

Gahagan & Bryant Associates, Inc.

295-A N Green Meadows Drive
Wilmington, NC 28405
(910) 313-3338 Fax (910) 313-6822
www.gba-inc.com | info@gba-inc.com



June 29, 2023

Mr. Matt Jones
Wetland and Subaqueous Lands Section
DNREC – Division of Water Resources
100 W. Water St. Suite 7B
Dover, DE 19904

**Re: Permitting Application for Sea Colony
Recreation Association, Inc. Beach Renourishment
Bethany Beach, Delaware**

Dear Mr. Jones:

On behalf of the Sea Colony Recreational Association I hereby request a ten (10) year supplemental approval to SL-112/06(S3) and associated Water Quality Certification WQ-112/06, WQ-167/16 and WQ-335/11 to conduct periodic beach replenishment activities, by hydraulic dredge method, along a 2,350+/- linear foot stretch of shoreline extending from the southern town limits of Bethany Beach to the northern limits of the private community of Middlesex Beach, Sussex County, Delaware. It is intended that the work be conducted coincidentally and in conjunction with periodic nourishment of the Federal project at Bethany Beach and South Bethany. In addition to providing increased recreational and property protection benefits to the Sea Colony development, this work will supplement and increase the relative longevity of the Federal project.

Enclosed for your review is a completed application form along with the appropriate appendix, plan drawings, photos, lease documents, study documents and electronic payment in the amount of \$85 and \$225 to cover the application fee and the Subaqueous Lands Permit/Lease fee. Supplemental information for the proposed project is also included and consists of previous approved permits.

To keep mobilization and demobilization costs to a minimum, the Association plans to utilize the same contractor(s) selected for the periodic nourishment of the Federal shoreline protection project at Bethany Beach and South Bethany. As of June 2023, there is currently a Federal project underway. Periodic nourishment of the project is anticipated on a three (3) year cycle; therefore, the next time Sea Colony would participate is 2026. The quantity of sand placed during a periodic nourishment event will vary with the condition of the beach at the time of placement. However, the seaward limits of the project template approved under SL-112/06 will not be exceeded.

PHILADELPHIA, PA
(215) 425-6283

BALTIMORE, MD
(410) 682-5595

HOUSTON, TX
(832) 518-2112

LOS ANGELES, CA
(310) 521-8127

NOVATO, CA
(415) 883-7683

TAMPA, FL
(813) 831-4408

NORTH CAROLINA
(910) 313-3338

Your timely response to this request would be most appreciated. Please contact me if you have any questions or require additional information concerning this project.

Sincerely,



Tyler Littlefield, PE
Agent

Cc: Dennis Urso, P.E.

Cc: Jacy Craig, E.I.T, M.E

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
N/A	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: Sea Colony Beach Association Telephone #: (302) 537-8888
 Mailing Address: PO Box 480 Fax #: _____
Bethany Beach, DE 19930 E-mail: thomas.olson@vacasa.com
2. Consultant's Name: Tyler Littlefield Company Name: Gahagan & Bryant Associates
 Mailing Address: 295 N Green Meadows Dr Suite A Telephone #: (910) 313-3338
Wilmington, NC 28405 Fax #: _____
 E-mail: trlittlefield@gba-inc.com
3. Contractor's Name: Not known at this time 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):

The purposes of this project are to provide increased protection to property and structures from coastal storm damage and additional recreational beach area through maintenance of a replenishment project conducted in 2007. The project will supplement maintenance of the Federal replenishment project in Bethany Beach.

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 checked="" 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: Sea Colony County: N.C. Kent Sussex
Sussex County, DE Site owner name (if different from applicant): _____
 Address of site owner: _____
8. Driving Directions: Approximately 1/4 mile east of Route 1 in Sea Colony, Sussex County, DE (Attach a location road map with the site indicated on the map).
 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 1-34-17-41.00,-45.00,48.00, Subdivision Name: Sea Colony
52.00, 56.01 to 56.07

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: Atlantic Ocean waterbody is a tributary to: N/A

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?

*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):

Town of Bethany Beach, PO Box 109, Bethany Beach, DE 19930
Alison and Douglas Duenkel, 1143 Kettle Pond Ln, Great Falls, VA, 22066
Carrie and Kenneth Lazorchak, 2611 Westchester Ave, Ellicott City, MD 21043
Middlesex Beach Association, PO Box 173, Bethany Beach, DE 19930

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):

N/A

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

Jessie Holmes, DNREC Michael Yost, USACE Katie Esposito, DNREC
Rebecca Bobola, DNREC Jesse Hayden, DNREC

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? April 2023

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: January 1, 2011

Type of Permit: Section 10 and Section 404 Federal Permit or ID #: CENAP-OP-R-2011-00339-64 (IP)

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

No Pending Issued Denied Date: 12/27/2011 Permit or ID #: BP4598
10/16/2016 SL-112/06(S3), WQ-167/16

Type of permit (circle all that apply): Septic Well (NPDES) Storm Water SL-112/06, WQ-112/06, WQ-335/11

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, Sea Colony Beach Association, hereby designate and authorize Gahagan & Bryant Associates
 (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: Tyler Littlefield
 Mailing Address: 295 N Green Meadows Dr. Suite A
Wilmington, NC 28405

Telephone #: 910-313-3338
 Fax #: _____
 E-mail: trlittlefield@gba-onc.com

20. Agent's Signature:

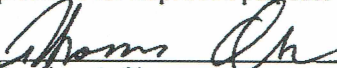
I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.


 Agent's Signature

6-16-23
 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

6-7-23
 Date

Thomas Olsen agent - Sea Colony
 Print Name Recreational Association

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

MAINTENANCE DREDGING OR EXCAVATING

- If dredged material is to be placed in a disposal site, a separate map showing the location of the disposal site should be attached. This drawing must indicate the proposed retention levees, weirs, spillways, and/or devices for retaining the materials.
- Bottom samples to determine heavy metals or other toxic materials must be taken and analyzed if deemed necessary by the DNREC staff. The responsibility, as well as the expense incurred for obtaining and analyzing these samples, must be borne by the applicant.
- If maintenance dredging is to be done, evidence of previous dredging must be provided. Any previously issued permit with drawings which indicates the date the dredging occurred, the area involved and dredging depth constitutes acceptable proof.
- Please make sure answers to all of the questions in this appendix correspond to information on the application drawings.

1. How many cubic yards of material will be MAINTENANCE DREDGED or excavated channelward of the:

- a. Tidal waters: mean high water line? N/A cu. yds.
 mean low water line? 150,000 per event cu. yds.
- b. Non-tidal waters: ordinary high water line? N/A cu. yds.

Does this account for the total volume of proposed dredging for the project? X Yes _____ No

If there is new dredging associated with this project (dredging beyond previously authorized dimensions) please fill out appendix S for new dredging.

2. What will be the dimensions of the dredged or excavated area relative to mean low water (for tidal areas only) or ordinary water level (for non-tidal areas only)?

____ length ____ depth ____ base width ____ top width
 Refer to the plan drawings for dimensions of the borrow area.

3. What are average existing depths in area of proposed dredging? 32 to 52 ft. (mlw/ohw)
 Include a survey of proposed and existing depths on application drawings.

See Limits of Borrow Area Figure

4. What is the proposed dredging depth in relation to surrounding bathymetry? < or = to 55 ft.(mlw/ohw)
 Indicate both proposed depths and surrounding depths on attached drawings.

See Limits of Borrow Area Figure

5. By what method(s) (hydraulic, clamshell or other) will the dredging be done? If other, explain:

Dredging will be hydraulic method utilizing either a cutter suction pipeline dredge or hopper dredge equipped with pumpout capability or a combination of both.

6. What is proximity of the dredging project to the nearest creek bank or banks? N/A ft.
What are existing land uses along this bank(s)?

Describe the existing shoreline along this bank (vegetation, rip-rap, bulkhead, etc.).

N/A

7. Describe characteristics of the material to be disposed including:
- Physical nature of material (i.e. sand, silt, clay, etc.). Give percentages of various fractions if available.
Fine to medium sands, poorly graded to well sorted (see Attachment 2)
 - Chemical composition of material - Many areas have sediments with high concentration of pollutants (chemicals, organics etc.) which may be re-suspended or reintroduced into the water. For heavily industrialized sites, a chemical analysis of this material should be provided (if applicable). See Attachment 2

- c. What are the dewatering properties of material to be disposal of?

N/A

8. How will the dredged or excavated material be transported to its disposal area?
The material will be transported via pipeline dredge.

9. Land Disposal Areas.

- Describe dimensions, characteristics and exact locations of the proposed dredged material disposal site (provide photographs, directions to, and complete plans of disposal site).
Relatively narrow, sandy coastal barrier beach fronting coastal development. Accompanying project plans and photographic print show the exact location of the project area.
- Describe method of dredged material containment (embankment, behind bulkhead, etc.)
Not applicable to this permit
- What type of leachates will be produced by the spoil material and what is planned for the protection of groundwater?
Not applicable to this permit
- Disposal site coordinates _____ latitude _____ longitude
Refer to project plans for the coordinates of the borrow and placement areas
- What methods will be used to ensure that spoil water does not adversely affect water quality both during construction and after completion of the project?
Not applicable to this permit
- Describe present land use of the disposal site.
Private beach community

10. Water Disposal Areas/ Beneficial Use Projects

Describe methods to be used for water disposal including volumes and site selection, and containment (if applicable). Include Fill or Wetland Appendix if applicable.

Not applicable to this permit

11. Describe the existing water characteristics at the site, including chemical analysis for water quality.

Site is beach with open ocean water (average salinity of 33 ppt). Site does not have any industrial input and may occasionally receive runoff during rain events.

12. Identify the dredging and disposal schedule to ensure that operations do not degrade water quality during times of anadromous fish migration.

Dredging will be consistent with the recommendations and guidance of DNREC Division of Fish and Wildlife Based on DNREC's Environmental Review for this project, as well as the appropriate Federal regulatory agencies (USACE).

13. Has an Erosion and Sediment Control Plan been approved by the designated plan approval agency for the project? An Erosion and Sediment Control Plan is required for any project disturbing more than 5,000 square feet of uplands. Final approved plans must be received by this office prior to permit issuance.

Yes No Not required

Important time of year restriction information:

Please be advised that all dredging in the Inland Bays must be undertaken between September 1 and December 31 in order to protect summer and winter flounder and other aquatic species. Dredging in other Delaware waters may also be subject to certain time of year restrictions in order to protect fish and wildlife. Contact DNREC for more specific information regarding the restrictions that may apply within your project area.



Sea Colony Recreational Association
PO Box 480, Bethany Beach, DE 19930

June 20, 2023

To Whom It May Concern;

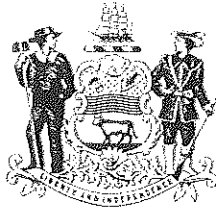
Mr. Tyler Littlefield of Gahagan & Bryant Associates, Inc. has been retained by Sea Colony Recreational Association Inc. He is authorized to act on our behalf for the sole purpose as follows:

Obtaining all regulatory approvals for Sea Colony which may be required for the replenishment of the beach at Sea Colony either as a standalone project or in conjunction with the anticipated periodic nourishment of the Federal Shore Protection Project at Bethany Beach and South Bethany, Sussex County, Delaware.

Yours Very Truly,

A handwritten signature in black ink, appearing to read "Tom Olson", written in a cursive style.

Thomas Olson
General Manager
Sea Colony Recreational Association



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &
ENVIRONMENTAL CONTROL
DIVISION OF WATER
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

WETLANDS & SUBAQUEOUS
LANDS SECTION

TELEPHONE (302) 739-9943
FAX (302) 739-6304

Sea Colony Recreational Association, Inc.
P.O.C.: Thomas Olson
P.O. Box 480
Bethany Beach, DE 19930
Tax Parcel: 3-34-17-41.00, 45.00,
52.00, 56.01 thru 56.07

Subaqueous Lands Lease: SL-112/06(S3)
Water Quality Certification: WQ-167/16
Associated Permits: SL-112/06, WQ-112/06
WQ-335/11
Date of Issuance: 10/16/2016

**SUBAQUEOUS LANDS LEASE SUPPLEMENT AND
WATER QUALITY CERTIFICATION**

GRANTED TO:

Sea Colony Recreational Association, Inc.

TO HYDRAULICALLY DREDGE:

**Approximately 150,000 +/- cubic yards per event from offshore Borrow Site E and/or the
Fenwick Island borrow site**

AND DEPOSIT THE MATERIAL AS BEACH FILL:

Along 2,350 linear feet of Atlantic Ocean shoreline

IN PUBLIC SUBAQUEOUS LANDS:

**Extending from the southern town limits of Bethany Beach to the northern limits of the
private community of Middlesex Beach,
Bethany Beach, Sussex County, Delaware**

Pursuant to the provisions of 7 Del. C., §7205, and the Department's Regulations Governing the Use of Subaqueous Lands, 7 Del. C., §6003, the Department's Regulations Governing the Control of Water Pollution and Section 401 of the Clean Water Act, permission is hereby granted on this 16th day of October A.D. 2016, to construct the above referenced project in accordance with the plans for this Permit/Certification (7 sheets), as approved on August 16, 2016 and received by this Division on April 27, 2016; and application dated April 25, 2016, and received by this Division on April 27, 2016.

WHEREAS, the State of Delaware is the owner of ungranted subaqueous lands lying beneath the waters of the Atlantic Ocean; and

Delaware's good nature depends on you!

WHEREAS, The Sea Colony Recreational Association, Inc., owner of certain lands adjoining to the Atlantic Ocean have applied for permission to hydraulically dredge 150,000 +/- cubic yards of material and deposit it along 2,350 linear feet of shoreline; and

WHEREAS, pursuant to the provisions of 7 Del. C., §7203, the Secretary of the Department of Natural Resources and Environmental Control through his duly authorized representative finds that it is not contrary to the public interest if this project is approved subject to the terms and conditions herein set forth.

Whereas, in accordance with the provisions of Section 401 of the Clean Water Act, 33 U.S.C., Sec 1341 and 7 Del. C., Chapter 60, the State of Delaware, by and through the Department of Natural Resources and Environmental Control, certifies that the permitted activity will be conducted in a manner which will not violate the applicable water quality standards of the State of Delaware, subject to the terms and conditions of this approval.

NOW THEREFORE, this Lease is issued subject to the attached Subaqueous Lands Lease General Conditions and the following special conditions:

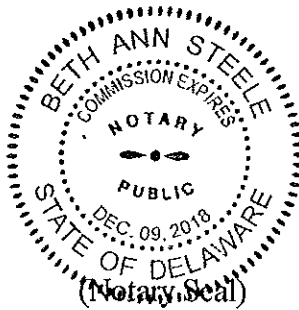
SPECIAL CONDITIONS

1. This Supplemental Approval is an addendum to Subaqueous Lands Lease No. SL-112/06 granted to Sea Colony Recreational Association, Inc. by the State of Delaware on May 14, 2007. This Supplemental Approval shall be attached thereto and made a part thereof and shall not be considered valid until it has been duly recorded in the office for the Recorder of Deeds of the appropriate County.
2. Unless modified herein, all terms and conditions of Subaqueous Lands Lease No. SL-112/06 shall remain in full force and effect.
3. During the remaining eleven year term of this Lease, the lessee shall agree to pay the State of Delaware the sum of \$220.00 by annum for a total of \$2,420.00 for the 1,034,000 square feet of public subaqueous lands utilized for the above referenced project. The lessee shall be billed annually in September for this fee.
4. Prior to the commencement of dredging, the permittee shall notify the WSLS, National Marine Fisheries Service and the DNREC Division of Fish and Wildlife.
5. During dredging, all munitions screen cages must be monitored at least every 12 hours by a person knowledgeable in state-rare and federally listed-species identification. Any takings of federally-listed species shall be recorded.
6. This office shall be allowed to inspect, upon completion of any beach fill project, the beach profile to ensure compliance with the approved plans and the authorized beach profile.

7. To minimize impacts to several shark species, the federally protected Atlantic Sturgeon, and several federally protected sea turtle species, we recommend that dredging be scheduled, if possible, during the period from December 15 through March 15th unless beach re-nourishment, human health, safety, and infrastructure safety needs supersede the restriction. This time of year restriction on the authorized activities also takes into account protections for piping plovers, red knots, American oystercatcher, least tern, common tern, and black skimmer.
8. The applicant and their contractor should be cognizant that seals may be encountered on the beach, especially during winter months. Seals are federally protected by the Marine Mammal Protection Act. As such, if a seal is observed hauled out on the beaches any time during the project period, work should stop immediately and the Marine Education, Research & Rehabilitation Institute should be notified immediately for guidance (302-644-2678).
9. If red knots are observed regularly, the permittee shall coordinate with the DNREC Species Conservation and Research Program.
10. The permittee shall avoid, to the greatest extent possible, dredging sand mining shoals, relic shoals, and rocky habitat, which provide forage for marine birds, including marine birds of regional conservation concern, and commercial and recreational birds.
11. To minimize bathymetric changes to existing shoals within Borrow Area "E" and/or the Fenwick Island borrow area, dredging shall not occur to a depth greater than ten (10) feet below existing bathymetric contours (e.g.: an existing shoal which is 30 foot deep shall be dredged to a depth no greater than 40 feet).
12. In no instance shall Borrow Area "E" and/or Fenwick Island borrow area be dredged to an elevation deeper than -55.0 feet NGVD.
13. The final beach profile shall be inspected upon completion of the beach fill placement to ensure compliance with the approved plans and desired beach profile. The beach profile shall continue to be monitored for a period of 18 months after completion to ensure the desired beach profile is maintained.
14. The beach replenishment shall be graded and maintained in such a manner so as not to violate the State of Delaware Department of Natural Resources and Environmental Control "Surface Water Quality Standards," as amended June 11, 2011.
15. To minimize the potential for unexploded ordinance to enter the dredge, a screen device with a mesh size no greater than 1.5 inches square shall be employed during all dredging operations within borrow site "E". Screens shall be inspected daily to ensure their functionality.
16. The end of the discharge line shall be monitored during pumping operations. If any particles larger than 1.5 inches are observed, dredging operations shall be shut down until screening devices are functioning properly.
17. The dredging in subaqueous lands shall be for the explicit purpose of beach replenishment as stated in the application.

18. This Lease/Certification grants water quality certification in accordance with the provisions of Section 401 of the Clean Water Act, 33 U.S.C., Sec 1341 and 7 Del. C., Chapter 60, the State of Delaware for work authorized by Department of the Army Individual Permit Number CENAP-OP-R-2011-00339-64(IP) issued for this project.

IN WITNESS WHEREOF, I, Thomas Olson, the duly authorized representative of Sea Colony Recreational Association, Inc., have caused this instrument to be executed on this 23rd day of September, 2016.



By: [Signature]
Thomas Olson
Sea Colony Recreational Association, Inc. (Lessee)

Sworn and Subscribed before me on
this 23rd day of Sept., 2016

[Signature]
Notary

IN WITNESS WHEREOF, I, David S. Small, Secretary of the Department of Natural Resources and Environmental Control, have hereunto set my hand this 16th day of Oct, 2016.

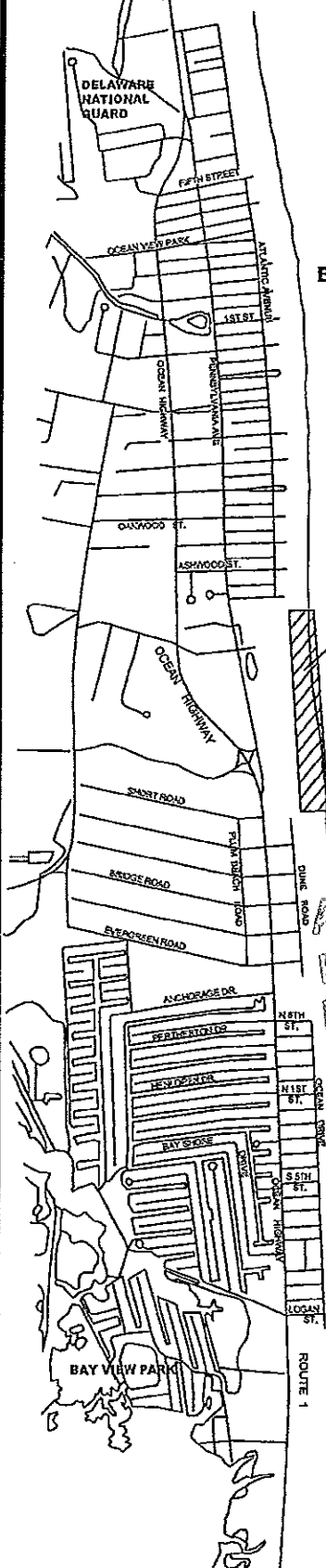
[Signature]
David S. Small, Secretary
Department of Natural Resources and
Environmental Control

GENERAL CONDITIONS

1. The lessee and contractor shall at all times comply with all applicable laws and regulations of the Department of Natural Resources and Environmental Control.
2. The activities authorized herein shall be undertaken in accordance with the Lease conditions, the final stamped and approved plans, and with the information provided in the lease application.
3. A copy of this Lease and the stamped approved plans shall be available on-site during all phases of construction activity.
4. The conditions contained herein shall be incorporated into any and all construction contracts associated with the construction authorized herein. The lessee and contractor are responsible to ensure that the workers executing the activities authorized by this Lease have full knowledge of, and abide by, the terms and conditions of this Lease.
5. No portion of the structure shall be constructed using creosote treated lumber.
6. No portion of the structure(s) authorized by this Lease shall exceed the dimensions for that structure identified on Page One of this Lease.
7. The activities authorized herein shall be conducted so as not to violate the State of Delaware's Surface Water Quality Standards in effect at the date of Lease authorization.
8. The issuance of this Lease does not constitute approval for any activities that may be required by any other local, state or federal government agency.
9. The issuance of this Lease does not imply approval of any other part, phase, or portion of any overall project the lessee may be contemplating.
10. This Lease authorizes only the activities described herein. Modifications to the project may require a supplemental approval from this office prior to the initiation of construction. A determination of the need for a supplemental approval will be made by this office pursuant to the lessee submitting written notification and revised plans indicating project changes. Failure to contact the Department prior to executing changes to the project shall constitute reason for this Lease being revoked.
11. The Contractors Completion Report shall be filled out and returned within 10 days of completion of the authorized work.
12. The lessee shall protect and hold the State of Delaware harmless from any loss, cost or damage resulting from the activities authorized herein.
13. Representatives of the Department of Natural Resources and Environmental Control shall be allowed to access the property to inspect all work during any phase of the construction and may conduct pre and post-construction inspections, collect any samples or conduct any tests that are deemed necessary.
14. The lessee shall maintain all authorized structures and activities in a good and safe condition.

15. All construction materials, waste or debris associated with this activity shall be properly disposed of and contained at all times to prevent its entry into waters or wetlands. Construction materials shall not be stockpiled in subaqueous lands or wetlands.
16. The lessee and contractor shall employ measures during construction to prevent spills of fuels, lubricants or other hazardous substances. In the event of a spill, the lessee and contractor shall make every effort to stop the leak and contain the spill, and shall immediately contact the Hazardous Spill Response Team (HAZMAT) at 1-800-662-8802 and this office at (302) 739-9943. The lessee and contractor are responsible to comply with all directives to contain and clean up the spilled material(s) as stipulated by the HAZMAT team, and to restore the site as may be required by this office.
17. No construction shall occur after the construction expiration date identified on Page One of this Lease. The lessee may file a construction expiration date extension request of up to one (1) year if necessary to complete the authorized work. Such requests must be received by the Department at least thirty (30) days prior to the construction expiration date.
18. Any actions, operations or installations which are found by the Department to be contrary to the public interest may constitute reason for the discontinuance and/or removal of said action, operation or installation. Removal and restoration shall be at the expense of the lessee and/or upland property owner within thirty (30) days of receipt of written notice of revocation and demand for removal.
19. Disturbance of subaqueous lands or wetlands adjacent to the authorized structures or activities is prohibited unless specifically addressed in the special conditions of this Lease. Disturbance of subaqueous lands or wetlands in the path of construction activities shall be minimized. Any temporarily impacted subaqueous lands or wetlands shall be returned to pre-disturbance elevations and conditions.
20. This Lease is personal and may not be transferred without the prior written consent of the Department. Prior to the transfer of the adjacent upland property, the lessee shall obtain the written consent of the Department to transfer the Lease to the new upland property owner. Failure to obtain such written consent may result in the revocation of this Lease and the removal of all structures authorized by this Lease at the expense of the lessee.
21. The lessee shall notify the Wetlands and Subaqueous Lands Section prior to the commencement of the work authorized by this Lease.
22. Failure to comply with any of the terms or conditions of this Lease may result in enforcement action which could include the revocation of this Lease and subsequent restoration of the site to preconstruction conditions.

PLAN SEA COLONY BEACH REPLENISHMENT PROJECT



BEARINGS

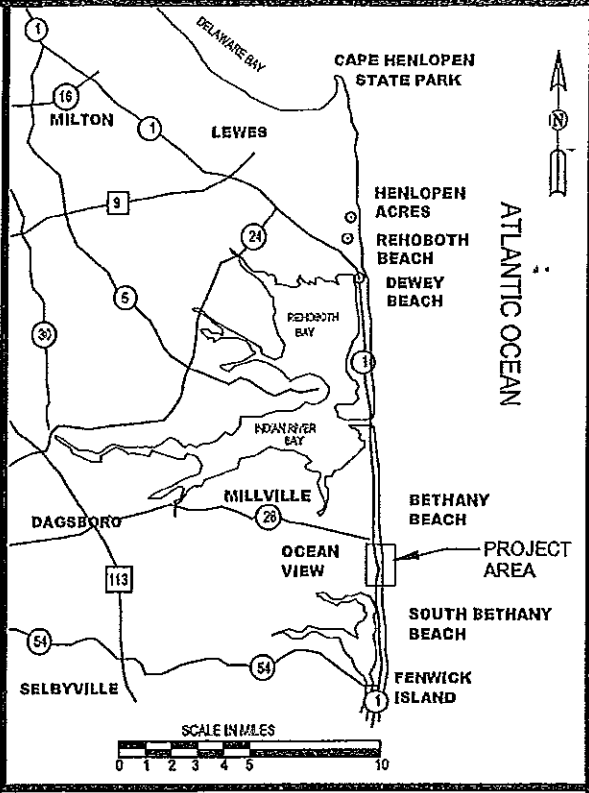
	LATITUDE	LONGITUDE
NORTH END	38°31'54"N	75°03'16"E
SOUTH END	38°31'31"N	75°03'10"E

BETHANY BEACH

PROJECT
FILL AREA

SEA COLONY

ATLANTIC OCEAN



LOCATION MAP

PURPOSE:
RESTORE RECREATIONAL BEACH AREA AND
PROVIDE EROSION AND STORM PROTECTION

W.S.L.S.
MIDDLESEX
APPROVED PLANS
PERMIT # WQ16716
DATE AUG 16 2016
(SEE PERMIT CONDITIONS)
SOUTH BETHANY

NOTE:
PROJECT AREA LENGTH = ±2350 LF



BEACH REPLENISHMENT PROJECT

IN ATLANTIC OCEAN
AT: SEA COLONY
COUNTY OF SUSSEX, STATE OF DELAWARE

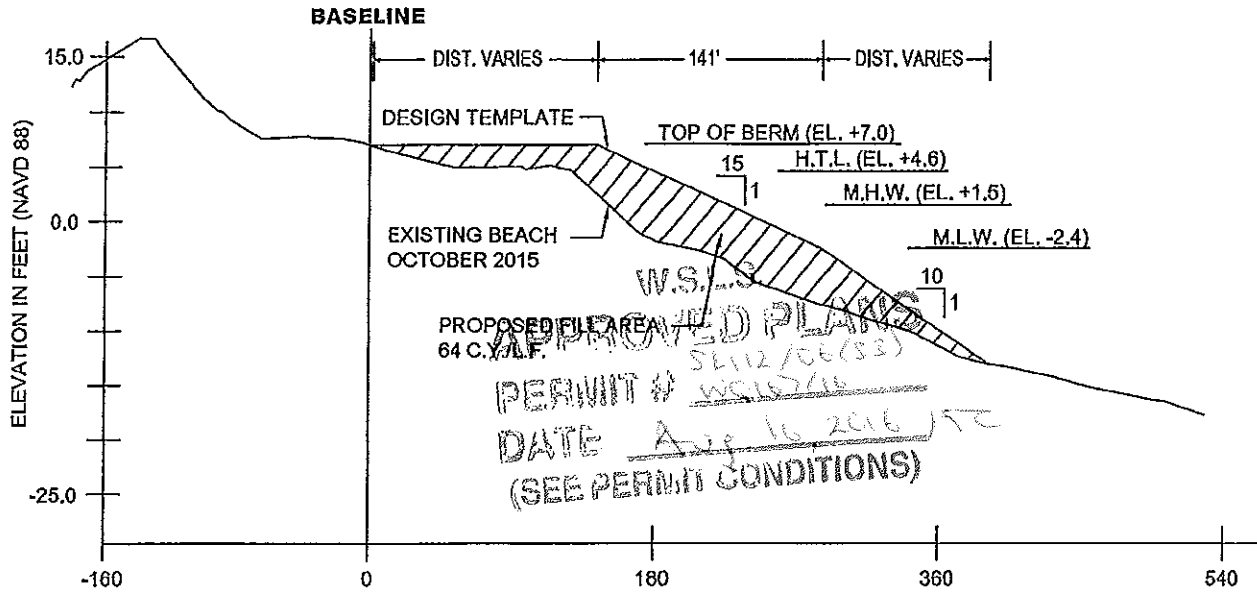
APR 27 2016

APPLICATION BY:
SEA COLONY RECREATIONAL ASSOCIATION, INC.
P.O. BOX 480
BETHANY BEACH, DELAWARE 19930

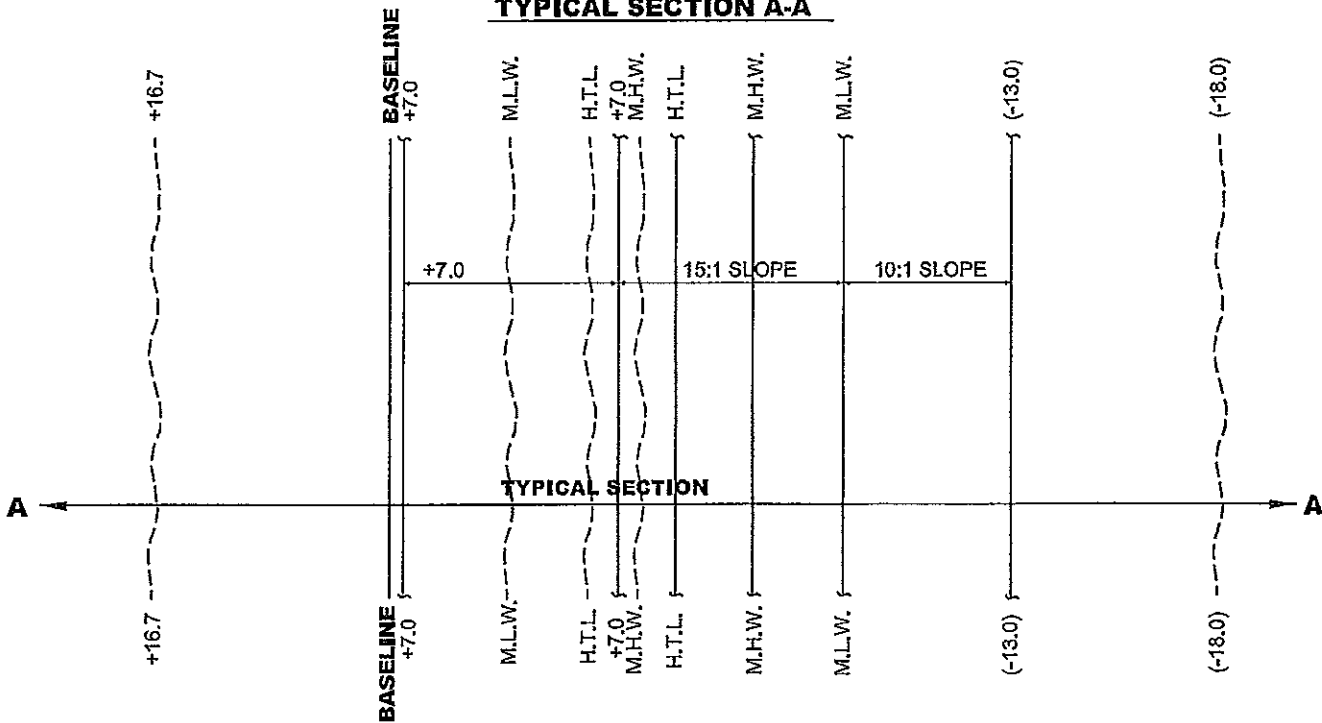
DATE: MARCH 2016

SHEET 1 OF 6

SEA COLONY DESIGN FILL SECTION



TYPICAL SECTION A-A



TYPICAL PLAN

VERTICAL DATUM: NAVD88

EXISTING BEACH

DESIGN PROFILE

MEAN TIDAL RANGE = 3.9'

BEACH REPLENISHMENT PROJECT

IN ATLANTIC OCEAN

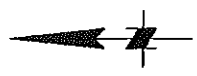
AT: SEA COLONY

COUNTY OF SUSSEX, STATE OF DELAWARE APR 2016

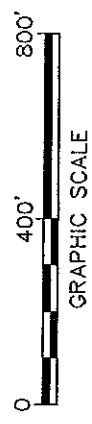
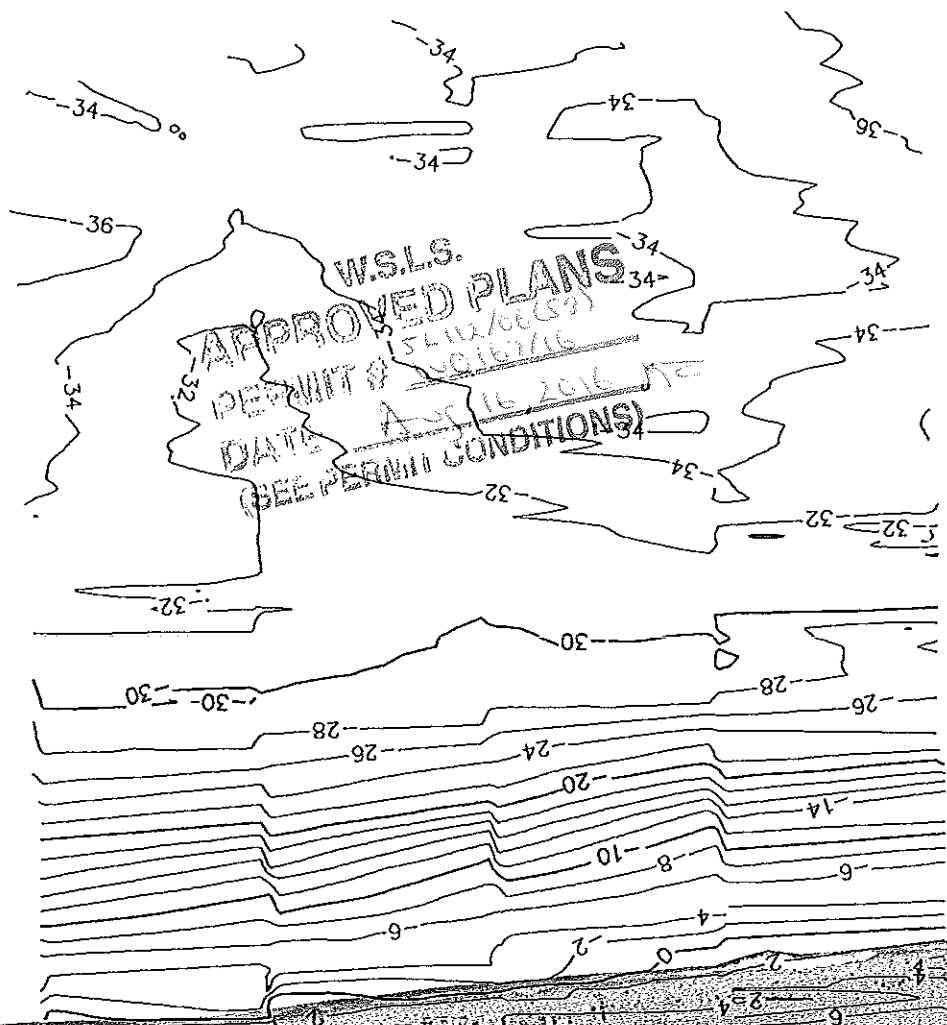
APPLICATION BY:

SEA COLONY RECREATIONAL ASSOCIATION, INC.
P.O. BOX 480
BETHANY BEACH, DELAWARE 19930

DATE: MARCH 2016 SHEET 2 OF 6



ATLANTIC OCEAN



Drawing Date:	April 2016
Drawn By:	C. Manuel
Checked By:	T. Word
Drawing Name:	Survey Plan 2015
Drawing Scale:	1" = 400'

SEA COLONY BEACH REPLENISHMENT
 SUSSEX COUNTY, DELAWARE

SEA COLONY OCTOBER 2015 SURVEY

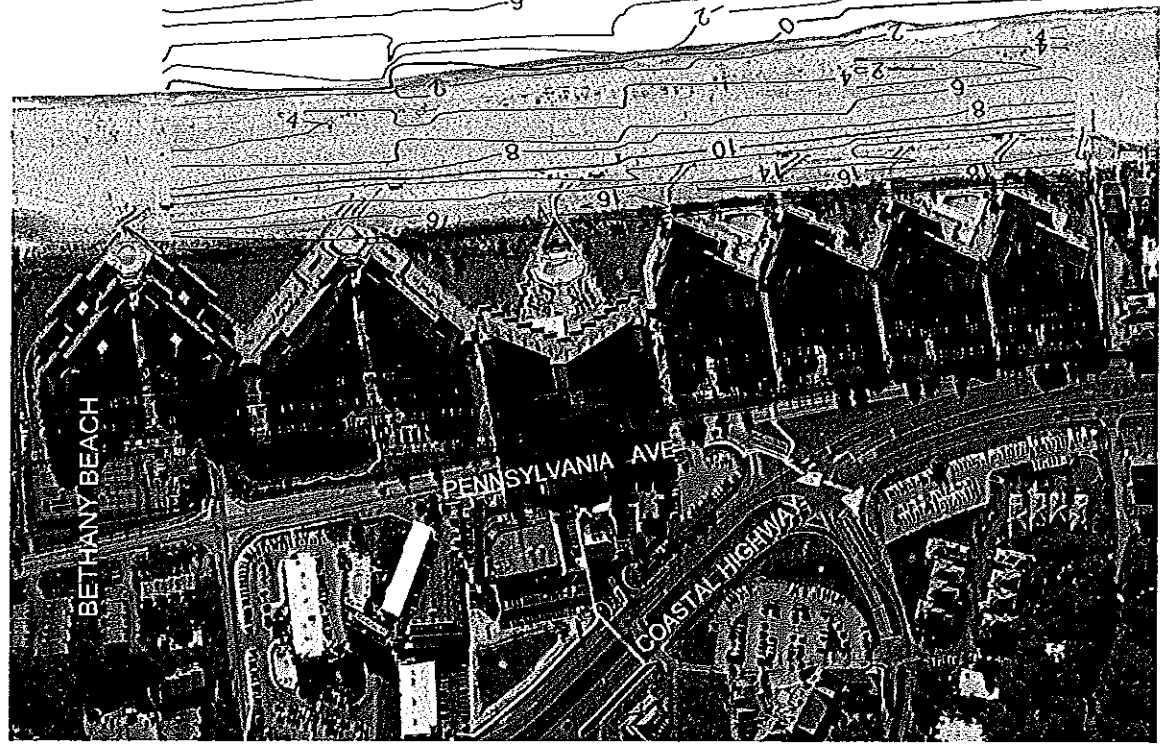
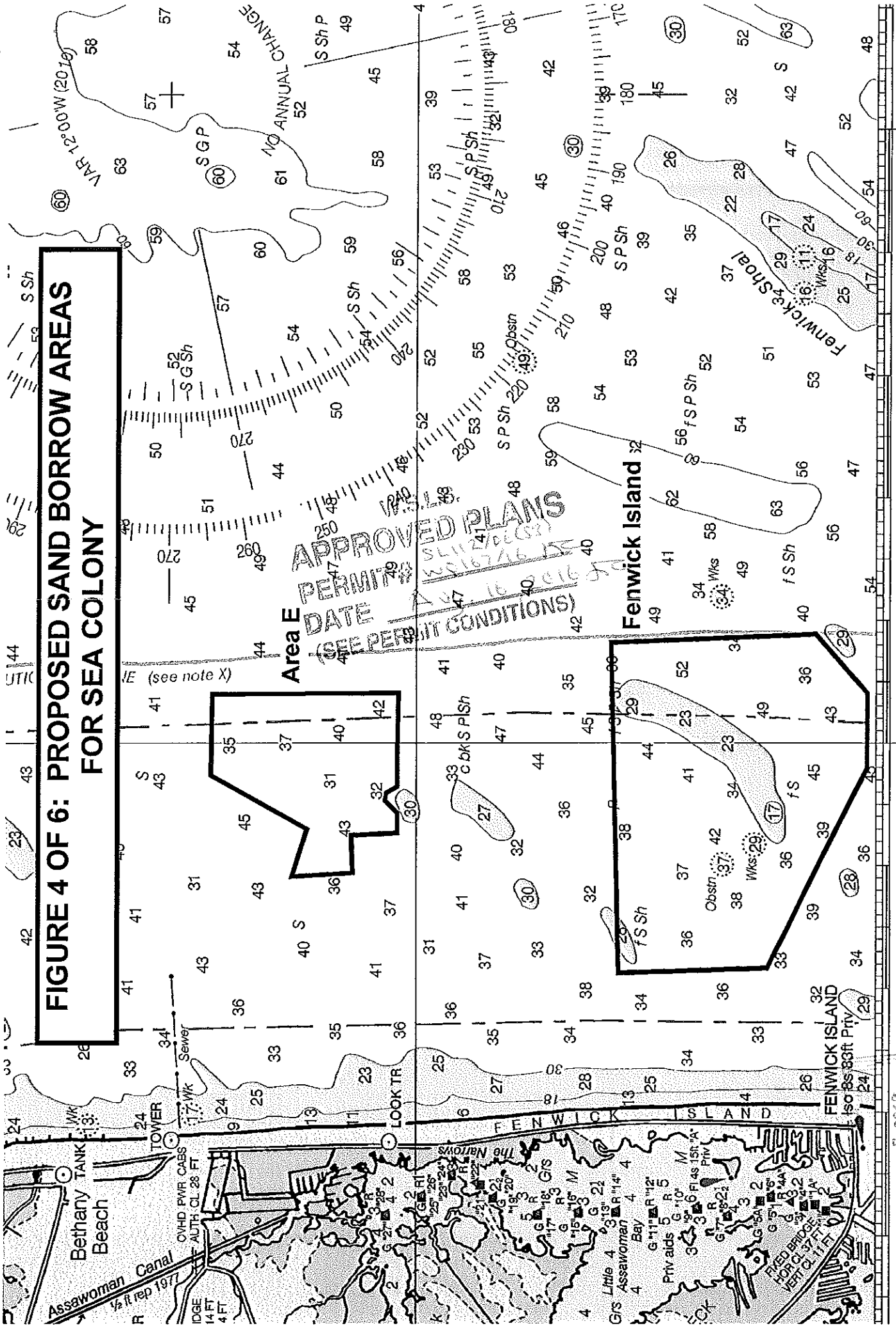


FIGURE 3 OF 6

2015

GBA
 ENGINEERS & SURVEYORS
 GAHAGAN & BRYANT ASSOCIATES, INC.
 BALTIMORE, MARYLAND
 (410) 682-5595

FIGURE 4 OF 6: PROPOSED SAND BORROW AREAS FOR SEA COLONY



APR 27 2015

75°

55'



NO.	DATE	REVISION	BY	CHKD.	APP'D.

NO.	DATE	REVISION	BY	CHKD.	APP'D.

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
1300 CONGRESS ROAD, DOVER, DELAWARE 19901
PH: 302.739.6600
WWW.DELDOT.DE.GOV

BORROW AREA E
APPROVED FOR THE BORROW AREA E PROJECT BY THE DELAWARE DEPARTMENT OF TRANSPORTATION ON 06/16/2016

SHEET
NUMBER
64497
OF 5

3

4

7

2

1

N 190000
E 777000

N 190000
E 774112

N 188011
E 774112

N 18483
E 772767

N 187202
E 770000

N 185177
E 772070

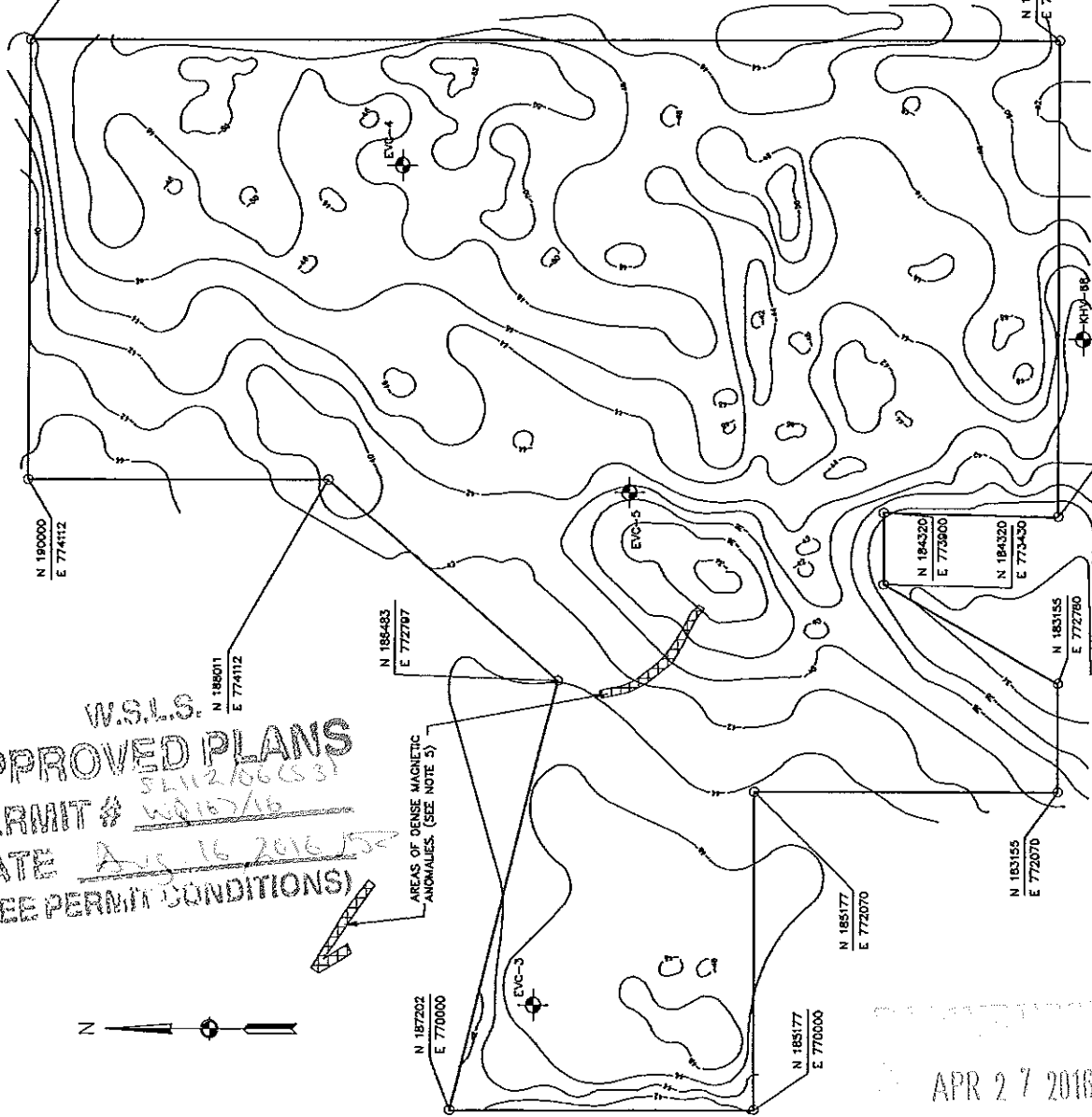
N 185177
E 770000

N 183155
E 777000

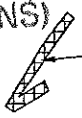
N 183155
E 773875

N 183155
E 772780

N 183155
E 772070



W.S.L.S.
APPROVED PLANS
PERMIT # 54112/066531
WQ167/16
DATE APR 16 2016
(SEE PERMIT CONDITIONS)



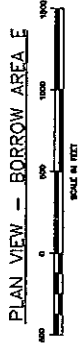
AREAS OF DENSE MAGNETIC ANOMALIES. (SEE NOTE 5)

- NOTES:
- HORIZONTAL REFERENCE - NAV 83 DELAWARE STATE PLANE, ZONE 0700, U.S. FOOT.
 - HORIZONTAL REFERENCE - NAV 83, DELAWARE STATE PLANE, ZONE 0700, U.S. FOOT. VERTICAL REFERENCE - NAV 88. SURVEY DATE - 22 JUNE 2009.
 - THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS CONDUCTED IN ACCORDANCE WITH THE DELAWARE PROFESSIONAL SURVEYING ACT, TITLE 11, CHAPTER 45, SECTION 2001.
 - ELEVATION CONTOURS ARE EXPRESSED IN 2' INTERVALS.
 - LOGS FOR THE VIBRACORES AND GRANULIZE DISTRIBUTION CURVES FOR SAMPLES CAN BE FOUND IN SECTIONS D0841 & D0842 OF THE SPECIFICATION.
 - THE AREAS SHOWN REPRESENT THE APPROXIMATE LIMITS OF DENSE MAGNETIC ANOMALIES.
 - THE MAXIMUM DEPTH OF DRIDDING SHALL NOT EXCEED A DEPTH OF 7 FEET BELOW THE EXISTING BOTTOM OR ELEVATION -52 FEET NAVD 88 (WHICHEVER IS LESSER).
 - SOURCE OF SAND FOR BETHANY AND SOUTH BETHANY BEACHES ONLY.

LEGEND

- DENOTES VIBRACORE LOCATION
- DENOTES DRIDDING AREA LIMIT
- DENSE MAGNETIC ANOMALIES (SEE NOTE 5)
- MAJOR CONTOUR
- MINOR CONTOUR

Figure 5 of 6

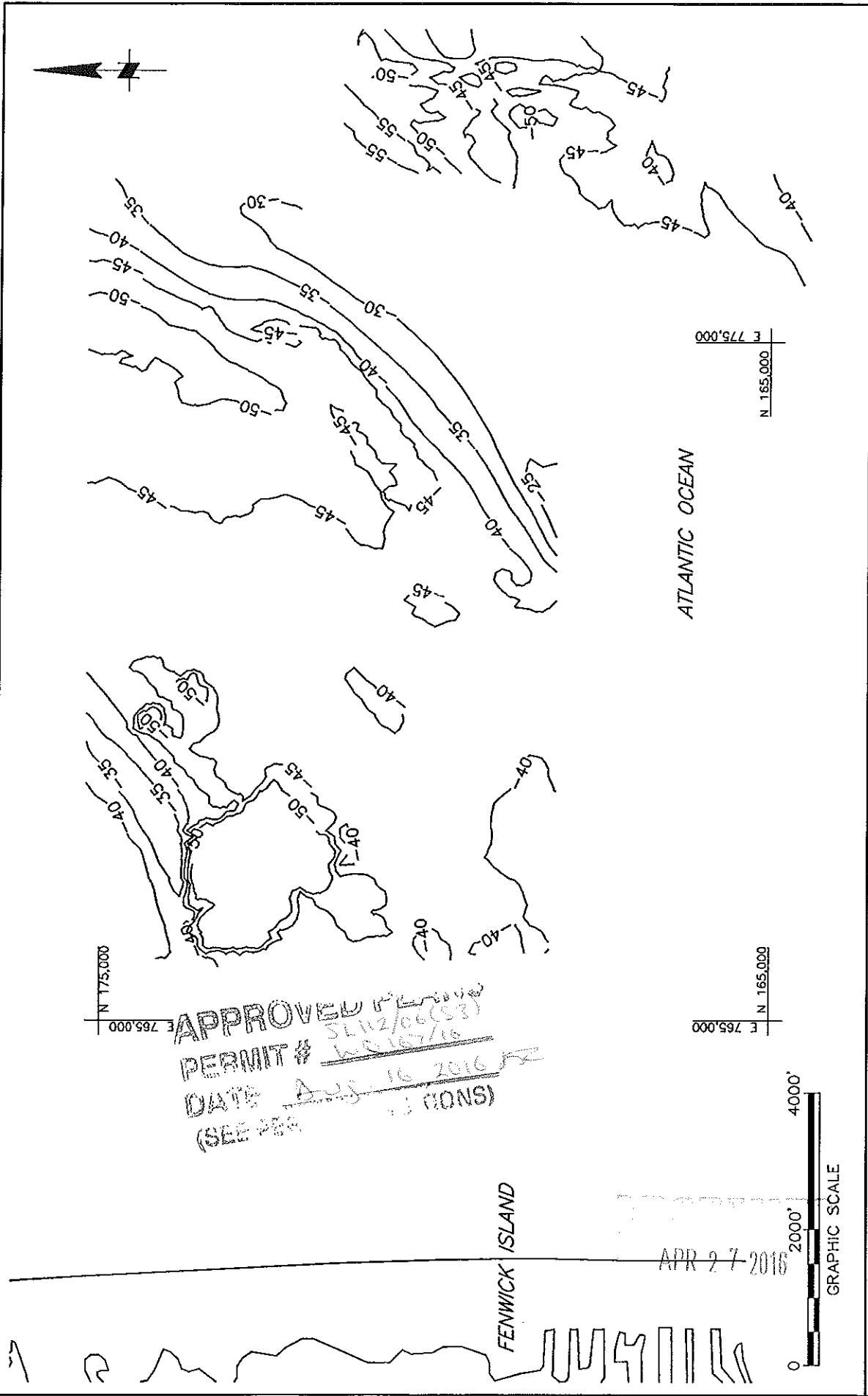


PLAN VIEW - BORROW AREA E

ATLANTIC OCEAN

APR 27 2016

P:\Miscellaneous\2016_Sea_Colony_Permit\699-16_Sea_Colony\dwg\120203_Fenwick_Borrow_AD.dwg



APPROVED PERMIT
 PERMIT # SE112/06(S3)
 DATE AUG 16 2016
 (SEE PER 120203)

APR 27 2016

Drawing Date:	Mar. 15, 2016
Drawn By:	C. Manuel
Checked By:	T. Ward
Drawing Name:	120203_Fenwick
Drawing Scale:	1"=2,000'

SEA COLONY BEACH REPLENISHMENT
 SUSSEX COUNTY, DELAWARE
 FEBRUARY 3, 2012 FENWICK ISLAND BORROW AREA SURVEY

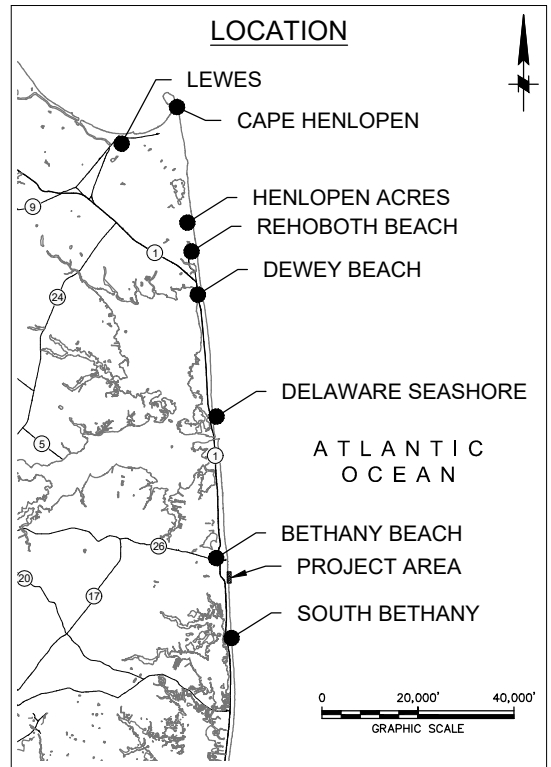
Figure 6 of 6

GBA
 ENGINEERS & SURVEYORS
 CARMAN & BRYANT ASSOCIATES, INC.
 BALTIMORE, MARYLAND
 (410) 682-5585



This print shows an aerial representation of the proposed replenishment project (red shading). The federal project proposed for Bethany Beach and its taper extension into Sea Colony is illustrated by the blue shading.

SEA COLONY BEACH BEACH REPLENISHMENT PROJECT



BETHANY BEACH

SEA COLONY
PROJECT AREA

MIDDLESEX BEACH

SOUTH BETHANY BEACH

ATLANTIC OCEAN

PURPOSE:
RESTORE RECREATIONAL BEACH
AREA AND PROVIDE EROSION AND
STORM PROTECTION

NOTE:

- PROJECT AREA LENGTH = ±2350 LF



COORDINATES		
	LATITUDE	LONGITUDE
NORTH END	38°31'54"N	75°03'14"E
SOUTH END	38°31'31"N	75°03'09"E

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

BEACH REPLENISHMENT PROJECT IN ATLANTIC OCEAN

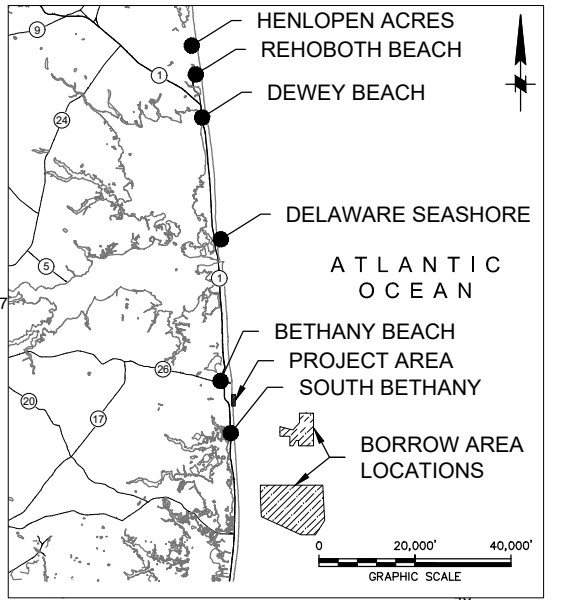
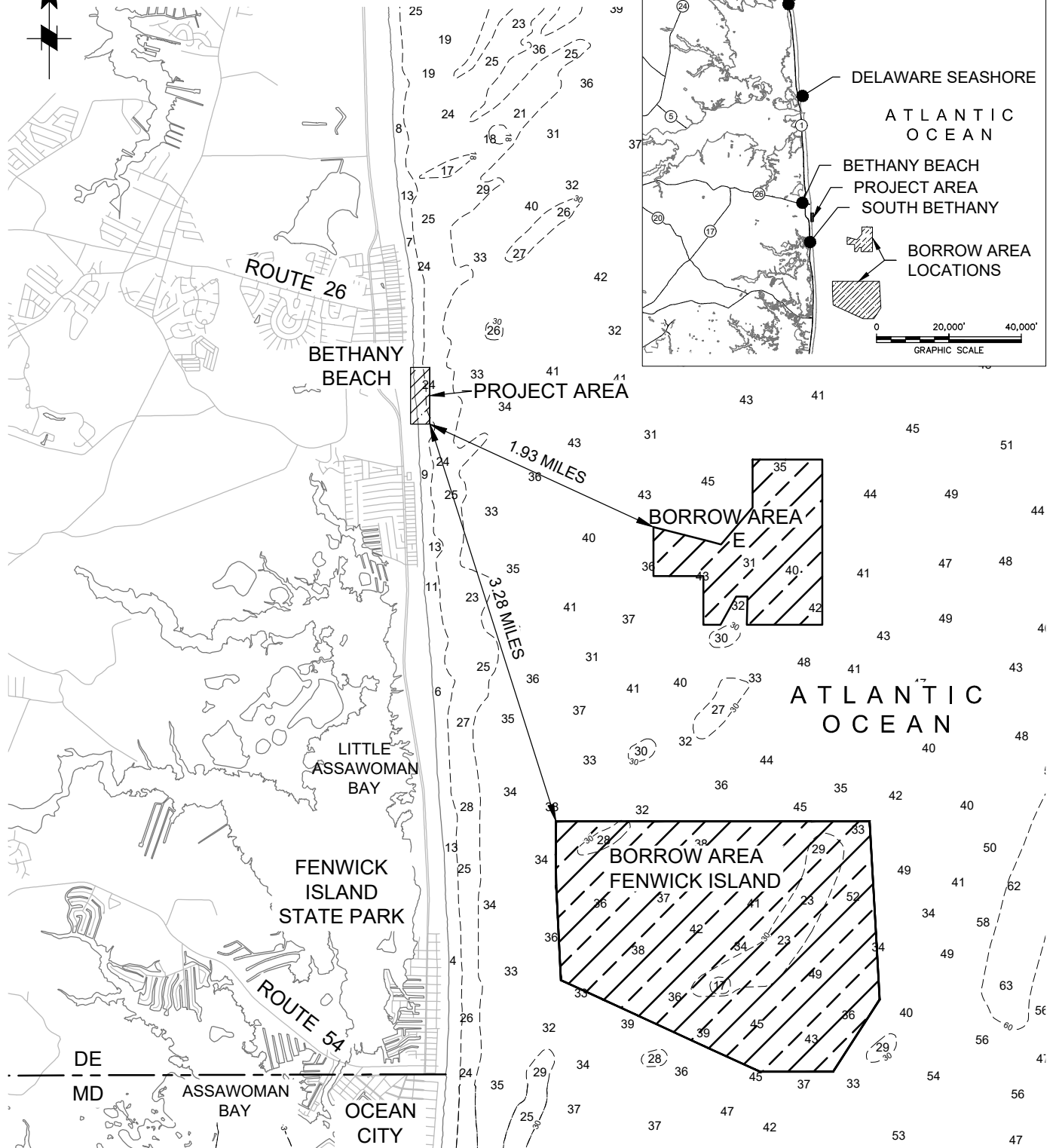
AT: SEA COLONY BEACH
COUNTY OF SUSSEX, STATE OF DELAWARE

APPLICATION BY:
SEA COLONY BEACH ASSOCIATION, INC.
P.O BOX 480
BETHANY BEACH, DELAWARE 19930

GBA
ENGINEERS & SURVEYORS
9008 Yellow Brick Rd. Unit O
Baltimore, MD 21237
Phone (410) 682-5595

DATE: 02/23/23

PROPOSED FENWICK ISLAND & AREA E BORROW AREA LOCATIONS



NOTES:

1. REFERENCE: NOAA CHART 12214 (51ST EDITION, MAR. 2019 LAST CORRECTION: 2/5/2020) & NOAA CHART 12211 (48TH EDITION, DEC. 2018 LAST CORRECTION: 4/22/2020)
2. DEPTH SHOWN IN FEET BELOW M.L.W



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BEACH REPLENISHMENT PROJECT IN ATLANTIC OCEAN

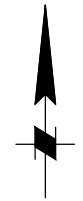
AT: SEA COLONY BEACH
COUNTY OF SUSSEX, STATE OF DELAWARE
APPLICATION BY:
SEA COLONY BEACH ASSOCIATION, INC.
P.O BOX 480
BETHANY BEACH, DELAWARE 19930



DATE: 06/29/23

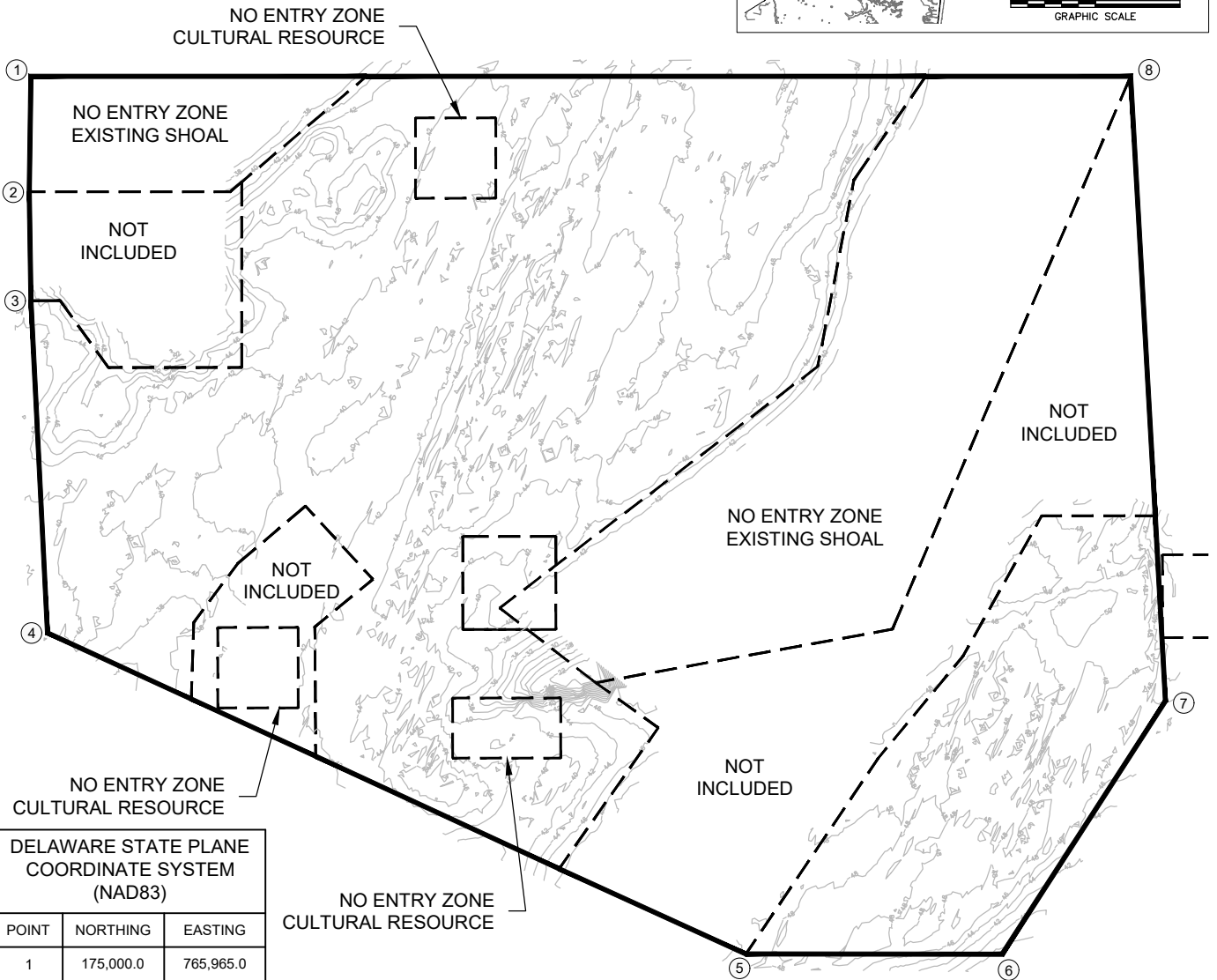
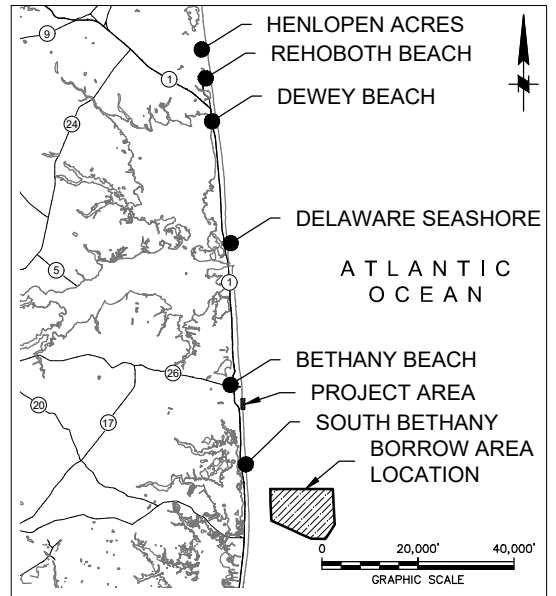
C:\Users\gboC307\OneDrive - Cahagan and Bryant Associates\Sea Colony Delaware\DWG\Section 408 NOAA PLAN.dwg

LIMITS OF BORROW AREA FENWICK ISLAND



NOTES:

1. BORROW AREA SIZE = 2,708 ACRES
2. CONTOURS SHOWN REPRESENT EXISTING CONDITIONS AT THE TIME OF SURVEY
3. SURVEY PERFORMED BY TRIANGLE SURVEYS ON SEPTEMBER 27, 2018
4. BORROW AREA DIMENSIONS AND SURVEY DATA FROM "FENWICK AFTER DREDGING BORROW AREA SURVEY" PERFORMED BY TRIANGLE SURVEYS, INC. SURVEY DATES: 08/10-08/11/2018



DELAWARE STATE PLANE COORDINATE SYSTEM (NAD83)		
POINT	NORTHING	EASTING
1	175,000.0	765,965.0
2	173,634.1	765,945.6
3	172,349.0	765,967.0
4	168,421.8	766,161.8
5	164,626.9	774,416.1
6	164,625.9	777,446.4
7	167,616.0	779,377.4
8	175,000.0	778,964.6



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

BEACH REPLENISHMENT PROJECT IN ATLANTIC OCEAN

AT: SEA COLONY BEACH
COUNTY OF SUSSEX, STATE OF DELAWARE

APPLICATION BY:
SEA COLONY BEACH ASSOCIATION, INC.
P.O. BOX 480
BETHANY BEACH, DELAWARE 19330



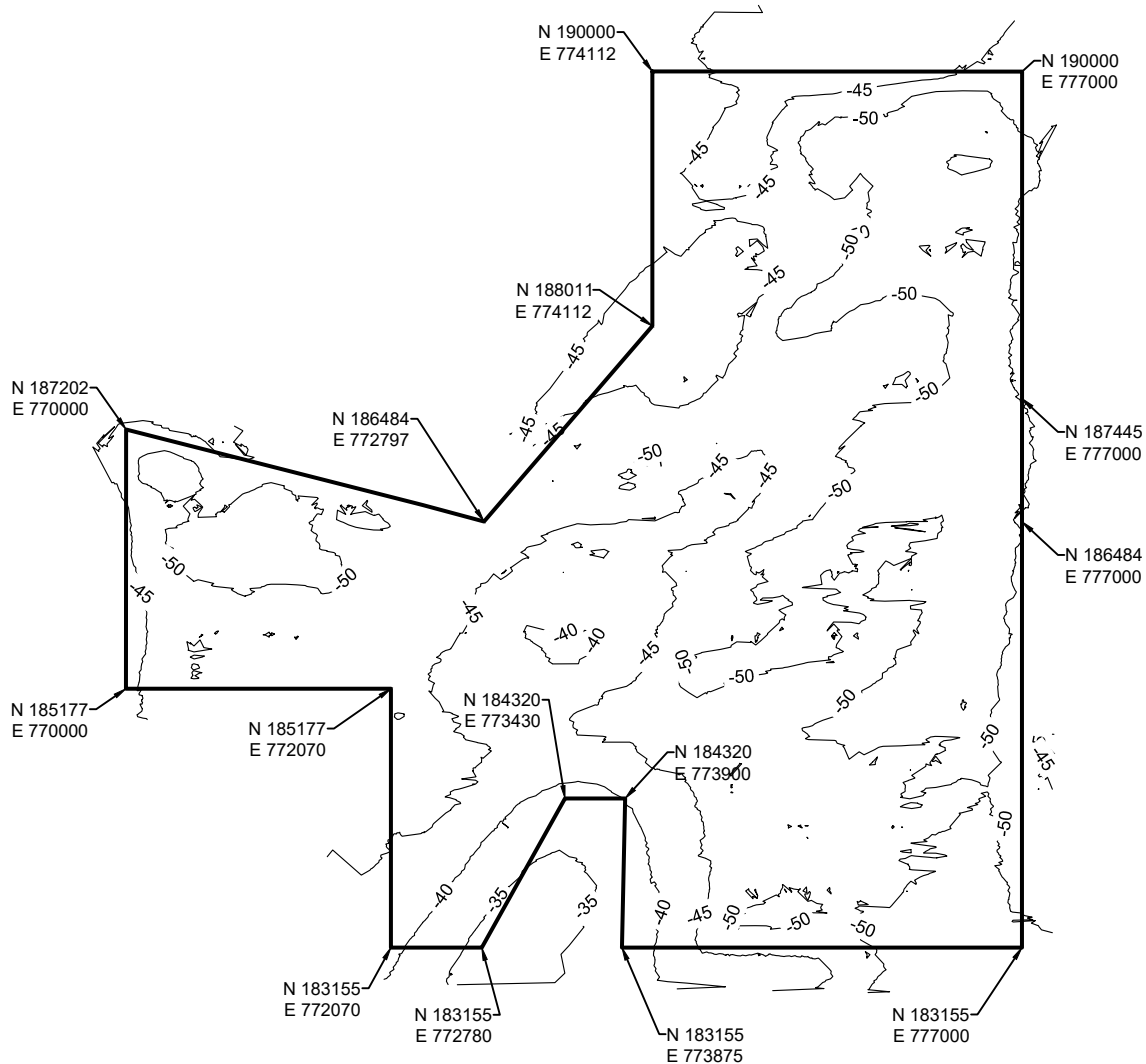
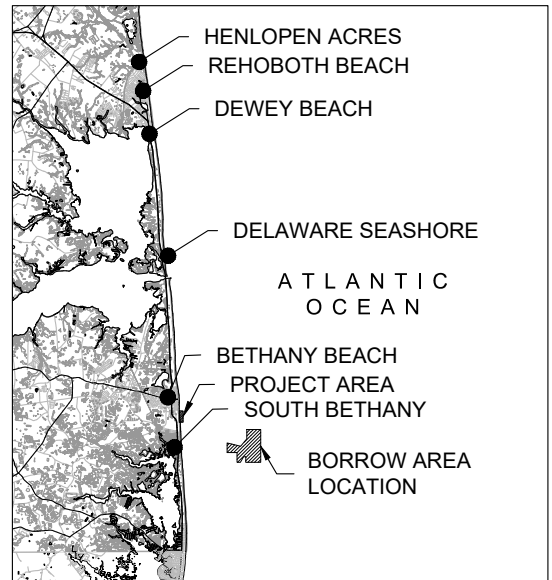
DATE: 02/23/23

LIMITS OF BORROW AREA AREA E

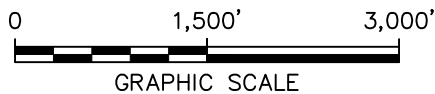


NOTES:

1. HORIZONTAL COORDINATES REFERENCED TO NAD83 DELAWARE STATE PLANE, ZONE 0700, US SURVEY FOOT.
2. VERTICAL DATUM REFERENCED TO NAVD88.
3. BORROW AREA SIZE = 697 ACRES
4. CONTOURS SHOWN ARE FROM A SURVEY CONDUCTED BY GAHAGAN & BRYANT ASSOCIATES IN FEBRUARY 2021 AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME.



ATLANTIC OCEAN



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

BEACH REPLENISHMENT PROJECT IN ATLANTIC OCEAN

AT: MIDDLESEX BEACH
COUNTY OF SUSSEX, STATE OF DELAWARE

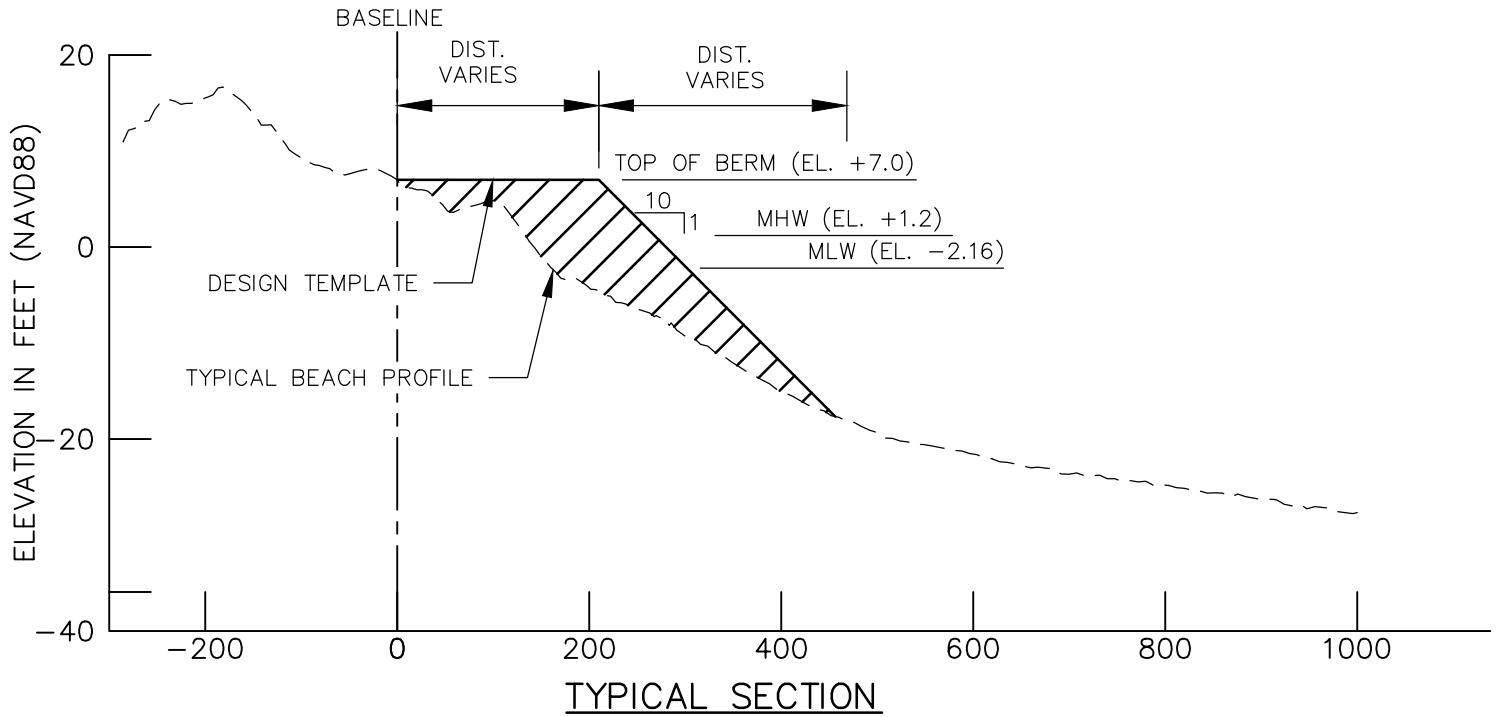
APPLICATION BY:
SEA COLONY BEACH ASSOCIATION, INC.
P.O BOX 480
BETHANY BEACH, DELAWARE 19930

GBA
ENGINEERS ★ SURVEYORS
9008 Yellow Brick Rd, Unit O
Baltimore, MD 21237
Phone (410) 682-5595

DATE: 06/29/23

C:\Users\gboc210\OneDrive - Cahagan and Bryant Associates\Jobs_OneDrive\Sea Colony Delaware\DWG\LIMITS OF BORROW AREA-E_230629_R1.dwg

SEA COLONY BEACH DESIGN FILL SECTION



NOTE:

- TIDES WERE OBTAINED FROM NOAA TIDAL STATION 8570280, OCEAN CITY FISHING PIER.

+1.2 MHW

0.0 NAVD88

-2.16 MLW

DATUM ELEVATION (FT)
NOT TO SCALE

**BEACH REPLENISHMENT PROJECT
IN ATLANTIC OCEAN**

AT: SEA COLONY BEACH
COUNTY OF SUSSEX, STATE OF DELAWARE

APPLICATION BY:
SEA COLONY BEACH ASSOCIATION, INC.
P.O BOX 480
BETHANY BEACH, DELAWARE 19930



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

DATE: 02/23/23