

**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?

X	Yes	BASIC APPLICATION
X	Yes	SIGNATURE PAGE (Page 3)
X	Yes	APPLICABLE APPENDICES
X	Yes	SCALED PLAN VIEW
X	Yes	SCALED CROSS-SECTION OR ELEVATION VIEW PLANS
X	Yes	VICINITY MAP
X	Yes	COPY OF THE PROPERTY DEED & SURVEY
X	Yes	THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET
X	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: Amy Star Ayers Higgins Telephone #: 302-841-0283
 Mailing Address: 9668 N. Shore Drive Fax #:
Seaford Delaware 19973 E-mail: Ahiggins.theguide@gmail.com

2. Consultant's Name: Ben Hastings Company Name:
 Mailing Address: 908 N. Atlanta Circle Telephone #:
Seaford Delaware 19973 Fax #:
 E-mail:

3. Contractor's Name: Ben Hastings Company Name: Deep Creek Marine
 Mailing Address: 908 N. Atlanta Circle Telephone #: 302 - 542 - 6998
Seaford Delaware 19973 Fax #:
 E-mail: Deepecreek875@gmail.com

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):
To install a 6ft x 12ft canoe launch with (2) support pilings, with (4) boatlift pilings and boat lift of existing dock. Boatlift and canoe launch will not exceed the channel ward end of existing dock

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

<input checked="" type="checkbox"/>	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	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

7. Project Site Address: 9668 N. Shore Drive County: N.C. Kent Sussex
Seaford, DE 19973 Site owner name (if different from applicant):
 Address of site owner:

8. Driving Directions: Head NE on Middleford RD from the intersection of Popeyes for 0.7 miles, turn right into N. Shore Dr. destination on the right 0.2 miles
 (Attach a vicinity map identifying road names and the project location)

9. Tax Parcel ID Number: 331-6.00-368.00 Subdivision Name: North Shores

WLS 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:		Receipt #:						
Fee Received? Yes <input type="checkbox"/> No <input type="checkbox"/>	Amt: \$		Public Notice Dates: ON		OFF				

Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: Nanticoke River waterbody is a tributary to: Chesapeake Bay
11. Is the waterbody: Tidal Non-tidal Waterbody width at mean low or ordinary high water 260ft
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):

Garcia Jorge & HUYNH - NHU - 9682 N. Shore Dr. Seaford, DE. 19973

James M. Kearney - 9644 N. Shore Drive Seaford DE 19973

- 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):

Does not apply

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

None

- 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): _____

SL - 098/00

*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, ED HIGGINS, hereby designate and authorize BEN HASTINGS
 (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: BEN HASTINGS Telephone #: 302-542-6998
 Mailing Address: 908 N. Atlanta Rd Fax #: _____
Seaford, DE 1973 E-mail: BHASTINGS@Delaware-Coop

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 4-4-23

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 4-4-23

Print Name

Edwin H Higgins

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 4/4/23

BEN HASTINGS
 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.)

To install (4) boatlift piling and boatlift on east side of the existing dock and install a 6ft by 12ft canoe launch with (2) support pilings on the west side of existing dock

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
		Width ft.	Length ft.	Length ft.	Width ft.	Length ft.	
Dock, Pier, Lift, gangway	6	24	16				
Canoe Launch	2	6ft	12ft				
Boatlift	4	12ft	16ft				
Freestanding Pilings	Number						

Mooring Buoy: How many moorings will be installed? None
 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? 260 ft. (measured from MLW to MLW)
4. What will be the mean low water depth at the most channelward end of the mooring facility? 4 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. Salt Treated Lumber & Follansbee Dock Floats
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? 5 ft.

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

Make/model	<u>Polar Craft</u>	length	<u>18' 6"</u>	width	<u>72"</u>	Bottom draft	<u>.08"</u>
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. Attached

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. N/A

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? 0 ft.
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.

STATE OF DELAWARE

BOAT REGISTRATION CERTIFICATE

HULL ID NO	PLR60050K516	REG NO	DL5965AK	MAKE	POLAR CRAFT	YEAR	2016
LENGTH	18'6"	HULL MATERIAL	Aluminum	PROPULSION	Propeller	OPERATION	Pleasure
VESSEL TYPE	Open Motorboat	FUEL	Gasoline	ENGINE TYPE	Outboard	EXPIRATION	2021
OWNER	EDWIN H HIGGINS	BOAT NAME					
	9768 N SHORE DR						
	SEAFORD, DE 19973						

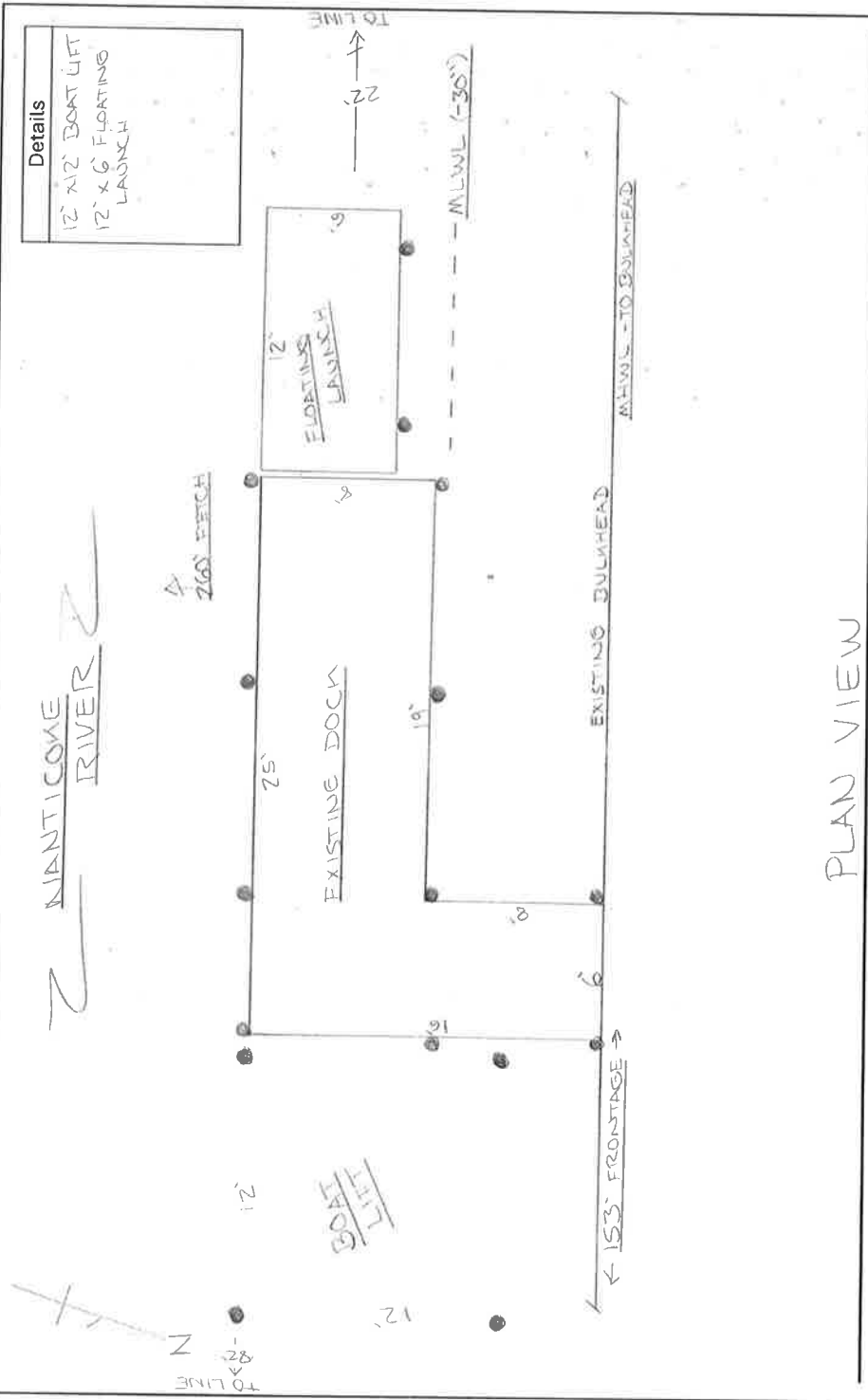
NOTICE TO OWNERS

- Always carry this certificate on vessel when in use
- The owner shall within 15 days thereof, report changes of ownership or address, or the destruction or abandonment of the vessel
- Stop and render aid or assistance if involved in boating accident
- Report every accident involving death or injury to person or property damage over \$500
- Certificate expires December 31st of designated year



SIGN HERE

USE BALL POINT PEN



PLAN VIEW

Applicant Name: HIGGINS TRUST Site Address: 91668 NORTH SHORE DRIVE - SEAFORD DE 19072
 Project Name: HIGGINS LIFT & LAUNCH Tax ID: 331-600-36800 Waterbody: NANTICOKE RIVER
 Drawn By: LUCCAS HASTINGS Signature: _____ Date: OCT 18, 2024 Scale: NOTED

3-31 6.00 368.00
PREPARED BY & RETURN TO:
Sergovic Carmean Weidman
McCartney & Owens, P.A.
25 Chestnut Street
P.O. Box 751
Georgetown, DE 19947-0751
File No. RE-14375

THIS DEED, made this 19th day of December, 2022,

- BETWEEN -

JAMES F. PALMER and GEORGENE S. PALMER, of 100 Tred Avon Avenue, P.O. Box 648, Oxford, MD 21654, parties of the first part,

- AND -

AMY STAR AYERS HIGGINS, TRUSTEE OF THE AMY STAR AYERS HIGGINS REVOCABLE TRUST DATED DECEMBER 17, 2004, AS AMENDED AND RESTATED as to an undivided 50% interest and EDWIN H. HIGGINS, TRUSTEE OF THE EDWIN H. HIGGINS REVOCABLE TRUST DATED DECEMBER 17, 2004, AS AMENDED AND RESTATED, as to an undivided 50% interest, as tenants in common, of 9768 North Shore Drive, Seaford, DE 19973, 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 successors and assigns:

ALL that certain lot, piece or parcel of land lying situate, lying and being in Seaford Hundred, Sussex County, Delaware, and designated as LOT NUMBER FIFTEEN B (15B) AND SIXTEEN (16), upon the supplementary plot 1-A of Culver's Development of North Shores, which said plot is now of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Plot Book 2, Page 18, and being more particularly described in accordance with a recent survey prepared by Miller-Lewis, Inc., Stephen M. Sellers PLS 566, dated December 12, 2022, as follows, to wit:

BEGINNING at a concrete monument (fd) along the Southerly right-of-way line of North Shore Drive, a corner for these lands and lands now or formerly of James M. & Tammy B. Kearney; thence from said point of beginning and running along and with the right-of-way line of North Shore Drive, North 88 degreed 32 minutes 07 seconds East 150.77 feet to a concrete monument (fd), a corner for these lands and lands now or formerly of Jorge G. Garcia & Huynh-


Nhu Le; thence turning and running with the line of lands now or formerly of Garcia & Le, South 02 degrees 26 minutes 03 seconds West 294.99 feet to a concrete monument (fd); thence continuing along the same course 31 feet, more or less, to a point in the approximate water line of the Nanticoke River; thence turning and running in a Southwesterly direction, with the meanderings of the low water line of the Nanticoke River, such a distance as will reach a point in line of lands now or formerly of Kearney; thence turning and running with the line of lands now or formerly of Kearney, North 02 degrees 32 minutes 53 seconds East 20 feet, more or less, to a concrete monument; thence continuing along the same course 307.97 feet to a concrete monument, the point and place of beginning, said to contain 1.13 acres of land, be the same more or less, together with all of the improvements located thereon.

BEING the same lands conveyed to James F. Palmer and Georgene S. Palmer by Deed of Bonnie L. Geiger, Individually and as Co-Executrix Under the Last Will and Testament of Sarah H. Cooper s/k/a Sarah H. Cooper and Eleanor Ann Aldrich, Individually and as Co-Executrix dated April 27, 1987 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware, in Deed Book 1488, page 169.

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 parties 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:




James F. Palmer (SEAL)


Georgene S. Palmer (SEAL)

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on December 19, 2022, personally came before me, the subscriber, James F. Palmer and Georgene S. Palmer, 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.



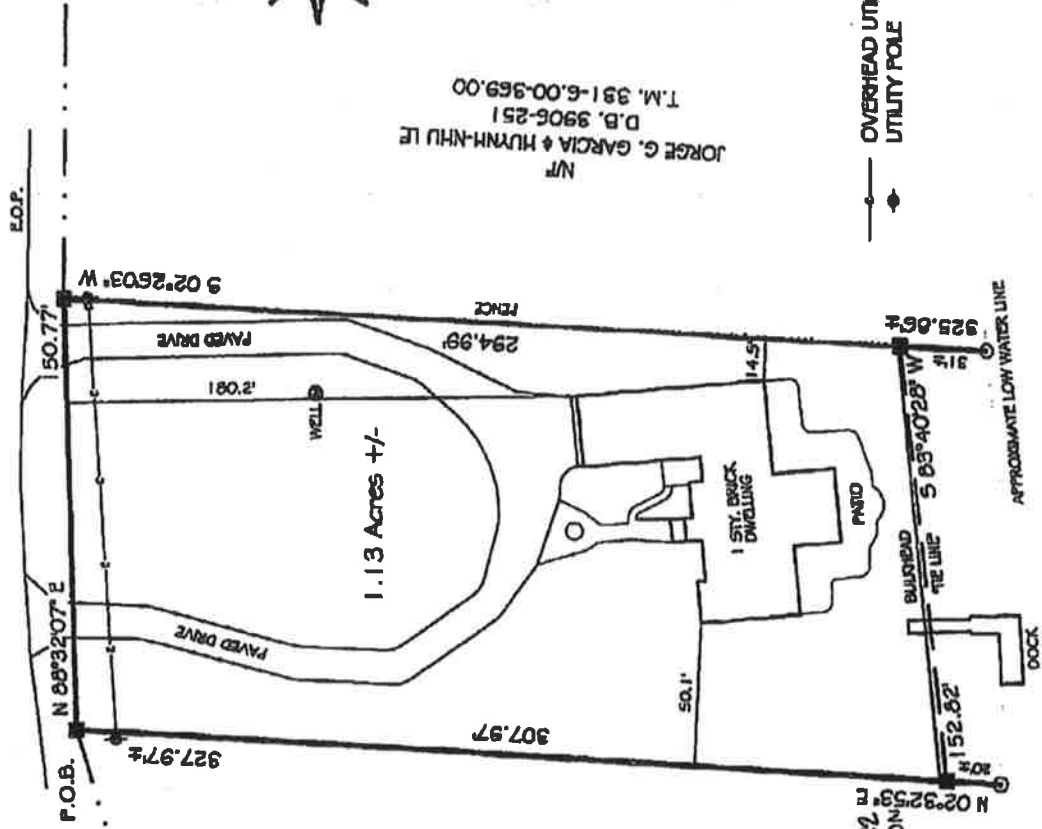
Notary Public _____
Printed Name: _____
My Commission Expires: _____

Shannon Carmean Burton

Attorney
Admitted to the Delaware Bar 12-15-03
Bar ID #004386
Uniform Law on Notarial Acts
Pursuant to 20 Del C Sec. 4323(a)(3)

T.M. #331-6.00-368.00

NORTH SHORE DRIVE



D.B. 1488-169

N/P
 JORGE G. GARCIA & HUYNN-NHU LE
 D.B. 3906-251
 T.M. 391-6.00-369.00

OVERHEAD UTILITIES
 UTILITY POLE

CONC. MON. (FD)
 O POINT
 DEED REF: 1488-169
 THIS SURVEY AND PLAN DOES NOT VERIFY THE
 EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY
 OR EASEMENTS OR OTHERS TO THE PROPERTY OTHER
 THAN THOSE SHOWN.
 NO TITLE SEARCH PERFORMED OR SPECULATED.

NANTICOKE RIVER

BOUNDARY SURVEY PLAN FOR
 THE AMY STAR AYRES HIGGINS TRUST
 & THE EDWIN H. HIGGINS REVOCABLE TRUST

9668 NORTH SHORE DRIVE, SEAFORD, DE 19973
 LOTS 15B & 16 OF SUPPLEMENT PLOT 1-A
 THE CULVER DEVELOPMENT OF NORTH SHORES
 SEAFORD HUNDRED SUSSEX COUNTY
 STATE OF DELAWARE
 SCALE 1" = 60' DECEMBER 12, 2022

I, STEPHEN M. MILLER, REGISTERED AS A PROFESSIONAL
 LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY
 CERTIFY THAT I AM THE SURVEYOR OF RECORD FOR THIS PLAN
 AND THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND
 MADE THE NECESSARY RECORDS OF THIS SURVEY AND
 THE STATE OF DELAWARE BOARD OF PROFESSIONAL
 LAND SURVEYORS. ANY CHANGES TO THE PROPERTY
 CONDITIONS, ENCUMBRANCES, BOUNDARY OR FACTORY
 CONDITIONS AFTER THE DATE SHOWN HEREON SHALL
 REQUISITE A NEW REVIEW AND CORRECTION FOR
 ANY OFFICIAL OR LEGAL USE.

Stephen M. Miller
 12/12/2022
 SURVEY CLASS: SUBURBAN

N/P
 JAMES M. & TAMMY B. KEARNEY
 D.B. 4545-255
 T.M. 391-6.00-367.00

Boundary Survey
 APPROVED
 Dwelling Existing
 non-conforming
 SUSSEX COUNTY
 PLANNING & ZONING COMMISSION
 1/10 Copy Only

PREPARED BY:
 MILLER LAND SURVEYING
 LEWIS, INC.

PH: 302-629-9895
 FAX: 302-629-2391
 1560 MIDDLEFORD RD. SEAFORD, DE. 19973