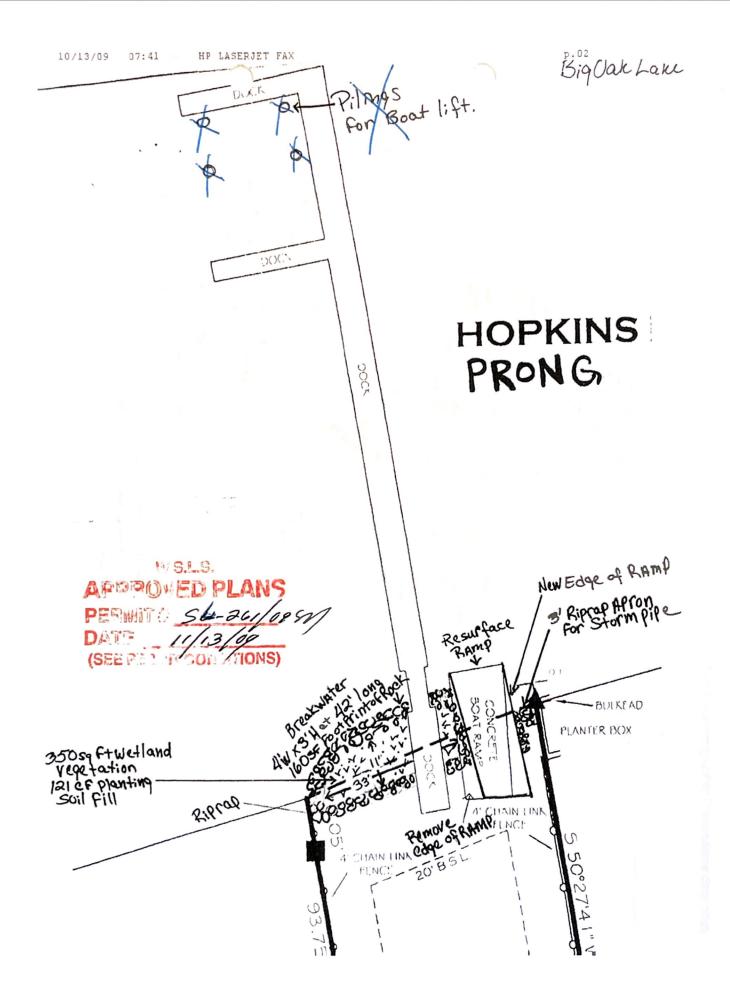
1

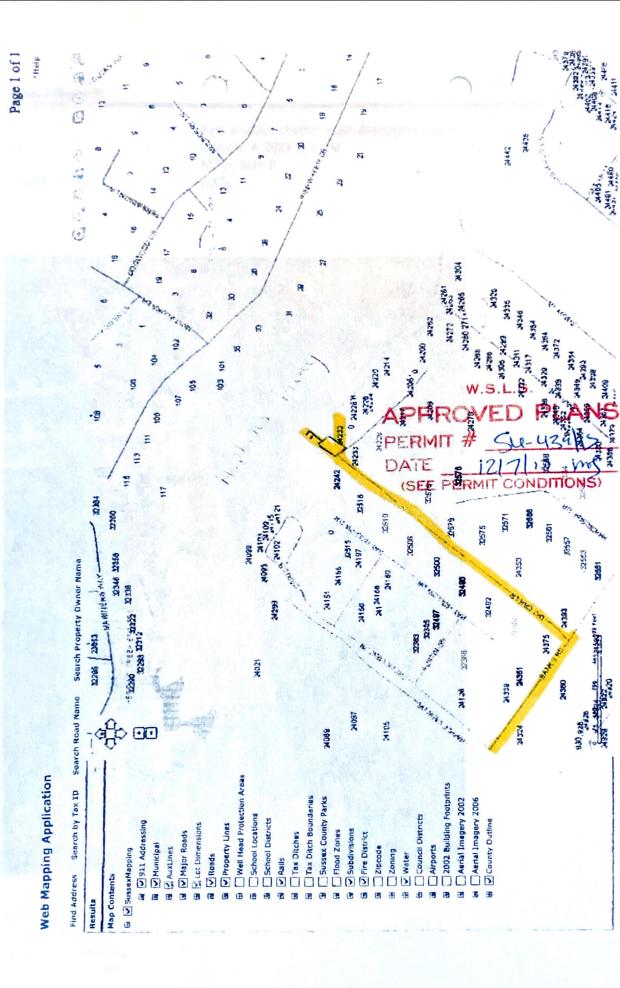
| HULL ID NO NTLCY402E920 | REG NO ' | MAKE GRADY WHITE | YEAR 2020 |
|---|-------------------------------|-------------------------|-----------------------|
| LENGTH 26' 10" | HULL MATERIAL _ Fiberglass | PROPULSION Propeller | OPERATION Pleasure |
| VESSEL TYPE Open Motorboat | FUEL Gasoline | ENGINE TYPE Outboard | EXPIRATION 2024 |
| OWNER WILLIAM H DUPON CHRISTINE A.T. DU | BOAT NAME T And PONT | 1 | |
| 204 ROCKLAND RD MONTCHANIN, DE 1 | | | |
| | | BB&T | |
| And And And | | | |
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| | | Mar Start | Carl Charles |
| | | | 1007 640 23 H |













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