

Thursday, January 16, 2025

Mr. Matt Jones

Department of Natural Resource and Environmental Control

Division of Water

89 Kings Highway

Dover, DE 19901

SUBJECT: Dobbinsville Fishing Pier & Parking Lot Improvements

**DNREC Wetlands and Subaqueous Lands Permit** 

Dear Mr. Jones:

On behalf of our client, DNREC Division of Fish and Wildlife (DFW), Century Engineering Inc. (Century) is pleased to inform the Wetlands and Subaqueous Lands Section about the Dobbinsville Fishing Pier & Parking Lot Improvements (project) located at the Deemers Beach river access area in Dobbinsville in New Castle, Delaware in New Castle County (39° 39′ 10.6″ N, 75° 34′ 56.5″ W). This application package provides the documentation supporting a request for a Wetlands and Subaqueous Lands Permit. A Water Quality Certification is not required because there are no impacts to wetlands under the Clean Water Act, Section 404.

DNREC-DFW is applying for authorization under an USACE Individual Permit (requiring Coastal Zone Federal Consistency (CZM)) for Section 10 impacts to navigable waters resulting from proposed project activities. The combined pre-filing meeting and joint permit processing meeting required for the DNREC WLSL permit took place on November 21, 2024. The proposed project plans consist of constructing a fishing pier and improving the existing gravel parking lot. The fishing pier will be ADA compliant and will end in a T-pier. An ADA compliant trail from the parking lot will cross the existing paved levee trail and connect to the proposed pier. The existing gravel parking lot will be expanded to create a better configured parking lot with defined parking areas, ADA compliant spaces, provisions for drainage, and asphalt cover. The entrance to the existing parking lot will be upgraded to comply with DelDOT standards and provide additional visibility into the parking lot and the pier beyond. The pier will be approximately 284 ft long from the MHW line (234 ft from MLW), 12 ft wide for the first 260 ft out (212 ft from MLW), with a wider pier at the end with a width of 42 ft for the remaining 22 ft out. The pier takes up roughly 2.3% of the channel width from MLW and roughly 2.8% of the channel width from MHW. This meets the requirements under 7 Del.C. §7504 4.9.2.5. Thirty-seven (37) steel piles will be used to support the pier. They will be installed from a barge using a vibratory hammer or diesel impact hammer. DNREC and NOAA guidelines will be followed requiring a soft start before pile-driving. Pile-driving details are outlined in the environmental compliance sheets of the design plans. The pier will have aluminum decking and railing and will include provisions for fishing activities and the necessary safety elements. Given the location and nature of the project, complete avoidance of adverse environmental impacts is impractical however, anticipated impacts are minimal. The proposed action does not include dredging or fill.

Based on the Century wetland delineation and State Tidal Wetlands Maps (DNR396, attached), the proposed improvements will have the following impacts (refer to Attachments, Impacts Map):



IMPACT ID	TYPE	IMPACT DESCRIPTION	RESOURCE	IMPACT AREA (AC)	LOSS (AC)
1-23	PERMANENT	SUPPORT PILES	WATER	0.0004	0.0000
24-31	PERMANENT	SUPPORT PILES	TIDAL MUDFLAT	0.0001	0.0000
32-37	PERMANENT	SUPPORT PILES	BEACH	0.0001	0.0000
38	PERMANENT	PIER	BEACH	0.0167	0.0000
39	PERMANENT	PIER	TIDAL MUDFLAT	0.0207	0.0000
40	PERMANENT	PIER	WATER	0.0677	0.0000
	TOTAL DNREC WSLS PERMANENT IMPACTS				
	TOTAL DNREC WSLS TEMPORARY IMPACTS				
	TOTAL DNREC WSLS IMPACTS				
	TOTAL DNREC WSLS LOSS				

The project area is within the limits of a levee regulated by the US Army Corps of Engineers. The proposed project was presented at a City of New Castle Delaware regular meeting on July 11, 2023. The discussion resulted in "Resolution No. 2023-22" which included an understanding that "all facilities will be constructed in a manner that protects the integrity of the dike" and ultimately resulted in the negotiated MOA for construction. The pier was designed to not impact the performance of the existing levee.

Consultation with USFWS indicated proposed project activities are unlikely to affect federally listed rare, threatened, or endangered species. No further USFWS Section consultation is required unless project plans change. The NOAA Essential Fish Habitats (EFH) mapper indicated that the project boundary intersects with EFH for 12 species and one (1) Habitat Areas of Particular Concern (HAPC). The NOAA Fisheries Section 7 mapper identified five (5) life stages of Atlantic sturgeon and four (4) life stages of shortnose sturgeon that may occur within the vicinity of the action area. DNREC SCRP reported the project area is near habitat utilized by Atlantic sturgeon and shortnose sturgeon. This area of the Delaware River is a significant juvenile Atlantic sturgeon habitat as well with numerous catches in this range of the river. This area of the Delaware River is classified by the National Marine Fisheries Service as Atlantic Sturgeon Critical Habitat. A NOAA Fisheries GARFO Essential Fish Habitat (EFH) Assessment and Fish and Wildlife Coordination Act (FWCA) Consultation Worksheet and a GARFO ESA Section 7: NLAA Program Verification Form will be included as supporting information for the USACE IP application for further consultation with NOAA Section 7. In a letter dated June 7, 2024, DNREC- Species Conservation and Research Program (SCRP) indicated that the project area does not lie within a State Natural Heritage Site, nor does it lie within a Delaware National Estuarine Research Reserve. The review identified two (2) species of fish, two (2) species of bats, and the potential for marsh nesting birds to occur at or adjacent to the project site. The SCRP determined The SCRP recommends a work restriction April 1st to July 31st to avoid impacts to marsh nesting birds. In addition, the Delaware River is utilized by anadromous fish species so a time of year restriction on in-water work March 15th to June 30th was requested.

The Delaware State Historic Preservation office (SHPO) was notified of the project on May 13, 2024. The 30-day comment period has passed, so we have assumed concurrence with our "No Adverse Effects" findings.



A time of year restriction of March 15 – July 31 will be in place to adhere to all permit requirements and RTE guidance. Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,
Rachel Owrutsky, Environmental Scientist
CENTURY ENGINEERING, LLC, A KLEINFELDER COMPANY

#### Attachments:

- WLSL Application w/ Signature Page
- Appendix A Boat Docking
- Vicinity, USGS, Aerial Maps
- State Regulated Wetland Map DNR396
- State Regulated Wetlands Impacts Map
- Design plan sheets

cc: Jeremey Ashe, DNREC-DFW
Alex Schmidt, Century Engineering, LLC

- RTE Correspondence
- Historical/Archaeological Correspondence
- Photolog
- Copy of USACE Individual Permit Application Package

# 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 Kent County Sussex County	(302) 395-5400 (302) 736-2010 (302) 855-7878
2.	Recorder of Deeds:	New Castle County Kent County Sussex County	(302) 571-7550 (302) 744-2314 (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?
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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
N/A	_ Yes	COPY OF THE PROPERTY DEED & SURVEY
N/A	_ Yes	THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET
N/A	_ 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**

	Applicant's Name: Mailing Address:	89 Kings Hwy		Telephone = Fax #:E-mail:	302-735 Jereme	5-3601 y.Ashe@dela	ware.gov
2.	Consultant's Name: Mailing Address:	- Rachel Owru - 550 S Bay Ro - Dover, DE 19	tsky oad 9901	Telephone 7	<sup>t:</sup> 302-45 rowrut	ry Engineerin 50-3408 sky@kleinfeld	
3.				Telephone # Fax #:	<u> </u>		
Sec	ction 2: Project Descr	ription				SON, THE INCOME SON TO SEE SON	
	Check those that app New Project/addition t		? □ Repair/Re	eplace existing str	ucture? (If checl	ked, must answe	er #16)
5.	Project Purpose (atta	ach additional she	ets as necessary):				
ADA con g lot will atrance to	impliant. An ADA complia be expanded to create a to the existing parking lot	ant trail from the park better configured pa will be upgraded to	to improve local recreation king lot will cross the existing arking lot with defined parking comply with DelDOT stand necessary safety elements	ig paved levee trail a ng areas, ADA com ards and provide ac	and connect to the pliant spaces, pro-	proposed pier. The proposed pier. The proposed pier.	ne existing gravel e, and asphalt co
6.	Check each Appendi	ix that is enclosed	with this application:				
	A. Boat Docking Fac	cilities	G. Bulkheads		N. Preliminary	Marina Checkl	ist
	B. Boat Ramps		H. Fill		O. Marinas		
	C. Road Crossings		I. Rip-Rap Sills and I	Revetments	P. Stormwater	Management	
	D. Channel Modifica	ations/Dams	J. Vegetative Stabiliz	ation	Q. Ponds and	Impoundments	
	E. Utility Crossings		K. Jetties, Groins, Br		R. Maintenan		
	F. Intake or Outfall S	Structures	M. Activities in State	Wetlands	S. New Dredg	ging	
Sec	ction 3: Project Loca Project Site Address		75° 34' 56.5"W Site	unty:		oplicant):	
7.	Deemers Bch New Castle, I	DE 19720					
7.  8.	New Castle, [	DE 19720	-1 from Dover, take DE-9 r	north to Deemers Be	ach in New Castle	e. Drive ~5 miles a	and the
8.	New Castle, I	OE 19720  Going north on DE destination will be	-1 from Dover, take DE-9 r		ach in New Castle	e. Drive ~5 miles a	and the
8. (At	New Castle, I  Driving Directions:  ttach a vicinity map id	Going north on DE destination will be lentifying road nar	:-1 from Dover, take DE-9 ron the right.	tion)			
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8. (At 9.  WS Typ	New Castle, I  Driving Directions:_  ttach a vicinity map id  Tax Parcel ID Numb  SLS Use Only:  pe SP	Going north on DE destination will be lentifying road nar oer: 2101600002, 2102800001  Permit #s:	e-1 from Dover, take DE-9 ron the right.  mes and the project local  , 2101700116, and Sub  WE   WE   We will work with the project with the project local  which will be project local  which	tion)  odivision Name: _  /Q □ LA □  In	New Castle	, Senbar Col MP □	rporation WA 🗆

#### **Section 3: Project Location (Continued)**

10.	Name of waterbody at Project Location: Delaware River waterbody is a tributary to: N/A
11.	Is the waterbody: YTidal   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:
(Wı	ritten permission from the private subaqueous lands owner must be included with this application)
13.	Present Zoning:   Agricultural Residential Commercial Industrial Other
Sec	tion 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):  See "Immediately adjoining property owners" list attached.
foot	B. For wetlands and marina projects, list the names and complete mailing addresses of property owners within a 1,000 radius of the project (attach additional sheets as necessary):  N/A
	Provide the names of DNREC and/or Army Corps of Engineers representatives whom you have discussed the project with:  ### Alike Yost, Robert Youhas, Jeremey Ashe    Provide the names of DNREC and/or Army Corps of Engineers representatives whom you have discussed the project with:
	A. Have you had a State Jurisdictional Determination performed on the property?  B. Has the project been reviewed in a monthly Joint Permit Processing Meeting?  *If yes, what was the date of the meeting?
16.	Are there existing structures or fill at the project site in subaqueous lands?  *If yes, provide the permit and/or lease number(s):
	*If no, were structures and/or fill in place prior to 1969?
17. □ N	Have you applied for or obtained a Federal permit from the Army Corps of Engineers?  Jo Pending □ Issued □ Denied □ Date:
Ty	pe of Permit: Individual - Standard Federal Permit or ID #:
18. □ N	Have you applied for permits from other Sections within DNREC?  No Pending   Issued   Denied Date: Permit or ID #:
Ty	pe of permit (circle all that apply): Septic Well NPDES Storm Water
Ot1	CZM Federal Consistency

#### **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	ence to the Department may be signed by the duly authorized of contact for all correspondence from the Department.
I do not wish to authorize an agent to act on my behalf $\ \Box$	
I wish to authorize an agent as indicated below $\Box$	
I, Jeremey Ashe , hereby design	nate and authorize Rachel Owrutsky
(Name of Applicant) to act on my behalf in the processing of this application and Department.	(Name of Agent)
Authorized Agent's Name: Rachel Owrutsky	Telephone #: 302-450-3408 Fax #:
Mailing Address: <u>550 S Bay Road</u>	Fax #:
Dover, DE 19901	E-mail: <u>rowrutsky@kleinfelder.com</u>
I further understand that the Department may request inform	attached plans are true and accurate to the best of my knowledge action in addition to that set forth herein if deemed necessary to
appropriately consider this application.	4/45/0005
RI PA	1/15/2025
Agent's Signature	Date
21. Applicant's Signature:	
and that I am required to inform the Department of any chan	attached plans are true and accurate to the best of my knowledge ges or updates to the information provided in this application. I tion in addition to that set forth herein if deemed necessary to authorized Department representatives to enter upon the
Junto le	2/6/2025
Applicant's Signature	Date
Jeremey Ashe	
Print Name	
22. Contractor's Signature:	
and that I am required to inform the Department of any chan	attached plans are true and accurate to the best of my knowledge, ges or updates to the information provided in this application. I tion in addition to that set forth herein if deemed necessary to
Contractor's Name	Date
Print Name	

#### Immediately adjoining property owners:

Parcel ID	Owner	<b>Mailing Address</b>	Town	State	ZIP
2101700117	TRUSTEES OF NEW CASTLE COMMON	PO BOX 427	New Castle	DE	19720
2101600001	TRUSTEES OF NEW CASTLE COMMON	PO BOX 427	New Castle	DE	19720
2101600003	RIVERBEND SERVICE CORPORATION	3405 N 6TH STREET	Harrisburg	PA	17110
2101600005	PARKWAY GRAVEL INC	4048 NEW CASTLE AV	New Castle	DE	19720
1003600004	DURECO POLYMERS INC	950 RIVER RD	New Castle	DE	19720

Appendix A Page | 1

#### **BOAT DOCKING FACILITIES**

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

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

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

2. Please provide numbers and dimensions as follows:

Structure Type	Number of		Dimensions (Channelward of		hannelward of	New, repair
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Support	MHW or OHW			for non-tidal	or maintain
	Pilings		,	water)		
Dock, Pier, Lift,		Width	Length	Width	Length	
gangway		ft.	ft.	ft.	ft.	
Pier	37	12' for 262' out	284	12' for 212' out	234	New
		42' for 22' at end		42' for 22' at end		
		of pier		of pier		
		-	_			_
Freestanding	Number					
Pilings						

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

- 3. Approximately how wide is the waterway at this project site? 10,000 ft. (measured from MLW to MLW)
- 4. What will be the mean low water depth at the most channelward end of the mooring facility? 0.88 ft.
- 5. What type of material(s) will be used for construction of the mooring facility (e.g. salt treated wood, aluminum, fiberglass floats, etc.) Use of creosote-treated wood is prohibited.

  Aluminum rail and decking, steel piles.
- 6. Circle any of the following items that are proposed over subaqueous lands:
  Fish Cleaning Stations/Benches/Ladders/Water Lines/ Satellite/Electric Lines/ Handrails/Other (Describe)

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

Same dimensions as the pier.

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7.	What will be the distance from or man-made channel?		ward end of the d	ocking facility to th	e edge of any i	natural
8.	Describe the vessels that will plans and drawings.		docking facility. I	Please draw propose	ed vessel locati	ons on
	Make/model	length	width	draft		
	Make/model	length	width	draft		
	Make/model	length	width	draft		
	Make/model					
9.	Please provide a copy of the c motorized vessel listed above.	_	ration or Coast Gu	ard Certificate of Do	cumentation fo	or each
10.	Give the number and type of on vessels to be docked at the		ation Device (e.g.	MSD III, Portable to	ilet) that will b	e used
11.	Is there currently a residence of	on the property? _	Yes 🔽 N	lo		
12.	Do you plan to reach the boat explain your proposed mean authorizing access if you inten	ns of access and	provide docume			
13.	Will any portion of the structuowned by someone other than If yes, written permission of the	n the applicant? $\_$	YesNo.		•	agoon)
14.	What is the width of the water Will any portion of the structYesNo	ture or any vessel	be placed within	10 feet of your neig	ghbor's propert	ty line?
	If yes, a letter of no objection	from the adjacent	property owner m	ust be included with	this application	n.



#### DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIRECTOR'S OFFICE DIVISION OF FISH & WILDLIFE RICHARDSON & ROBBINS BUILDING 89 KINGS HIGHWAY DOVER, DELAWARE 19901

PHONE (302) 739-9910

June 7, 2024

Jeremy Ashe, DNREC F&W 89 Kings Hwy Dover, DE 19901

Re: CENTURY 2024 DNREC\_DFW Dobbinsville Pier, Tax Parcels 210160002, 2101700116, 2102800001

#### Dear Jeremy:

Thank you for contacting the Species Conservation and Research Program (SCRP) about information on rare, threatened and endangered species, unique natural communities, and other significant natural resources as they relate to the above referenced project.

#### State Natural Heritage Site

A review of our database indicates that the following state-rare or federally-listed plants, animals or natural communities occur at or adjacent to the project site:

Scientific Name	Common Name			State Status	SGCN Tier	Federal Status
Acipenser brevirostrum	Shortnose sturgeon	Fish	3N	Е	1	Е
Acipenser oxyrinchus	Atlantic sturgeon	Fish	2	Е	1	E/T

State Rank: S1 – Extremely rare within the state (typically 5 or fewer occurrences); S2 – Very rare within the state (6 to 20 occurrences); S3 – Rare to uncommon in Delaware; S4 – Apparently secure, at fairly low risk of extinction or extirpation due to an extensive range and/or many populations or occurrences, but with possible cause for some concern as a result of local recent declines, threats, or other factors; S5 – Demonstrably secure, at very low risk of extinction or extirpation due to a very extensive range, abundant populations or occurrences, or little to no concern from declines or threats; SX – Extirpated or presumed extirpated from the state. All historical locations and/or potential habitat have been surveyed; SH – Historically known, but not verified for an extended period (usually 15+ years); there are expectations that the species may be rediscovered; SE – Non-native in the state (introduced through human influence); not a part of the native flora or fauna; SNR – Not yet ranked in Delaware; SN – Occurrences in DE of limited conservation value, \*\*of concern due to a restricted range; SU – Status uncertain within the state. Usually, an uncommon species which is believed to be of conservation concern, but there is inadequate data to determine the degree of rarity; B – Breeding; M – Migratory; N – Nonbreeding.

State Status: E – Endangered, i.e., designated by the Delaware Division of Fish and Wildlife as seriously threatened with extinction in the state pursuant to State of Delaware Code (7 Del. §601 et seq.) and implementing regulation (Title 7, 3900, 16.0 Endangered Species); NA – Plants are not included in Title 7; NL – Not listed.

SGCN Tiers: Tier 1 – Species of Greatest Conservation Need (SGCN) that are most in need of conservation action in order to sustain or restore their populations. They are the focus of the Delaware Wildlife Action Plan (DEWAP), which is based on analyzing threats to their populations and habitats, and on developing conservation actions to eliminate, minimize, or compensate for these threats; Tier 2 – SGCN that are also in need of conservation action, although not with the urgency of Tier 1 species. Their distribution across the landscape will help determine where DEWAP conservation actions will be implemented on the ground; Tier 3 – These species are for the most part still relatively common in Delaware, but are listed as SGCN for various reasons, including documented population declines, high responsibility of the Northeast region for the global population, or continued need for monitoring and/or management. This tier also includes non-breeding species that are uncommon in Delaware. NA – Plants are not addressed in DEWAP.

Federal Status: E – Endangered, i.e., designated by the U.S. Fish and Wildlife Service as being in danger of extinction throughout its range; T – Threatened, i.e., designated by USFWS as being likely to become endangered in the foreseeable future throughout all or a significant portion of its range; C – Candidate, i.e., taxa for which the U.S. Fish and Wildlife Service has on file enough substantial information on biological vulnerability and threat(s) to support proposals to list them as endangered or threatened species. NOAA Managed Candidate: SC – Species of Concern, i.e., species about which NOAA's National Marine Fisheries Service (NMFS) has some concerns regarding status and threats, but for which insufficient information is available to indicate a need to list the species under the ESA; NL – Not listed.

While one or more state-rare or federally-listed species were identified near the project location, at present, this project does <u>not</u> lie within a State Natural Heritage Site, <u>nor</u> does it lie within a Delaware National Estuarine Research Reserve which are two criteria used to identify "Designated Critical Resource Waters" in the Army Corps of Engineers (ACOE) Nationwide Permit General Condition No. 22. A copy of this letter shall be included in any permit application or pre-construction notification submitted to the Army Corps of Engineers for activities on this property.

#### Mammals

#### Northern Long-Eared Bat

A review of our database indicates that the northern long-eared bat (*Perimyotis subflavus*) may occur on or adjacent to the project site. Due to population declines largely caused by white-nose syndrome, a fungal disease known only to affect bats, this species is under consideration to become federally-listed as endangered under the U.S. Endangered Species Act. Section 7 consultation may be necessary. To determine the potential effect your project may have on the northern long-eared bat, visit the <u>USFWS Information for Planning and Consultation</u> (iPaC) tool to obtain an official species list and to use the Range-wide Northern Long-eared Bat Determination Key (Dkey).

#### Tricolored Bat

A review of our database indicates that the tricolored bat (*Perimyotis subflavus*) may occur on or adjacent to the project site. Due to population declines largely caused by white-nose syndrome, a fungal disease known only to affect bats, this species is proposed to be federally-listed as endangered under the U.S. Endangered Species Act (ESA) is expected by summer 2024. In the event that the tricolored bat is listed as endangered under the ESA, Section 7 consultation may be necessary. To determine the potential effect your project may have on the tricolored bat, visit the <u>USFWS Information for Planning and Consultation</u> (iPaC) tool to obtain an official species list and use the <u>Range-wide Northern Long-eared Bat and Tricolored Bat Determination Key</u> (Dkey) when the USFWS makes it available.

#### **Birds**

#### Marsh Nesting Birds

Currently, there are no records of state-rare or federally-listed marsh bird species at this site. However, aerial imagery and wetland habitat maps indicate that high marsh habitat is present. Several state-rare species of conservation concern solely or frequently nest in high marsh habitat. We recommend a time of year restriction of **April 1**<sup>st</sup> to **July 31**<sup>st</sup> and staging project equipment away from this habitat type to avoid impacts to marsh nesting birds.

**Fisheries** 

Sturgeon

This area of Delaware River is near habitat utilized by the federally-listed endangered Atlantic sturgeon (*Acipenser oxyrhincus*) and federally-listed endangered shortnose sturgeon (*Acipenser brevirostrum*). This area of Delaware River has been identified as significant juvenile Atlantic sturgeon habitat as well with numerous catches in this range of the river. These species are federally protected under the U.S. Endangered Species Act (ESA), and this area of Delaware River has been classified by the National Marine Fisheries Service as Atlantic Sturgeon Critical Habitat. If this is a project that requires a federal permit, Section 7 consultation under the ESA may be required.

The Delaware River is also utilized by striped bass (*Morone saxatilis*) and large numbers of American shad (*Alosa sapidissima*) for spawning and upstream migration during April-June. Although these two species are not listed as endangered or threatened, they are an important resource in terms of recreational and commercial fisheries.

To protect anadromous species, including spawning Atlantic sturgeon, in-water work should not take place from **March 15**<sup>th</sup> **to June 30**<sup>th</sup>.

We recommend all pile driving operations: (a) be initiated with a soft start, which shall involve pile-driving equipment to start at half-power for a minimum of 15 minutes before pile-driving could proceed at full power; or {b} a system of warning strikes that are designed to create enough noise to cause fish to leave the area prior to lull energy pile driving. A wooden cushion block, a.k.a. noise attenuation device, shall be used (placed on top of the piles) during pile-driving performed with an impact hammer. The cushion block will absorb sound energy, attenuating underwater noise.

We are continually updating our records on Delaware's rare, threatened and endangered species, unique natural communities and other significant natural resources. If the start of the project is delayed more than a year past the date of this letter, please contact us again for the latest information.

Please feel free to contact me with any questions or if you require additional information.

Sincerely,

Shawn Sullivan

Assistant Wildlife Biologist

All Ani

Phone: (302) 735-3609

Email: shawn.sullivan@delaware.gov

6180 Hay Point Landing Road

Smyrna, DE 19977



# DIVISION OF FISH AND WILDLIFE ENVIRONMENTAL REVIEW REQUEST FORM

### State of Delaware



#### Department of Natural Resources and Environmental Control

∠── N/A for State Agency

DATE:	I acknowledge the \$35/hr cost recovery fee
PROJECT TITLE:	
CONTACT INFORMATION:	
Applicant Name:	Consulting Company:
Consultant Name:	Consultant Email:
Mailing Address:	
PROJECT DETAILS:	
Description	
Project Type:	Consultation Needed For:
Detailed Project Description:	
Location	
Parcel Number(s):	
GPS Coordinates of Project:	
Address:	
County:	
Shapefile of LOD Enclosed?	Image of LOD Enclosed?
<b>Environmental Impacts</b>	
Forest: Forest Removal?	Acres of Forest Removal:
Wetlands: Wetland Impacts?	Acres of Impacts (Temporary/Permanent):
Open Water: Water Impacts?	Acres of Impacts (Temporary/Permanent):

#### **Rachel Owrutsky**

From: CBFO Project Review, FW5 <cbfoprojectreview@fws.gov>

**Sent:** Monday, February 10, 2025 10:41 AM

**To:** Rachel Owrutsky

**Subject:** Re: [EXTERNAL] Dobbinsville Pier RTE Query

#### **External Email**

Hello Rachel,

Thank you for updating this project. The project area is located within a hibernacula buffer for Northern long-eared bat (NLEB) but, due to the minimal tree clearing, distance from the hibernacula entrance, and your proposed time-of-year restrictions from April 1 to November 15, this project is **not likely to adversely affect** Northern long-eared bat.

Tricolored bat (TCB) and monarch butterfly are species proposed for listing and receive no Federal protections under the Endangered Species Act. However, as soon as a final listing rule becomes effective, Section 9 prohibitions against jeopardy or adverse modification to designated critical habitat applies regardless of the project's stage of completion. The project is located within the buffer for an acoustic detection for TCB but the conservation measures already in place for NLEB can also apply to TCB. As a result, this project is not likely to adversely affect tricolored bat. This project should also have no effect on monarch butterfly. These comments are being provided by FWS as conference opinions and this may be adopted as part of the Section 7 consultation record for both species.

No further Section 7 consultation is required for this project unless project plans change. Please let me know if you have any questions.

Raquel Wetzell US Fish and Wildlife Service Chesapeake Bay Field Office 177 Admiral Cochrane Dr. Annapolis, MD 21401

From: Rachel Owrutsky < ROwrutsky@kleinfelder.com>

Sent: Friday, February 7, 2025 10:25 AM

**To:** CBFO Project Review, FW5 <cbfoprojectreview@fws.gov>

Cc: Missy Kalb < MKalb@kleinfelder.com>; Alex Schmidt <aschmidt@kleinfelder.com>; Elizabeth Chandler

<echandler@kleinfelder.com>

Subject: RE: [EXTERNAL] Dobbinsville Pier RTE Query

Hi USFWS,

We updated the Species List and DKeys (attached) for this project a bit late in our permitting process. We will adhere to the tree cutting time-of-year restrictions of April 1-September 30 and August 16-November 15 to avoid impacts to the Northern long-eared bat and tricolored bat. If you could send updated guidance at your earliest convenience that would be greatly appreciated.

# Thank you, Rachel Owrutsky (she/her) Environmental Scientist

550 S Bay Road Dover, DE 19901 d| 301.364.7012 o| 302.450.3408



From: CBFO Project Review, FW5 <cbfoprojectreview@fws.gov>

Sent: Monday, June 24, 2024 12:59 PM

To: Rachel Owrutsky < ROwrutsky@kleinfelder.com>

Cc: TJ Austin <tjaustin@kleinfelder.com>

Subject: Re: [EXTERNAL] Dobbinsville Pier RTE Query

#### **External Email**

Hello Rachel,

Thank you for submitting this project review. As proposed, this project will have **no effect** on Bog Turtle. The very minimal tree clearing is also **not likely to adversely affect** Northern Long-eared Bat. There is a proposed rule to list the Tricolored Bat as an endangered species but a final listing determination will not be made until the end of fiscal year 2024. There are no Section 7 requirements for proposed species. Similarly, the Monarch Butterfly is a candidate species and no Section 7 consultation is required at this time. No further Section 7 consultation is required for this project unless project plans change.

Please let me know if you have any questions.

Raquel Wetzell US Fish and Wildlife Service Chesapeake Bay Field Office 177 Admiral Cochrane Dr. Annapolis, MD 21401

From: Rachel Owrutsky < ROwrutsky@kleinfelder.com>

Sent: Thursday, June 20, 2024 8:47 AM

To: CBFO Project Review, FW5 < cbfoprojectreview@fws.gov>

Cc: TJ Austin < tjaustin@kleinfelder.com >

Subject: RE: [EXTERNAL] Dobbinsville Pier RTE Query

Hi Raquel,

We received comments from DNREC on this project but they made no mention of bog turtles. See attached. Best,

#### Rachel Owrutsky (she/her)

**Environmental Scientist** 

550 S Bay Road Dover, DE 19901 d| 301.364.7012 o| 302.450.3408



From: Rachel Owrutsky

Sent: Monday, June 10, 2024 11:51 AM

To: 'CBFO Project Review, FW5' < cbfoprojectreview@fws.gov>

Cc: TJ Austin <tjaustin@kleinfelder.com>

Subject: RE: [EXTERNAL] Dobbinsville Pier RTE Query

Hi Raquel,

They have not as far as I know.

Best,

#### Rachel Owrutsky (she/her)

**Environmental Scientist** 

550 S Bay Road Dover, DE 19901 d| 301.364.7012 o| 302.450.3408



From: CBFO Project Review, FW5 <cbfoprojectreview@fws.gov>

Sent: Monday, June 10, 2024 11:47 AM

**To:** Rachel Owrutsky < <u>ROwrutsky@kleinfelder.com</u>> **Subject:** Re: [EXTERNAL] Dobbinsville Pier RTE Query

#### **External Email**

Hello Rachel,

Has DNREC provided comments for presence of bog turtle? If so, could you forward me their comment letter?

Thanks,

Raquel Wetzell
US Fish and Wildlife Service
Chesapeake Bay Field Office
177 Admiral Cochrane Dr.
Annapolis, MD 21401

From: Rachel Owrutsky < ROwrutsky@kleinfelder.com>

Sent: Thursday, May 9, 2024 2:07 PM

To: EnvReview, DNREC (MailBox Resources) < <u>DNREC EnvReview@delaware.gov</u>>; CBFO Project Review, FW5

<<u>cbfoprojectreview@fws.gov</u>>

Cc: TJ Austin <tjaustin@kleinfelder.com>

Subject: [EXTERNAL] Dobbinsville Pier RTE Query

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

#### DNREC-SCRP and USFWS,

On behalf of DNREC-Division of Fish and Wildlife, we are pleased to inform you of the Dobbinsville Fishing Pier project. The project is located in New Castle County, DE. Site coordinates are approximately 39°39′10.6″ N, 75°34′56.5″ W. The project area is composed of Delaware River, beach, paved walking path, deciduous forest, and gravel parking lot. The project area is bordered by coastal salt marsh to the north and west, deciduous forest to the east and Delaware river to the south. The purpose of the project is to construct a 320-foot-long by 12-foot-wide fishing pier into the Delaware River. The end of the pier will have a 20-foot-long by 40-foot-wide pier that will run horizontally to the river. An existing gravel parking lot will be expanded and paved creating a ~ 120-foot by 120-foot parking lot with designated parking spaces including two ADA compliant parking spaces. The project is proposed to be permitted with the USACE with an NWP. Project mapping and design plans for reference are attached.

The USFWS has indicated that: Northern Long-eared Bat (*Myotis septentrionalis*), Tricolored Bat (*Perimyotis subflavus*), Bog Turtle (*Glyptemys muhlenbergii*), and Monarch Butterfly (*Danaus plexippus*) be considered in an effects analysis for this project.

On behalf of DNREC-Division of Fish and Wildlife, Century Engineering, LLC is requesting your review and response with any information or records that you may have regarding the presence of rare, threatened or endangered species within the project area to the above address. In addition, please forward any information that you may have regarding State Natural Heritage Sites, Delaware Natural Estuarine Research Reserves, and Fisheries within the project area.

DNREC, please make the letter out to Jeremey Ashe, DNREC-F&W.

#### Thanks!

#### Rachel Owrutsky (she/her)

**Environmental Scientist** 

550 S Bay Road Dover, DE 19901 d| 301.364.7012 o| 302.450.3408





### United States Department of the Interior



#### FISH AND WILDLIFE SERVICE

Chesapeake Bay Ecological Services Field Office 177 Admiral Cochrane Drive Annapolis, MD 21401-7307 Phone: (410) 573-4599 Fax: (410) 266-9127

In Reply Refer To: 05/08/2024 20:09:37 UTC

Project Code: 2024-0087719

Project Name: Dobbinsville Fishing Pier

Subject: List of threatened and endangered species that may occur in your proposed project

location or may be affected by your proposed project

#### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

Project code: 2024-0087719

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

**Migratory Birds**: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

#### Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

### **OFFICIAL SPECIES LIST**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office 177 Admiral Cochrane Drive Annapolis, MD 21401-7307 (410) 573-4599

#### **PROJECT SUMMARY**

Project Code: 2024-0087719

Project Name: Dobbinsville Fishing Pier

Project Type: Boatlift/Boathouse/Dock/Pier/Piles - New Construction

Project Description: This project involves removing existing gravel, asphalt, and wooded area

on Deemer's beach in Dobbinsville located in New Castle, DE. A new fishing pier will go in its place and step out approximately 250 feet into

the Delaware River.

#### **Project Location:**

The approximate location of the project can be viewed in Google Maps: <a href="https://www.google.com/maps/@39.65274979999995">https://www.google.com/maps/@39.652749799999995</a>,-75.58232214150134,14z



Counties: New Castle County, Delaware

#### **ENDANGERED SPECIES ACT SPECIES**

Project code: 2024-0087719

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

#### **MAMMALS**

NAME STATUS

Northern Long-eared Bat *Myotis septentrionalis* 

Endangered

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>

Tricolored Bat *Perimyotis subflavus* 

Proposed

No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>

Endangered

#### **REPTILES**

NAME STATUS

#### Bog Turtle *Glyptemys muhlenbergii*

Threatened

Population: Wherever found, except GA, NC, SC, TN, VA No critical habitat has been designated for this species.

This species only needs to be considered under the following conditions:

• For bog turtle projects in DE, email dnrec\_envreview@delaware.gov for review.

Species profile: https://ecos.fws.gov/ecp/species/6962

#### **INSECTS**

NAME STATUS

#### Monarch Butterfly *Danaus plexippus*

Candidate

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743

#### CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

# USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

### **WETLANDS**

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

#### **RIVERINE**

R4SBC

#### FRESHWATER FORESTED/SHRUB WETLAND

- PFO1C
- PSS1/EM1F
- PFO1R

#### ESTUARINE AND MARINE WETLAND

- E2SS1P
- M2US2P
- E2EM5P

#### ESTUARINE AND MARINE DEEPWATER

• M1UBL

Project code: 2024-0087719 05/08/2024 20:09:37 UTC

#### **IPAC USER CONTACT INFORMATION**

Agency: Delaware Department of Transportation

Name: Rachel Owrutsky Address: 550 S Bay Road

City: Dover State: DE Zip: 19901

Email rowrutsky@kleinfelder.com

Phone: 3024503408

#### LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers

Name: Mike Yost



## United States Department of the Interior



#### FISH AND WILDLIFE SERVICE

Chesapeake Bay Ecological Services Field Office 177 Admiral Cochrane Drive Annapolis, MD 21401-7307 Phone: (410) 573-4599 Fax: (410) 266-9127

In Reply Refer To: 05/09/2024 17:24:58 UTC

Project code: 2024-0087719

Project Name: Dobbinsville Fishing Pier

Federal Nexus: yes

Federal Action Agency (if applicable): Army Corps of Engineers

Subject: Technical assistance for 'Dobbinsville Fishing Pier'

Dear Rachel Owrutsky:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on May 09, 2024, for "Dobbinsville Fishing Pier" (here forward, Project). This project has been assigned Project Code 2024-0087719 and all future correspondence should clearly reference this number.

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northeast Determination Key (Dkey), invalidates this letter. *Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.* 

To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative effect(s)), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17). Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no further consultation with, or concurrence from, the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required (except when the Service concurs, in writing, that a

proposed action "is not likely to adversely affect (NLAA)" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13]).

The IPaC results indicated the following species is (are) potentially present in your project area and, based on your responses to the Service's Northeast DKey, you determined the proposed Project will have the following effect determinations:

SpeciesListing StatusDeterminationBog Turtle (Glyptemys muhlenbergii)ThreatenedMay affect

<u>Consultation with the Service is not complete.</u> Further consultation or coordination with the Service is necessary for those species or designated critical habitats with a determination of "May Affect". Please contact our Chesapeake Bay Ecological Services Field Office to discuss methods to avoid or minimize potential adverse effects to those species or designated critical habitats.

In addition to the species listed above, the following species and/or critical habitats may also occur in your project area and are not covered by this conclusion:

- Monarch Butterfly Danaus plexippus Candidate
- Northern Long-eared Bat *Myotis septentrionalis* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

Please Note: If the Action may impact bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act (BGEPA) (54 Stat. 250, as amended, 16 U.S.C. 668a-d) by the prospective permittee may be required. Please contact the Migratory Birds Permit Office, (413) 253-8643, or PermitsR5MB@fws.gov, with any questions regarding potential impacts to Eagles.

If you have any questions regarding this letter or need further assistance, please contact the Chesapeake Bay Ecological Services Field Office and reference the Project Code associated with this Project.

#### **Action Description**

You provided to IPaC the following name and description for the subject Action.

#### 1. Name

Dobbinsville Fishing Pier

#### 2. Description

The following description was provided for the project 'Dobbinsville Fishing Pier':

This project involves removing existing gravel, asphalt, and wooded area on Deemer's beach in Dobbinsville located in New Castle, DE. A new fishing pier will go in its place and step out approximately 250 feet into the Delaware River.

The approximate location of the project can be viewed in Google Maps: <a href="https://www.google.com/maps/@39.65274979999995">https://www.google.com/maps/@39.652749799999995</a>,-75.58232214150134,14z



#### **QUALIFICATION INTERVIEW**

- 1. As a representative of this project, do you agree that all items submitted represent the complete scope of the project details and you will answer questions truthfully? *Yes*
- 2. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed species?

**Note:** This question could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered, or proposed species.

No

3. Is the action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

- 4. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) the lead agency for this project?

  No
- 5. Are you including in this analysis all impacts to federally listed species that may result from the entirety of the project (not just the activities under federal jurisdiction)?

**Note:** If there are project activities that will impact listed species that are considered to be outside of the jurisdiction of the federal action agency submitting this key, contact your local Ecological Services Field Office to determine whether it is appropriate to use this key. If your Ecological Services Field Office agrees that impacts to listed species that are outside the federal action agency's jurisdiction will be addressed through a separate process, you can answer yes to this question and continue through the key.

Yes

6. Are you the lead federal action agency or designated non-federal representative requesting concurrence on behalf of the lead Federal Action Agency?

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)?

No

- 8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)? *No*
- 9. Is the lead federal action agency the Natural Resources Conservation Service?
- 10. Will the proposed project involve the use of herbicide where listed species are present? *No*

Project code: 2024-0087719

11. Are there any caves or anthropogenic features suitable for hibernating or roosting bats within the area expected to be impacted by the project?

No

12. Does any component of the project associated with this action include activities or structures that may pose a collision risk to **birds** (e.g., plane-based surveys, land-based or offshore wind turbines, communication towers, high voltage transmission lines, any type of towers with or without guy wires)?

**Note:** For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

13. Does any component of the project associated with this action include activities or structures that may pose a collision risk to **bats** (e.g., plane-based surveys, land-based or offshore wind turbines)?

**Note:** For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.). *No* 

14. Will the proposed project result in permanent changes to water quantity in a stream or temporary changes that would be sufficient to result in impacts to listed species?

For example, will the proposed project include any activities that would alter stream flow, such as water withdrawal, hydropower energy production, impoundments, intake structures, diversion structures, and/or turbines? Projects that include temporary and limited water reductions that will not displace listed species or appreciably change water availability for listed species (e.g. listed species will experience no changes to feeding, breeding or sheltering) can answer "No". Note: This question refers only to the amount of water present in a stream, other water quality factors, including sedimentation and turbidity, will be addressed in following questions.

No

15. Will the proposed project affect wetlands where listed species are present?

This includes, for example, project activities within wetlands, project activities within 300 feet of wetlands that may have impacts on wetlands, water withdrawals and/or discharge of contaminants (even with a NPDES).

No

16. Will the proposed project activities (including upland project activities) occur within 0.125 miles of the water's edge of a stream or tributary of a stream where listed species may be present?

Yes

Project code: 2024-0087719

17. Will the proposed project directly affect a streambed (below ordinary high water mark (OHWM)) of the stream or tributary where listed species may be present?

Yes

18. Will the proposed project bore underneath (directional bore or horizontal directional drill) a stream where listed species may be present?

No

19. Will the proposed project involve a new point source discharge into a stream or change an existing point source discharge (e.g., outfalls; leachate ponds) where listed species may be present?

No

20. Will the proposed project involve the removal of excess sediment or debris, dredging or instream gravel mining where listed species may be present?

No

21. Will the proposed project involve the creation of a new water-borne contaminant source where listed species may be present?

**Note** New water-borne contaminant sources occur through improper storage, usage, or creation of chemicals. For example: leachate ponds and pits containing chemicals that are not NSF/ANSI 60 compliant have contaminated waterways. Sedimentation will be addressed in a separate question.

No

22. Will the proposed project involve perennial stream loss, in a stream of tributary of a stream where listed species may be present, that would require an individual permit under 404 of the Clean Water Act?

No

- 23. Will the proposed project involve blasting where listed species may be present? *No*
- 24. Will the proposed project include activities that could negatively affect fish movement temporarily or permanently (including fish stocking, harvesting, or creation of barriers to fish passage).

No

25. Will the proposed project involve earth moving that could cause erosion and sedimentation, and/or contamination along a stream or tributary of a stream where listed species may be present?

**Note**: Answer "Yes" to this question if erosion and sediment control measures will be used to protect the stream. *No* 

26. Will earth moving activities result in sediment being introduced to streams or tributaries of streams where listed species may be present through activities such as, but not limited to, valley fills, large-scale vegetation removal, and/or change in site topography?

No

27. Will the proposed project involve vegetation removal within 200 feet of a perennial stream bank where aquatic listed species may be present?

No

28. Will erosion and sedimentation control Best Management Practices (BMPs) associated with applicable state and/or Federal permits, be applied to the project? If BMPs have been provided by and/or coordinated with and approved by the appropriate Ecological Services Field Office, answer "Yes" to this question.

Yes

29. Is the project being funded, lead, or managed in whole or in part by U.S Fish and Wildlife Restoration and Recovery Program (e.g., Partners, Coastal, Fisheries, Wildlife and Sport Fish Restoration, Refuges)?

No

30. [Semantic] Does the project intersect the Virginia big-eared bat critical habitat?

#### **Automatically answered**

No

31. [Semantic] Does the project intersect the Indiana bat critical habitat?

#### Automatically answered

No

32. [Semantic] Does the project intersect the candy darter critical habitat?

#### Automatically answered

No

33. [Semantic] Does the project intersect the diamond darter critical habitat?

#### Automatically answered

No

34. [Semantic] Does the project intersect the Big Sandy crayfish critical habitat?

#### Automatically answered

No

35. [Hidden Semantic] Does the project intersect the Guyandotte River crayfish critical habitat?

#### Automatically answered

No

36. [Hidden Semantic] Does the project intersect the Bog Turtle AOI?

#### Automatically answered

Yes

37. Are bog turtles known to occur within the action area?

If unsure, data can be requested from the appropriate state Natural Heritage program. *Yes* 

38. Do you have any other documents that you want to include with this submission? *No* 

### **PROJECT QUESTIONNAIRE**

- 1. Approximately how many acres of trees would the proposed project remove? .06
- 2. Approximately how many total acres of disturbance are within the disturbance/ construction limits of the proposed project? 7.67
- 3. Briefly describe the habitat within the construction/disturbance limits of the project site. Wooded uplands

#### **IPAC USER CONTACT INFORMATION**

Agency: Delaware Department of Transportation

Name: Rachel Owrutsky Address: 550 S Bay Road

City: Dover State: DE Zip: 19901

rowrutsky@kleinfelder.com Email

Phone: 3024503408

#### LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers

Mike Yost Name:



# United States Department of the Interior



#### FISH AND WILDLIFE SERVICE

Chesapeake Bay Ecological Services Field Office 177 Admiral Cochrane Drive Annapolis, MD 21401-7307 Phone: (410) 573-4599 Fax: (410) 266-9127

In Reply Refer To: 05/09/2024 15:27:34 UTC

Project code: 2024-0087719

Project Name: Dobbinsville Fishing Pier

Federal Nexus: yes

Federal Action Agency (if applicable): Army Corps of Engineers

**Subject:** Technical assistance for 'Dobbinsville Fishing Pier'

#### Dear Rachel Owrutsky:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on May 09, 2024, for 'Dobbinsville Fishing Pier' (here forward, Project). This project has been assigned Project Code 2024-0087719 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.** 

#### **Ensuring Accurate Determinations When Using IPaC**

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. *Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.* 

#### **Determination for the Northern Long-Eared Bat**

Based upon your IPaC submission and a standing analysis, your project is not reasonably certain to cause incidental take of the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

#### Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Bog Turtle *Glyptemys muhlenbergii* Threatened
- Monarch Butterfly Danaus plexippus Candidate
- Tricolored Bat Perimyotis subflavus Proposed Endangered

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

#### **Next Step**

Project code: 2024-0087719

<u>Consultation with the Service is necessary.</u> The project has a federal nexus (e.g., Federal funds, permit, etc.), but you are not the federal action agency or its designated (in writing) non-federal representative. Therefore, the ESA consultation status is <u>incomplete</u> and no project activities should occur until consultation between the Service and the Federal action agency (or designated non-federal representative), is completed.

As the federal agency or designated non-federal representative deems appropriate, they should submit their determination of effects to the Service by doing the following.

- 1. Log into IPaC using an agency email account and click on My Projects, click "Search by record locator" to find this Project using **651-143069177**. (Alternatively, the originator of the project in IPaC can add the agency representative to the project by using the Add Member button on the project home page.)
- 2. Review the answers to the Northern Long-eared Bat Range-wide Determination Key to ensure that they are accurate.
- 3. Click on Review/Finalize to convert the 'not likely to adversely affect' consistency letter to a concurrence letter. Download the concurrence letter for your files if needed.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place before project implements any changes which are final or commits additional resources.

If you have any questions regarding this letter or need further assistance, please contact the Chesapeake Bay Ecological Services Field Office and reference Project Code 2024-0087719 associated with this Project.

Project code: 2024-0087719

#### Project code: 2024-0087719

#### **Action Description**

You provided to IPaC the following name and description for the subject Action.

#### 1. Name

Dobbinsville Fishing Pier

#### 2. Description

The following description was provided for the project 'Dobbinsville Fishing Pier':

This project involves removing existing gravel, asphalt, and wooded area on Deemer's beach in Dobbinsville located in New Castle, DE. A new fishing pier will go in its place and step out approximately 250 feet into the Delaware River.

The approximate location of the project can be viewed in Google Maps: <a href="https://www.google.com/maps/@39.65274979999995">https://www.google.com/maps/@39.652749799999995</a>,-75.58232214150134,14z



#### **DETERMINATION KEY RESULT**

Based on the answers provided, the proposed Action is consistent with a determination of "may affect, but not likely to adversely affect" for the Endangered northern long-eared bat (*Myotis septentrionalis*).

#### **QUALIFICATION INTERVIEW**

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

**Note:** Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when whitenose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

**Note:** For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

Project code: 2024-0087719

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

**Note:** This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

- 8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)? *No*
- 9. Have you determined that your proposed action will have no effect on the northern longeared bat? Remember to consider the <u>effects of any activities</u> that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer "No" below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project's action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a "no effect" determination for the northern long-eared bat.

**Note:** Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer "No" and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of <a href="Effects of the Action">Effects of the Action</a> can be found here: <a href="https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions">https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions</a>

No

10. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

**Note:** The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

#### Automatically answered

11. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

12. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?

(If unsure, answer "Yes.")

**Note:** If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <a href="https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions">https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions</a>

Yes

13. Will the action cause effects to a bridge?

No

14. Will the action result in effects to a culvert or tunnel?

No

15. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

**Note:** Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

- 16. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats?**No
- 17. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

**Note:** The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

Project code: 2024-0087719

18. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

**Note:** For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

19. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

- 20. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)? *No*
- 21. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

22. Will the action include drilling or blasting?

No

- 23. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

  No
- 24. Will the proposed action involve the use of herbicide or other pesticides (e.g., fungicides, insecticides, or rodenticides)?

No

25. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

**Note:** Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <a href="https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions">https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions</a> *No* 

26. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

**Note:** Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <a href="https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions">https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions</a> *No* 

27. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

Yes

- 28. Has a presence/probable absence summer bat survey targeting the northern long-eared bat following the Service's <u>Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines</u> been conducted within the project area? If unsure, answer "No."

  No
- 29. Does the action include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property? See hazard tree note at the bottom of the key for text that will be added to response letters

**Note:** A "hazard tree" is a tree that is an immediate threat to lives, public health and safety, or improved property and has a diameter breast height of six inches or greater.

No

- 30. Are any of the trees proposed for cutting or other means of knocking down, bringing down, topping, or trimming suitable for northern long-eared bat roosting (i.e., live trees and/or snags ≥3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities)? *Yes*
- 31. [Semantic] Does your project intersect a known sensitive area for the northern long-eared bat?

**Note:** The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your <u>state agency or USFWS field office</u>

Automatically answered

No

32. <u>Will all tree cutting/trimming or other knocking or bringing down of trees be restricted to</u> the inactive season for the northern long-eared bat?

**Note:** Inactive Season dates for summer habitat outside of staging and swarming areas can be found here: <a href="https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas.">https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas.</a>

#### Project code: 2024-0087719

#### **PROJECT QUESTIONNAIRE**

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

0.1

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the <u>inactive</u> (hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <a href="https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas">https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas</a>

0

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the <u>active</u> (non-hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <a href="https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas">https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas</a>

0.1

Will all potential northern long-eared bat (NLEB) roost trees (trees ≥3 inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

No

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

.1

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

0

Will any snags (standing dead trees) ≥3 inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

No

Will all project activities by completed by November 30, 2024?

#### **IPAC USER CONTACT INFORMATION**

Agency: Delaware Department of Transportation

Name: Rachel Owrutsky Address: 550 S Bay Road

City: Dover State: DE Zip: 19901

rowrutsky@kleinfelder.com Email

Phone: 3024503408

#### LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers

Mike Yost Name:

5/8/24, 3:15 PM EFH Report

#### **EFH Mapper Report**

#### **EFH Data Notice**

Essential Fish Habitat (EFH) is defined by textual descriptions contained in the fishery management plans developed by the regional fishery management councils. In most cases mapping data can not fully represent the complexity of the habitats that make up EFH. This report should be used for general interest queries only and should not be interpreted as a definitive evaluation of EFH at this location. A location-specific evaluation of EFH for any official purposes must be performed by a regional expert. Please refer to the following links for the appropriate regional resources.

<u>Greater Atlantic Regional Office</u>
Atlantic Highly Migratory Species Management Division

#### **Query Results**

Degrees, Minutes, Seconds: Latitude = 39° 39′ 9″ N, Longitude = 76° 24′ 59″ W

Decimal Degrees: Latitude = 39.653, Longitude = -75.584

The query location intersects with spatial data representing EFH and/or HAPCs for the following species/management units.

#### \*\*\* W A R N I N G \*\*\*

Please note under "Life Stage(s) Found at Location" the category "ALL" indicates that all life stages of that species share the same map and are designated at the queried location.

#### **EFH**

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
<u>"</u>	•	Atlantic Butterfish	Adult, Larvae	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
<u>"</u>	•	Atlantic Herring	Adult, Juvenile	New England	Amendment 3 to the Atlantic Herring FMP
<u>"</u>	•	Black Sea Bass	Adult, Juvenile	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
<u>"</u>	•	Bluefish	Adult, Juvenile	Mid-Atlantic	Bluefish
<u>"</u>	•	Clearnose Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
<u>"</u>	•	Little Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
P	•	Longfin Inshore Squid	Eggs	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
P	•	Red Hake	Adult	New England	Amendment 14 to the Northeast Multispecies FMP

5/8/24, 3:15 PM EFH Report

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
P	•	Scup	Adult, Juvenile	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
P	•	Summer Flounder	Adult, Juvenile	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
P	•	Windowpane Flounder	Adult, Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
P	•	Winter Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP

#### Pacific Salmon EFH

No Pacific Salmon Essential Fish Habitat (EFH) were identified at the report location.

#### **Atlantic Salmon**

No Atlantic Salmon were identified at the report location.

#### **HAPCs**

Link	<b>Data Caveats</b>	HAPC Name	Management Council
	•	Summer Flounder SAV	Mid-Atlantic Fishery Management Council

#### **EFH Areas Protected from Fishing**

No EFH Areas Protected from Fishing (EFHA) were identified at the report location.

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.

\*\*For links to all EFH text descriptions see the complete data inventory: open data inventory -->

All EFH species have been mapped for the Greater Atlantic region, Atlantic Highly Migratory Species EFH,

Bigeye Sand Tiger Shark,

Bigeye Sixgill Shark,

Caribbean Sharpnose Shark,

Galapagos Shark,

Narrowtooth Shark,

Sevengill Shark,

Sixgill Shark,

Smooth Hammerhead Shark,

Smalltail Shark

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# Drawn Action Area & Overlapping S7 Consultation Areas

#### Area of Interest (AOI) Information

Area: 2,322.51 acres

May 8 2024 15:10:51 Eastern Daylight Time



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5/8/24, 3:11 PM about:blank

#### Summary

Name	Count	Area(acres)	Length(mi)
LOI	1	7.67	N/A
Atlantic Sturgeon	5	4,930.90	N/A
Shortnose Sturgeon	5	4,930.90	N/A
Atlantic Salmon	0	0	N/A
Sea Turtles	0	0	N/A
Atlantic Large Whales	0	0	N/A
In or Near Critical Habitat	1	986.18	N/A

#### LOI

#	FID	ld	AREA	Area(acres)
1	0	0	7.67157643749	7.67

## Atlantic Sturgeon

#	Feature ID	Species	Lifestage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres
1	ANS_DEL_ PYL_MAF	Atlantic sturgeon	Post Yolk- sac Larvae	Migrating & Foraging	Delaware River	04/01	09/30	N/A	N/A	986.18
2	ANS_DEL_ SUB_MAF	Atlantic sturgeon	Subadult	Migrating & Foraging	Delaware River	03/15	11/30	N/A	N/A	986.18
3	ANS_DEL_ YOY_MAF	Atlantic sturgeon	Young of year	Migrating & Foraging	Delaware River	01/01	12/31	N/A	N/A	986.18
4	ANS_DEL_ ADU_MAF	Atlantic sturgeon	Adult	Migrating & Foraging	Delaware River	03/15	11/30	N/A	N/A	986.18
5	ANS_DEL_ JUV_MAF	Atlantic sturgeon	Juvenile	Migrating & Foraging	Delaware River	01/01	12/31	N/A	N/A	986.18

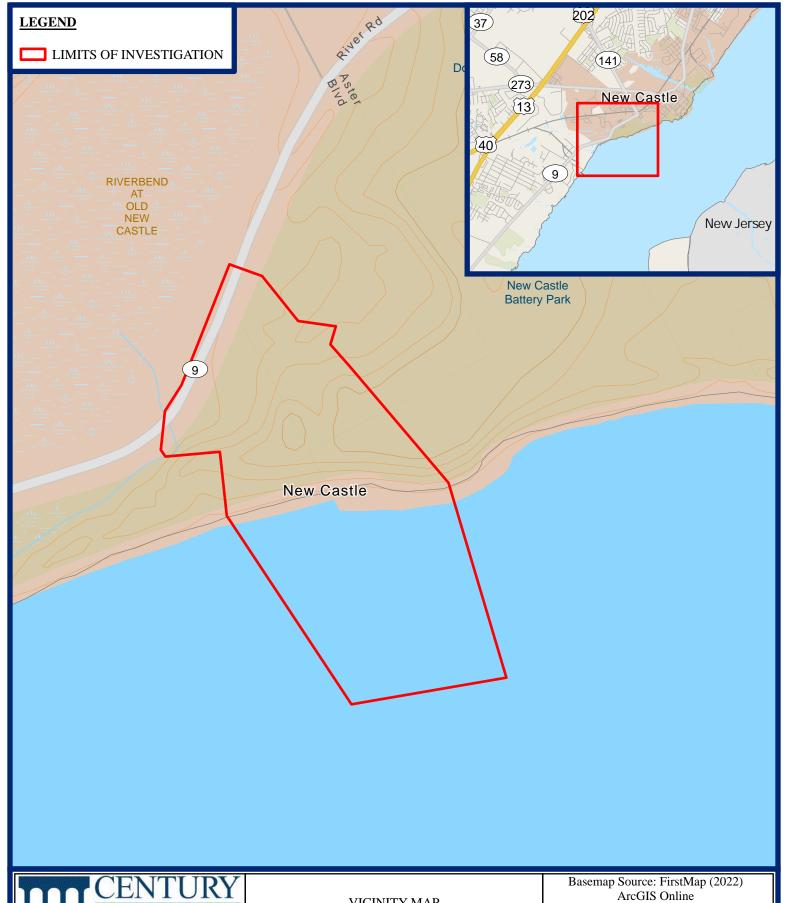
#### Shortnose Sturgeon

#	Feature ID	Species	Life Stage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres
1	SNS_DEL_ YOY_MAF	Shortnose sturgeon	Young of year	Migrating & Foraging	Delaware River	01/01	12/31	N/A	N/A	986.18
2	SNS_DEL_ PYL_MAF	Shortnose sturgeon	Post Yolk- sac Larvae	Migrating & Foraging	Delaware River	03/15	07/31	N/A	N/A	986.18
3	SNS_DEL_ JUV_WIN	Shortnose sturgeon	Juvenile	Overwinteri ng	Delaware River	11/01	03/31	N/A	N/A	986.18
4	SNS_DEL_ JUV_MAF	Shortnose sturgeon	Juvenile	Migrating & Foraging	Delaware River	01/01	12/31	N/A	N/A	986.18
5	SNS_DEL_ ADU_MAF	Shortnose sturgeon	Adult	Migrating & Foraging	Delaware River	01/01	12/31	N/A	N/A	986.18

#### In or Near Critical Habitat

#	Species	In or Near Critical Habitat	Area(acres)
1	Atlantic Sturgeon	New York Bight Unit 4: Delaware River	986.18

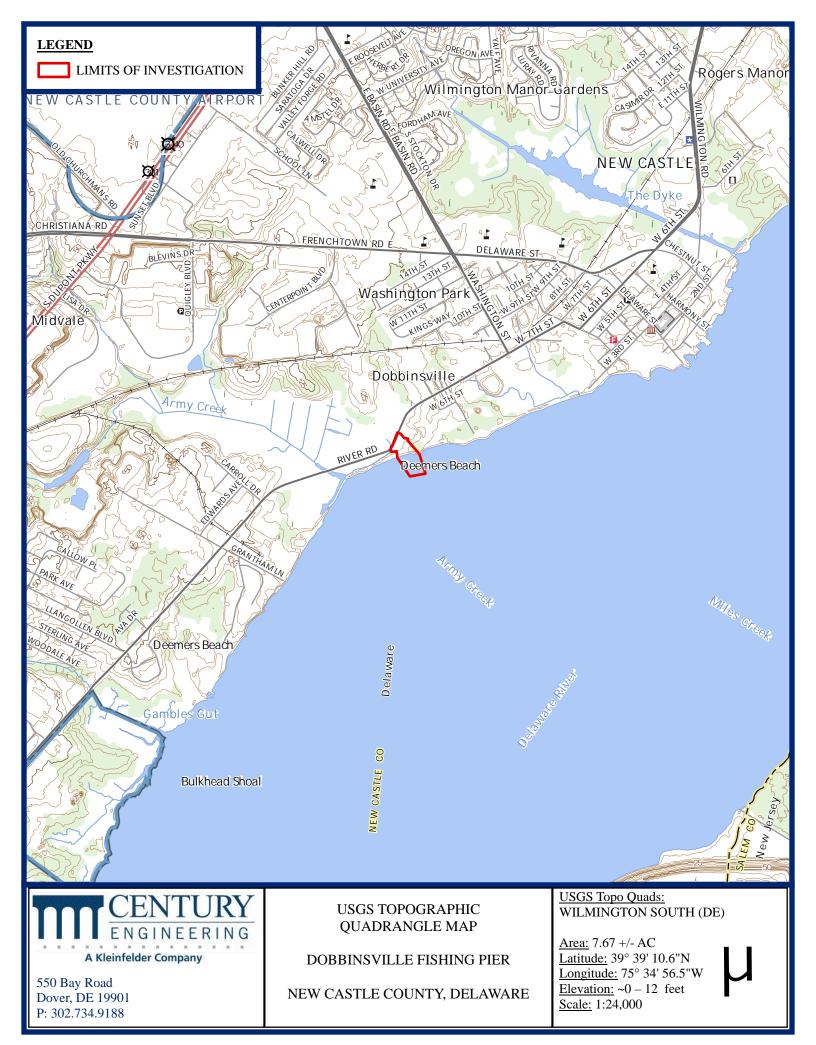
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VICINITY MAP DOBBINSVILLE FISHING PIER NEW CASTLE COUNTY, DELAWARE

1 inch = 200 feet



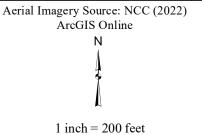




550 Bay Road Dover, DE 19901 P: 302.734.9188 AERIAL IMAGERY

DOBBINSVILLE FISHING PIER

NEW CASTLE COUNTY, DELAWARE









Prepared for: DEPARTMENT OF NATURAL RESOURCES and ENVIRONMENTAL CONTROL

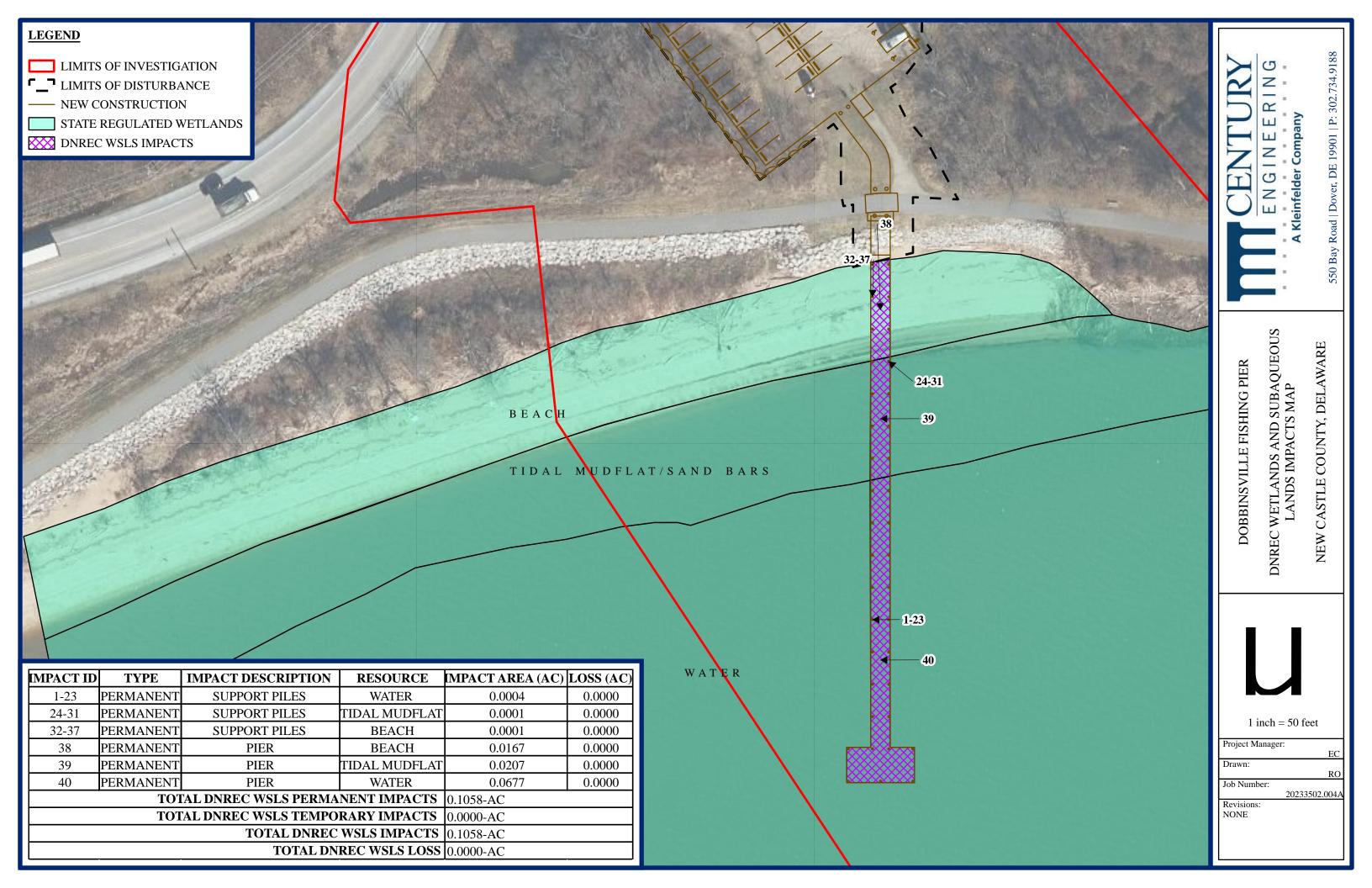


State of Delaware Wetlands NEW CASTLE COUNTY, DELAWARE (In Accordance with the Delaware Wetlands Act \* 6807) Approximate Scale (136400)



Produced by: SALISBURY STATE UNIVERSITY IMAGE PROCESSING & REMOTE SENSING CENTER SALISBURY, MARYLAND

#### Legend for Delaware Tidal Wetland Delineations:



#### **Rachel Owrutsky**

From: Perash, Rachel M. (DNREC) <rachel.perash@delaware.gov>

**Sent:** Wednesday, June 26, 2024 6:56 PM

To: Ashe, Jeremey (DNREC); TJ Austin; Rachel Owrutsky

**Subject:** RE: Dobbinsville Pier Hist/Arch Query

#### **External Email**

Hi everyone,

The 30-day period SHPO has to provide comments has passed, which means we can assume concurrence with our findings. Our findings were of No Adverse Effects.



#### Rachel M. Perash, M.S., RPA

She/her/hers

Senior Archaeologist, Cultural Resources Unit

302-739-9188 302-535-4199

rachel.perash@delaware.gov

89 Kings Highway, Dover, DE 19901

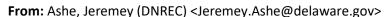
destateparks.com











Sent: Monday, May 13, 2024 2:28 PM

To: TJ Austin <tjaustin@kleinfelder.com>; Perash, Rachel M. (DNREC) <rachel.perash@delaware.gov>; Rachel Owrutsky

<ROwrutsky@kleinfelder.com>

Subject: Re: Dobbinsville Pier Hist/Arch Query

Thanks TJ.

Rachel I can meet with you at R&R if you need. This project is being funded with USFWS funds and state license as match.

Feel free to reach out if you wanted to discuss in person.

Jeremey

Get Outlook for iOS

From: TJ Austin < tjaustin@kleinfelder.com > Sent: Monday, May 13, 2024 2:08 PM

To: Perash, Rachel M. (DNREC) < rachel.perash@delaware.gov >; Rachel Owrutsky < ROwrutsky@kleinfelder.com >

**Cc:** Ashe, Jeremey (DNREC) < <u>Jeremey.Ashe@delaware.gov</u>>

Subject: RE: Dobbinsville Pier Hist/Arch Query

Hi Rachel,

A little more in-depth description from the plans below:

The project is located in New Castle County, DE. Site coordinates are approximately 39°39′10.6″ N, 75°34′56.5″ W. The project area is composed of Delaware River, beach, paved walking path, deciduous forest, and gravel parking lot. The project area is bordered by coastal salt marsh to the north and west, deciduous forest to the east and Delaware river to the south. Only palustrine wetlands and E1UBL (tidal waters) were identified during the field delineation. The purpose of the project is to construct a 320-foot-long by 12-foot-wide fishing pier into the Delaware River. The end of the pier will have a 20-foot-long by 40-foot-wide pier that will run horizontally to the river. An existing gravel parking lot will be removed, and the footprint expanded and paved creating a ~ 120-foot by 120-foot parking lot with designated parking spaces including two ADA compliant parking spaces. The project is proposed to be permitted with the USACE with an NWP.

We're currently working with the designers to reduce some of the WOUS impacts for this project. In its current iteration in the plans provided to you, we are anticipating the authorization utilizing NWP18 (minor discharge), NWP33 (temporary construction), and a Section 10 Letter of Permission for the pier; Pre-Construction Notification Required.

If the fill and temporary impacts from the parking lot cannot be disassociated from the pier, the project would require authorization through an Individual Permit requiring CZM and 401 WQC; we are not anticipating the IP route based on previous discussions but will confirm during project review with the USACE (nothing submitted formally yet). It was determined there are no Section 408 projects in the review area. Compensatory mitigation is not anticipated. See attached email correspondence.

Also attached is an internal review set, please note that it's subject to some revisions; but it's the most up to date set I have.

Thanks!

#### TJ Austin, PWS

Sr. Environmental Scientist

550 S Bay Road Dover, DE 19901 d | 302.450.3419 o | 302.734.9188



From: Perash, Rachel M. (DNREC) < rachel.perash@delaware.gov >

Sent: Monday, May 13, 2024 12:22 PM

To: Rachel Owrutsky < ROwrutsky@kleinfelder.com>

Cc: TJ Austin <tjaustin@kleinfelder.com>; Ashe, Jeremey (DNREC) <Jeremey.Ashe@delaware.gov>

**Subject:** RE: Dobbinsville Pier Hist/Arch Query

#### **External Email**

Hi Rachel,

I will need more information on what the undertaking will consist of, and what permit you are anticipating from the Army Corps.



#### Rachel M. Perash, M.S., RPA

She/her/hers

Senior Archaeologist, Cultural Resources Unit

- 302-739-9188 302-535-4199
- rachel.perash@delaware.gov
- 89 Kings Highway, Dover, DE 19901
- destateparks.com









From: Rachel Owrutsky < ROwrutsky@kleinfelder.com>

Sent: Thursday, May 9, 2024 2:10 PM

To: Perash, Rachel M. (DNREC) < rachel.perash@delaware.gov >

Cc: TJ Austin <tjaustin@kleinfelder.com>; Ashe, Jeremey (DNREC) <Jeremey.Ashe@delaware.gov>

Subject: Dobbinsville Pier Hist/Arch Query

Hi Rachel,

DNREC Division of Fish and Wildlife is planning to build a new fishing pier and expand a parking lot in New Castle, DE. The work is anticipated to require a permit from the USACE. We are requesting information on historical and archaeological resources that may be affected by the project.

Please see attached plans and mapping. Let me know if you have any questions.

Coordinates: 39°39'10.6" N, 75°34'56.5" W.

#### Thanks!

Rachel Owrutsky (she/her)

**Environmental Scientist** 

550 S Bay Road Dover, DE 19901 d | 301.364.7012 o | 302.450.3408



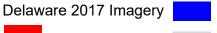
## National Register-listed Properties (Basemap - USGS National Map)



May 9, 2024 Other Historic Properties

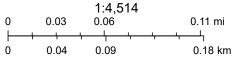
other surveyed, assigned CRS inventory #

DE\_Boundaries - Municipalities



Green: Green

Blue: Blue Red: Red State Parcels



Surdex Corp, USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National

## **Dobbinsville Pier Site- Photos**



October 30, 2024. Above: Deemers Beach facing north.
Below: Deemers Beach facing south.



## **Dobbinsville Pier Site- Photos**



October 30, 2024. Above: Deemers Beach facing east. Below: Deemers Beach parking lot facing west.

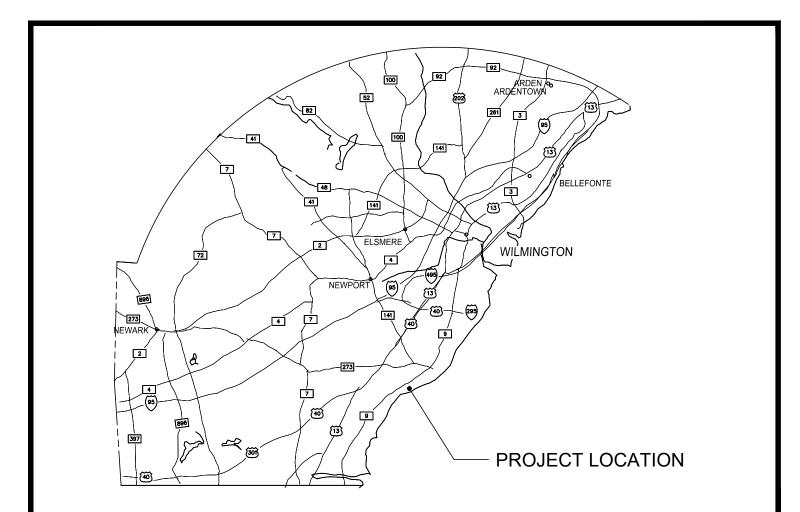


# STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL DIVISION OF FISH AND WILDLIFE

# DOBBINSVILLE FISHING PIER AND PARKING LOT IMPROVEMENTS

PROJECT LOCATION

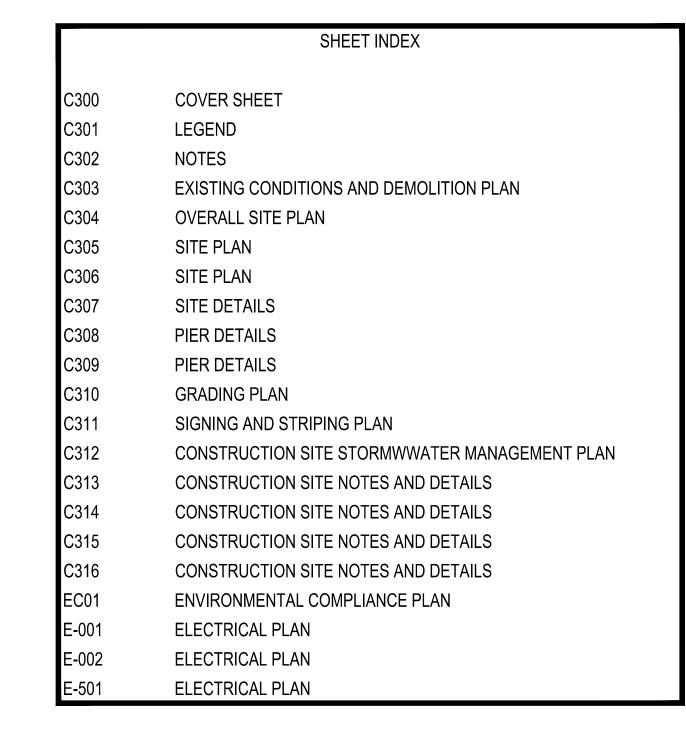
# VICINITY MAP

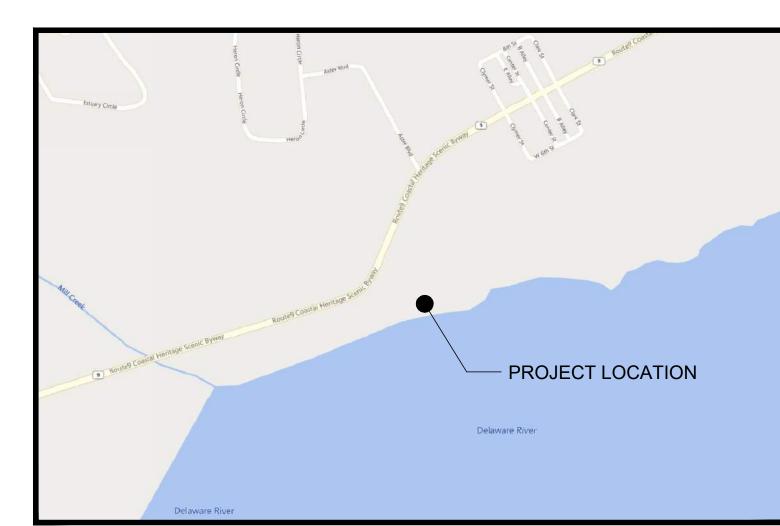


# LOCATION MAP

CITY OF NEW CASTLE, NEW CASTLE COUNTY, DELAWARE CONTRACT NO. NAT202401 FEBRUARY, 2025 99% DESIGN DEVELOPMENT SUBMISSION







# SITE MAP

SIGNATURE

CERTIFICATION OF DEVELOPER JEREMEY ASHE, HEREBY CERTIFY THAT DELAWARE DIVISION OF FISH & WILDLIFE IS THE DEVELOPER OF THE PROPERTY ESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO ME BY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. THE UNDERSIGNED, CERTIFY THAT ALL LAND CLEARING, CONSTRUCTION AND DEVELOPMENT SHALL BE DONE PURSUANT TO THE APPROVED STANDARD PLAN AND THAT RESPONSIBLE PERSONNEL (L.F., BLUE CARD HOLDER) INVOLVED IN THE LAND DISTURBANCE WILL HAVE A CERTIFICATION OF TRAINING PRIOR TO INITIATION OF THE PROJECT. AT A DNREC SPONSORED OR APPROVED TRAINING COURSE FOR THE CONTROL OF EROSION AND SEDIMENT DURING CONSTRUCTION. IN ADDITION, I GRANT THE DNREC SEDIMENT AND STORMWATER PROGRAM AND/OR THE RELEVANT DELEGATED AGENCY THE RIGHT TO CONDUCT ON-SITE REVIEWS.

JEREMEY ASHE - CONSTRUCTION MANAGER DELAWARE DIVISION OF FISH & WILDLIFE 89 KINGS HIGHWAY PHONE: (302) 735-3601

WETLAND DELINEATION THESE PROPERTIES, TAX MAP 332-1.07-164.00 AND 332-1.07-165.00, HAS BEEN EXAMINED BY CENTURY ENGINEERING, LLC. FOR THE PRESENCE OF WATERS OF THE UNITED STATES, INCLUDING WETLANDS (SECTION 404 AND SECTION 10), STATE SUBAQUEOUS LANDS AND STATE REGULATED WETLANDS AS ESTABLISHED BY THE REVIEWING AGENCIES IN THE FORM OF MANUALS, POLICIES AND PROCEDURES IN PLACE AT THE TIME THAT THE INVESTIGATION AS CONDUCTED. THE WETLAND INFORMATION CONTAINED IN THIS PLAN SET IS IN ACCORDANCE WITH THIS CRITERIA. THE WETLAND DELINEATION FOR THIS PROJECT WAS COMPLETED BY CENTURY ENGINEERING, LLC.

LEXANDER E. SCHMIDT, P.E., DE NO. 16139 CENTURY ENGINEERING, LLC. DOVER, DELAWARE 19901 PHONE: (302) 734-9188 / FAX: (302) 734-4589

CERTIFICATION OF PLAN ACCURACY HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES. ALEXANDER E. SCHMIDT, P.E., DE NO. 16139 CENTURY ENGINEERING, LLC.

550 SOUTH BAY ROAD

FAX: (302) 734-4589

DOVER, DELAWARE 19901

PHONE: (302) 734-9188

DIVISION OF FISH AND WILDLIFE 89 KINGS HIGHWAY DOVER, DELAWARE 19901 (302) 739-9231 (302) 739-7026 (FAX)

**DESIGNED BY:** DRAWN BY: CHECKED BY: FEBRUARY, 2025 AS NOTED SHEET NO.:

CONTRACT NO.:

PROJECT NO.: 20233502.004A

FISHING PIER AND IMPROVEMENTS

DOBBINSVILLE I PARKING LOT

	->//2-1>		
FEATURE DESCRIPTION	EXISTING	PROPOSED	ID
BOLLARD - STEEL POLE	©	•	
BOLLARD - WOOD POST			
CURB, TYPE 1 AND TYPE 3			
CURB, TYPE 2			
CURB & GUTTER, TYPE 1			CX
CURB & GUTTER, TYPE 2			
CURB & GUTTER, TYPE 3			
FENCE — CHAINLINK OR STRANDED	х	х	
FENCE - STOCKADE OR SPLIT RAIL		o	
FLAG POLE	FP ⊕	FP ●	
GUARDRAIL - STEEL BEAM, TYPE 1			
LAMP AND POST	LAMP ⊚	•	
MAILBOX	MB	МВ	
PAVEMENT			
PILLAR OR MISCELLANEOUS POST	0	•	
TRAFFIC SIGN AND POST	<u></u>	•	

DF	RAINAGE FEATURES		
FEATURE DESCRIPTION	EXISTING	PROPOSED	ID
BIOFILTRATION SWALE		—← BFS—►X—	
DITCH OR STREAM CENTERLINE	00	xx	
DIRECTIONAL STREAM FLOW ARROW			
DRAINAGE INLET	C.B.		DI
DRAINAGE JUNCTION BOX	J.B. □		JB X
DRAINAGE MANHOLE	0	•	MH
DRAINAGE PIPE AND FLOW ARROW	SIZE TYPE	——————————————————————————————————————	Р
FLARED END SECTION			FES
RIPRAP – AREA FEATURE	050505		RR
SAFETY END SECTION			SES X
UNDERDRAIN	—►UD —►UD — —— UD —— UD ——		UD X
UNDERDRAIN OUTLET			(UDO) X

GRADII	NG	
FEATURE DESCRIPTION	EXISTING	PROPOSED
CONTOUR		
SPOT ELEVATIONS	O XX.XX	OXX.XX

FEATURE DESCRIPTION	EXISTING	PROPOSED
CABLE TV DISTRIBUTION BOX	TV	
COMMUNICATIONS — UNDERGROUND	UG-C	UG-C
ELECTRIC – UNDERGROUND		UG_E
		UG-E
ELECTRIC MANHOLE	E.M.	E.M.
ELECTRIC METER	E.T.	<b>■</b> E.T.
ELECTRIC TRANSFORMER		•
GAS — UNDERGROUND		UG-G
GAS MANHOLE	© OM	
GAS METER	G.W. G.V.	
GAS VALVE	G.P.	
GAS PUMP - SERVICE STATION	U.F.	
IRRIGATION — UNDERGROUND	IRIR	—— IR ——— IR —
ITMS - UNDERGROUND	ITMS	ITMS
KNOX BOX		
LIGHTING — UNDERGROUND	— ш — ш —	— и — и —
LUMINAIRE — POLE MOUNTED	<u> </u>	
MANHOLE — UNDETERMINED OWNER	WH	
RAILROAD TRACKS	<u> </u>	
SANITARY — UNDERGROUND	— s— s— s—	s s s
SANITARY SEWER MANHOLE	S	•
SANITARY SEWER VALVE	S.V.	S.V.
SANITARY SEWER CLEANOUT OR VENT	CO	CO •
SEPTIC DRAIN FIELD	S.D.F.	
SIGNALIZATION — UNDERGROUND	SIG	SIG
SOIL BORING LOCATION	•	
TELEPHONE BOOTH	В	
TELEPHONE MANHOLE	T	
TELEPHONE TEST POINT	ПР	
TRAFFIC — CONDUIT JUNCTION WELL	J.W.	
TRAFFIC — LIGHT POLE AND BASE		
TRAFFIC — PEDESTRIAN POLE & BASE		
TRAFFIC — SIGNAL CABINET & BASE	[www]	
TRAFFIC — SIGNAL POLE AND BASE	8	
UNKNOWN UTILITY — UNDERGROUND	UG-UK	
UTILITY BOX	UB	
UTILITY POLE GUY WIRE ANCHOR	0->	<b>⊙→</b>
UTILITY POLE  WINC ANGLION  UTILITY POLE	Ø	<u> </u>
UTILITY TEST HOLE LOCATION		-
WATER LINDERCROUND		W.P.
WATER — UNDERGROUND	W	w
WATER — FIRE HYDRANT	₩.M.	W.M.
WATER METER		•
WATER VALVE	W.V. O	W.V. ●
WATER — FIRE DEPARTMENT CONNECTION	0	<i>F</i>
WELL HEAD	WELL	WELL

PAVEMENT SECTION(S)	
MILL AND OVERLAY — SEE TYPICAL SECTIONS FOR MATERIAL AND DEPTHS	
FULL DEPTH PAVEMENT — SEE TYPICAL SECTIONS FOR MATERIAL AND DEPTHS	
SHARED USE PATH	
GRAVEL	
CONCRETE	
PERMEABLE PAVEMENT	

NATURAL ROADSIDE FEATURES					
FEATURE DESCRIPTION	EXISTING	PROPOSED			
HEDGEROW OR THICKET					
MARSH BOUNDARY LINE					
TREE - CONIFEROUS	*				
TREE - DECIDUOUS	$\otimes$				
TREE STUMP	Д				
SHRUBBERY	<b>(b)</b>				
WETLAND BOUNDARY — DELINEATED					
WOODS LINE BOUNDARY		~~~~~			
FLOODPLAIN	FP				

RIGHT-OF-WAY FEATURES				
FEATURE DESCRIPTION	EXISTING	PROPOSED		
CAPPED IRON PIPE	C.I.P.	CIP ●		
DENIAL OF ACCESS	——— DA ———	——— DA —		
EASEMENT - OTHERS				
PERMANENT EASEMENT	——————————————————————————————————————	——— PE —		
PROPERTY LINE				
PROPERTY MARKER — CONCRETE	CM	C.M.		
PROPERTY MARKER - IRON PIPE	I.P.	I.P.		
RIGHT-OF-WAY BASELINE	100+00	100+00		
RIGHT-OF-WAY LINE	RW	RW		
RIGHT-OF-WAY & DENIAL OF ACCESS	R/W-DA			
RIGHT-TO-ENTER		RTE		
TEMPORARY CONSTRUCTION EASEMENT		—— тсе —		
CLEAR ZONE		cz		
HORIZONTAL CLEARANCE		—— нс —		

SURVEY CONTROL & MONUME	NTATION
FEATURE DESCRIPTION	EXISTING
SURVEY BENCHMARK LOCATION	B.M.
SURVEY TIE POINT LOCATION	T.P. +
SURVEY TRAVERSE POINT	A

MISCELLANEOUS FEATURES					
FEATURE DESCRIPTION	PROPOSED				
BUTT JOINT					
CLEAR ZONE	CZ				
CONSTRUCTION BASELINE	100+00				
LIMIT OF CONSTRUCTION	LOC				
DEMOLITION					
P.C.C. SIDEWALK	A A A A				
6" P.C.C. SIDEWALK					
PAVEMENT PATCH					
ACCESSIBLE RAMP	0707				
SAW CUT	SAW				

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_
_
_

FEATURE DESCRIPTION	ID
ABANDON BY CONTRACTOR	(AB)
ABANDON BY OTHERS	(AB)
ADJUST BY CONTRACTOR	AC
ADJUST BY OTHERS	A
BEST MANAGEMENT PRACTICE	BMP
BUS STOP PAD / TYPE	BSP
BUS STOP WITH SHELTER PAD / TYPE	BSSP
CONCRETE SAFETY BARRIER	B
CONVERT TO JUNCTION BOX	CJB XX
CONVERT TO DRAINAGE MANHOLE	CDM
CONVERT TO DRAINAGE INLET	CDI
CURB	CXX
CURB RAMP	(CR XX
DO NOT DISTURB	DND
ENERGY DISSIPATOR	ED
FILL WITH FLOWABLE FILL	FF C
LANDSCAPE PLANTINGS	LS
PEDESTRIAN CONNECTION / TYPE	PC
RELOCATE BY CONTRACTOR	RL C
RELOCATE BY OTHERS	RL
RELOCATE BY PROPERTY OWNER	RL
REMOVE BY CONTRACTOR	RMC
REMOVE BY OTHERS	RM
REMOVE BY TRAFFIC CONTRACTOR	RM
RIGHT-OF-WAY MONUMENT	RM
ABBREVIATION SCHEDULE	

ABBREVIATION	DEFINITION
ADA	AMERICANS WITH DISABILITIES ACT
ALLOW.	ALLOWABLE OTDEGO DEGICAL
ASD ALUM	ALLOWABLE STRESS DESIGN ALUMINUM
BL	BASE LINE
BOTT	ВОТТОМ
BRG	BEARING
CAP	CAPACITY
CJ	CONTROL JOINT
CL	CENTER LINE CLEAR
CONC	CONCRETE
CONN	CONNECTION
CORR	CORRUGATED
CSJ	CONSTRUCTION JOINT
DFM	DIVISION OF FACILITIES MANAGEMENT
DIAG DL	DIAGONAL DEAD LOAD
DNREC	DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DOL	DEPARTMENT OF LABOR
DOT	DEPARTMENT OF TRANSPORTATION
E.F.	EACH FACE
EL., ELEV	ELEVATION
EQU. EX., EXIST.	EQUAL EXISTING
F.F.	FAR FACE
F'c	COMPRESSIVE STRENGH OF CONCRETE
FIN. FL.	FINISHED FLOOR
FIN. GR.	FINISHED GRADE
FND	FOUNDATION
FTG	FOOTING
Fy GABC	YIELD STRENGTH OF STEEL  GRADED AGGREGATE BASE COURSE
GALV	GALVANIZED GALVANIZED
HORIZ	HORIZONTAL
JT	JOINT
KSI	KIPS PER SQUARE INCH
LL	LIVE LOAD
LLV	LONG LEG VERTICAL LONG LEG HORIZONTAL
LLBB	LONG LEG HONIZONIAL  LONG LEG BACK TO BACK
LOC	LIMIT OF CONSTRUCTION
LOD	LIMIT OF DISTURBANCE
LRFD	LOAD RESISTANCE FACTORED DESIGN
MHW	MEAN HIGH WATER
MTL NO	METAL NUMBER
NOM	NOMINAL
N.F.	NEAR FACE
0.C.	ON CENTER
OHW	ORDINARY HIGH WATER
OPP	OPPOSITE DROPERTY LINE
P.L. PL	PROPERTY LINE PLATE
PSI	POUNDS PER SQUARE INCH
PT	PRESSURE TREATED
REBAR	REINFORCING BAR
ROW, RW, R/W	RIGHT OF WAY
SF	SILT FENCE
SIM	SIMILAR SUPPLY TO PAGE
SLBB SS	SHORT LEG BACK TO BACK STAINLESS STEEL
STA	STATION
STD	STANDARD
STL	STEEL
STR	STRAIGHT
T&B	TOP AND BOTTOM
TYP	TYPICAL MOLECULAR WEIGHT
UHMW UNIF	ULTRA HIGH MOLECULAR WEIGHT UNIFORM
UNO	UNLESS NOTED OTHERWISE
VERT	VERTICAL VERTICAL
WSE	WATER SURFACE ELEVATION
WWF	WELDED WIRE FABRIC
NOTE: NOT ALL A	ABBREVIATIONS INCLUDED IN THESE PLANS

	TION: BY:			
REVISIONS:	DATE: DESCRIPTION:			

DOBBINSVILLE FISHING PIER AND PARKING LOT IMPROVEMENTS

LEGEND

CIVIL ENGINEER:



PROJECT NO.: 20233502.004A



DESIGNED BY:

DRAWN BY:

CHECKED BY:

DATE:

FEBRUARY, 2025

NO SCALE

SHEET NO.:

GENERAL NOTE: CO

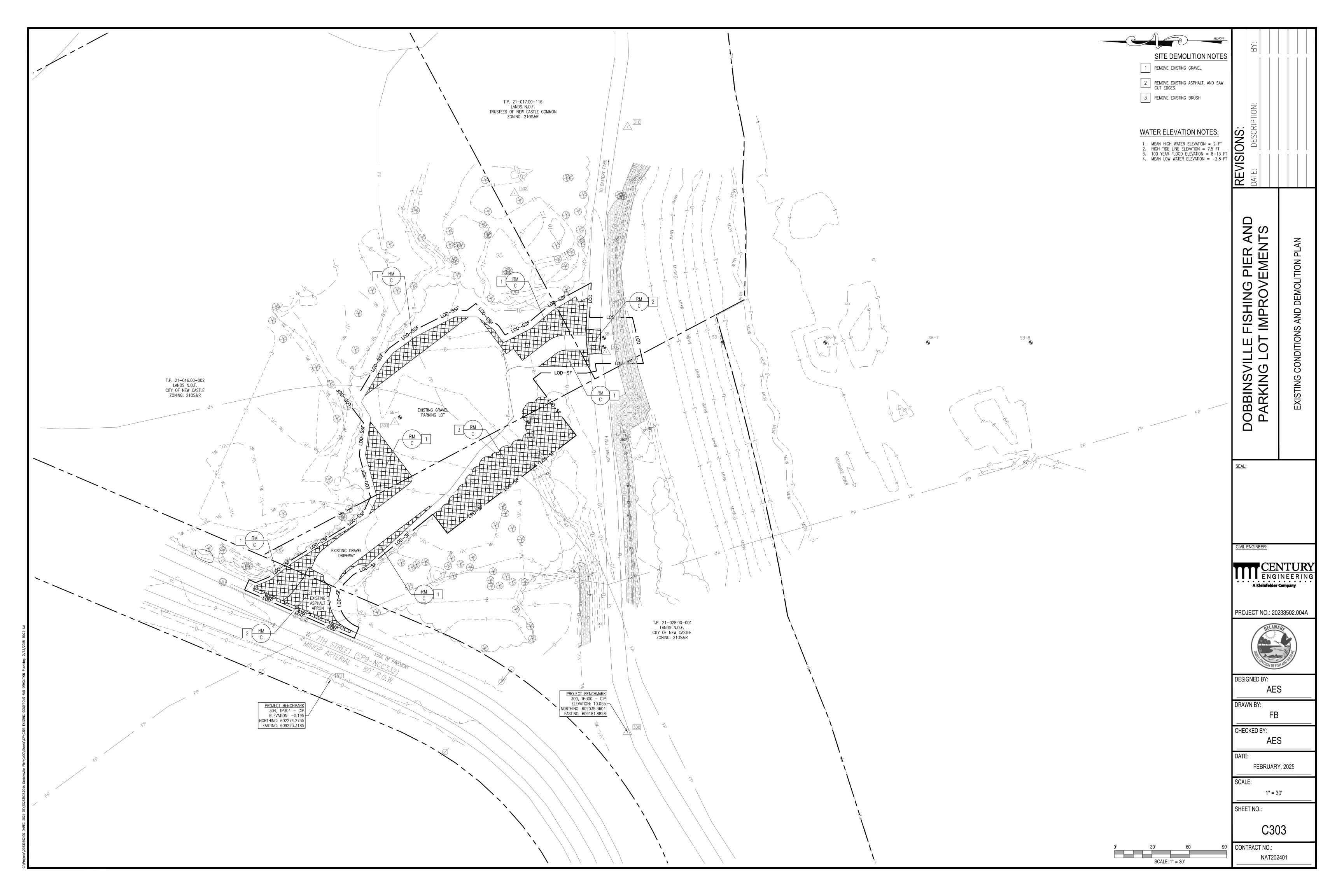
ALL ITEMS SHOWN MAY NOT BE PRESENT ON ALL SHEETS, OR PART OF THIS PROJECT.

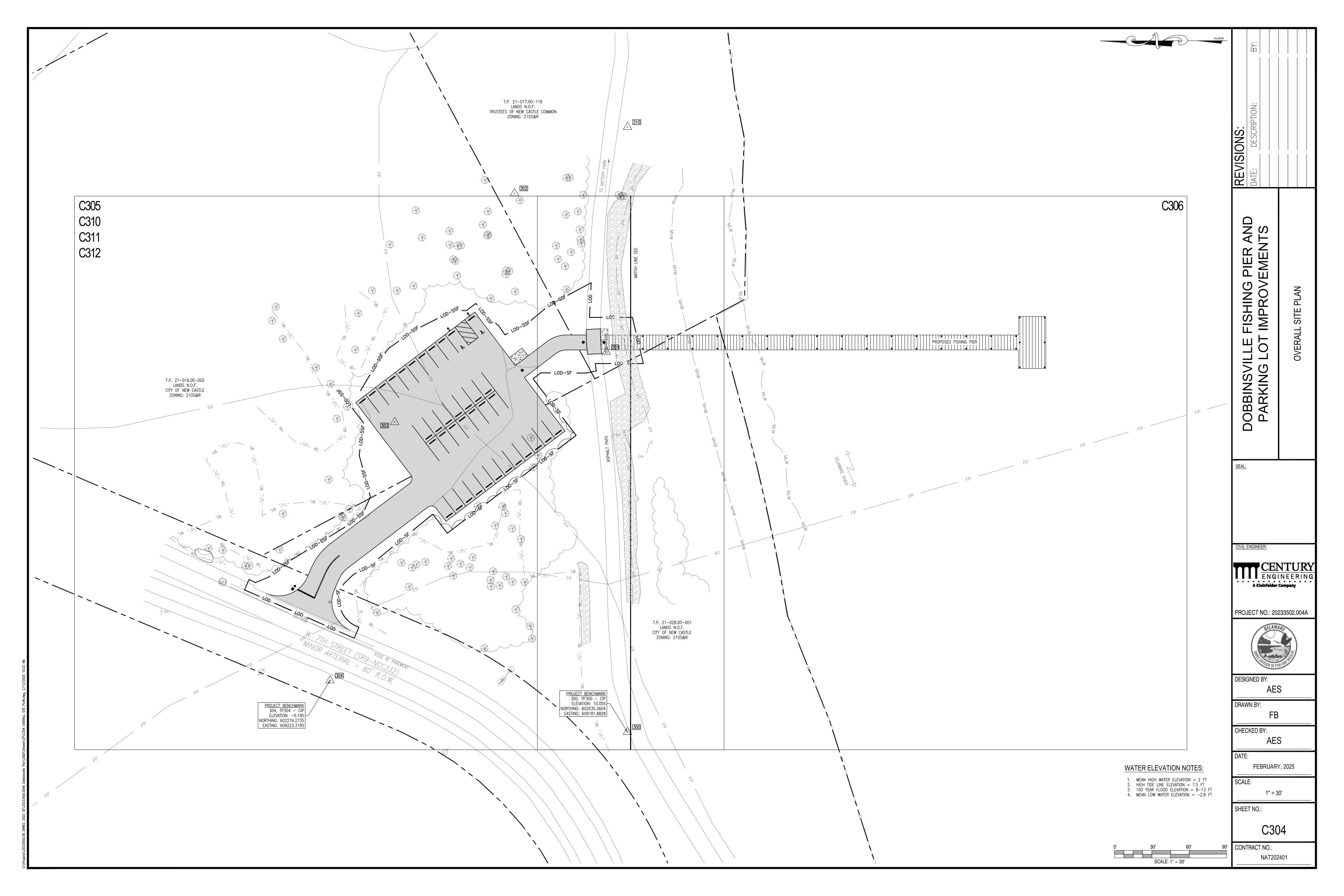
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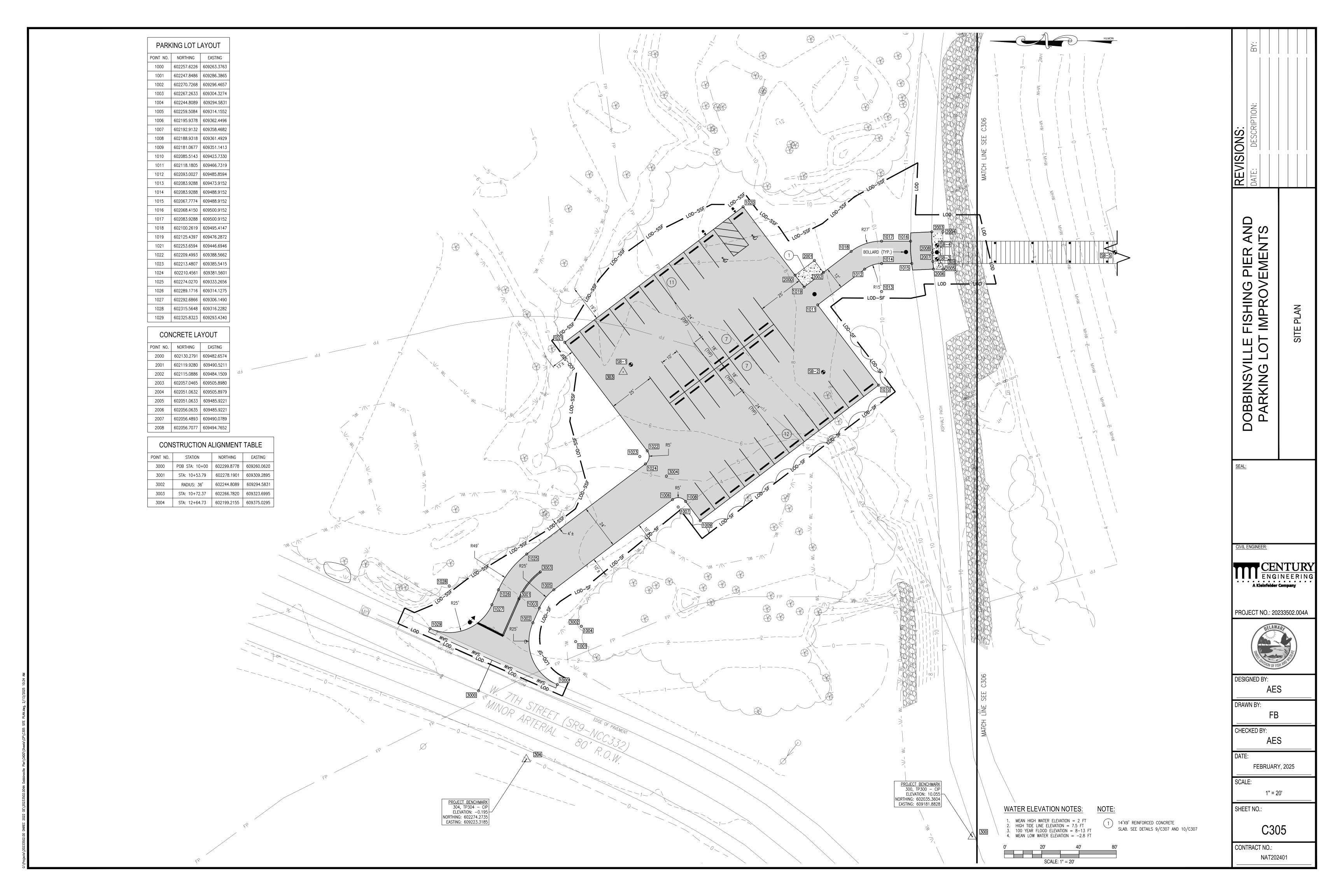
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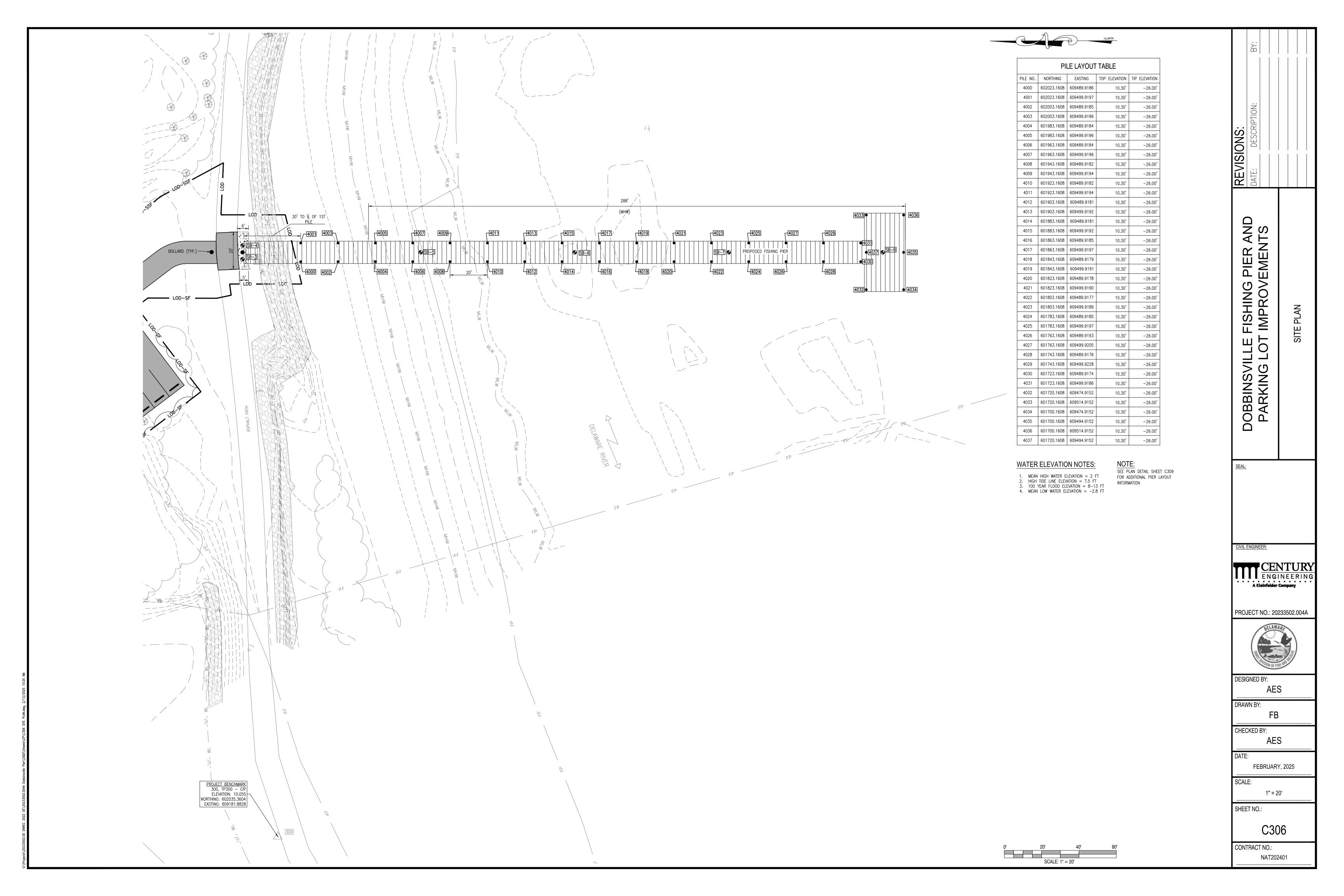
NAT20240

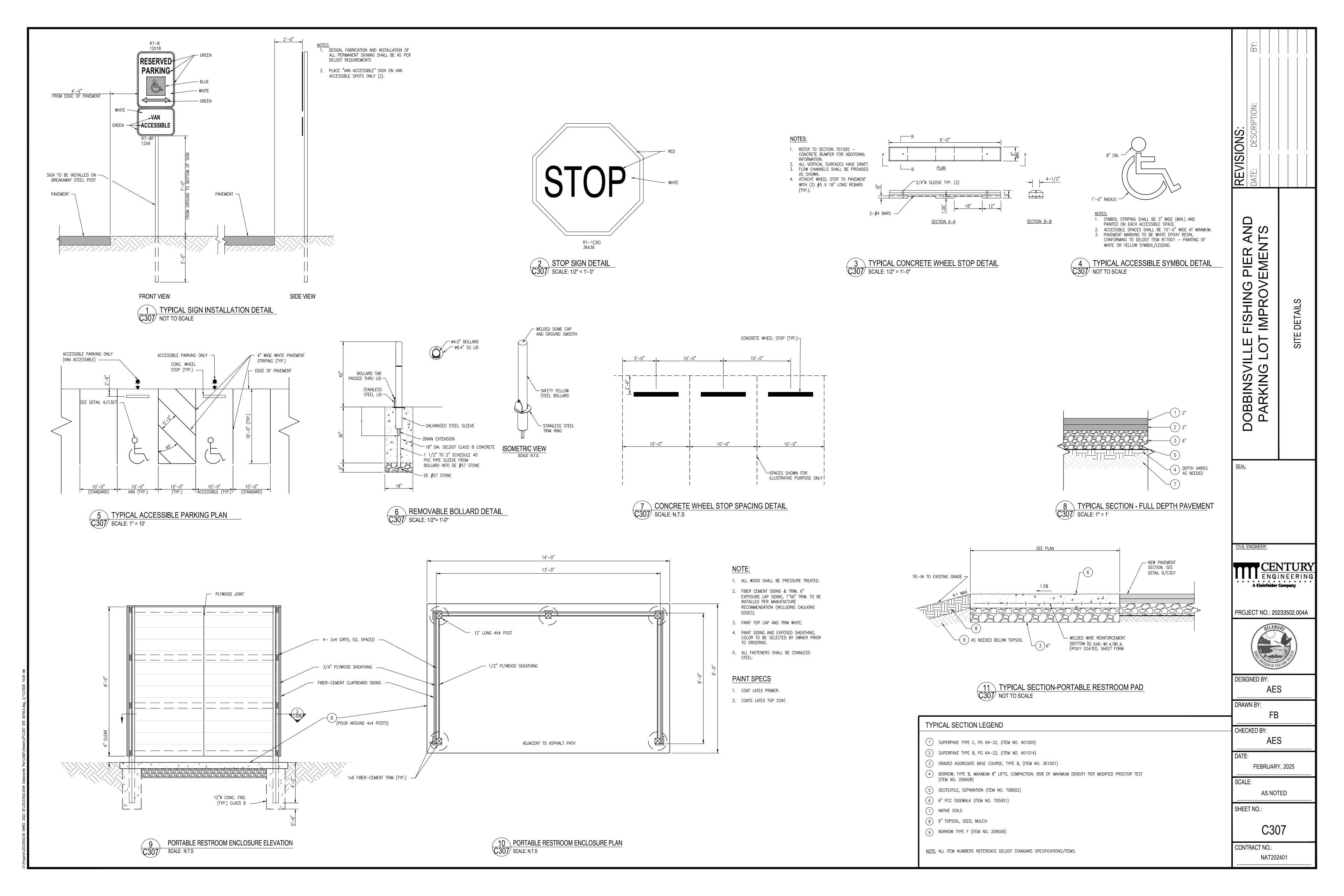
PAVING NOTES	CENEDAL NOTES			<b>I</b>	
PAVING NOTES  1. CONTRACTOR SHALL PROVIDE OWNER AND ENGINEER A MINIMUM OF 2 WORKING DAYS NOTICE		OR "ARCHITECT" NOTED THROUGHOUT THE CONTRACT PLANS AND SPECIFICATIONS SHALL REFER	DATA COLUMN  1. PURPOSE OF PLAN:		.;.
PRIOR TO EVERY PAVING DAY. IF THE CONTRACTOR DOES NOT PROVIDE ACCEPTABLE NOTICE, THE OWNER MAY REJECT ANY PAVING PERFORMED WITHOUT ACCEPTABLE NOTIFICATION.	TO DFW, OR THEIR APPOINTED REPRÉS DOCUMENTS AS A MEANS OF IDENTIFYI	SENTATIVE. THE TERM "SITE" AND "PARK" MAY BE USED INTERCHANGEABLY THROUGHOUT THESE NG DOBBINSVILLE FISHING PIER AND PARKING LOT.	THE PURPOSE OF THIS PLAN IS TO SHOW THE CONSTRUCTION OF A FISHING PIER AND EXPANDED PAR		
2. MIX SHALL BE A DELDOT APPROVED MIX AS NOTED ON THE PLAN. CONTRACTOR SHALL PROVIDE ENGINEER WITH COPIES OF DELIVERY TICKETS BEARING THE DELDOT MIX DESIGNATION. 3. CONTRACTOR SHALL PROVIDE ENGINEER A PAVING PLAN FOR REVIEW AND APPROVAL. THE		AREAS AFFECTED BY THE CONSTRUCTION SHOWN HEREON AS SHOWN ON THESE PLANS AND PARABLE TO THAT EXISTING PRIOR TO CONSTRUCTION, AND TO THE SATISFACTION OF DFW.	2. APPLICATION NUMBER:  PARCEL 1 PARCEL 2	PARCEL 3	
PAVING PLAN SHALL SHOW THE DIRECTION, WIDTH, AND LENGTH OF ALL PASSES, THE LOCATION OF ANY COLD JOINTS, AND THE LOCATION OF ANY HAND WORK.		ESSARY FACILITIES, INCLUDING, BUT NOT LIMITED TO, RESTROOMS DURING CONSTRUCTION. PARK IPMENT PARKING AND MATERIAL STAGING SHALL BE LIMITED TO DESIGNATED STAGING &	3. TAX PARCEL NUMBER: 21-016.00-002 21-028.00-001	21-017.00-116	
4. PAVING OF THE FINAL ASPHALT LIFT SHALL BE PERFORMED IN A CONTINUOUS OPERATION UNLESS OTHERWISE APPROVED BY THE ENGINEER. 5. ALL HOT JOINTS SHALL BE TIGHT WITH NO VISIBLE SEAMS. COLD JOINTS SHALL ONLY BE	4. THE CONTRACTOR SHALL NOTE THAT IN	N CASE OF DISCREPANCY BETWEEN THE SCALED AND THE FIGURED DIMENSIONS SHOWN ON THE LL GOVERN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONFIRMING ALL DIMENSIONS.	NEW CASTLE, DE 19720 NEW CASTLE, DE 19720	O FIFTH STREET NEW CASTLE, DE 19720	
PLACED AT LOCATIONS APPROVED BY THE ENGINEER AND SHALL BE SEALED FOLLOWING PAVING.  6. THE OWNER SHALL HAVE THE OPTION TO REQUEST PAVEMENT CORES AND CORE HOLE		BLE FOR BRINGING ANY DIMENSIONAL DISCREPANCIES TO THE ATTENTION OF THE ENGINEER FOR		OPEN SPACE/RECREATION 7.17± ACRES	10110
PATCHING IN ANY LIFT, AT THE EXPENSE OF THE CONTRACTOR. PAVEMENT CORES AT THE CONTRACTOR'S EXPENSE WILL BE LIMITED TO A MAXIMUM OF 1 CORE PER 2,500 SF. IF PAVEMENT CORES INDICATE THAT THE PAVEMENT IS NOT IN COMPLIANCE WITH THE PLAN	SEDIMENT CONTROL PLANS, A PERSON	PERSON WHO SHALL BE RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING THE EROSION AND WHO SHALL BE RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING THE TRAFFIC CONTROL, AND LE FOR WORKER SAFETY. THE PERSON RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING THE	7. NUMBER OF LOTS: EXISTING: 1 EXISTING: 1	<b> </b>	SCRIF
REQUIRED THICKNESS, THE CONTRACTOR SHALL REPLACE THE NON-COMPLIANT PAVEMENT AT NO COST TO THE OWNER.	•	NS SHALL BE CERTIFIED BY DNREC FOR EROSION AND SEDIMENT CONTROL RESPONSIBILITY		EXISTING: 1 PROPOSED: 1  I.N. C86 232	
7. THE OWNER SHALL HAVE THE OPTION TO PERFORM DENSITY TESTING DURING PAVING OPERATIONS. IF DENSITY TESTING INDICATES THAT THE PAVEMENT IS NOT MEETING DENSITY SPECIFICATION, THE CONTRACTOR SHALL RECOMPACT THE PAVEMENT TO MEET DENSITY	PUBLIC ACCESS UNTIL COMPLETION OF	R SECURING THE AREA AND EXCAVATIONS WITHIN THE LIMITS OF CONSTRUCTION TO PROHIBIT THE PROJECT. AT A MINIMUM, ALL EXCAVATION SHALL BE BARRICADED WITH ORANGE SAFETY RE/METHOD FOR LIMITING ACCESS SHALL BE REVIEWED BY. AND COORDINATED WITH DFW AND		PARKING LOT/FISHING DOCK	
SPECIFICATION. IF THE CONTRACTOR CANNOT MEET DENSITY SPECIFICATIONS WITHIN THE PAVEMENT WORKING WINDOW, THE CONTRACTOR SHALL REPLACE THE NON—COMPLIANT PAVEMENT AT NO COST TO THE OWNER.	THE CITY OF NEW CASTLE PRIOR TO TINCIDENTAL TO THE CONTRACT. CONTR	RE/METHOD FOR LIMITING ACCESS SHALL BE REVIEWED BY, AND COORDINATED WITH DFW AND THE START OF WORK. THE COST TO INSTALL, RELOCATE, AND MAINTAIN SITE SECURITY SHALL BE RACTOR SHALL MAINTAIN PUBLIC ACCESS ON ALL TRAILS. IF CONTRACTOR MUST CLOSE ANY E NOTICE 48 HOURS IN ADVANCE FOR APPROVAL BY THE ENGINEER.	10. PROPOSED USE: PARKING LOT/BOAT RAMP PARKING LOT/FISHING DOCK  11. TOTAL NUMBER OF LOTS: 3 (NO NEW BUILDING OR DWELLING LOTS PROPOSED ON THIS PLAN)	PARKING LOT/FISHING DOCK	ATE:
8. ADDITIONAL REQUIREMENTS FOR PLACEMENT AND MIX SPECIFICATIONS ARE INCLUDED IN THE DELDOT STANDARD SPECIFICATIONS, INCORPORATED HEREIN BY REFERENCE.	7. THE CONTRACTOR IS SOLELY RESPONS	IBLE FOR OBTAINING OFF-SITE SPOIL AREAS FOR LEGAL DISPOSAL OF ANY EXCESS MATERIAL	12. PROPOSED BUILDING SQUARE FOOTAGE: 0 S.F.		
	FOR RECYCLING, TRANSPORTING TO, PI	ECESSARY IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REQUIREMENTS. ALL COST ROCURING AND UTILIZING THE OFF—SITE SPOIL AREAS ARE TO BE INCIDENTAL TO THE CONTRACT.	22. TOPOGRAPHY:  TOPOGRAPHY TAKEN FROM SITE SURVEY PREFORMED BY CENTURY ENGINEERING, LLC. IN JANUARY OF 2	2023.	
		MANUFACTURER'S RECOMMENDATIONS" FOR AN APPROVED MATERIAL AND THE GOVERNING MATERIAL, THE MORE RESTRICTIVE OF THE TWO SHALL PREVAIL, UNLESS OTHERWISE DIRECTED	23. DATUM: VERTICAL — NAVD88 HORIZONTAL — NAD83		ا د
		CONCEPT OF THE RELATIONSHIP BETWEEN TRAFFIC CONTROL, EROSION CONTROL, ETC. ANY CE SHOWN ON THE CONSTRUCTION PLANS SHALL BE PREPARED BY THE CONTRACTOR ON	24. MONUMENTS: EXISTING: 0 (MONUMENTS) PROPOSED: 0 (MONUMENTS)		
	STANDARD DFW PLAN SHEETS AND SUI ACCORDANCE WITH CURRENT DFW STAI	BMITTED FOR REVIEW AND APPROVAL BY THE ENGINEER. THE PLANS SHALL BE PREPARED IN NUMBERS FOR TRAFFIC CONTROL, EROSION AND SEDIMENT CONTROL (PREPARED BY A CERTIFIED FOR MANAGEMENT, ETC. AND SHALL BE SIGNED AND SEALED BY A PROFESSIONAL ENGINEER	25. SEWER PROVIDER: N/A		
	REGISTERED IN THE STATE OF DELAWAI THE NUMBER OF COPIES REQUIRED TO	RE. ALL REQUIRED CALCULATIONS, REPORTS, ETC. SHALL ALSO ACCOMPANY THE SUBMISSION.  Description of the Nature of the Submitted BY DFW, DEPENDING ON THE NATURE OF	26. WATER PROVIDER: N/A	1 111	」₩│
	TIME BY DFW, WILL NOT JUSTIFY A DE COMPLETION OF A UTILITY STATEMENT	RACTOR SHALL NOTE THAT THE REVISIONS TO THE CONSTRUCTION PLANS, AS WELL AS REVIEW LAY IN THE CONSTRUCTION SCHEDULE. REVISIONS INVOLVING UTILITIES WILL REQUIRE THE APPROVED BY THE RESPECTIVE UTILITIES AS PART OF THE PLAN DOCUMENTS. ALL COSTS	27. ELECTRIC PROVIDER: N/A 28. FLOODPLAIN MAP:	<u> </u>	- <u>[</u> [
	10. THESE DRAWINGS DO NOT INCLUDE NE	VISIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.  CCESSARY ELEMENTS OF CONSTRUCTION SAFETY. ALL CONSTRUCTION, INCLUDING EXCAVATION,	PER FEMA MAP NO. 10003C0164K, DATED FEBRUARY 04, 2015, THE SUBJECT PARCELS ARE DETERMINI HAZARD ZONES.	IED TO BE AE AND VE FLOOD	
		WITH THE REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT, CFR STATE AND LOCAL REQUIREMENTS. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ALL SITE	29. REQUIRED PARKING: REQUIRED: N/A PROPOSED: 20 TRAILER SPACES (INCLUDES 1 ACC	CESSIBLE SPACE)	
		NED ON THE SITE UNLESS SPECIFICALLY NOTED WITHIN THESE PLANS OR SPECIFICATIONS.	12 CAR SPACES (INCLUDES 5 ACCESS 30. TOTAL LAND DISTURBANCE:	SIBLE SPACES O	$\frac{1}{2}$
	LAW, AT 1-800-282-8555.	S UTILITY TWO (2) CONSECUTIVE WORKING DAYS PRIOR TO EXCAVATION, OR AS REQUIRED BY	THE TOTAL LAND DISTURBANCE PROPOSED BY THIS PLAN IS 0.70± ACRES (30,582± S.F.) THE TOTAL LIMITS OF CONSTRUCTION PROPOSED BY THIS PLAN IS 1.50± ACRES (65,131± S.F.)	"	] [
		CLEAN SET OF AS—BUILT PLANS THAT SHALL ACCURATELY ILLUSTRATE ALL FIELD CHANGES NEATLY NAL AS—BUILT PLANS SHALL BE DATED AND SIGNED BY THE CONTRACTOR AND SUBMITTED TO JECT FOR RECORDATION.	31. SITE BREAKDOWN: 0.70± ACRE LOD (30,582± S.F.)	-	1 O F
		INIMUM OF 48 HOURS NOTICE IN ADVANCE FOR ANY UTILITY DISRUPTION FOR APPROVAL BY THE	EXISTING SITE  IMPERVIOUS: 0.50± ACRES 21,632± S.F.  OPEN SPACE: 0.20± ACRES 8,950± S.F.		> U
		NREC CERTIFIED BLUE CARD HOLDER ON SITE DURING ALL CONSTRUCTION ACTIVITIES.	OVERALL TOTAL: 0.70± ACRES 30,582± S.F.	\ \S	$2 \leq  $
		CONSTRUCTION WITH WORKING DRAWINGS PROVIDED BY THE ALUMINUM DOCK MANUFACTURER.  UM HEADER SUPPORT CHANNELS, AND ANCILLARY ITEMS TO BE PROVIDED BY OWNER AND	PROPOSED SITE         IMPERVIOUS:       0.46± ACRES       20,078± S.F.         OPEN SPACE:       0.24± ACRES       10,504± S.F.         OVERALL TOTAL:       0.70± ACRES       30,592± S.F.	_	· · · · · · · · · · · · · · · · · · ·
		MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.	OVERALL TOTAL: 0.70± ACRES 30,582± S.F.  PROPOSED DECREASE IN IMPERVIOUS AREA: 0.04 ACRES (1,554± S.F.)	m l	ן ∢ נ
	19. ALL DOCKS, HEADER CHANNELS, CURB	ING, AND ANCILLARY ITEMS SHALL BE PROVIDED BY THE OWNER AND INSTALLED BY THE BE RESPONSIBLE FOR ACCEPTING THE DELIVERY AS WELL AS THE STORAGE AND HANDLING OF	32. WETLANDS:	ΙΩ	ا 5 م
	DOCK ITEMS.	THE STOTAGE AND THAINDLING OF	A SITE INVESTIGATION PERFORMED BY CENTURY ENGINEERING, LLC. ON MARCH, 2020 BY TJ AUSTIN CO REGULATED WETLANDS AND WATERS WERE LOCATED WITHIN THE SITE AREA.	UNFIRMED THAT FEDERALLY	
	HIERARCHY OF CONTRACT D		33. OWNER/APPLICANT:  STATE OF DELAWARE		
	ELEMENTS UNDER THIS CONTRACT SHALL BE  1. CONTRACT AGREEMENT BETWEEN OWN	CONSTRUCTED UTILIZING THE FOLLOWING INFORMATION IN THE HIERARCHY LISTED BELOW: IER AND CONTRACTOR.	DIVISION OF FISH AND WILDLIFE 89 KINGS HIGHWAY DOVER, DE 19901	SEAL:	
	<ol> <li>APPROVED PLANS.</li> <li>PROJECT MANUAL.</li> </ol>		JEREMEY ASHE (302) 735-3601		
		OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL EROSION AND SEDIMENT CONTROL	34. ENGINEER:  CENTURY ENGINEERING, LLC.		
	HANDBOOK, MOST CURRENT AT DATE FIRE MARSHAL NOTES	UF ADVERTISEMENT.	550 BAY ROAD DOVER, DE 19901 ALEX SCHMIDT, P.E.		
	NAME OF PROJECT:	DOBBINSVILLE FISHING PIER AND PARKING LOT IMPROVEMENTS	EMAIL: ASCHMIDT@KLEINFELDER.COM PHONE: (302) 734-9188		
	ADDRESS OF SITE:	W. 7TH STREET NEW CASTLE DE, 19720	PROJECT NOTES	<u>CIVIL ENG</u>	NGINEER:
	TAX PARCEL NUMBER:	21-016.00-002 & 21-028.00-001 & 21-017.00-116	THE INTENT OF THIS PROJECT IS TO PROVIDE THE FOLLOWING IMPROVEMENTS AT THE DOBBINSVILLE FISH	SHING PIER AND PARKING LOT:	
	OWNER/APPLICANT:	STATE OF DELAWARE DIVISION OF FISH AND WILDLIFE 89 KINGS HIGHWAY	1.1. REMOVE PORTIONS OF EXISTING GRAVEL PARKING LOT AS SHOWN ON THE CONTRACT PLANS AN GRAVEL PARKING LOT WITH ASPHALT PAVEMENT.		CENT ENGINE
		DOVER, DE 19901 JEREMEY ASHE (302) 735-3601	1.2. CONSTRUCT ALUMINUM FISHING PIER AS SHOWN ON THE CONTRACT PLANS.  1.3. PROVIDE PAVEMENT MARKINGS AND LIGHTING ON PARKING LOT AS SHOWN ON THE CONTRACT PLAN		A Kleinfelder Comp
		TRUSTEES OF NEW CASTLE COMMON 807 FRENCHTOWN ROAD			
		NEW CASTLE, DE 19720 PETER TONER (302) 322–2809	THESE PLANS WERE DEVELOPED FROM CONVENTIONAL SURVEY PERFORMED BY CENTURY ENGINEERING, SURVEY HAVE BEEN INCLUDED IN THESE PLANS. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDE CONTROL AS REQUIRED TO COMPLETE THE WORK AT NO ADDITIONAL COST TO THE OWNER.  3 EXISTING LITHIUTIES SHOWN ARE BASED ON THE BEST INFORMATION AVAILABLE AT THE TIME.		ECT NO.: 202335
	ENGINEER:	CENTURY ENGINEERING, LLC. 550 BAY ROAD	3. EXISTING UTILITIES SHOWN ARE BASED ON THE BEST INFORMATION AVAILABLE AT THE TIME COMPLETENESS OR CORRECTNESS OF THE UTILITIES SHOWN THEREOF IS NOT GUARANTEED. THE CO EMPLOYING AN UNDERGROUND UTILITY LOCATOR TO LOCATE AND MARK EXISTING UTILITIES WITHIN THE L BEGINNING CONSTRUCTION.	ONTRACTOR IS RESPONSIBLE FOR	DELAWARE
		DOVER, DE 19901 ALEX SCHMIDT, P.E. (302) 734–9188	4. PORTIONS OF THIS CONTRACT ARE TO BE CONSTRUCTED IN ACCORDANCE WITH DELAWARE DEPARTMENT		
	INTENDED USE OF SITE:	PARKING LOT AND FISHING PIER	SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION (STANDARD SPECIFICATIONS) CURRENT EDITION TO ADVERTISEMENT OF THIS PROJECT, UNLESS NOTED OTHERWISE IN THESE PLANS OR THE SOTHERWISE, THE COST FOR ALL WORK SHALL BE PAID FOR IN THE LUMP SUM PRICE BID FOR	SPECIFICATIONS. UNLESS NOTED	A STORY OF FISH AND
	WATER SUPPLIER:  NUMBER OF FIRE HYDRANTS:	N/A NONE	INDIVIDUAL SECTION IS INCLUDED IN THE SPECIFICATION PACKET OR NOT.  5. CLEARING AND GRUBBING IS ASSUMED TO EXTEND A MINIMUM OF SIX (6) INCHES BELOW EXISTING GRADIENT OF STATE		SNED BY:
	BUILDING USE:	NONE	DEMOLITION PLAN. CLEARING AND GRUBBING WITHIN THE LIMITS OF DISTURBANCE (LOD) SHALL CO REMOVING AND DISPOSING OF ALL TREES, ROOTS, VEGETATION AND DEBRIS UNLESS OTHERWISE INDICE THAT ARE DESIGNATED TO REMAIN.	, , , , , , , , , , , , , , , , , , ,	AES
	MAXIMUM HEIGHT OF BUILDING:	N/A	6. ALL TREE REMOVAL AND TREE TRIMMING WITHIN THE LIMITS OF DISTURBANCE, REGARDLESS OF SIZE, CONTRACT. INDIVIDUAL TREES ARE NOT SHOWN ON THE DRAWINGS BUT MUST BE REMOVED BY THE	HE CONTRACTOR AS NECESSARY	
	BUILDING(S) SIZE:  PROPOSED BUILDING CONSTRUCTION;	N/A N/A	WITHIN THE LIMITS OF DISTURBANCE. TREES GREATER THAN 6" IN DIAMETER SHALL BE FLAGGED BY AND APPROVAL BY THE ENGINEER PRIOR TO REMOVAL. THE ENGINEER WILL NOT ACCEPT REMOVAL PROTECTED.	AL OF TREES INTENDED TO BE	FB
	AUTOMATIC SPRINKLER PROTECTION:	N/A	7. TREES NOT DESIGNATED TO BE REMOVED SHALL BE PROTECTED FROM CONSTRUCTION EQUIPMENT AN THE DRIP LINE BY MEANS OF 3'-0" HIGH SENSITIVE AREA PROTECTION (SAP) FENCE, SEE DNREC D		KED BY: AES
	FIRE LANES:  NOTES:	NONE	AREA PROTECTION.  8. ANY ADDITIONAL LOCATIONS FOR STOCKPILE/STORAGE AREAS SHALL BE COORDINATED WITH THE ENG	GINEER AND APPROVED BY THE DATE:	
	1. ALL FIRE LANES, FIRE HYDRANTS, AN PREVENTION REGULATIONS.	D FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE	DNREC SEDIMENT AND STORMWATER MANAGEMENT PROGRAM PRIOR TO THE START OF WORK. AL STABILIZED DURING CONSTRUCTION, AND REDRESSED AFTER CONSTRUCTION IN ACCORDANCE WITH ER REQUIREMENTS. COST SHALL BE INCLUDED IN THE LUMP SUM PRICE BID FOR THE PROJECT.	I STOCKDILE AREAS SHALL RE ■	FEBRUARY, 202
		WATER MAINS SHALL BE INSTALLED IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE DSFPR REGULATION 702, CHAPTER 6 & 7.	9. THE CONTRACTOR IS ADVISED THAT CONTRACTOR EMPLOYEE PARKING SHALL BE LIMITED TO THE EX UNLESS APPROVED BY THE ENGINEER. VEHICLE PARKING SHALL NOT BE ALLOWED ON UNPAVED AREAS	, I	
		ODED IN ACCORDANCE WITH THE DSFPR REGULATION 703, CHAPTER 3, SECTION 4. THIS CONNET AND 2 INCH REFLECTIVE TAPE AROUND THE BARREL UNDER THE TOP FLANGE.			NO SCALE
			•		T NO .
	4. ALL THREADS PROVIDED FOR FIRE DEF	PARTMENT CONNECTIONS, TO SPRINKLER SYSTEMS, STANDPIPES, YARD HYDRANTS OR ANY OTHER JNIFORM TO THOSE USED BY THE FIRE DEPARTMENT IN WHOSE DISTRICT THEY ARE LOCATED.		SHEET	I NU
	4. ALL THREADS PROVIDED FOR FIRE DEFFIRE HOSE CONNECTIONS SHALL BE UDSFRP REGULATION 703, CHAPTER 1,  5. THE STEAMER CONNECTION OF ALL F	JNIFORM TO THOSE USED BY THE FIRE DEPARTMENT IN WHOSE DISTRICT THEY ARE LOCATED. SECTION 1.5)  IRE HYDRANTS SHALL BE SO POSITIONED SO AS TO BE FACING THE STREET OR FIRE LANE.		SHEET N	C302
	4. ALL THREADS PROVIDED FOR FIRE DEFFIRE HOSE CONNECTIONS SHALL BE UNDERTOOM (DSFRP REGULATION 703, CHAPTER 1,	JNIFORM TO THOSE USED BY THE FIRE DEPARTMENT IN WHOSE DISTRICT THEY ARE LOCATED. SECTION 1.5)  IRE HYDRANTS SHALL BE SO POSITIONED SO AS TO BE FACING THE STREET OR FIRE LANE.			

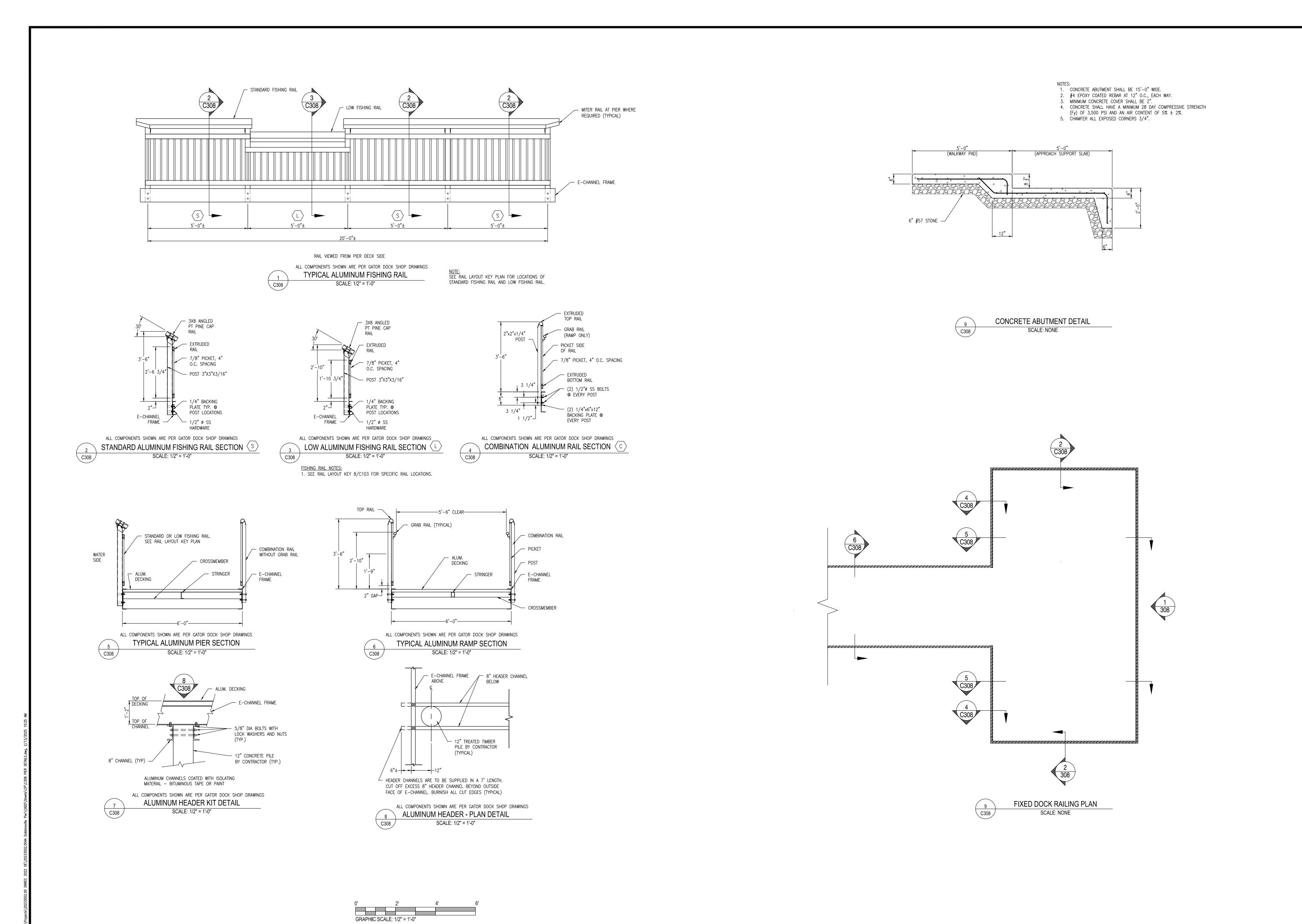












REVISIONS:
DATE: DESCR

FISHING PIER AND IMPROVEMENTS PIER DETAILS OBBINSVILLE F PARKING LOT

CIVIL ENGINEER:

ENGINEERING

A Kleinfelder Company

PROJECT NO.: 20233502.004A



DESIGNED BY:

DRAWN BY: FB

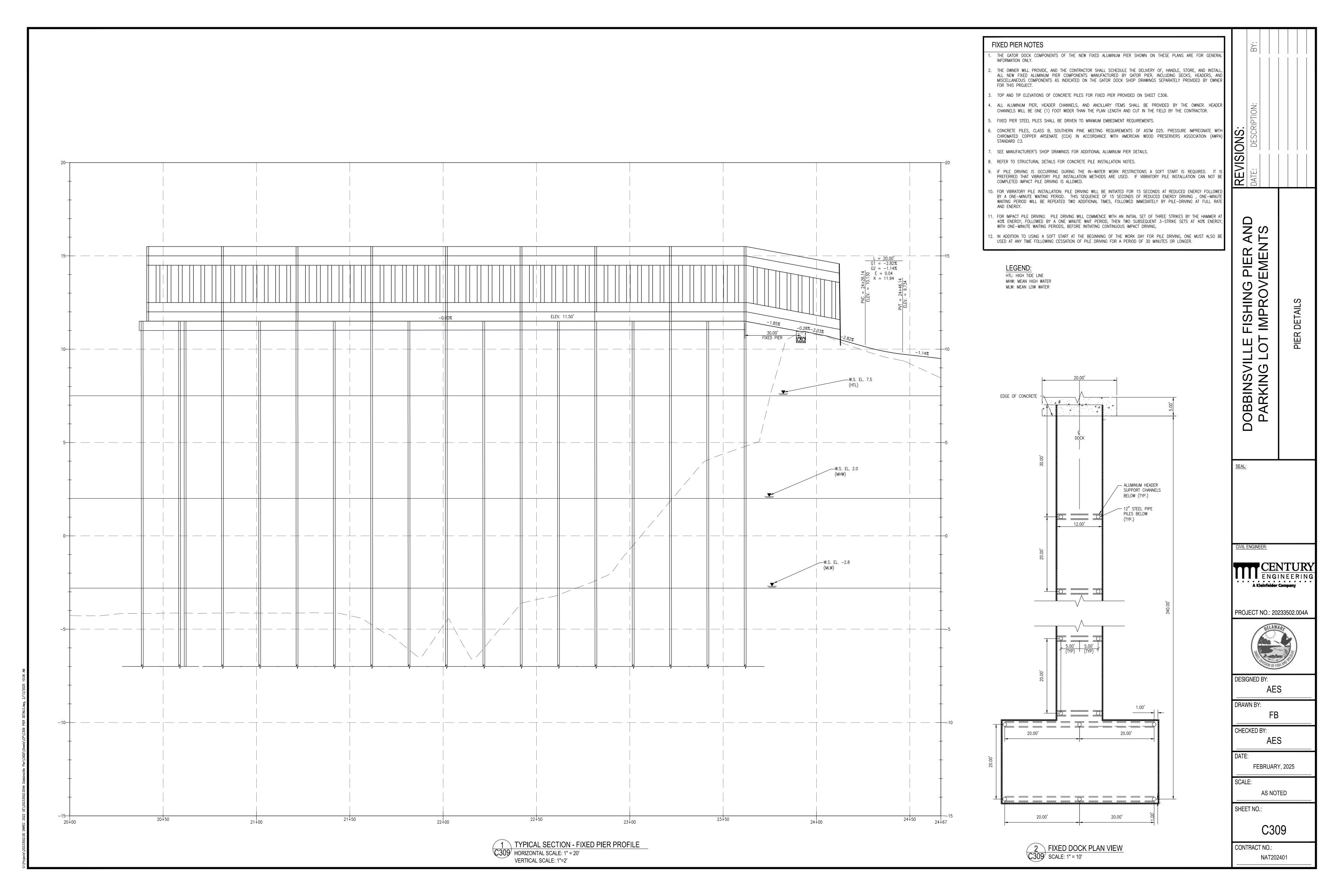
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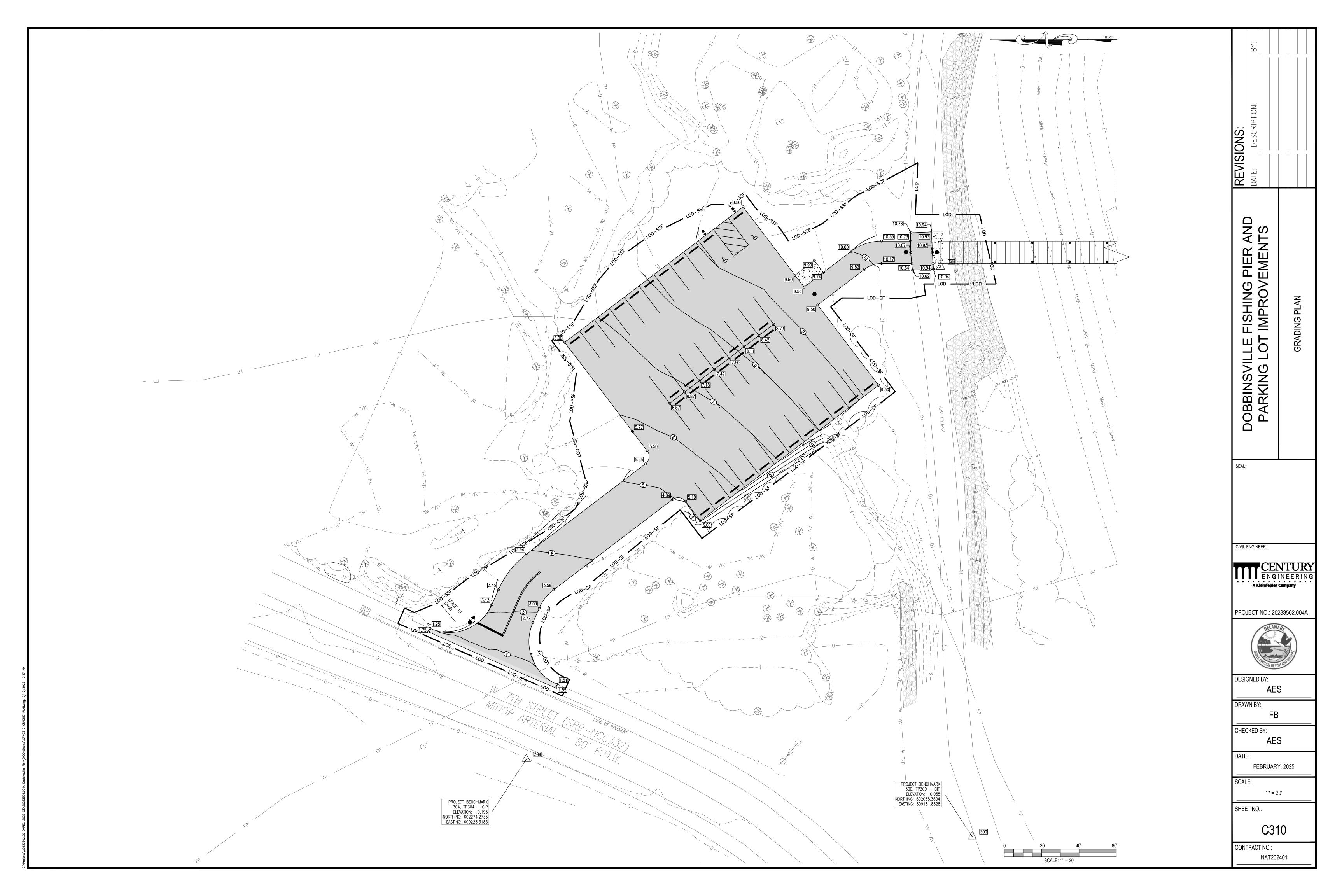
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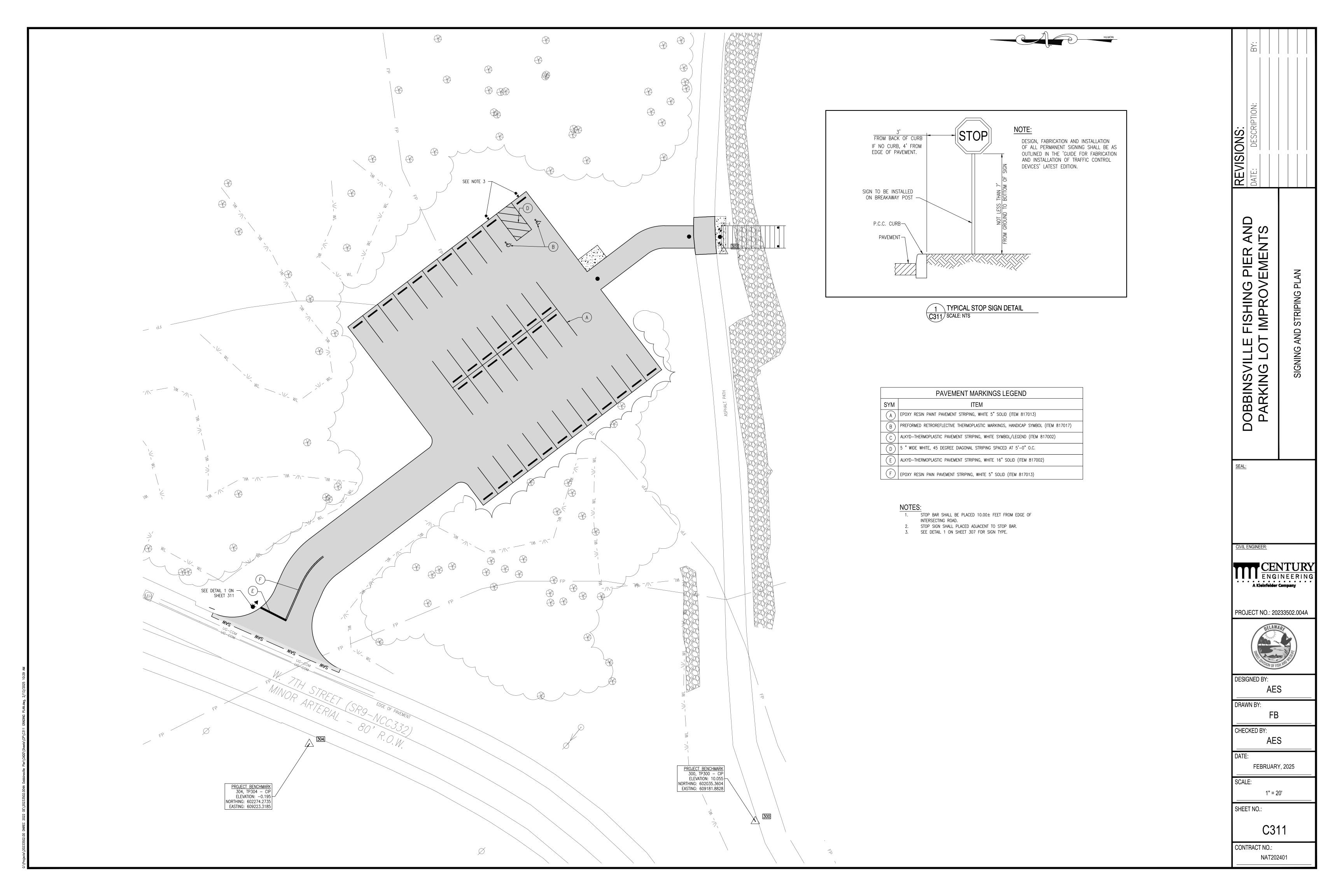
FEBRUARY, 2025

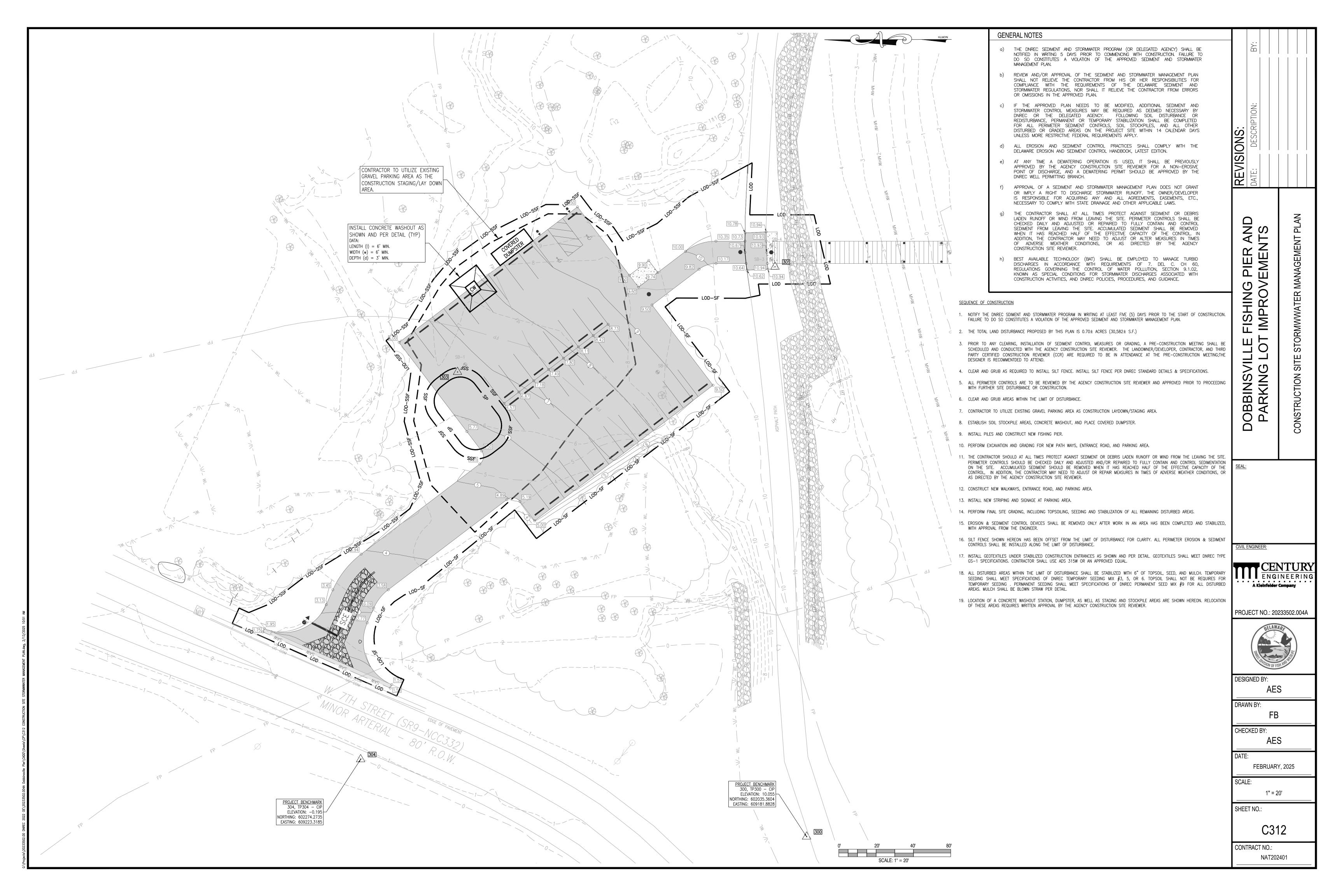
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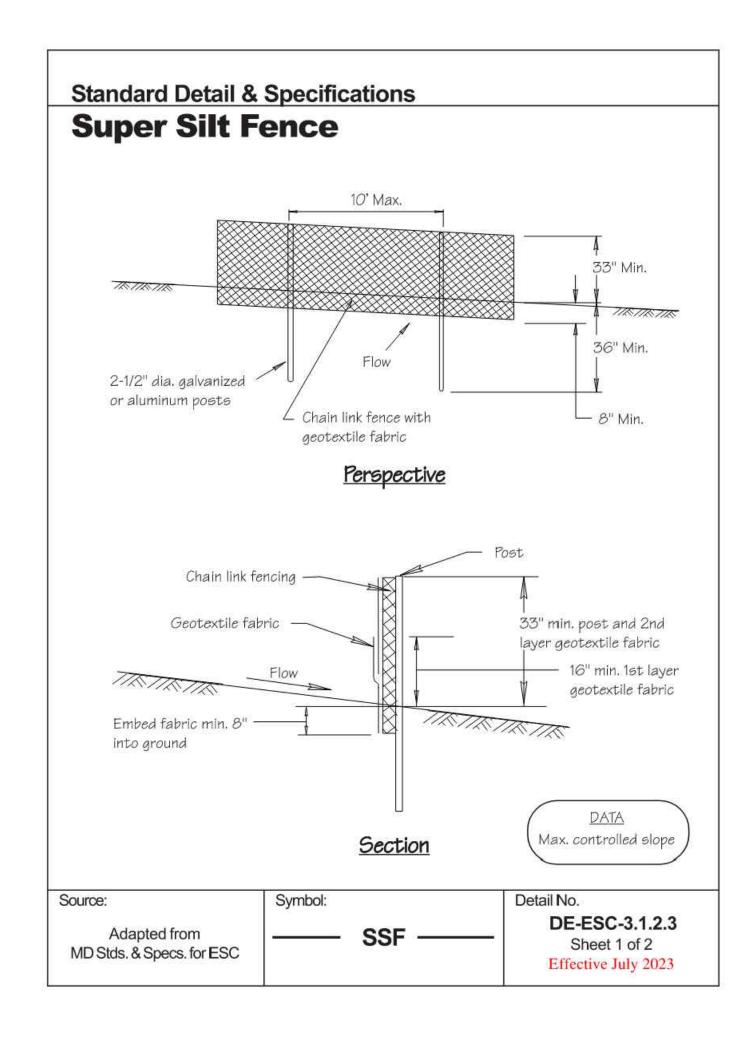
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# Standard Detail & Specifications **Super Silt Fence**

#### Construction Notes:

- 1. The poles do not need to be set in concrete.
- 2. Chain link fence shall be fastened securely to the fence posts with wire ties or staples.
- 3. Geotextile fabric shall be fastened securely to the chain link fence with ties spaced every 24" at the top and mid section.
- 4. Geotextile fabric shall be embedded a minimum of 8" into the ground.
- 5. When two sections of geotextile fabric adjoin each other, they shall be overlapped by 6" and folded.
- 6. Maintenance shall be performed as needed and silt buildups removed when "bulges" develop in the silt fence.

#### Materials:

- 1. Fencing: Fencing shall be 42 inches in height and constructed in accordance with the latest Delaware Department of Transportation (Del-DOT) Specifications for Chain Link Fencing (Section 727). The Del-DOT specification for a 6 foot fence shall be used, substituting 42 inch fabric and 6 foot length posts.
- Geosynthetic Fabric: Type GD-I

Source:	Symbol:		Detail No.
Adapted from MD Stds. & Specs. for ESC		SSF ——	DE-ESC-3.1.2.3 Sheet 2 of 2 Effective July 2023

## Standard Detail & Specifications

## **Topsoiling**

#### Construction Notes:

1. Site Preparation (Where Topsoil is to be added)

Note: When topsoiling, maintain needed erosion and sediment control practices such as diversions, grade stabilization structures, berms, dikes, waterways and sediment basins.

- a. Grading Grades on the areas to be topsoiled which have been previously established shall be maintained.
- b. Liming Where the topsoil is either highly acid or composed of heavy clays, ground limestone shall be spread at the rate of 4-8 tons/acre (200-400 pounds per 1,000 square feet). Lime shall be distributed uniformly over designated areas and worked into the soil in conjunction with tillage operations as described in the following procedures.
- c. Tilling After the areas to be topsoiled have been brought to grade, and immediately prior to dumping and spreading the topsoil, the subgrade shall be loosened by discing or by scarifying to a depth of a least 3 inches to permit bonding of the topsoil to the subsoil. Pack by passing a bulldozer up and down over the entire surface area of the slope to create horizontal erosion check slots to prevent topsoil from sliding down the slope.

#### 2. Topsoil Material and Application

Note: Topsoil salvaged from the existing site may often be used but it should meet the same standards as set forth in these specifications. The depth of topsoil to be shall be no more than the depth described as a representative profile for that particular soil type as described in the soil survey published by USDA-SCS in cooperation with Delaware Agricultural Experimental Station.

Source:	Symbol:	Detail No.
	75	DE-ESC-3.4.1
USDA - NRCS		Sheet 1 of 2
		Effective July 2023

# Standard Detail & Specifications

# **Topsoiling**

## **Construction Notes (cont.)**

a. Materials - Topsoil shall be a loam, sandy loam, clay loam, silt loam, sandy clay loam, loamy sand or other soil as approved by an agronomist or soil scientist. It shall not have a mixture of contrasting textured subsoil and contain no more than 5 percent by volume of cinders, stones, slag, coarse fragment, gravel, sticks, roots, trash or other extraneous materials larger than 1-1/2 inches in diameter. Topsoil must be free of plants or plant parts of bermudagrass, quackgrass, Johnsongrass, nutsedge, poison ivy, thistles, or others as specified. All topsoil shall be tested by a reputable laboratory for organic matter content, pH and soluble salts. A pH of 6.0 to 7.5 and an organic content of not less than 1.5 percent by weight is required. If pH value is less than 6.0 lime shall be applied and incorporated with the topsoil to adjust the pH to 6.5 or higher. Topsoil containing soluble salts greater than 500 parts per million shall not be used.

Note: No sod or seed shall be placed on soil which has been treated with soil sterilant or chemicals used for weed control until sufficient time has elapsed to permit dissipation of toxic materials.

b. Grading - The topsoil shall be uniformly distributed and compacted to a minimum of four (4) inches. Spreading shall be performed in such a manner that sodding or seeding can proceed with a minimum of additional soil preparation and tillage. Any irregularities in the surface resulting from topsoiling or other operations shall be corrected in order to prevent the formation of depressions or water pockets. Topsoil shall not be placed while in a frozen or muddy condition, when the subgrade is excessively wet, or in a condition that may otherwise be detrimental to proper grading and seedbed preparation.

Note: Topsoil substitutes or amendments as approved by a qualified agronomist or soil scientist, may be used in lieu of natural topsoil. Compost material used to improve the percentage of organic matter shall be provided by a certified supplier.

Compost amendments that are intended to meet specific post-construction stormwater management goals shall further meet the requirements of Appendix 3.06.2 Post Construction Stormwater Management BMP Standards and Specifications, Section 14.0 Soil Amend-

Source:	Symbol:	Detail No.
	, A.S.	DE-ESC-3.4.1
USDA - NRCS		Sheet 2 of 2
		Effective July 2023

# Standard Detail & Specifications **Vegetative Stabilization**

# TEMPORARY SEEDING BY RATES, DEPTHS AND DATES Optimum Seeding Dates 1 Mix # Seeding Rate Planting Depth<sup>3</sup> Optimum Planting Period: A = Acceptable Planting

- 1. Winter seeding requires 3 tons per acre of straw mulch for proper stabilization
- 2. May be planted throughout summer if soil moisture is adequate or seeded area can be irrigated.
- 3. Applicable on slopes 3:1 or less. 4. Use varieties currently recommended for Delaware. Contact a County Extension Office for information.
- 5. Warm season grasses such as Millet may be used between 5/1 and 9/1 if desired. Seed at 3-5 lbs.
- per acre. Good on low fertility and acid areas. Seed after frost through summer at a depth of 0.5".

NOTE: Alternative seed mixes may be used with prior approval from the Department or Delegated Agency.

Source:	Symbol:	Detail No.
Delaware ESC Handbook		DE-ESC-3.4.3
		Sheet 1 of 4
		Effective July 2023

# Standard Detail & Specifications **Vegetative Stabilization**

Seeding Mixtures Seeding Rate <sup>1</sup>				ptimur O = Op A = Acc	Remarks						
ix No.	Certified Seed <sup>3</sup>	1		Coa	astal P	lain	Р	iedmo	nt	All <sup>4</sup>	
	Well Drained Soils	lb/Ac	lb/1000 sa.ft.	2/1- 4/30	5/1- 8/14	8/15- 10/31	3/1- 4/30	5/1- 7/31	8/1- 10/31	10/31-2/1	
/1/	Zall Jesztue	/40/	3.2	A	10/	N	A	0	X	Add 100	Good erosion control hi
	Cahada Wild Re	10/	6/	<b>V</b> /			//		Y/,	bs ac	Tolerapt of low sertility sol
		XZZ		V/					YZ	Zye/	
/2/	Deeplonglie /	XX	7.69	A	1	A	A	10/		Add 100	Good erogion control his
	Sleep Felicus White Blover	37/	0.25	V/			//		Y/	Winter	Tolerant of low leftility set Legume that fixes atmosph
		XZZ		$V_{Z}$		$\mathbb{Z}$	$\mathbb{Z}$		L	Nye/	Nintg/soil /
/3/	Tall Tesque Turflypg or	1/1/	1.15	0/	1	9	/9/	A	1	Add 100	Good erosion control shi
//	Sylony Crylepiyg Red Fesole of Perengal Everyass	1/50/	1 15	V/			//		Y/	Winter	Tall Fascule for drought,
//	<i>Y/////////</i>	XII		V/			//		Y/	pye/	Fesque for hydronyshade. Ha
	plus latheas	16	2.34	$\mathbb{Z}$		$\angle$	$\angle$		$Y_{\perp}$		to suppress woody vegetat
14/	Strong Creeping Red Tesque	190	13/	10/	A	/9/	V /		19	Add 100	Suitable yate way mix. Carada Bluegass non
//	Kontucky Muedrass Pegennial Ryegass or	1/5/	0.38	<b>V</b> /	///		//		Y/	White	Calada Bluegrass hore grought tolerant
//	Zedysp //////	XX	1/11/	<b>1</b> //	<b>Y</b> //		//		Y/	R/e/	Use Reduct for ingrease
//	ply's White Clorer <sup>5</sup>	X//	1	<b>1</b> //	<b>/</b> /		//		Y/	V//	drought tolorange.
5/	Switchgrass or	3/	0.25	$\overline{\prime\prime}$	6	$\overline{}$	$\overline{\prime}$	6	<del>//</del>	$\overline{\prime\prime\prime}$	Native wayn-season roktu
	Loantal Panicgrass	16/	1.23	<b>V</b> /			//		Y/	///	Tolerant of low lertility soi
	B/g B/ues/em/ Little B/ues/em/	XII	21/	$\mathcal{V}_{\mathcal{I}}$	///		//		Y/	///	Dybught tolerant. Poor made tolerance
//	Indian Grass	$X / \!\!\! I /$	6.1	V/	///		//		Y/	///	N fartilizer discouraged we
6	Tall Jesgue Kurlype	1/50/	3.5	0/	K	9	/9/	A4	1	///	Mayaged filter strip for
//	(Pleny of Scullivers)	$\mathcal{X}$	36		A <sup>5</sup>		//	A <sup>3</sup>	//	$\prime\prime\prime$	nyftrie/it uyftakyt.
	Tall Fascus Ky Bluegrass (Slegd)	150	14	V^	17		V"/	//	19	///	Three cyltivs of Keytuot Duedrass. Teffic toigrap
	erannia Ryegrass	16/	8.49	$\mathbb{Z}$		$\!$	$\mathbb{Z}$		$\!$		
/8/	plg pluestery	XX	9/23/	16/	X		10/	1	Y/	///	All species are patry.
//	liphan Grass' Little Bluesten	XX/	923/	$\mathcal{V}_{\mathcal{I}}$	///		//		Y/	///	Indian Grass and Pluesters  fulfy seeds Plant with
//	Creeping Red Fescue	30/	0.68	<b>V</b> /			//		<b>Y</b> /.	///	fulfy seeds Plant with specialized native seed dr
//	plus ong of	X//		<b>V</b> /			//		<b>Y</b> /.	///	
//	Partrigge Fee	XXI	0/1/	V/	///		//		Y/	V//	Crylepiylg Bed Fesche y
//	Wildinggo / / / /	XXI	1.07	<b>V</b> /	<b>/</b> /	$\prime /$	V/		<b>Y</b> /	V//	the warm searon grasse

NOTE: Alternative seed mixes may be used with prior approval from the Department or Delegated Agency.

Detail No.

Detail No.
DE-ESC-3.4
Sheet 2 of 4 Effective July 20
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Symbol:

## Standard Detail & Specifications

# **Vegetative Stabilization**

	Seeding Mixtures	Seeding Rate <sup>1</sup>		Optimum Seeding Dates <sup>2</sup> O = Optimum Planting Period A = Acceptable Planting Period					Remarks		
Mix No.	Certified Seed <sup>3</sup>	1		Coa	astal P	lain	Р	iedmo	nt	All <sup>4</sup>	
	Poorly Drained Soils	lb/Ac	lb/1000 sq.ft.	2/1- 4/30	5/1- 8/14	8/15- 10/31	3/1- 4/30	5/1- 7/31	8/1- 10/31	10/31-2/1	
9	Redtop Creeping Bentgrass Sheep Fescue Rough Bluegrass	75 35 30 45	1.72 0.8 0.69 1	0	A <sup>4</sup>	0	0	A⁴	0	Add 100 lbs./ac. Winter Rye	Quick stabilization of disturbed sites and waterway
	Rosidential Lawys  Juli Fescale Polenyial Avegrasi Regilucia Buegrasi Bland	198 25 30									high value, bigh naimenshoo light traffic irrigation rocessal Well arabled solls, full sup
	Tall Fyscul Pegennyal Pylegyass Shegh Fyscul	19/25/	28 55 557		A			A			Myderotta yaluur, Jow shaipkenyincer, Kraffic tojlerayit
	Chewings reside	50/	115 15 0.4								Shade tolerant, moderate traffic tolerance, moderate maintanages
	Rough Bluegrass Kentucky Bluegrass	20/	0.4								

- 1. When hydroseeding is the chosen method of application, the total rate of seed should be increased by 25%. 2. Winter seeding requires 3 tons per acre of straw mulch. Planting dates listed above are average for Delaware. These dates may require
- 3. All seed shall meet the minimum purity and minimum germination percentages recommended by the Delaware Department of Agriculture. The maximum % of weed seeds shall be in accordance with Chapter 15, Title 3 of the Delaware Code.
- 4. Turf-type species may be planted throughout summer if soil moisture is adequate or seeded area can be irrigated 5. It is recommended that all leguminous seed be inoculated
- 6. Warm season grass mix and Switchgrass cannot be mowed more than 4 times per year. 7. Warm season grasses require a soil temperature of at least 50 degrees in order to germinate and will remain dormant until then.

NOTE: Alternative seed mixes may be used with prior approval from the Department or Delegated Agency.

Source:	Symbol:	Detail No.
Delaware ESC Handbook		DE-ESC-3.4.3
		Sheet 3 of 4
		Effective July 2023

# Standard Detail & Specifications **Vegetative Stabilization**

# Construction Notes:

## 1. Site Preparation

- a. Prior to seeding, install needed erosion and sediment control practices such as diversions, grade stabilization structures, berms, dikes, grassed waterways, and sediment basins.
- b. Final grading and shaping is not necessary for temporary seedings.

## 2. Seedbed Preparation

It is important to prepare a good seedbed to ensure the success of establishing vegetation. The seedbed should be well prepared, loose, uniform, and free of large clods, rocks, and other objectionable material. The soil surface should not be compacted or crusted.

### Soil Amendments

- a. Lime Apply liming materials based on the recommendations of a soil test in accordance with the approved nutrient management plan. If a nutrient management plan is not required, apply dolomitic limestone at the rate of 1 to 2 tons per acre. Apply limestone uniformly and incorporate into the top 4 to 6 inches of soil.
- b. Fertilizer Apply fertilizer based on the recommendations of a soil test in accordance with the approved nutrient management plan. If a nutrient management plan is not required, apply a formulation of 10-10-10 at the rate of 600 pounds per acre. Apply fertilizer uniformly and incorporate into the top 4 to 6 inches of soils.

### 4. Seeding

- a. For temporary stabilization, select a mixture from Sheet 1. For a permanent stabilization, select a mixture from **Sheet 2** or **Sheet 3** depending on the conditions. Alternative seed mixes may be used with prior approval from the Department or Delegated Agency.
- b. Apply seed uniformly with a broadcast seeder, drill, cultipacker seeder or hydroseeder. All seed will be applied at the recommended rate and planting depth.
- c. Seed that has been broadcast should be covered by raking or dragging and then <u>lightly</u> tamped into place using a roller or cultipacker. If hydroseeding is used and the seed and fertilizer is mixed, they will be mixed on site and the seeding shall be done immediately and without interruption.

### Mulching

All mulching shall be done in accordance with detail **DE-ESC-3.4.5**.

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Source.	Gyrribor.	Detail No.
Delaware ESC Handbook		DE-ESC-3.4.3
		Sheet 4 of 4
		Effective July 2023
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SITE NOTES

FISHING - IMPROVI OBBINSVILLE I PARKING LOT

IVIL ENGINEER:



PROJECT NO.: 20233502.004A



**DESIGNED BY:** 

DRAWN BY:

CHECKED BY:

FEBRUARY, 2025

AS NOTED SHEET NO.:

## Standard Detail & Specifications

## Mulching

#### . Materials and Amounts

- a. Straw Straw shall be unrotted small grain straw applied at the rate of 1-1/2 to 2 tons per acre, or 70 to 90 pounds (two bales) per 1,000 square feet. Mulch materials shall be relatively free of weeds and shall be free of noxious weeds such as; thistles, Johnsongrass, and quackgrass. Spread mulch uniformly by hand or mechanically. For uniform distribution of hand spread mulch, divide area into approximately 1,000 square feet sections and place 70-90 pounds (two bales) of mulch in each section.
- b. Wood chips-Apply at the rate of approximately 6 tons per acre or 275 pounds per 1,000 square feet when available and when feasible. These are particularly well suited for utility and road rights-of-way. If wood chips are used, increase the application rate of nitrogen fertilizer by 20 pounds of N per acre (200 pounds of 10-10-10 or 66 pounds of 30-0-0 per acre).
- c. Hydraulically applied mulch -The following conditions apply to hydraulically applied mulch:

#### Definitions:

- a. Wood fiber mulch shall consist of specially prepared wood that has been processed to a uniform state, is packaged for sale as a hydraulic mulch for use with hydraulic seeding equipment, and consists of a minimum of 70% virgin or recycled wood fiber combined with 30% paper fiber and additives.
- b. Blended fiber mulch shall consist of any hydraulic mulch that contains greater than 30% paper fiber. The paper component must consist of specially prepared paper that has been processed to a uniform fibrous state and is packaged for sale as a hydraulic mulch for use with hydraulic seeding equipment.
- c. A bonded fiber matrix (BFM) consists of long strand, specially prepared wood fibers that have been processed to a uniform state held together by a water resistant bonding agent. BFMs shall contain no paper (cellulose) mulch but may contain small percentages of synthetic fibers to enhance performance.
- d. Refer to Figure 3.4.5a for conditions and limitations of use for each of the above categories of hydraulic mulch.
- ii. All components of the hydraulically applied mulches shall be pre-packaged by the manufacturer to assure material performance. Field mixing of the mulch components is acceptable, but must be done per manufacturers recommendations to ensure the proper results.
- iii. Hydraulic mulches shall be applied with a viable seed and at manufacturer's recommended rates. Increased rates may be necessary based on site conditions.
- iv. Hydraulically applied mulches and additives shall be mixed according to manufacturers
- iv. Materials within this category shall only be used when hydraulically applied mulch has been specified for use on the approved Sediment and Stormwater Plan, or supplemental approval from the plan approval agency has been obtained in writing for a specific area.

Source:	Symbol:	Detail No.
	750	DE-ESC-3.4.5
Delaware ESC Handbook & Filtrexx™International		Sheet 1 of 3
		Effective July 2023

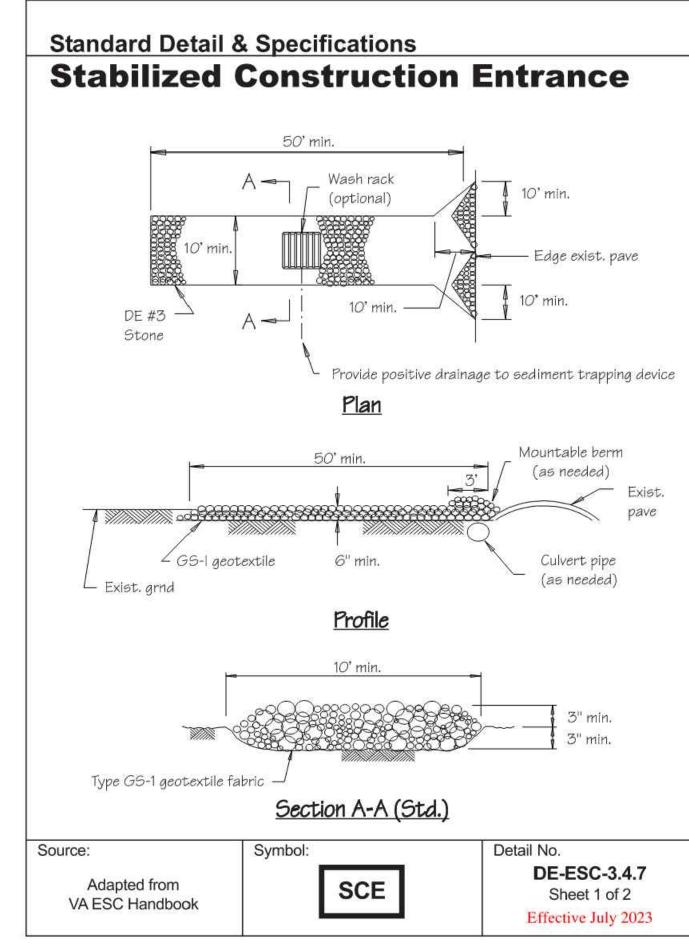
## Standard Detail & Specifications Mulching

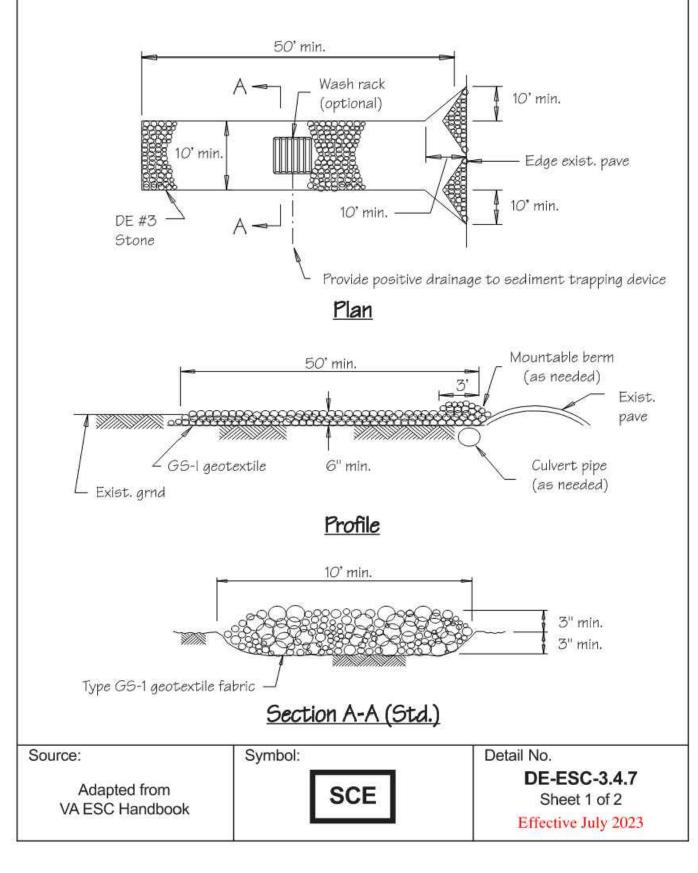
#### v. Application:

- a. Apply product to geotechnically stable slopes that have been designed and constructed to divert runoff away from the face of the slope.
- b. Do not apply to saturated soils, or if precipitation is anticipated within 24-48 hours.
- c. During the spring (March 1 to May 31) and fall (September 1 to November 30) seasons, hydraulic mulches may be applied in a one-step process where all components are mixed together in single-tank loads. It is recommended that the product be applied from opposing directions to achieve optimum soil coverage.
- d. During the summer (June 1 to August 31) and winter (December 1 to February 28) seasons, the following two-step process is required:
  - Step One- Mix and apply seed and soil amendments with a small amount of mulch for
  - Step Two Mix and apply mulch at manufacturers recommended rates over freshly seeded surfaces. Apply from opposing directions to achieve optimum soil
- e. Minimum curing temperature is 40°F (4°C). The best results and more rapid curing are achieved at temperatures exceeding 60°F (15°C). Curing times may be accelerated in high temperature, low humidity conditions on dry soils.
- vi. Recommended application rates are for informational purposes only. Conformance with this standard and specification shall be performance-based and requires 100% soil coverage. Any areas with bare soil showing shall be top dressed until full coverage is achieved.
- d. Compost blanket (CB) Loosely applied with a pneumatic blower so that a 1" compost blanket uniformly covers the soil with 100% coverage. This application can be used with seed to promote germination by applying the approved seed mix directly into the loosely blown compost. The compost blanket performs best on slopes less than 2:1 and requires no mulch anchoring.
- 2. Anchoring mulch Mulch must be anchored immediately to minimize loss by wind or water. This may be done by one of the following methods, depending upon size of area, erosion hazard, and cost.
- a. Crimping A crimper is a tractor drawn implement designed to punch and anchor mulch into the top two (2) inches of soil. This practice affords maximum erosion control but is limited to flatter slopes where equipment can operate safely. On sloping land, crimping should be done on the contour whenever possible.
- . Tracking Tracking is the process of cutting mulch (usually straw) into the soil using a bulldozer or other equipment that runs on cleated tracks. Tracking is used primarily on slopes 3:1 or steeper and should be done up and down the slope with cleat marks running across the slope.
- c. Liquid mulch binders Applications of liquid mulch binders should be heavier at edges, in valleys, and at crests of banks and other areas where the mulch will be moved by wind or water. All other areas should have a uniform application of binder. The use of synthetic binders is the preferred method of mulch
- binding and should be applied at the rates recommended by the manufacturer. d. Paper fiber - The fiber binder shall be applied at a net dry weight of 750 lbs/ac. The wood cellulose fiber shall be mixed with water, and the mixture shall contain a maximum of 50 lbs. of wood cellulose fiber per
- e. Nettings Biodegradable nettings may be used to secure straw mulch. Install and secure according to the manufacturer's recommendations. Photodegradable or synthetic nettings are not acceptable.

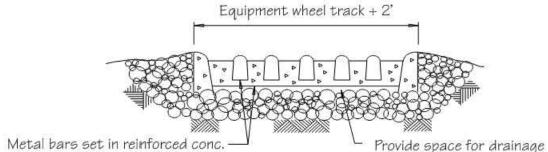
Source:	Symbol:	Detail No.
	25	DE-ESC-3.4.5
Delaware ESC Handbook		Sheet 2 of 3
& Filtrexx™ International		Effective July 2023

# Standard Detail & Specifications Mulching Symbol: Detail No. Source: DE-ESC-3.4.5 Delaware ESC Handbook Sheet 3 of 3 & Filtrexx™ International Effective July 2023









(traffic bearing grates, timber mats or other approved equiv. may be substituted)

## Section A-A (Opt.)

# Construction Notes:

- 1. Stone size Use DE #3 stone.
- 2. Length As required, but not less than 50 feet (except on a single residence lot where a 30 foot minimum length would apply).
- 3. Thickness Not less than size (6) inches.
- 4. Width Ten (10) foot minimum, but not less than the full width at points where ingress or egress occurs.
- 5. Geotextile Type GS-I; placed over the entire area prior to placing of stone.
- 6. Surface Water All surface water flowing or diverted toward construction entrances shall be piped across the entrance. If piping is impractical, a mountable berm with 5:1 slopes will be permitted.
- 7. Maintenance The entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto public rights-of-way. This may require periodic top dressing with additional stone as conditions demand and repair and/or cleanout of any measures used to trap sediment. All sediment spilled, dropped, washed or tracked onto public rights-of-way must be removed immediately.
- 8. Washing Vehicle wheels shall be cleaned to remove sediment prior to entrance onto public rightsof-way. When washing is required, it shall be done on an area stabilized with stone and which drains into an approved sediment trapping device.
- 9. Inspection Periodic inspection and needed maintenance shall be provided after each rain.

Source:	Symbol:	Detail No.
Adapted from VA ESC Handbook	SCE	<b>DE-ESC-3.4.7</b> Sheet 2 of 2
		Effective July 2023

## Standard Detail & Specifications **Construction Site Pollution Prevention**

### Notes:

The Construction Site Pollution Prevention Plan includes the following elements:

### 1. Material Inventory

Document the storage and use of the following materials:

- a. Concrete
- b. Detergents
- c. Paints (enamel and latex)
- d. Cleaning solvents
- e. Pesticides f. Wood scraps
- g. Fertilizers
- h. Petroleum based products

### 2. Good housekeeping practices

- Store only enough product required to do the job.
- b. Store all materials in a neat, orderly manner in their original labeled containers and covered.
- Do not mix different substances.
- d. When possible, use all of a product prior to disposal of the container.
- e. Manufacturers' instructions for disposal should be strictly adhered to.
- Designate someone to inspect all BMPs daily.

## 3. Waste management practices

- a. Collect and store all waste materials in securely lidded dumpsters in a location that does not drain to a waterbody.
- Salvage and/or recycle waste materials whenever possible.
- c. The dumpsters shall be emptied a minimum of twice per week, or more if necessary. The licensed trash hauler is responsible for cleaning out dumpsters.

Source:	Symbol:	Detail No.
Adapted from USEPA		DE-ESC-3.6.1
Pub. 840-B-92-002		Sheet 2 of 4
303/2020/2027		Effective July 2023

## Standard Detail & Specifications

## **Construction Site Pollution Prevention**

### Notes (cont.)

- d. Dispose of all trash in accordance with all applicable Delaware laws.
- e. Littering is strictly prohibited. Trash cans should be placed at all lunch spots and recycle bins should be placed near the construction trailer.
- f. If fertilizer bags can not be stored in a weather-proof location, they should be kept on a pallet and covered with plastic sheeting which is overlapped and anchored.

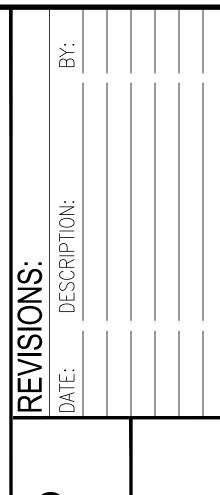
## 4. Equipment maintenance practices

- a. If possible, equipment should be taken to off-site commercial facilities for washing and
- b. If performed on-site, wash vehicles with high-pressure water spray without detergents in an area contained by an impervious berm.
- Use drip pans for all equipment maintenance.
- Inspect equipment for leaks on a daily basis.
- e. Direct washout from concrete trucks into a temporary pit for hardening and proper disposal.
- Equip fuel nozzles with automatic shut-off valves.
- g. Dispose of all used products such as oil, antifreeze, solvents and tires in accordance with manufacturers' recommendations and local, state and federal laws and regulations.

### 5. Spill prevention practices

- a. Identify potential spill areas and contain them in covered areas with no connection to the
- b. Post warning signs in hazardous material storage areas.
- c. Perform preventive maintenance on all tanks, valves, pumps, pipes and other equipment as necessary.
- d. Prioritize low or non-toxic substances for use.

Source:	Symbol:	Detail No.
Adapted from USEPA	(4)	DE-ESC-3.6.1
Pub. 840-B-92-002		Sheet 3 of 4
		Effective July 2023



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PROJECT NO.: 20233502.004A



**DESIGNED BY:** AES

DRAWN BY: FB

CHECKED BY:

AES

DATE:

FEBRUARY, 2025 SCALE:

AS NOTED

SHEET NO.: C314

# Standard Detail & Specifications **Construction Site Pollution Prevention**

## Notes (cont.)

- e. Prominently post contact information for reporting spills through the DNREC 24-Hour Toll Free Number.
- 6. Education
- a. Include Best Management Practices (BMPs) for construction site pollution control as part of regular progress meetings.
- b. Information regarding waste management, equipment maintenance and spill prevention should be prominently posted in the construction trailer.

#### CONTACT INFORMATION

**DNREC 24-Hour Toll Free Number** 

800-662-8802

302-739-9403 DNREC Solid & Hazardous Waste Management Section

Source:

Adapted from USEPA

Pub. 840-B-92-002

Symbol:

DE-ESC-3.6.1 Sheet 4 of 4 Effective July 2023

Adapted from

Colorado Urban Storm Drain-

age Criteria Manual, Vol 3

Detail No.

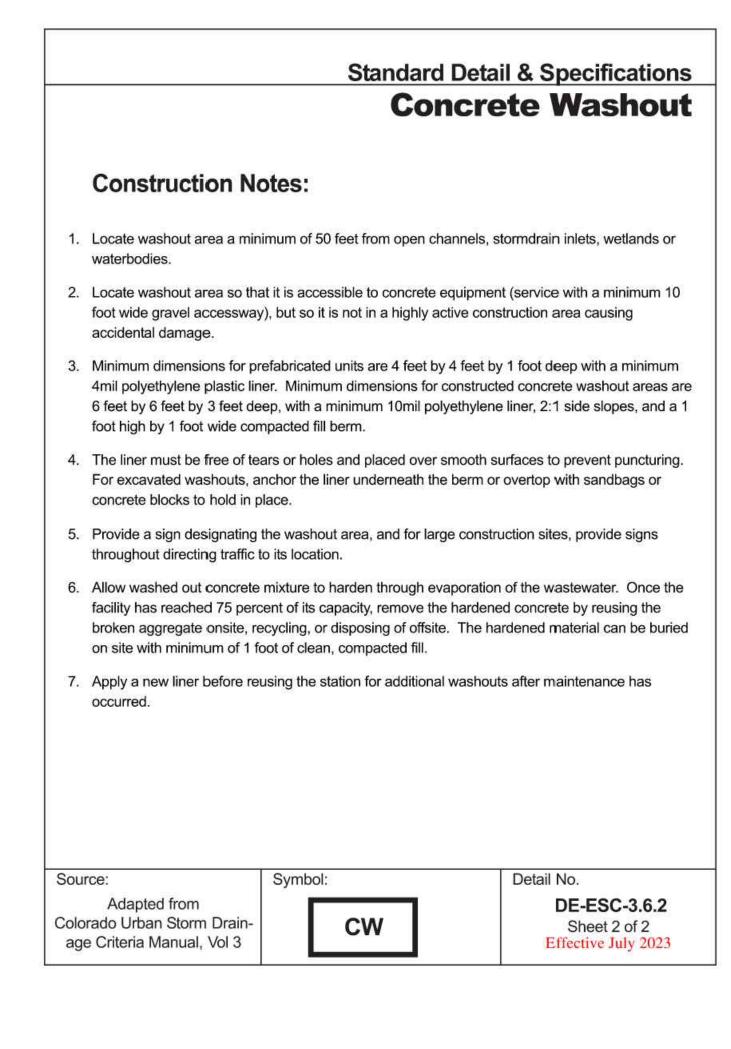
#### Standard Detail & Specifications **Concrete Washout** DATA TO BE PROVIDED Plan View Length, I Concrete Washout Sign Width, w Berm required on all Depth, d sides (excluding access drive location) Access drive to be paved or meet material specifications of a Stabilized Construction Entrance (DE-ESC-3.4.7) Connect to paved or gravel surface Section A-A ompacted Berm with liner keyed underneath (or see sandbaa option below) Paved or gravel access drive to polyethylene liner connect to solid surface compacted earth Compacted Berm with liner overtop with a sandbag or concrete Note: Prefabricated concrete block anchor washout option not shown. Alternate Liner Option concrete block Source: Symbol: Detail No.

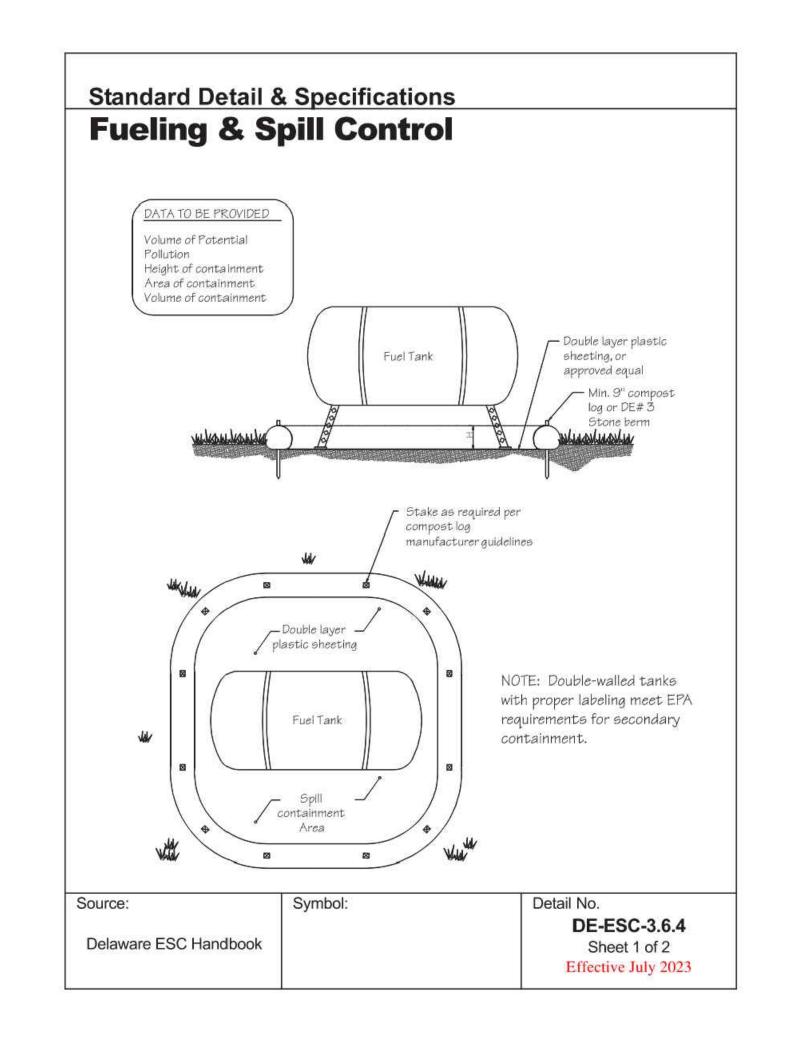
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DE-ESC-3.6.2

Sheet 1 of 2

Effective July 2023





# Standard Detail & Specifications **Fueling & Spill Control**

## Pollution Prevention – Fueling & Spill Control

- 1. Fueling should only take place in signed designated areas, away from downstream drainage facilities and watercourses.
- 2. Fueling must be with nozzles equipped with automatic shut-off to control drips. Do not top off.
- 3. Protect the areas where equipment or vehicles are being repaired, maintained, fueled or parked from storm water run-on and runoff.
- 4. Use barriers such as berms to prevent storm water run-on and runoff, and to contain spills.
- 5. Place a "Fueling Area" sign next to each fueling area.
- 6. Store hazardous materials such as fuel, solvents, oil and chemicals in secondary containment.
- 7. Inspect vehicles and equipment for leaks on each day of use. Repair fluid and oil leaks
- 8. Absorbent spill clean-up materials and spill kits must be available in fueling areas and on fuel
- 9. If fueling is to take place at night, make sure the fueling area is sufficiently illuminated.
- 10. Properly dispose of used oil, fluids, lubricants and spill clean-up materials.

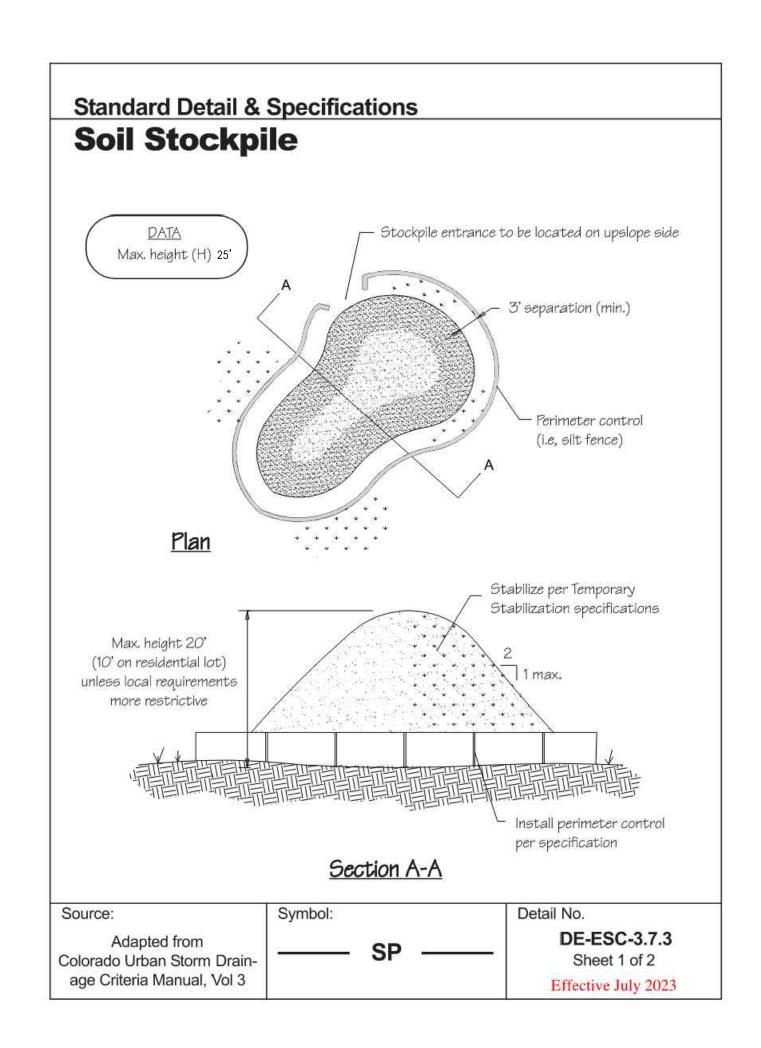
## CLEAN UP SPILLS

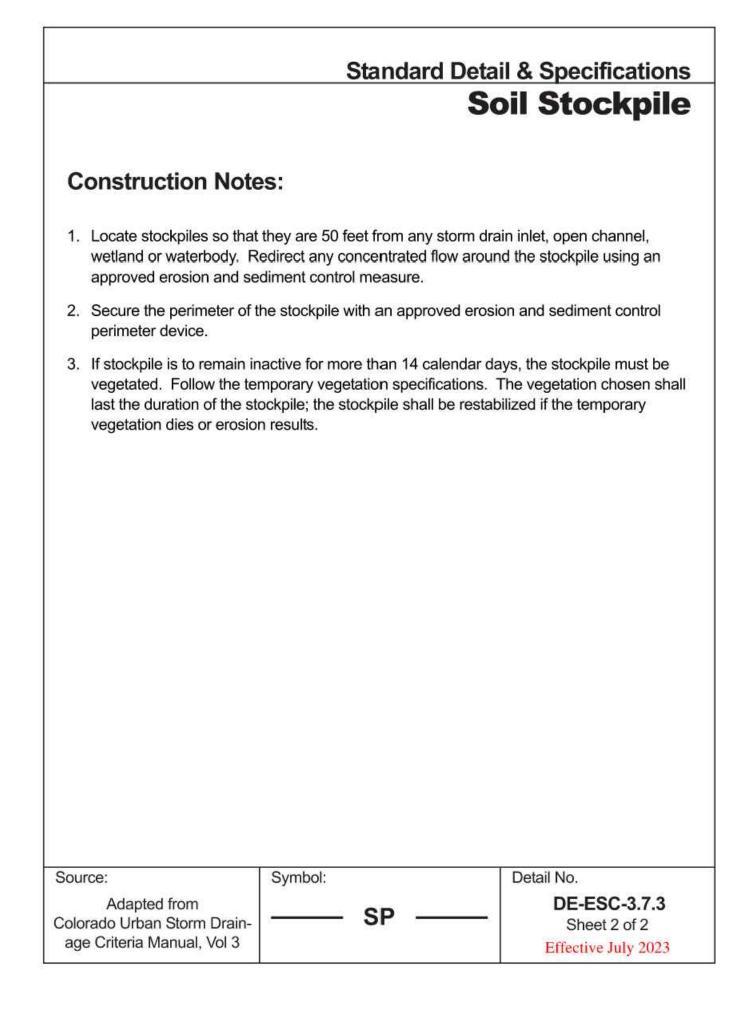
- 1. If it is safe to do so, immediately contain and clean up any chemical and/or hazardous material
- 2. Properly dispose of used oil, fluids, lubricants and spill clean-up materials.
- Do not bury spills or wash them down with water.

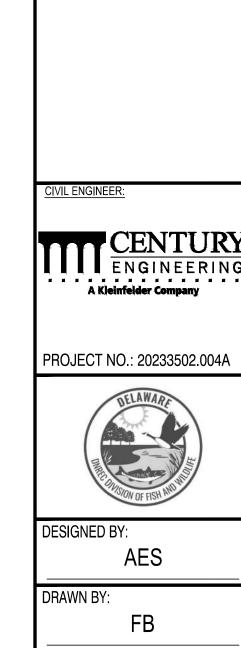
## LEAKS AND DRIPS

- 1. Use drip pans or absorbent pads at all times. Place under and around leaky equipment.
- Do not allow oil, grease, fuel or chemicals to drip onto the ground.
- 3. Have spill kits and clean up material on-site.
- 4. Repair leaky equipment promptly or remove problem vehicles and equipment from the site. Clean up contaminated soil immediately.
- 5. Store contaminated waste in sealed containers constructed of suitable material. Label these containers properly.
- 6. Clean up all spills and leaks. Promptly dispose of waste and spent clean up materials.

Source.	Symbol.	Detail No.
		DE-ESC-3.6.4
Delaware ESC Handbook		Sheet 2 of 2
		Effective July 2023







CHECKED BY:

SCALE:

SHEET NO.:

CONTRACT NO.:

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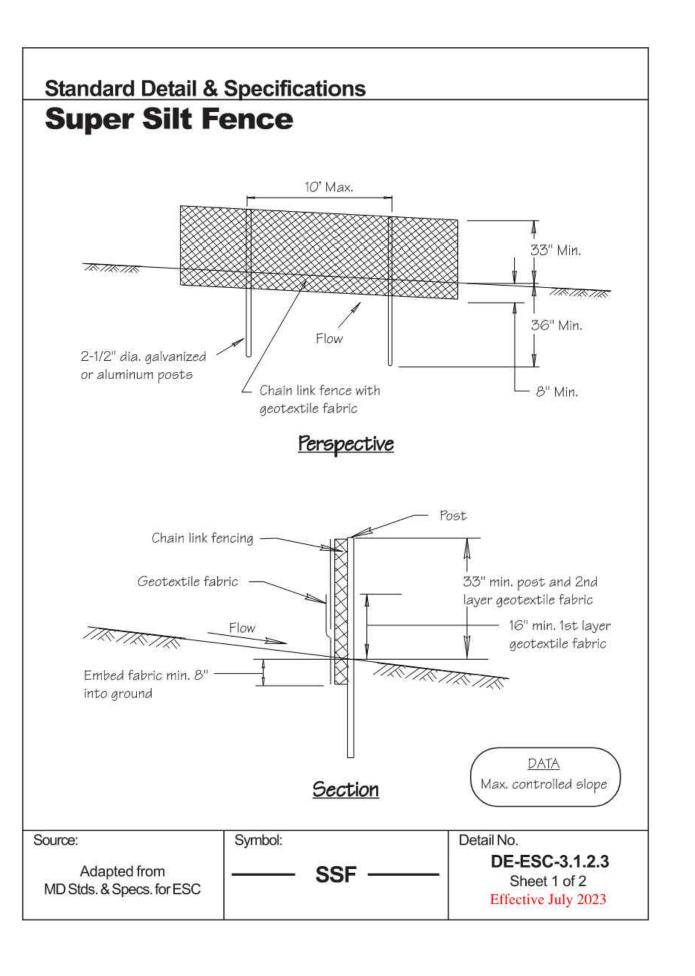
FISHING IMPROVI

OBBINSVILLE I PARKING LOT

DETAILS

AND

NOTES



# Standard Detail & Specifications Super Silt Fence

## **Construction Notes:**

- 1. The poles do not need to be set in concrete.
- 2. Chain link fence shall be fastened securely to the fence posts with wire ties or staples.
- Geotextile fabric shall be fastened securely to the chain link fence with ties spaced every 24" at the top and mid section.
- 4. Geotextile fabric shall be embedded a minimum of 8" into the ground.
- When two sections of geotextile fabric adjoin each other, they shall be overlapped by 6" and folded.
- Maintenance shall be performed as needed and silt buildups removed when "bulges" develop in the silt fence.

## Materials:

- Fencing: Fencing shall be 42 inches in height and constructed in accordance with the latest Delaware Department of Transportation (Del-DOT) Specifications for Chain Link Fencing (Section 727). The Del-DOT specification for a 6 foot fence shall be used, substituting 42 inch fabric and 6 foot length posts.
- 2. Geosynthetic Fabric: Type GD-I

Source:	Symbol:	Detail No.
Adapted from	CCE	DE-ESC-3.1.2.3
MD Stds. & Specs. for ESC	SSF —	Sheet 2 of 2
MD Glad. a opead. for 200		Effective July 2023

REVISIONS:

DATE: DESCRIPTION: BY:

DOBBINSVILLE FISHING PIER AND PARKING LOT IMPROVEMENTS

CONSTRUCTION SITE NOTES AND DETAILS

CIVIL ENGINEER:



PROJECT NO.: 20233502.004A



DESIGNED BY:

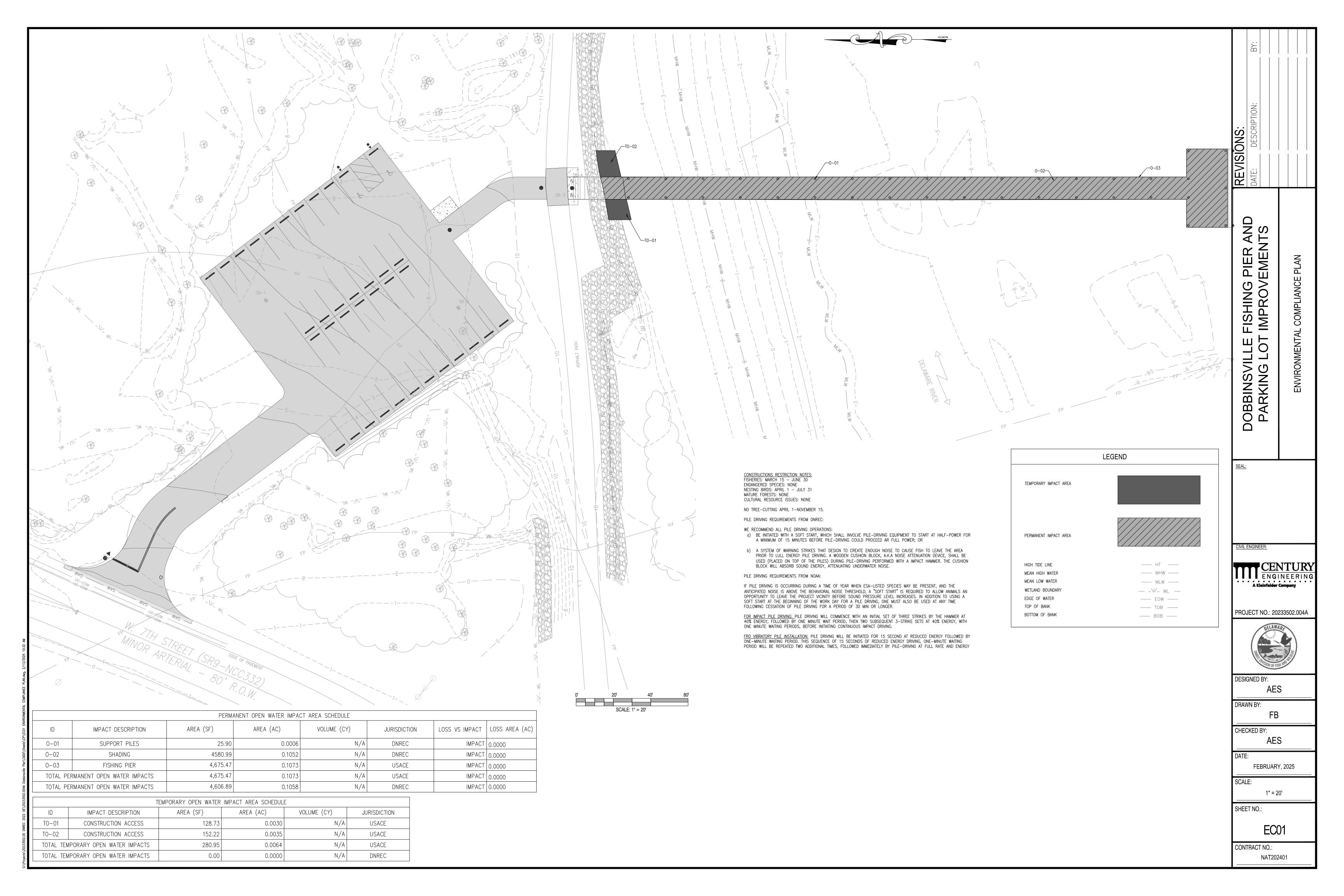
DRAWN BY:

CHECKED BY:

AS NOTED

SHEET NO.:

C316



# LIGHTING FIXTURE, WALL MOUNTED POLE ARM MOUNTED SITE LIGHTING SINGLE FIXTURE POWER SYMBOLS DUPLEX RECEPTACLE, NEMA CONFIGURATION 5-15R/5-20R, PER SPECIFICATION WEATHER RESISTANT GFCI DUPLEX RECEPTACLE AS ABOVE, WITH WEATHERPROOF COVER 120/240V PANELBOARD, EXTENDED FRONT LINES INDICATE RECESSED, OTHERWISE SURFACE MOUNTED. SMOKE ALARM INTERCONNECT WIRING UNDERGROUND ELECTRIC

LIGHTING SYMBOLS

OVERHEAD ELECTRIC

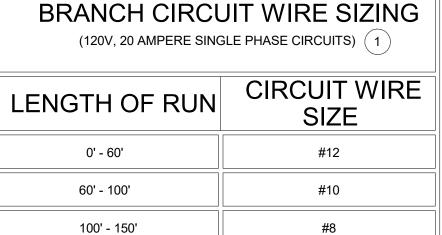
## ELECTRICAL APPRELIATIONS

ELE	CTRICAL ABBREVIATIONS	3	
AFF	ABOVE FINISHED FLOOR	LTG	LIGHTING
AFG	ABOVE FINISHED GRADE	LED	LIGHT EMITTING DIODE
AL	ALUMINUM	LRA	LOCKED ROTOR AMPS
ADA	AMERICAN DISABILITY ACT AMERICAN WIRE GAUGE	LV	LOW VOLTAGE
AWG A	AMPERE(S)	MCB MGB	MAIN CIRCUIT BREAKER MAIN GROUND BAR
AIC	AMPERE INTERRUPTING CAPACITY	MLO	MAIN LUGS ONLY
AFCI	ARC FAULT CIRCUIT INTERRUPTER	MTS	MANUAL TRANSFER SWITCH
ATS	AUTOMATIC TRANSFER SWITCH	MISC	MISCELLANEOUS
BATT	BATTERY	MOD	MOTOR OPERATED DAMPER
BFC	BELOW FINISHED CEILING BELOW FINISHED GRADE BOLTED PRESSURE SWITCH BUILDING	MTD	MOUNTED
BFG BPS	BELOW FINISHED GRADE	MH NEC	MOUNTING HEIGHT
BLDG	BUILDING	NEC NL	NATIONAL ELECTRICAL CODE NIGHT LIGHT (UNSWITCHED)
CATV	CABLE TELEVISION	NF	NON-FUSED
С	CONDUIT	NFSS	NON-FUSED SAFETY SWITCH
CLG	CEILING	NC	NORMALLY CLOSED
CKT	CIRCUIT	NO	NORMALLY OPEN
C/B	CIRCUIT BREAKER	NIC	NOT IN CONTRACT
CUNT	CONTINUATION COPPER	NTS OE	NOT TO SCALE OVERHEAD ELECTRIC
CT	COPPER CURRENT TRANSFORMER	OT	OVERHEAD TELECOMMUNICATIONS
Δ	DELTA CONNECTED	PNL	PANELBOARD
		Ø / PH	
DC	DIRECT CURRENT	P	POLE
DISC	DISCONNECT	PVC	POLYVINYL CHLORIDE
DAS	DISTRIBUTED ANTENNA SYSTEM	PT	POTENTIAL TRANSFORMER
2P	DOUBLE POLE DOUBLE POLE, DOUBLE THROW	PWR	POWER
	DOUBLE POLE, SINGLE THROW	PF PRI	POWER FACTOR PRIMARY
DT	DOUBLE THROW	REC	RECEPTACLE
DWG	DRAWING	RL	REMOVE AND RETAIN FOR RELOCATION
DE/TD	DUAL ELEMENT / TIME DELAY	RM	ROOM
EM I	ELECTRICAL METALLIC TUBING	RMS	ROOT MEAN SQUARE
E EC	EMERGENCY EMPTY CONDUIT	RX	REMOVE EXISTING
ECB		SS SEC	SAFETY DISCONNECT SWITCH SECONDARY
EMS	ENERGY MANAGEMENT SYSTEM	SD	SERVICE DISCONNECT
EV		Isc	SHORT CIRCUIT CURRENT
EF	EXHAUST FAN		(RMS SYMMETRICAL AMPERES)
EX	EXISTING		SHORT CIRCUIT CURRENT RATING
ER	EXISTING RELOCATED	1P	SINGLE POLE
ETR FT	EXISTING TO REMAIN FEET	SPDT	
FA	FIRE ALARM	SPST ST	SINGLE POLE, SINGLE THROW SINGLE THROW
FAAP	FIRE ALARM ANNUNCIATOR PANEL	S/N	SOLID NEUTRAL
FACP	FIRE ALARM CONTROL PANEL	SPD	SURGE PROTECTION DEVICE
FAEP	FIRE ALARM EXTENDER PANEL		SWITCHBOARD
4P	FOUR POLE	SYM	SYMMETRICAL
FLA F	FULL LOAD AMPERES	TGB	TELECOMMUNICATIONS GROUND BAR
F FSS	FUSED OR FUSIBLE FUSED SAFETY SWITCH		TELECOMMUNICATIONS MAIN GROUND BA
FS	FUSED SWITCH	TELE TTB	TELEPHONE TELEPHONE TERMINAL BOARD
	GROUND	TMS	THERMAL MANUAL SWITCH
GB	GROUND BAR	KCM	THOUSAND CIRCULAR MILS
GEC	GROUNDING ELECTRODE CONDUCTOR	3P	THREE POLE
GFI	GROUND FAULT CIRCUIT INTERRUPTER		TRANSFORMER
HOA HZ	HAND-OFF-AUTOMATIC HERTZ	TYP	TYPICAL
HID	HIGH INTENSITY DISCHARGE	UE UT	UNDERGROUND ELECTRIC UNDERGROUND TELECOMMUNICATIONS
HPS	HIGH PRESSURE SODIUM	UL	UNDERWRITERS LABORATORY
HV	HIGH VOLTAGE	UNO	UNLESS NOTED OTHERWISE
HP	HORSEPOWER	V	VOLTS
IG	ISOLATED GROUND	VA	VOLT-AMPERE
IT CP	INFORMATION TECHNOLOGY	WH	WATER HEATER
ITGB J/JB	INFORMATION TECHNOLOGY GROUND BAR JUNCTION BOX	W	WATTS, WIRE
KV	KILOVOLTS	WP W/	WEATHERPROOF WITH
KVA	KILOVOLT-AMPERES	WCR	
KW	KILOWATTS	Y	WYE CONNECTED

Y WYE CONNECTED

## **GENERAL NOTES - DIVISION 26**

- 1. PROVIDE LABOR, EQUIPMENT AND MATERIALS NECESSARY FOR THE INSTALLATION OF THE COMPLETE ELECTRICAL SYSTEM AS SPECIFIED HEREIN AND SHOWN ON THE CONTRACT DRAWINGS. OUTLINE DESCRIPTION AND DIAGRAMMATIC REPRESENTATION OF SYSTEM OPERATION AND EQUIPMENT DOES NOT LIMIT CONTRACTOR LIABILITY FOR FURNISHING AND INSTALLING COMPLETE AND OPERABLE SYSTEMS.
- 2. "DRAWING NOTES" APPLY TO WORK ON THAT INDIVIDUAL DRAWING. "SPECIFIC NOTES" APPLY ONLY WHERE INDICATED WITH THE "SPECIFIC NOTE" SYMBOL.
- 3. WIRE AND CONDUIT SIZES ARE BASED ON COPPER CONDUCTORS UNLESS SPECIFICALLY NOTED OTHERWISE.
- 4. VOLTAGE DROP CALCULATIONS ARE BASED ON CIRCUIT LOADING AND DISTANCES GENERALLY AS CIRCUITED ON PLAN. IF ALTERNATE CONDUIT ROUTING, CIRCUIT LOADING, OR CONDUCTOR MATERIAL IS PROVIDED, VERIFY VOLTAGE DROP, AND SUBMIT VOLTAGE DROP CALCULATIONS PER SPECIFICATION.
- 5. UNLESS OTHERWISE NOTED, CIRCUITS HAVE NOT BEEN DERATED FOR CONDUCTOR BUNDLING, NOR HAVE CONDUITS BEEN SIZED FOR MULTIPLE CIRCUITS, IF MULTIPLE CIRCUITS ARE INSTALLED IN A SINGLE RACEWAY, DERATE CONDUCTOR AMPACITY PER NEC, AND PROVIDE APPROPRIATE SIZE CONDUIT. WHERE CONDUIT SIZE INCREASES, COORDINATE WITH ADJACENT UTILITIES AND BUILDING FEATURES.
- 6. INCLUDE IN THE BID PRICE THE PAYMENT OF NECESSARY PERMITS. FURNISH THE OWNER PRIOR TO THE FINAL PAYMENT A CERTIFICATE FROM THE ELECTRICAL INSPECTION DEPARTMENT HAVING JURISDICTION CERTIFYING THAT THE ELECTRICAL WORK MEETS THE REQUIREMENTS OF THE LOCAL INSPECTION AUTHORITIES AND/OR THE NATIONAL BOARD OF FIRE UNDERWRITERS.
- 7. COORDINATE WITH OWNER'S REPRESENTATIVE FOR SCHEDULING OF WORK.
- 8. WORK SHALL BE INSTALLED IN A NEAT AND WORKMANLIKE MANNER.
- 9. KEEP THE WORK SITE AND SURROUNDING AREA FREE FROM ACCUMULATION OF WASTE MATERIALS OR RUBBISH GENERATED BY WORK FROM THIS CONTRACT. PROPERLY AND LEGALLY DISPOSE OF MATERIALS.
- 10. JOB SITE SAFETY SHALL BE IN STRICT ACCORDANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS.
- 11. DRAWINGS SHALL NOT BE SCALED. REFER TO THE ARCHITECTURAL DRAWINGS FOR EXACT LIGHT FIXTURE LOCATIONS AND THE MECHANICAL DRAWINGS FOR EXACT MECHANICAL EQUIPMENT LOCATIONS. LOCATIONS OF ELECTRICAL EQUIPMENT AND CONDUIT ARE SHOWN DIAGRAMMATICALLY. DETERMINE EXACT LOCATIONS IN FIELD.
- 12. PROVIDE TYPED CIRCUIT DIRECTORIES FOR NEW PANELBOARDS TO INDICATE TYPE OF LOAD SERVED AND AREA SERVED (E.G. RECEPTACLES-OFFICE 201).
- 13. PROVIDE SEPARATE UNSHARED NEUTRAL CONDUCTOR(S) FOR EACH CIRCUIT UTILIZING A NEUTRAL. UNLESS SPECIFICALLY INDICATED OTHERWISE, MULTIWIRE BRANCH CIRCUITS ARE NOT PERMITTED.
- 14. IF APPLICABLE, FURNISH PANELBOARD WITH NUMBER OF POLES INDICATED. EACH SPACE SHALL BE A FULLY PREPARED SPACE (I.E. COMPLETE WITH PROVISIONS AND HARDWARE REQUIRED TO MOUNT A FUTURE CIRCUIT BREAKER, INCLUDING BUS CONNECTIONS, CIRCUIT BREAKER MOUNTING BRACKET, CIRCUIT BREAKER COVER AND COVER KNOCKOUTS, ETC.).
- 15. IF APPLICABLE, PROVIDE TRENCHING AND BACKFILL FOR BURIED ELECTRICAL AND TELECOMMUNICATIONS (TELEPHONE, CABLE TELEVISION) SERVICES, UNLESS NOTED OTHERWISE. COORDINATE UNDERGROUND CIRCUIT INSTALLATION WITH OTHER EXISTING AND PROPOSED UNDERGROUND UTILITIES. ENGAGE THE SERVICES OF A UTILITY LOCATING FIRM PRIOR TO EXCAVATION.
- 16. ELECTRICAL MATERIALS AND EQUIPMENT SHALL BE UL LISTED AND SHALL CONFORM TO FACTORY MUTUAL STANDARDS AS APPLICABLE.
- 17. THE ENTIRE ELECTRICAL INSTALLATION, MATERIAL AND WORKMANSHIP SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION, UNLESS A LONGER WARRANTY PERIOD IS REQUIRED ELSEWHERE IN CONTRACT DOCUMENTS.
- 18. CONDUIT, FITTINGS, AND JUNCTION BOXES SHALL BE SUITABLE FOR THE AREA CLASSIFICATION IN WHICH THEY ARE TO BE INSTALLED.



NOTES 1 ) CHART IS BASED ON 1920 WATT LOAD, 120 VOLTS WITH 3% VOLTAGE DROP. ANY DEVIATION, INCLUDING DE-RATING, SHALL BE FIELD CALCULATED. TOTAL MAXIMUM VOLTAGE DROP (ON FEEDER AND BRANCH CIRCUIT) SHALL BE LESS THAN 5%. WHERE A DISCREPANCY EXISTS BETWEEN THIS CHART AND WIRE SIZE ON PANEL SCHEDULE, PROVIDE THE

> DESIGNED BY: DRAWN BY: CHECKED BY: NO SCALE SHEET NO.:

> > E-001

CONTRACT NO.:

REVISIONS

FISHING IMPROVE

OBBINSVILLE PARKING LOT

CIVIL ENGINEER:

A Kleinfelder Company 10710 Gilroy Road Hunt Valley, MD 21031 Phone: (443) 589-2400 www.centuryeng.com © 2021 ALL RIGHTS RESERVED

**DRAWING LIST - ELECTRICAL** SHEET NUMBER SHEET NAME SYMBOLS, NOTES & ABBREVIATIONS E-002 OVERALL SITE PLAN ELECTRICAL SITE DETAILS

PROVIDE 2" CONDUIT BACK TO PANEL P WITH PULLSTRING FOR FUTURE. 24" x 18" x 24" SOLID BOTTOM. QUAZITE PEDESTRIAN GRADE WITH SOLID COVER "ELECTRIC". REVISIONS: DOBBINSVILLE FISHING PIER AND PARKING LOT IMPROVEMENTS OVERALL SITE PLAN CIVIL ENGINEER: A Kleinfelder Company
10710 Gilroy Road
Hunt Valley, MD 21031
Phone: (443) 589-2400 www.centuryeng.com © 2021 ALL RIGHTS RESERVED DESIGNED BY: DRAWN BY: CHECKED BY: 1" = 20'-0" SHEET NO.: **GRAPHIC SCALE**: 1" = 20'-0" E-002

CONTRACT NO.:

SPECIFIC NOTES - ELECTRICAL NEW

UTILITY METER -PROPOSED UTILITY POLE EXISTING UTILITY POLE 1 OVERALL SITE PLAN N 1" = 20'-0"

## **Branch Panel: PANEL P**

Location: PARKING LOT Supply From: UTILITY METER Mounting: SURFACE Enclosure: NEMA 4X ENCLOSURE

Volts: 240/120 Single Phases: 1

A.I.C. Rating: 10K BUS OCP Type: MCB BUS Rating: 100 A MCB Rating: 100 A

18"X24" POLYMER CONCRETE

FLUSH WITH GRADE -

SOLID BOTTOM JUNCTION BOX,

	E - LIGHTING FIXTURE SCHEDULE										
TYPE	DESCRIPTION	VOLTS	LAMP TYPE	WATTS	LUMENS	COLOR TEMP. (K)	CRI	MOUNTING	MANUFACTURER	MODEL SERIES	REMARKS
А	D-SERIES POLE MOUNTED LED FIXTURE, INTEGRAL PHOTOCELL, DARK BRONZE FINISH BI-LEVEL AMBIENT SENSOR, ENABLED AT 1FC.	120 V	LED	89 VA	10849 lm	3000 K	70	POLE	LITHONIA LIGHTING	DSX0	20' AFG

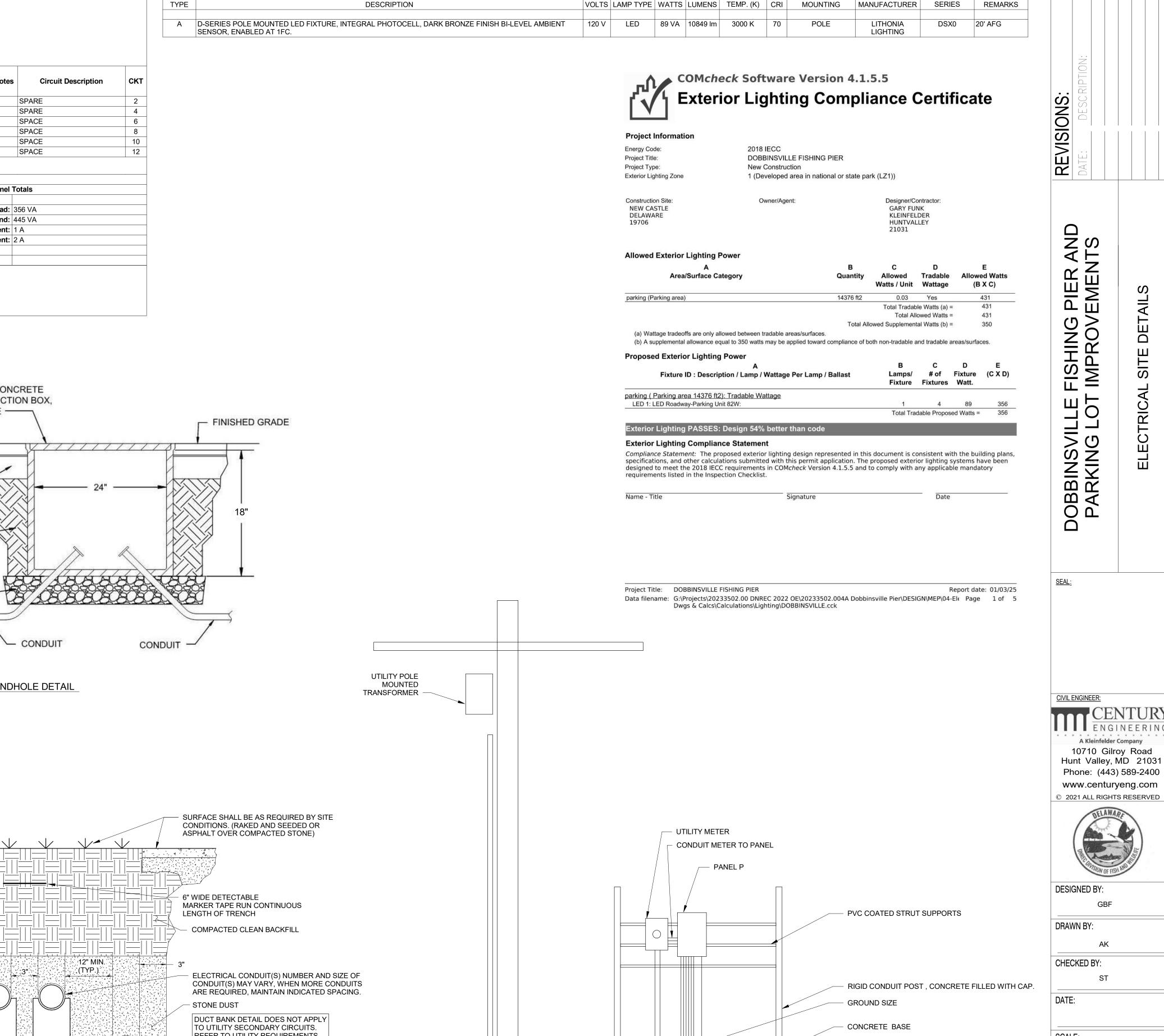
#### CKT Trip Poles Wire & Conduit Size Wire & Conduit Size Poles Trip Circuit Description Circuit Description 1 SITE LIGHTING 20 A 1 2#10, 1#10G, 1"C 0.4 kVA 0.0 kVA 1 20 A SPARE 3 SPARE 20 A 1 0.0 kVA 0.0 kVA 1 20 A SPARE 5 SPACE SPACE -- | 1 --1 --7 SPACE SPACE -- 1 1 --- 1 - 1 9 SPACE SPACE 11 SPACE SPACE 0.0 kVA 0.0 kVA Total Load: 0.4 kVA

_oad Classification	Connected Load	Demand Factor	Demand	Panel Totals	
ighting - General	356 VA	125.00%	445 VA		
				Total Conn. Load:	356 VA
				Total Est. Demand:	445 VA
				Total Conn. Current:	1 A
				Total Est. Demand Current:	2 A

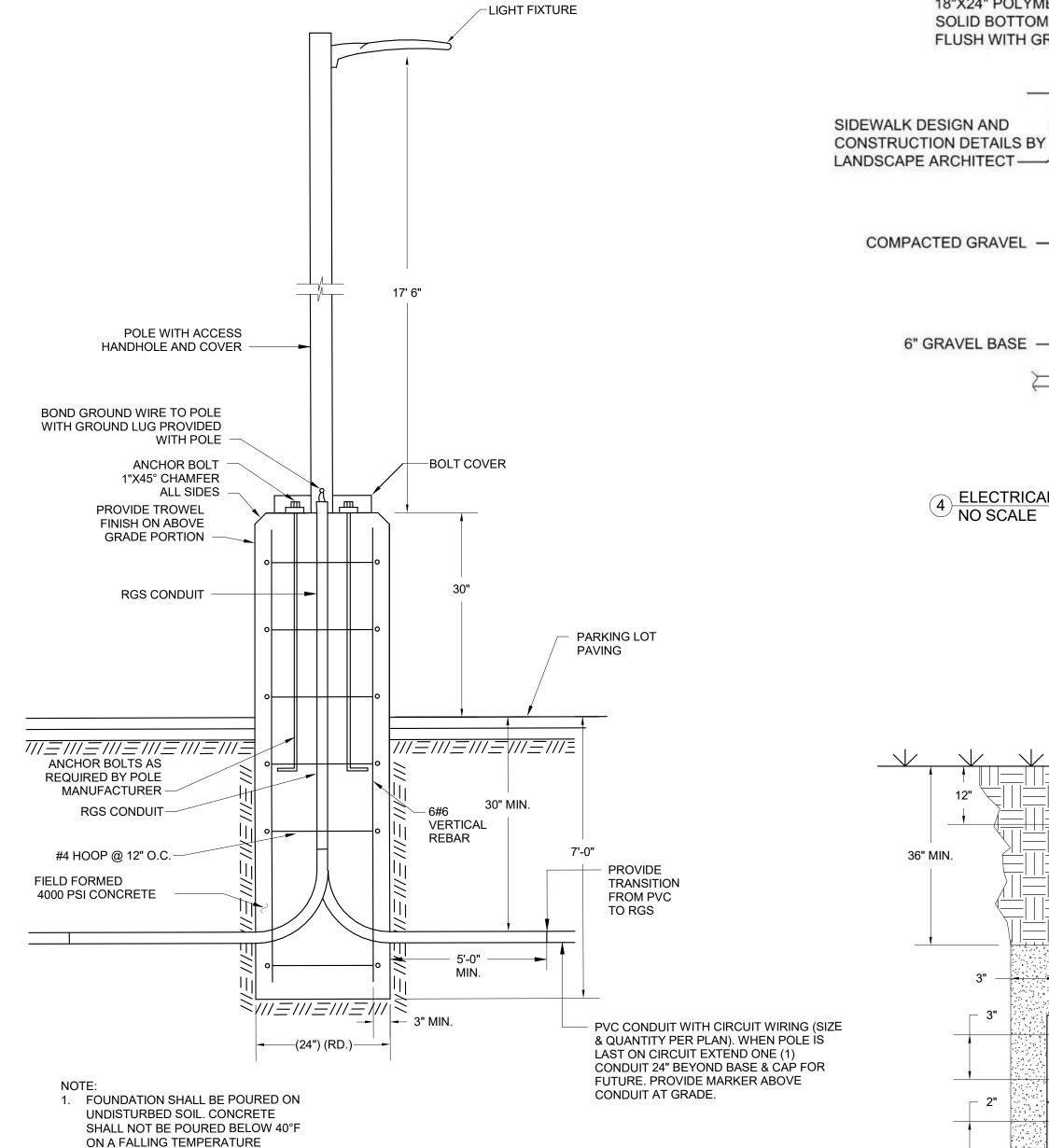
0 A

Total Amps:

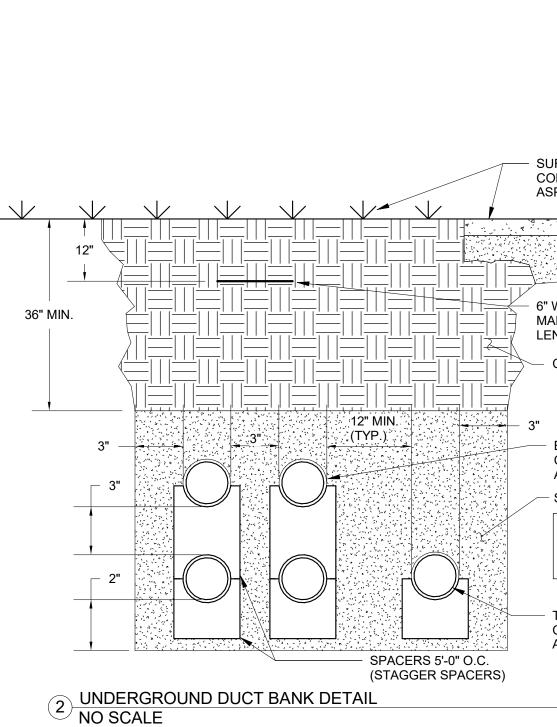
3 A



ONE-LINE DIAGRAM NO SCALE



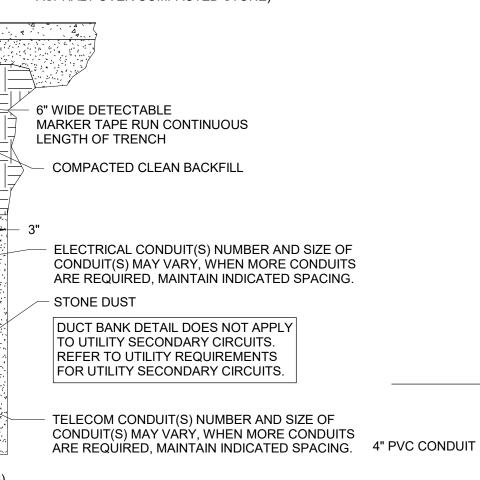
1 LIGHT POLE FOUNDATION DETAIL - 30" NO SCALE

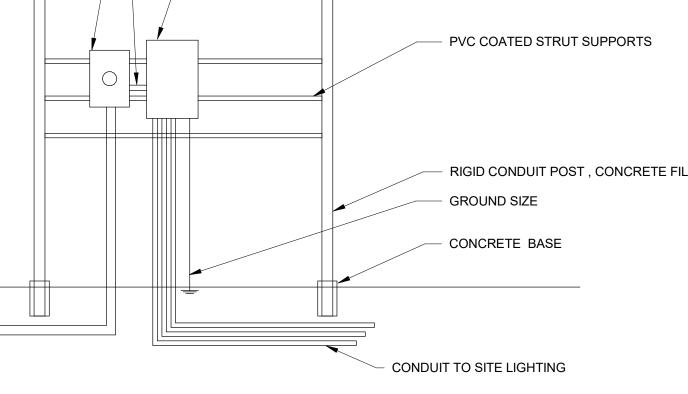


CONDUIT

ELECTRICAL HANDHOLE DETAIL

NO SCALE





DRAWN BY: CHECKED BY: DATE: SCALE: NO SCALE SHEET NO.:

A Kleinfelder Company

ELECTRICAL SITE DETAILS

E-501

CONTRACT NO.:

INA 66-31

DEED-TYPEWEITE

07230

Printed and Sold by Hugh & Goorge Co., Stationers, 600 Tournal St., Wilmington, Bo

This Beed, Made this

7th and MARch

in the year of

SETFEEN. JOHN GAMBACORTA AND EDITH GAMBACORTA, his wife, of New Castle County and State of Delaware, Parties of the First Part,

AND

TRUSTEES OF NEW CASTLE COMMON, a corporation of the State of Delaware, Farty of the Second Part,

Withfubpile. That the said part 105 of the first part, for and in consideration of the mam of THIRTY TWO THOUSAND SIX HUNDRED FIFTY AND 00/100 DOLLARS (\$32,650.00) longist money of the United States of America.

the receipt whereof is hereby acknowledged, hereby grant

and conser

mate the serie

part y of the second part,

c,

Parcel of land situate in the Town of New Castle, New Castle Hundred, New Castle County and State of Delaware, known as Parcel No. 3 on a certain hat of property of John Gambacorta, et al, prepared by Van DeMark & Lynch, Inc., Civil Engineers and Surveyors of Wilmington, Delaware, dated November 16, 1960, revised to July 25, 1961, by drawing No. 6722-6560-L, of record in Office of the Recorder of Deeds, New Castle County, State of Delaware in Sower Plat Book 6, page 157, and more particularly bounded and described as follows, to-wit:

REGINNING at a point in the center line of Sixth Street, said point being in the division line between Parcels Nos. 2 and 3 hereof and is located South 67 degrees 04 minutes 40 seconds West, 269.98 ft. from a monument set at a point of intersection of the center line of Clymer Street extended with the center line of Sixth Street; thence from said point of beginning and along said division line south 23 degrees East, 662 ft. to a point in the High Water Line of the Delaware River; thence in a Westerly direction along said High Water Line of the Delaware River 825 ft. more or less to a point in the easterly side of Hickman Street at 60 ft. Wide; thence along said Easterly side of Hickman Street, North 22 degrees 55 minutes 20 seconds West, 30 ft. to a point in the southerly side of Fifth Street; thence along said southerly side of Fifth Street; North 67 degrees 04 minutes 40 seconds East, 426.50 ft. to a point; thence thereby North 22 degrees 55 minutes 20 seconds West, 375 ft. to a point in the said center line of Sixth Street; thence along said center line of Sixth Street, North 67 degrees 04 minutes 40 seconds East, 355.03 ft. to the point and place of beginning, containing within said metes and bounds 6.530 acres of land, more or less.

IN ACCEPTING this deed, the parties of the Second Part, for themselves, their heirs, executors, administrators and assigns, covenant and agree with the Parties of the First Part, that any and all references to streets in the foregoing metes and bounds descriptions are for descriptive purposes only, and are not intended to effect a dedication, or to assist in effecting a dedication of any street not heretofore dedicated to public use.

BEING the same lands and premises which Jean Detwiler, single woman by deed dated March 30, 1962 and recorded in Office of Recorder of Deeds in and for New Castle County, Delaware in Deed Record G, Vol. 69, Page 216, granted and conveyed unto John Cambacorta et ux in fee.

State of Delayare In Witness Mherenf, the said part 168 of the first part he VO hereunte set their Aand 8 , the day and year aforesaid. Bealed und Deltpered, (Edith Cambacorta) State of Delamare. NEW CASTLE County. Be It Memembered, in the year of our LORD, one thousand doy of March mine hundred and Seventy-Two personally came before me , tho subscriber, a Notary Public for State and County aforesaid, JOHN GAMBAGORTA AND EDITH GAMPAGORTA, HIS WIFF part 108 to this indenture, known to me personally to be such and to this Indenture, known to me personally to be such, and ecknowledged this Indenture to be their GIVEN under my Hand and Scal of office EKT FOR MICHES Chil 5 5 72 ET 1 BUZN, h. Kowida MCL-86 MX 233

20051003-0100979
Pages: 3 F: \$47.60
10/03/05 11:38:49 AM
T20050080651
Michael E. Kozikowski
Neu Castle Recorder
DEE

PARCEL NO.: 21-016.00-002 and Part of 21-016.00-003 Prepared by and Return to: Donald N. Isken, Esquire Morris, Nichols, Arsht & Tunnell Post Office Box 1347 Wilmington, DE 19899-1347

#### **DEED**

THIS DEED, Made this day of September, 2005, by and between PARKWAY GRAVEL, INC., a corporation of the State of Delaware, hereinafter, party of the first part,

#### AND

CITY OF NEW CASTLE, a Municipality of the State of Delaware, hereinafter, party of the second part;

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the said party of the second part,

ALL that certain lot, piece or parcel of land situate in the City of New Castle, being Parcel Two, as shown on the Boundary and Improvement Location Survey dated August 11, 1999, prepared by Merestone Consultants, Inc. [Plan No. 17765-R20055], being more particularly bounded and described as follows, to wit:

BEGINNING at the point of intersection formed by the southerly right-of-way line of River Road, also known as Delaware Route 9, at 90 feet wide, with the low-water line on the northeasterly side of Mill Creek, also known as Army Creek, a corner of the property herein being described; Thence from the point and place of Beginning along the southerly and southeasterly right-of-way of River Road by the following four (4) courses and distances (1) North 77 degrees 37 minutes 28 seconds East, 1,174 feet, more or less, to a point of curvature; (2) by a curve to the left, having a radius of 352.49 feet, an arc length of 308.63 feet (chord equivalent: North 52 degrees 32 minutes 28 seconds East, 298.87 feet) to a point of tangency; (3) North 27 degrees 27 minutes 28 seconds East, 485.96 feet to a point of curvature; and (4) by a curve to the right having a radius of 352.49 feet, an arc length of 308.63 feet (chord equivalent: North 52 degrees 32 minutes 28 seconds East, 298.87 feet) to a capped rebar set at a corner of the lands of the Trustees of New Castle Common; Thence leaving the southeasterly right-of-way of River Road, along the lands of the Trustees of New Castle Common South 23 degrees 52 minutes 21 seconds East, 612.52 feet to a capped rebar set at a corner of lands, or now formerly, of Delaware Iron Company; Thence leaving the lands of the Trustees of New Castle Common, along the lands of Delaware Iron Company by the following two (2) courses and distances: (1) South 66 degrees 11 minutes 28 seconds West, 430.00 feet to a capped rebar set; and (2) South 23 degrees 38 minutes 32 seconds East, 110 feet more or less, to a point on the low-water line of

3

-		
	STATE OF DELAWARE ) : SS.	
	NEW CASTLE COUNTY )	
	BE IT REMEMBERED, That on this day of September, 2005, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid Nicholas J. Ferrara, Jr., President of Parkway Gravel, Inc., a corporation of the State of Delaware, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said corporation and that the act of executing, sealing and delivering this Indenture was duly authorized by resolution of the Board of Directors of said corporation.	
	GIVEN under my Hand and Seal of Office, the day and year aforesaid.  Notary Public Print Name: HENRY 5. ALI SA My Commission Expires: 10-21-08	and the second
	HENRY S. ALISA NOTARY PUBLIC STATE OF CITAL WARE My Commission Carrier Cert. 21, 2008	

20200415-0029716 P: 1 of 6 F:\$114.00

Michael E. Kozikowski New Castle Recorder CA: \$0.00

4/15/2020 3:18:51 PM ki T20200015957 EASEMENT State: \$0.00 Tax Parcel Nos. 21-016.00-002 21-017.00-116

Prepared by/Return to: Daniel R. Losco, Esq. Losco & Marconi, P.A. PO Box 1677 Wilmington, DE 19899

#### EASEMENT AGREEMENT

This, Easement Agreement (this "Easement Agreement") is made as of the day of \_\_\_\_\_\_\_, 2020, by and between TRUSTEES OF NEW CASTLE COMMON, more properly known as Trustees of the New Castle Common, a Delaware corporation, whose address is 201 Delaware Street, P.O. Box 453, New Castle, DE 19720 ("Grantor"), and THE CITY OF NEW CASTLE, a municipal corporation of the State of Delaware, having an address at 220 Delaware Street, New Castle, Delaware 19720 (the "City"), with reference to the following:

#### BACKGROUND

- A. Grantor is the owner of that certain 7.17 acre, more or less, parcel of unimproved real estate abutting the Delaware River and located in the City of New Castle known as New Castle County Tax Parcel No. 21-017.00-116, ("Grantor's Parcel");
- B. The City is the owner of that certain 4.62 acre, more or less, parcel of unimproved real estate located in the City of New Castle known as New Castle County Tax Parcel No. 21-016.00-002 (the "City Parcel");
- C. The City Parcel is bounded by State Route 9 (River Road) on its western border and by Grantor's Parcel on its eastern and southern border; and
- D. The State of Delaware Department of Natural Resources and Environmental Control ("DNREC") has proposed to erect an aluminum fishing pier for the recreational use and enjoyment of the public on Grantor's Parcel and extending into the Delaware River, along with appurtenant paved asphalt private driveway, parking and portable toilet facilities all to be located on Grantor's Parcel and the City Parcel (collectively, the "Pier Facilities") generally as shown on Exhibit "A" attached hereto and incorporated herein by reference.

- E. The proposed Pier Facilities will be maintained jointly by the City and DNREC.
- F. Grantor has agreed to grant an easement in favor of the City and DNREC, their respective agents, employees, licensees, invitees and designees over on and across that portion of the Grantor's Parcel to construct and maintain the portion of the Pier Facilities which will be on Grantor's Parcel, subject to the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and the City, intending to be legally bound, hereby agree as follows:

#### 1. Grant of Easement; No Payment.

- A. The parties agree that the foregoing Background information is true and correct and shall form an essential part of this Easement Agreement.
- B. Grantor hereby grants unto the City the perpetual, uninterrupted and exclusive right, liberty, privilege and easement (the "Easement") on, upon and across the Grantor's Parcel for the purpose of constructing, maintaining, repairing, replacing and accessing the Pier Facilities to the extent they are located on the Grantor's Parcel. The Easement shall include the right of the general public, as licensees of the City, to enter on the Grantor's Parcel and utilize the Pier Facilities for their intended purpose.
- C. Grantor acknowledges that no payment is due in connection with the easement hereby granted to the City.

#### 2. <u>Maintenance and Repair Obligations.</u>

A. Grantor shall have no obligation to monitor, repair, replace or maintain any of the Pier Facilities, all such responsibilities being assumed by the City and/or DNREC in accordance with a separate memorandum of understanding to be entered into between the City and DNREC the "MOU"). The City agrees to diligently perform its obligations under the MOU shall monitor, repair, replace and maintain those portions of the Pier Facilities located on the Grantor's Parcel in compliance therewith. The City shall indemnify, defend, and hold Grantor harmless from and against any and all claims, losses and expenses relating to property damage and personal injury arising from or relating to the City's exercise of its rights and privileges hereunder and the use of the Pier Facilities by the general public, agents, and employees of the City.

B. Grantor shall otherwise maintain Grantor's Parcel in good condition and in compliance with all the applicable laws, regulations, ordinances and codes and shall otherwise take no action to impair, disrupt or interfere with the City's rights and privileges hereunder. Grantor shall indemnify and hold the City harmless from and against any and all claims, losses and expenses arising from or relating to any breach of its obligations under this Easement Agreement. Grantor retains the right to use Grantor's Parcel for uses that are not inconsistent with the rights granted to Grantee by this easement.

#### 4. <u>Term, Binding Effect</u>

The easement granted pursuant to this Easement Agreement shall be perpetual and shall run with the land and shall be binding upon, and shall inure to the benefit of the City and its, representatives, successors and assigns; however, City's rights hereunder shall not be assigned without the consent of Grantor which may be withheld for any reason or no reason in the sole discretion of Grantor. Notwithstanding the foregoing, the easement granted hereby shall terminate and become void in the event the Pier Facilities are permanently removed from the Grantor Parcel and cease to exist. In such event, Grantee agrees, at Grantor's request, to execute and deliver an easement termination agreement in recordable form to document the termination of the Easement

#### 5. Miscellaneous

- A. This Easement Agreement contains the entire agreement among the parties with respect to the subject matter hereof and may not be modified, changed or supplemented except by written instrument signed by both parties hereto.
- B. This Easement Agreement shall be recorded in the public land records of New Castle County, Delaware.
- C. In the event any provision of this Easement Agreement shall be determined to be invalid or unlawful by a court having jurisdiction, then such provision shall be of no effect, but the other provisions of this Easement Agreement shall remain in full force and effect.
- D. This Easement Agreement shall be governed by and construed in accordance with the laws of the State of Delaware.

[No further text. Signature page follows.]

IN WITNESS WHEREOF, the parties hereto have caused this Easement Agreement to be duly executed under seal as of the day and year first above written.

By:

Sealed and delivered In the presence of

THE CITY OF NEW CASTLE, a municipal corporation of the State of Delaware

Witness

Name: William J. Barthel Title: City Administrator

TRUSTEES OF NEW CASTLE COMMON, more properly known as Trustees of the New Castle Common a Delaware corporation

Attest

Michael J. Alfree, Sr. Secretary

Fred G. Gallagher, Jr. President

NEW CASILE COUNTY:		
On the 3rd day of March	2020, before me personally appeared Fr	red G. Gallagher
Jr, President of THE TRUSTEES OF NEW	CASTLE COMMON, more properly kg	nown as <b>Trustees</b>
of the New Castle Common a Delaware con		
to be such, and acknowledged this Instrument to		
that the signature of the said Trustee is in his		_
corporate seal of said corporation and that his a	ct of sealing, executing, acknowledging a	and delivering said
Instrument was duly authorized by a resolution	of the Board of Trustees of said corporat	cion.
GIVEN under my hand and seal of offi	ice the day and year aforesaid.	
	ally	
Andrew P. Taylor, Attorney-at-Law	2004 44	(Seal)
Votarial Officer-State of Delaware	NOTARY PUBLIC	
Permanent Commission	My Commission Expires:	
STATE OF DELAWARE :		
: 88.		
NEW CASTLE COUNTY :		
On the Stay of April	2020, before me personally appeared W	illiam I Parthal
City Administrator of THE CITY OF NEW C	CASTLE, a municipal corporation of the	State of Delaware
party to this Instrument, known to me personal		
act and deed and the act and deed of said m	•	
Administrator is in his own handwriting, that		•
municipal corporation and that his act of sealing		ng said Instrument
was duly authorized by a resolution of the City	Council of said municipal corporation.	
GIVEN under my hand and seal of offi	ice the day and year aforesaid.	
	, ,	
WALLEY WALLEY	10.	
Miss of	A W Ko	(Seal)
1. E	NOTARY PUBLIC	
= 3 5 EXPINO 0: W=	16/8/21	~ <b>)</b>
	My Commission Expires: $\frac{\omega/B/ZL}{}$	<del>/</del>

SS.

STATE OF DELAWARE

## MEMORANDUM OF AGREEMENT BETWEEN THE

DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

AND

THE CITY OF NEW CASTLE, DELAWARE

For

THE DOBBINSVILLE FISHING PIER

WHEREAS, the Delaware Department of Natural Resources and Environmental Control, an executive agency of the State of Delaware, having a local address at 89 Kings Hwy, Dover, DE 19901, hereinafter referred to as the "Department", is responsible for, among other things, improving public recreational boating and fishing access to the waters of the State of Delaware.

WHEREAS, the City of New Castle, a municipal corporation of the State of Delaware, having a local address at 220 Delaware Street, New Castle, Delaware 19720, hereinafter referred to as "New Castle."

WHEREAS, New Castle (a) owns parcels of property adjacent to Delaware Route 9 and the Delaware River (collectively, the "City Property"); and (b) holds a permanent easement over certain property owned by the Trustees of the New Castle Common (the "Trustees") located adjacent to the City Property and along the Delaware River (the "Trustees' Property"), pursuant to that certain Easement Agreement dated April 5, 2020 and executed by and between New Castle and the Trustees (the "Easement"). The City Property and the Trustees Property are each more fully depicted on Figure 1 attached hereto, and a copy of the Easement (as recorded in the Office of the Recorder of Deeds for New Castle County) is attached hereto as Exhibit A.

WHEREAS, the Department and New Castle desire to (a) establish a fishing pier, and (b) improve the existing parking lot located on the City Property to accommodate the maximum allowed parking spaces and support the use of the parking lot in connection with use of the pier on certain portions of the City Property and the Trustees' Property, as more fully depicted in <u>Figure 1</u> attached hereto (collectively, the "Pier and Parking Area").

NOW THEF	REFORE, the Department	and New Castle	hereby agree this
day o	f,	2023, to the follow	owing:

#### **Section 1:** <u>Department.</u> The Department will, at its expense:

- A. Design and construct an aluminum fishing pier (the "Pier") and asphalt parking lot (the "Parking Lot"), which is estimated to cost \$1.5 million;
- B. Install light posts/poles and LED lights mounted on said posts/poles within the Parking Lot and along the Pier;

- C. Install a three-sided portable toilet stall, substantially similar to the stall depicted in Figure 2 attached hereto; and
- D. Be responsible for repairs and maintenance of the (a) waterside facilities consisting of the Pier and (b) Parking Lot surface and associated light posts/poles.

#### Section 2: New Castle. New Castle shall:

- A. Provide permanent easements to the Department for the properties needed for the Pier and Parking Lot necessary to accommodate the final Pier and Parking Lot design and configuration;
- B. Be solely responsible for payment of utility bills for the lighting installed by the Department described in Section 1;
- C. Install, and maintain security cameras (for recording only; no live monitoring) covering the Pier and Parking Area, at its sole expense, as a crime deterrent and an after-the-fact documentation of any committed crime.
- D. Be solely responsible for all grounds maintenance in the Pier and Parking Area (except for the surface of the Parking Lot itself), including but not limited to grass mowing, snow plowing, trash removal/disposal, and LED light bulb replacements;
- E. Continue active police patrols the Pier and Parking Lot Area at a level commensurate to Battery Park;
- F. Ensure that the Pier and Parking Area are accessible to the general public for recreational use from at least dawn until dusk daily and to those actively fishing 24 hours a day.
- G. Install and maintain at least two portable toilets at its sole expense, one of which shall be handicapped accessible, from April 1 at the latest through September 30 of each year. Additionally, New Castle will be responsible for repairs and maintenance of the portable toilet stall.

#### Section 3: Department and New Castle mutually agree that:

- A. New Castle will retain ownership of the property underlying the Pier that they own and easement rights on the property underlying the Pier for which they hold a permanent easement.
- B. This agreement shall remain in effect for the 30-year designed useful life of the Pier, running from the date the Pier is determined in writing by the Department to be substantially completed. Department funding for this project will be Federal Aid in Sport Fish Restoration Program grant funds and associated state fishing license and other state funds used as required non-federal cost-share.

- C. Federal regulations governing the Sport Fish Restoration Program require the Department to maintain control of all portions of the Pier and associated facilities constructed or maintained using these federal grant funds. If New Castle terminates this agreement prior to the end of the Pier's 30-year useful life, New Castle shall immediately repay the Department the residual cash value portion of the original Federal Aid in Sport Fish Restoration grant funds and associated state fishing license and other state funds used as required non-federal cost-share expended on the Pier, as determined by the prorated portion of the remaining 30-year useful life of the Pier. There shall be no repayment obligation in the event this agreement is terminated by the Department prior to the end of the Pier's 30-year useful life.
- D. The Department will secure, fund, and contract an engineering firm to design and coordinate construction of the Pier. New Castle will provide input to the Department by providing a minimum of one staff member to review designs and will provide comments to all designs within two weeks of receipt. Nonresponse will indicate that New Castle has no comments.
- E. The Department appoints Jeremey Ashe as its Project Manager. New Castle appoints William Barthel as its Project Manager. The parties may change their respective Project Managers at any time by providing written notification to the other party identifying the name of their new Project Manager. Correspondence pertaining to this Agreement shall be sent to the following addresses:

William Barthel Jeremey Ashe

City Administrator Delaware DNREC Division of Fish &

City of New Castle Wildlife, 220 Delaware Street 89 Kings Hwy New Castle, Delaware 19720 Dover, DE 19901 (302) 322-9801 (302) 735-3601

bbarthel@newcastlecity.org Jeremey.Ashe@delaware.gov

#### **Section 4: <u>Termination, Extension or Modification:</u>**

This Agreement may be terminated, extended, or modified in whole or in part by either party only upon the party providing:

- a. An opportunity for consultation with the other party prior to termination, extension, or modification; and
- b. Not less than 30 calendar day's written notice of intent to terminate or modify this agreement.

This agreement shall be effective from the date executed as indicated above and remain in effect for 30 years from the date the boat ramp facility is determined in writing by the Department to be substantially completed, unless terminated, extended, or modified on or before such expiration date.

State of Delaware Department of Natural Resources and Environmental Control

By Li O. Douson

9/8/2023

(For) Shawn M. Garvin Secretary

Date

City of New Castle

Date



Figure 2. Example of a three-sided porta potty enclosure.

#### Exhibit A

#### **Copy of Easement Agreement**

20200415-0029716 P: 1 of 6 F:\$114.00

Michael E. Kozikowski New Castle Recorder CA: \$0.00

4/15/2020 3:18:51 PM ki T20200015957 EASEMENT State: \$0.00 Tax Parcel Nos. 21-016.00-002 21-017.00-116

Prepared by/Return to: Daniel R. Losco, Esq. Losco & Marconi, P.A. PO Box 1677 Wilmington, DE 19899

#### EASEMENT AGREEMENT

This, Easement Agreement (this "Easement Agreement") is made as of the day of \_\_\_\_\_\_\_, 2020, by and between TRUSTEES OF NEW CASTLE COMMON, more properly known as Trustees of the New Castle Common, a Delaware corporation, whose address is 201 Delaware Street, P.O. Box 453, New Castle, DE 19720 ("Grantor"), and THE CITY OF NEW CASTLE, a municipal corporation of the State of Delaware, having an address at 220 Delaware Street, New Castle, Delaware 19720 (the "City"), with reference to the following:

#### BACKGROUND

- A. Grantor is the owner of that certain 7.17 acre, more or less, parcel of unimproved real estate abutting the Delaware River and located in the City of New Castle known as New Castle County Tax Parcel No. 21-017.00-116, ("Grantor's Parcel");
- B. The City is the owner of that certain 4.62 acre, more or less, parcel of unimproved real estate located in the City of New Castle known as New Castle County Tax Parcel No. 21-016.00-002 (the "City Parcel");
- C. The City Parcel is bounded by State Route 9 (River Road) on its western border and by Grantor's Parcel on its eastern and southern border; and
- D. The State of Delaware Department of Natural Resources and Environmental Control ("DNREC") has proposed to erect an aluminum fishing pier for the recreational use and enjoyment of the public on Grantor's Parcel and extending into the Delaware River, along with appurtenant paved asphalt private driveway, parking and portable toilet facilities all to be located on Grantor's Parcel and the City Parcel (collectively, the "Pier Facilities") generally as shown on Exhibit "A" attached hereto and incorporated herein by reference.

- E. The proposed Pier Facilities will be maintained jointly by the City and DNREC.
- F. Grantor has agreed to grant an easement in favor of the City and DNREC, their respective agents, employees, licensees, invitees and designees over on and across that portion of the Grantor's Parcel to construct and maintain the portion of the Pier Facilities which will be on Grantor's Parcel, subject to the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and the City, intending to be legally bound, hereby agree as follows:

#### 1. Grant of Easement; No Payment.

- A. The parties agree that the foregoing Background information is true and correct and shall form an essential part of this Easement Agreement.
- B. Grantor hereby grants unto the City the perpetual, uninterrupted and exclusive right, liberty, privilege and easement (the "Easement") on, upon and across the Grantor's Parcel for the purpose of constructing, maintaining, repairing, replacing and accessing the Pier Facilities to the extent they are located on the Grantor's Parcel. The Easement shall include the right of the general public, as licensees of the City, to enter on the Grantor's Parcel and utilize the Pier Facilities for their intended purpose.
- C. Grantor acknowledges that no payment is due in connection with the easement hereby granted to the City.

#### 2. <u>Maintenance and Repair Obligations.</u>

A. Grantor shall have no obligation to monitor, repair, replace or maintain any of the Pier Facilities, all such responsibilities being assumed by the City and/or DNREC in accordance with a separate memorandum of understanding to be entered into between the City and DNREC the "MOU"). The City agrees to diligently perform its obligations under the MOU shall monitor, repair, replace and maintain those portions of the Pier Facilities located on the Grantor's Parcel in compliance therewith. The City shall indemnify, defend, and hold Grantor harmless from and against any and all claims, losses and expenses relating to property damage and personal injury arising from or relating to the City's exercise of its rights and privileges hereunder and the use of the Pier Facilities by the general public, agents, and employees of the City.

B. Grantor shall otherwise maintain Grantor's Parcel in good condition and in compliance with all the applicable laws, regulations, ordinances and codes and shall otherwise take no action to impair, disrupt or interfere with the City's rights and privileges hereunder. Grantor shall indemnify and hold the City harmless from and against any and all claims, losses and expenses arising from or relating to any breach of its obligations under this Easement Agreement. Grantor retains the right to use Grantor's Parcel for uses that are not inconsistent with the rights granted to Grantee by this easement.

#### 4. <u>Term, Binding Effect</u>

The easement granted pursuant to this Easement Agreement shall be perpetual and shall run with the land and shall be binding upon, and shall inure to the benefit of the City and its, representatives, successors and assigns; however, City's rights hereunder shall not be assigned without the consent of Grantor which may be withheld for any reason or no reason in the sole discretion of Grantor. Notwithstanding the foregoing, the easement granted hereby shall terminate and become void in the event the Pier Facilities are permanently removed from the Grantor Parcel and cease to exist. In such event, Grantee agrees, at Grantor's request, to execute and deliver an easement termination agreement in recordable form to document the termination of the Easement

#### 5. Miscellaneous

- A. This Easement Agreement contains the entire agreement among the parties with respect to the subject matter hereof and may not be modified, changed or supplemented except by written instrument signed by both parties hereto.
- B. This Easement Agreement shall be recorded in the public land records of New Castle County, Delaware.
- C. In the event any provision of this Easement Agreement shall be determined to be invalid or unlawful by a court having jurisdiction, then such provision shall be of no effect, but the other provisions of this Easement Agreement shall remain in full force and effect.
- D. This Easement Agreement shall be governed by and construed in accordance with the laws of the State of Delaware.

[No further text. Signature page follows.]

IN WITNESS WHEREOF, the parties hereto have caused this Easement Agreement to be duly executed under seal as of the day and year first above written.

By:

Sealed and delivered In the presence of

THE CITY OF NEW CASTLE, a municipal corporation of the State of Delaware

Witness

Name: William J. Barthel Title: City Administrator

TRUSTEES OF NEW CASTLE COMMON, more properly known as Trustees of the New Castle Common a Delaware corporation

Attest

Michael J. Alfree, Sr. Secretary

Fred G. Gallagher, Jr. President

NEW CASILE COUNTY:		
On the 3rd day of March	2020, before me personally appeared Fr	red G. Gallagher
Jr, President of THE TRUSTEES OF NEW	CASTLE COMMON, more properly kg	nown as <b>Trustees</b>
of the New Castle Common a Delaware con		
to be such, and acknowledged this Instrument to		
that the signature of the said Trustee is in his		_
corporate seal of said corporation and that his a	ct of sealing, executing, acknowledging a	and delivering said
Instrument was duly authorized by a resolution	of the Board of Trustees of said corporat	cion.
GIVEN under my hand and seal of offi	ice the day and year aforesaid.	
	ally	
Andrew P. Taylor, Attorney-at-Law	2004 44	(Seal)
Votarial Officer-State of Delaware	NOTARY PUBLIC	
Permanent Commission	My Commission Expires:	
STATE OF DELAWARE :		
: 88.		
NEW CASTLE COUNTY :		
On the Stay of April	2020, before me personally appeared W	illiam I Parthal
City Administrator of THE CITY OF NEW C	CASTLE, a municipal corporation of the	State of Delaware
party to this Instrument, known to me personal		
act and deed and the act and deed of said m	•	
Administrator is in his own handwriting, that		•
municipal corporation and that his act of sealing		ng said Instrument
was duly authorized by a resolution of the City	Council of said municipal corporation.	
GIVEN under my hand and seal of offi	ice the day and year aforesaid.	
	, ,	
WALLEY WALLEY	10.	
Miss of	A W Ko	(Seal)
1. E	NOTARY PUBLIC	
= 3 5 EXPINO 0: W=	16/8/21	~ <b>)</b>
	My Commission Expires: $\frac{\omega/B/ZL}{}$	<del>/</del>

SS.

STATE OF DELAWARE