

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**

APPLICANT'S REVIEW BEFORE MAILING

DID YOU COMPLETE THE FOLLOWING?

<u>X</u> _____	Yes	BASIC APPLICATION
<u>X</u> _____	Yes	SIGNATURE PAGE (Page 3)
<u>X</u> _____	Yes	APPLICABLE APPENDICES
<u>X</u> _____	Yes	SCALED PLAN VIEW
<u>X</u> _____	Yes	SCALED CROSS-SECTION OR ELEVATION VIEW PLANS
<u>X</u> _____	Yes	VICINITY MAP
<u>X</u> _____	Yes	COPY OF THE PROPERTY DEED & SURVEY
<u>X</u> _____	Yes	THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET
<u>X</u> _____	Yes	APPROPRIATE APPLICATION FEE & PUBLIC NOTICE FEE (Separate checks made payable to the State of Delaware)

Submit 3 complete copies of the application packet to:

**Department of Natural Resources and Environmental Control
Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, Delaware 19901**

Before signing and mailing your application packet, please read the following:

The Department requests that the contractor or party who will perform the construction of your proposed project, if other than the applicant, sign the application signature page along with the applicant in the spaces provided. When the application is signed by the contractor as well as the applicant, the Department will issue the Permit to both parties. For Leases, the contractor will receive a separate construction authorization that will make them subject to all of the terms and conditions of the Lease relating to the construction

Section 1: Applicant Identification

1. Applicant's Name: Bay City MHC LLC Telephone #: 847-626-0400
 Mailing Address: 8800 N. Bronx Ave., 2nd FL Fax #: _____
Skokie, IL 60077 E-mail: jhendrix@lakeshoremhc.com
2. Consultant's Name: Kyle Kowalczyk Company Name: RAUCH inc.
 Mailing Address: 106 N. Harrison St Telephone #: 484-706-0128
Easton, MD 21601 Fax #: _____
 E-mail: kyle@raucheng.com
3. Contractor's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 Fax #: _____
 E-mail: _____

Section 2: Project Description

4. Check those that apply:
☒ New Project/addition to existing project? ☐ Repair/Replace existing structure? (If checked, must answer #16)

5. Project Purpose (attach additional sheets as necessary):

The owner needs to dredge the existing main channels to provide adequate passage for docked vessels.

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

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

Section 3: Project Location

7. Project Site Address: 34677 Long Neck Road
Millsboro, DE 19966

County: ☐ N.C. ☐ Kent ☒ Sussex

Site owner name (if different from applicant): _____

Address of site owner: _____

8. Driving Directions: Travel on route 24 West from Route 1 to Long Neck. Turn left onto Long Neck Road, and continue to Bay City on the left across from Pot Nets Bayside

(Attach a vicinity map identifying road names and the project location)

9. Tax Parcel ID Number: 234-24.00-34.00

Subdivision Name: Bay City

WSLS Use Only:		Permit #s: _____	
Type	SP <input type="checkbox"/> SL <input type="checkbox"/> SU <input type="checkbox"/> WE <input type="checkbox"/> WQ <input type="checkbox"/> LA <input type="checkbox"/> SA <input type="checkbox"/> MP <input type="checkbox"/> WA <input type="checkbox"/>		
Corps Permit: SPGP 18 <input type="checkbox"/> 20 <input type="checkbox"/> Nationwide Permit #: _____		Individual Permit #: _____	
Received Date: _____		Project Scientist: _____	
Fee Received? Yes <input type="checkbox"/> No <input type="checkbox"/> Amt: \$ _____		Receipt #: _____	
Public Notice #: _____		Public Notice Dates: ON _____ OFF _____	

Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: Lee Joseph Creek waterbody is a tributary to: Rehoboth Bay

11. Is the waterbody: ☒ Tidal ☐ Non-tidal Waterbody width at mean low or ordinary high water _____

12. Is the project: ☒ On public subaqueous lands? ☐ On private subaqueous lands?*

☐ In State-regulated wetlands? ☐ In Federally-regulated wetlands?

*If the project is on private subaqueous lands, provide the name of the subaqueous lands owner:

(Written permission from the private subaqueous lands owner must be included with this application)

13. Present Zoning: ☐ Agricultural ☒ Residential ☐ Commercial ☐ Industrial ☐ Other

Section 4: Miscellaneous

14. A. List the names and complete mailing addresses of the immediately adjoining property owners on all sides of the project (attach additional sheets as necessary):

B. For wetlands and marina projects, list the names and complete mailing addresses of property owners within a 1,000 foot radius of the project (attach additional sheets as necessary):

Please see attached list.

15. 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? ☐ Yes ☒ No

B. Has the project been reviewed in a monthly Joint Permit Processing Meeting? ☐ Yes ☒ No

*If yes, what was the date of the meeting? _____

16. Are there existing structures or fill at the project site in subaqueous lands? ☐ Yes ☒ No

*If yes, provide the permit and/or lease number(s): _____

*If no, were structures and/or fill in place prior to 1969? ☐ Yes ☐ No

17. Have you applied for or obtained a Federal permit from the Army Corps of Engineers?

☐ No ☐ Pending ☒ Issued ☐ Denied Date: February 15, 2023

Type of Permit: Nationwide Permit Federal Permit or ID #: NAP-2022-01138-85

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

☒ No ☐ Pending ☐ Issued ☐ Denied Date: _____ Permit or ID #: _____

Type of permit (circle all that apply): Septic Well NPDES Storm Water

Other: _____

Section 5: Signature Page**19. Agent Authorization:**

If you choose to complete this section, all future correspondence to the Department may be signed by the duly authorized agent. In addition, the agent will become the primary point of contact for all correspondence from the Department.

I do not wish to authorize an agent to act on my behalf ☐

I wish to authorize an agent as indicated below ☐

I, Joseph Wolf, hereby designate and authorize Kyle Kowalczyk
 (Name of Applicant) (Name of Agent)
 to act on my behalf in the processing of this application and to furnish any additional information requested by the Department.

Authorized Agent's Name: Kyle Kowalczyk

Telephone #: 484-706-0128

Mailing Address: 106. N Harrison St

Fax #: _____

Easton, MD 21601

E-mail: kyle@raucheng.com

20. Agent's Signature:

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

Kyle A. Kowalczyk
 Agent's Signature

12/11/2024
 Date

21. Applicant's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application. I grant permission to authorized Department representatives to enter upon the premises for inspection purposes during working hours.

Joseph Wolf
 Applicant's Signature

11/19/2024
 Date

Joseph Wolf
 Print Name

22. Contractor's Signature:

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

 Contractor's Name

 Date

 Print Name

MAINTENANCE DREDGING OR EXCAVATING

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

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

- a. Tidal waters: mean high water line? 5643 cu. yds.
mean low water line? 5643 cu. yds.
- b. Non-tidal waters: ordinary high water line? _____ cu. yds.

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

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

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

546' length 2' depth 42' base width 50' top width

3. What are average existing depths in area of proposed dredging? -2 ft. (mlw/ohw)
Include a survey of proposed and existing depths on application drawings.

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

5. By what method(s) (hydraulic, clamshell or other) will the dredging be done? If other, explain:
Mechanical dredging using a long reach excavator.

6. What is proximity of the dredging project to the nearest creek bank or banks? 0 ft.

What are existing land uses along this bank(s)?

Varies, please refer to site plan.

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

Mostly bulkhead or rip-rap revetment. Please see attached site plan.

7. Describe characteristics of the material to be disposed including:

- a. Physical nature of material (i.e. sand, silt, clay, etc.). Give percentages of various fractions if available.

Silt (less than 0.0635mm but greater than 0.0039mm)

- b. Chemical composition of material - Many areas have sediments with high concentration of pollutants (chemicals, organics etc.) which may be re-suspended or reintroduced into the water. For heavily industrialized sites, a chemical analysis of this material should be provided (if applicable). Organics.

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

Fluvial mud has a short term shrinkage factor of approximately 1.0.

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

Dredged material will be hauled via 10-wheeled truck to an on-site disposal area.

9. Land Disposal Areas.

- a. Describe dimensions, characteristics and exact locations of the proposed dredged material disposal site (provide photographs, directions to, and complete plans of disposal site).

Please see site plan. (38.624097, -75.134665)

- b. Describe method of dredged material containment (embankment, behind bulkhead, etc.)

Concrete block and plastic matting.

- c. What type of leachates will be produced by the spoil material and what is planned for the protection of groundwater? Impermeable plastic matting will be installed to minimize potential leachate.

- d. Disposal site coordinates 38.624097 latitude: -75.134665 longitude

- e. What methods will be used to ensure that spoil water does not adversely affect water quality both during construction and after completion of the project? Contractor to use turbidity curtains.

- f. Describe present land use of the disposal site.

Residential uplands, currently used as open space.

10. Water Disposal Areas/ Beneficial Use Projects

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

Please refer to site plan for dredge disposal area. Containment will hold water in place during dredging activities until water will be diffused via overland flow from upland areas back into tidal wetland areas.

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

Please see attached.

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

Dredging activities to be performed in late-fall to late-winter to minimize potential impacts to anadromous fish migration and/or benthic invertebrates. Any additional ToY restrictions will also be followed.

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

☐ Yes ☒ No ☐ Not required

Important time of year restriction information:

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

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY**Application Instructions:**

1. Complete each section of this basic application and appropriate appendices as thoroughly and accurately as possible. Incomplete or inaccurate applications will be returned.
2. All applications must be accompanied by a scaled plan view and cross-section view plans that show the location and design details for the proposed project. Full construction plans must be submitted for major projects.
3. All applications must have an original signature page and proof of ownership or permitted land use agreement.
4. Submit an original and two (2) additional copies of the application (total of 3) with the appropriate application fee and public notice fee* (prepared in separate checks) to:

**Department of Natural Resources and Environmental Control
Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, Delaware 19901**

*Application and public notice fees are non-refundable regardless of the Permit decision or application status.

5. No construction may begin at the project site before written approval has been received from this office.

Helpful Information:

1. Tax Parcel Information:

New Castle County	(302) 395-5400
Kent County	(302) 736-2010
Sussex County	(302) 855-7878
2. Recorder of Deeds:

New Castle County	(302) 571-7550
Kent County	(302) 744-2314
Sussex County	(302) 855-7785
3. A separate application and/or approval may be required through the Army Corps of Engineers. Applicants are strongly encouraged to contact the Corps for a determination of their permitting requirements. For more information, contact the Philadelphia District Regulator of the Day at (215) 656-6728 or visit their website at: <http://www.nap.usace.army.mil/Missions/Regulatory.aspx>.
4. For questions about this application or the Wetlands and Subaqueous Lands Section, contact us at (302) 739-9943 or visit our website at: <http://www.dnrec.delaware.gov/wr/Services/Pages/WetlandsAndSubaqueousLands.aspx>. Office hours are Monday through Friday 8:00 AM to 4:30 PM, except on State Holidays.

ACTIVITIES IN STATE WETLANDS

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

1. Project description and explanation of need.
Dredging activities are proposed due to existing boat slips and navigation channels causing impairment to the navigation of recreational vessels.
2. What is area of impact for each activity in state wetlands?
Approx. 3,600 sq.ft of temporary impacts (See #6)
Wetlands Walkways/Other Structures:
Length +/-150 ft. Width +/- 24 ft.
Piles 0 Height 0 ft. over marsh
3. What is volume of fill or excavated material involved in this project?

Fill 0 cubic yards
Excavation 5,643 cubic yards
4. Map number of state wetland map where project is located: DNR # 58

ENVIRONMENTAL SUMMARY - PLEASE SUBMIT AN EVALUATION OF IMPACT OF THE PROPOSED ACTIVITY (ATTACH ADDITIONAL SHEETS AS NEEDED):

5. State reasons that structures cannot feasibly be located on lands other than wetlands.
There are no planned structures being developed on wetlands.
6. Detail temporary and permanent changes which would be caused by the proposed project and the impact of these changes on the project area and adjacent areas.
Temporary changes include the utilization of approx. 3,600 sq.ft. of temporary matting over existing wetland areas during dredging activities in the vicinity of Dredge Site 1.
7. Describe alternatives to the proposed action which would reduce or avoid environmental damage.
None. The reduction and avoidance of environmental damage has been evaluated to minimally impact the environment as much as possible.
8. Describe all measures to be taken during and after the completion of the proposed project to reduce detrimental effects.
During construction all spoils will be dredged from upland areas to prevent sediment loss to surrounding vegetated wetland areas. There are no proposed post-construction measures as none will be needed at the time of project completion.
9. Describe all permanent environmental impacts which cannot be avoided.
The only potential permanent loss would be to aquatic and benthic fauna within the proposed dredged areas.

10. Submit detailed evaluation of impact of the proposed project on the following: See attached

a. Value of tidal ebb and flow

- i. Production Value: carrying organic matter to adjacent estuaries and coastal waters which serve as breeding areas for certain animal species (especially fish and shellfish).
- ii. Value as a natural protective system of absorption of storm wave energy, flood waters, and heavy rainfall, thereby decreasing flood and erosion damage.
- iii. The prevention of silting in certain harbors and inlets thereby reducing dredging.
- iv. Removal and recycling of inorganic nutrients.
- v. Effect on the estuarine waters.

b. Habitat Value

- i. Habitat for resident species of wildlife including furbearers, invertebrates, finfish.
- ii. Habitat for migratory wildlife species including waterfowl, wading birds, shorebirds, shorebirds, passerines, finfish, shrimp.
- iii. Rearing area, nesting area, breeding grounds for various species.
- iv. Habitat for rare or endangered plants.
- v. Presence of plants or animals known to be rare generally, or unique to the particular location.
- vi. Presence of plants or animals near the limits of their territorial range.
- vii. Presence of unique geological or wetland features.

c. Aesthetic Effect - Consideration of the aesthetic effect may include:

- i. Presence of plants or animals of a high visual quality.
- ii. The presence of an associated water body.
- iii. Wetland type of topographic diversity.

d. Impact of Supporting Facilities

The supporting facilities to be considered include any public or private construction, whether or not the construction occurs in the wetlands, which would be required for construction or operation of the proposed wetlands activity, such as roads, sewage disposal facilities, electric lines, water supply systems, and schools. Effects shall be separately determined for the lands neighboring such facilities.

e. Effect on Neighboring Land Uses

- i. The effects of the proposed wetland activity on neighboring land use are to be considered whether or not the neighboring lands are wetlands.
- ii. The environmental, aesthetic and economic effects of the proposed wetlands activity on land uses neighboring the lands on which supporting facilities will be located may be considered.

f. Federal, State, Regional, County and Municipal Comprehensive Plans.

Compliance of the proposed activities with the plans of the jurisdiction in which it is proposed to take place, and its impact on the plans of other affected jurisdictions.

g. Economic Impact

Economic Impact shall include a short and long-term evaluation of the following factors to the extent the effect is directly attributable to the proposed activity:

- i. Jobs created or lost and the net income effect of jobs.
- ii. Increases in revenues to or increases in expenditure by State, County and local governments (e.g., increased taxes from an increased tax base and increased expenditure for maintaining supporting facilities).
- iii. Increases or decreases in the value attributable to the wetland as a source of nutrients to finfish, crustacea and shellfish and as habitats of such species or other flora or fauna of significant actual or potential economic value.
- iv. Increases or decreases in the value of the land as a recreational area.
- v. Increases or decreases in the cost of flood control or expected flood damage which might be caused by the effect of the activity on the natural capacity of the wetland to reduce flood damage.
- vi. Increases or decreases the costs of maintaining navigable harbors and waterways which would result from altering the capacity of the wetlands to absorb silt.
- vii. The net economic effect, both public and private, or any contemplated supporting facilities.
- viii. The net economic effect, both public and private, of the proposed activity on neighboring land uses.

APPENDIX M – Detailed Evaluation of Impact

a. Value of Tidal Ebb and Flow

The value of tidal ebb and flow will not be affected as this is a maintenance dredging. No new channels and/or canals will be created and/or dredged as a part of this proposed project.

b. Habitat Value

As previously indicated, there may be a permanent impact on aquatic and benthic fauna population in the areas in which dredging activities will take place. RAUCH inc. received a letter from DNREC Division of Fish and Wildlife which indicated that Diamondback Terrapin and Horseshoe Crab utilize the areas to breed, spawn, and hibernate where proposed dredging activities are to take place. It was recommended by DNREC Fish and Wildlife that dredging does not take place between November 15th and March 1st to minimize the impact on the Diamondback Terrapin population, and between April 15th and August 30th to minimize the impact on the Horseshoe Crab population. In addition, marsh nesting birds, Least Bittern, and Marsh Wren, may be present in the vicinity of the proposed dredge material disposal area. It was recommended by DNREC Fish and Wildlife that these activities do not take place between April 1st and July 31st to avoid impacts on marsh nesting birds. Therefore, to minimize habitat value due to the proposed dredging activities, dredging should take place between September 1st and November 1st.

In regard to bank stabilization activities, DNREC Fish and Wildlife indicated that the following nesting birds may be present in the vicinity of stabilization activities: Seaside Sparrow, Clapper Rail, and Willet. It was recommended that bank stabilization activities do not take place between April 1st and July 31st to minimize impact on marsh nesting birds. It should be noted that if there are any signs of the state endangered American Oystercatcher breeding in the area, then all work must cease and Henriette Bellman (Coastal Avian Biologist) must be contacted for further recommendations. In addition, it is observed that intertidal mud flats are present at the project site. The intertidal mud flats are critically important feeding areas for many Species of Greatest Conservation Need (SGCN) water bird species, especially the following migratory shorebirds: American Black Duck, state endangered Black Skimmer, state endangered Common Tern, Horseshoe Crab, state endangered Least Tern, federally threatened Piping Plover, federally threatened Red Knot, Sanderling, and Semipalmated Sandpiper. It was indicated by DNREC Fish and Wildlife that intertidal flats face threats from sea level rise, rip-rapping, bulkheading, and associated development issues. Therefore, DNREC Fish and Wildlife recommended a natural material for bank stabilization (such a bio-logs), and to minimize impact on the aforementioned species, bank stabilization activities should take place between August 1st and March 31st.

Furthermore, endangered animal species that are rare and/or unique to this location include the Eastern Black Rail and the Monarch Butterfly. It should be noted that no rare and/or endangered plant species were reported. According to the *The Center for Conservation Biology - Status and Distribution of the Eastern Black Rail Along the Atlantic and Gulf Coasts of North America* (published October 26, 2016), Black rails have been recorded from three (3) counties and ten (10) named properties in Delaware. Breeding has

not been confirmed in Delaware. However, all three (3) counties have been classified as probable and all but two (2) properties have been classified as probable. It is reported that threats associated with the Eastern Black Rail include “reclaimed” agricultural and urban uses of the marshlands, mosquito control measures in the remaining marshes, potential changes in hydrology and associated salinity, invasion of the common reed along with its control measures, and ongoing sea-level rise. In addition, according to the Delaware Nature Society, the Monarch Butterfly population decline is due to the loss of feeding and roosting habitats for development as well as the lack of milkweed which is essential for their reproduction.

It was reported by DNREC Fish and Wildlife that the proposed dredged material disposal area and the bank stabilization area are a part of a Key Wildlife Habitat and the Delaware Ecological Network (DEN). The proposed disposal area and bank stabilization area have the potential to harbor a high diversity of SGCN and are classified as a “core area” by the DEN which is an area that contains relatively intact ecosystems and provides high quality habitat for native plants and animals.

c. Aesthetic Effect

Based on the type of activities proposed, the aesthetic of the area will not be negatively affected. Current shallow canal depths are causing issues with recreational vessel navigation. Due to the shallow nature of the canals, there is a potential that aquatic fauna is currently being impacted by recreational vessels. Therefore, dredging activities will likely increase the presence of fauna over time due to the lack of recreational vessel interference. In addition, dredging activities will increase the visual aesthetic of the canals by having less “murky” waters.

The installation of riprap will preserve the shoreline preventing further erosion from occurring. In turn, this will increase and/or maintain the aesthetics of the presence of animals such as marsh nesting birds. In addition, the beach area will appear more “put together” as the new proposed riprap will tie in with the existing riprap.

d. Impact of Supporting Facilities

Impacts to supporting facilities have been evaluated and carefully considered during the initial design process of this project. If anything, impacts will be temporary and will consist of matting, stone construction entrances, and potentially sediment from the tires of construction associated vehicles. No permanent impacts are foreseen on supporting facilities.

e. Effect on Neighboring Land Uses

As previously discussed, effects on neighboring land use have been evaluated and carefully considered during the initial design process of this project. The effects of the proposed dredging activities will most likely cause an increase in recreational vessel traffic within the canals. However, the increased traffic is estimated to be minimal, and not greatly effect the neighboring wetland, as it appears the residents that reside within the vicinity of Lingo Landing utilize the canals.

f. Federal, State, Regional, and Municipal Comprehensive Plans

The proposed project will take place at a private community and therefore there are not federal, state, regional, and/or municipal comprehensive plans associated with this project.

g. Economic Impact

It should be noted that this project is not proposed to have a short- or long-term economic impact as it is benefitting a private community.

- a. N/A
- b. N/A
- c. None as this area does not have any flora or fauna of significant actual or potential economic value
- d. The recreational areas will increase in value as it will be more navigable after dredging activities are completed
- e. There should be no effect on the cost of flood control or expected flood damage. If anything, dredging activities should reduce flood risks and/or damage by increasing the water capacity of the canals
- f. Maintenance will consist of another dredging event every few years as sediment refills the canals
- g. N/A
- h. N/A



January 16, 2023

Mr. Anthony Konrad
Department of Natural Resources and Control
Division of Water – Wetlands Waterways Section
89 Kings Highway
Dover, DE 19901

RE: Bay City Marina, Millsboro, DE
Dredge and Rip Rap Application

Dear Mr. Konrad,

We have received your desktop review comments dated 12/20/2022 for Bay City to dredge ~~and rip rap~~
~~installation~~ permit. Our responses to the comments can be seen in red below. Thank you for reviewing our
plans. Please note, we have included additional revisions per ACOE comments. I can forward those comments
if you would like, but all changes are included in the most recent plan set dated December 2022.

Please feel free to contact me if you have any questions or concerns by phone listed below or email directly at
kyle@raucheng.com.

Thank you,

A handwritten signature in cursive script that reads "Kyle A. Kowalczyk".

Kyle A. Kowalczyk, L.E.H.S.
Environmental Project Manager
RAUCH inc.
(484) 706-0128

1. "The information submitted in question #12 indicates that activities are taking place in State of Delaware regulated wetlands and Federally regulated wetlands. Please indicate which areas are State and which area are Federal. Please verify if the information is correct or if this is a mistake."

All proposed activities appear to occur in both State and Federally regulated wetland areas. The only activities that seem to require authorization from the State only would be the marsh areas that would potentially have temporary matting for equipment access (shown on sheets 4 & 7). We checked both State and Federal boxes because the proposed work occurs below the mean high water line. Please advise if these wetlands are not regulated by the State or which boxes you recommend checking.

2. "Please convert survey elevations to mean-low water. Please provide data in a table."

Please see revised note on "SHEET 2 – GENERAL NOTES AND SEQUENCE OF CONSTRUCTION" under "SURVEY NOTES:" The entire surface has been updated to include datum.

3. "What permit requests have been sent to the Army Corp of Engineers?"

Section 10 Nationwide Permit 13 & 35.

4. "What Army Corp of Engineers permit is being used for the rip-rap installation?"

Nationwide Permit 13.

5. "Is the rip-rap being installed channelward of the mean-low water line? If so, please provide data in the rip-rap appendix. Please show the mean-high and mean-low water line on an aerial image in the rip-rap installation area."

No rip-rap will be placed channelward of the mean-low water line. Also, mean-high and mean-low have been added throughout and more specifically "SHEET 7 – PROPOSED RIPRAP REPAIR & CROSS SECTION".

6. "How did you calculate the over-dredge amounts provided in the application? Please note that the over-dredge amounts are determined by the regulating agency."

Understood. The 1' was assumed from prior experience, but can be altered or removed following guidance or however the Department would like to proceed.

7. "Please provide a cut-sheet for the plastic anticipated to be used in the disposal containment area."

Please see cut-sheet added to "SHEET 11 – DETAILS" and installation requirements in Part 3 on Page 11 of the attached document below. Similar to DelDOT's concrete washout liner.

8. "Please show work on the cubic yard calculations for the areas being dredged."

To ensure permitted activity will maintain within scope and keep calculations simple, we used the profiles shown and calculated by using the deepest dredge cut and applied it to each of the individual dredge areas (Dredge 1/Dredge 2/etc.).

E.g. Proposed Dredge 1 had a maximum cut of 2.3' at station 6+55.66, to meet the owners' goal to reach elevation -4.00'. We took the square footage of Dredge 1 x cut 2.3'(depth) to get cubic feet and then converted to cubic yards. Please see attached spreadsheet showing calculations.

9. "Please provide laboratory analytical data that verifies the analytical results meet HSCA Screening levels for both human health and ecological risk assessments (refer to link below) for this project. Additionally, please include a synopsis of the laboratory analytical results (human health and ecological risk assessment) in the application."

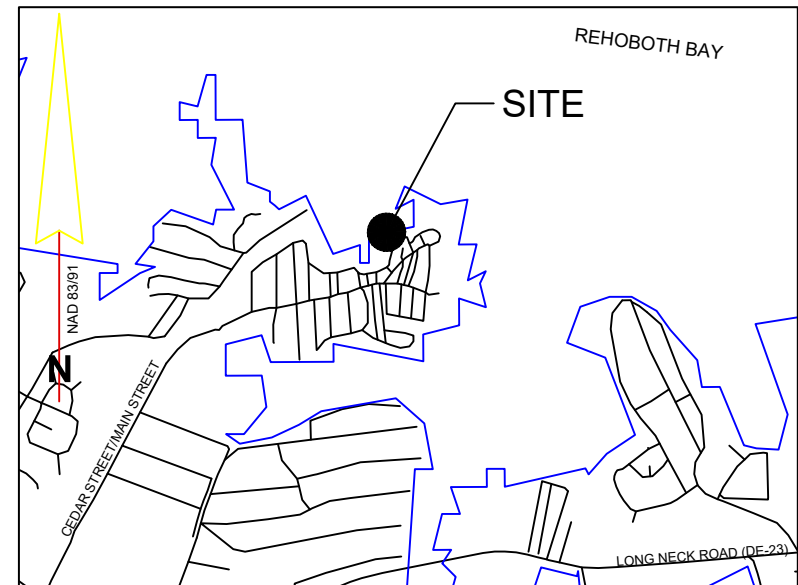
Understood. We're working on this now if you can review our changes and we will provide the data as quickly as possible.

PERMIT DRAWINGS TO MAINTENANCE DREDGE

IN

MILLSBORO, SUSSEX COUNTY, DELAWARE

PREPARED FOR: BAY CITY
MHC LLC



VICINITY MAP
SCALE: 1" = 2,000'

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SHEET 1	- COVER SHEET
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SHEET 3	- EXISTING CONDITIONS
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SHEET 5	- DREDGE 1, 2, AND 3 PROFILE VIEWS
SHEET 6	- DREDGE 4 AND 5 PROFILE VIEWS
SHEET 7	- DREDGE DISPOSAL SITE AND CROSS SECTION
SHEET 8-13	- DETAILS

COVER SHEET

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY MHC LLC

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY MHC LLC

DRAWN BY TPO

SCALE N/A

DATE DECEMBER 2022

SHEET 1 OF 13

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inc.
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Main Office: 106 N Harrison St - Easton, MD 21601
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GENERAL NOTES

1. This project includes mechanical maintenance dredging of sediments in Bay City Ltd., Millsboro, Delaware, and associated upland access for construction equipment access and on-site dredged material disposal.
2. If specifications contradict these drawings, specifications shall govern.
3. Locations displayed for existing conditions such as shorelines, structures, underground utilities, identified trees, and utilities are approximate. Contractor shall field verify location of site structures, location of identified trees, shoreline, and other site features prior to construction.
4. The owner's representative shall be notified in writing of any conditions that vary from those shown on the drawings. The contractor's work shall not vary from the drawings without the expressed approval of owner's representative.
5. Details shown are typical; similar details apply to similar conditions unless otherwise noted.
6. These drawings do not include necessary components for construction safety. The contractor is responsible for the safety of site personnel and shall abide by the requirements of the technical specifications and the contractor's health and safety plan (HASP), as appropriate, as well as applicable Occupational Safety and Health Administration (OSHA) regulations.
7. The contractor is responsible for obtaining all utility markouts and forwarding confirmation of notification to the owner's representative. the contractor shall be responsible to obtain any and all necessary permits from the affected utility companies and for scheduling of inspections by utility company personnel, if required, during construction.
8. The contractor shall adequately protect all existing structures and utilities. Any damage to existing structures, shorelines, or utilities shall be the sole responsibility of the contractor.
9. The contractor shall field verify and locate any/all overhead lines present along the work areas.
10. The contractor shall comply with all required permits and other applicable regulatory requirements.
11. The contractor shall be responsible for temporary erosion and sediment control measures during the construction period, as required by the permits, local ordinances, plans, and specifications.
12. The contractor is advised that all local public nuisance laws and noise ordinances shall be observed during the course of construction.
13. The contractor shall maintain a neat and orderly site, yard, and grounds. Remove and dispose off site all rubbish, waste materials, litter, and all foreign substances in accordance with local, state, and federal regulations.
14. Parcel line information from Sussex County Council GIS Department and bathymetric survey depths provided by RAUCH inc.

SEQUENCE OF CONSTRUCTION

Specific activities conducted by the contractor to complete the work include, but are not limited to:

1. Conduct field investigations or evaluations to confirm site conditions.
2. Prepare and submit final work plans and all other pre-construction submittals.
3. Attend a pre-construction meeting with the owner's representative.
4. Mobilize crews, facilities, equipment, and materials required to complete the work.
5. Install and maintain environmental controls.
6. Establish dredged disposal and dewatering area in accordance with these project drawings.
7. Dredge canals (D1-D5) to the limits specified on drawings. This work includes, but is not limited to:
 - A. Dredge sediments in the sequence identified in the technical specifications. Temporary matting may be required (see detail sheet if required).
 - B. Confined disposal area to be constructed in the area specified on this plan.
 - C. Transport sediments via haul truck to confined disposal area on site.
 - D. Allow for slurry to dry-in-place within disposal area before adding additional dredge material. Inspect liner daily to minimize failures.
8. Restore the upland site, where applicable, to pre-construction conditions in accordance with the technical specifications.

SURVEY NOTES:

1. Horizontal Datum: Delaware State Plane , North American Datum of 1983 (NAD83), U.S. Survey Feet
2. Vertical Datum: Mean Low Water. 0' MLW = +0.44 NAVD88

GENERAL NOTES AND SEQUENCE OF CONSTRUCTION

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY MHC LLC

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY MHC LLC

DRAWN BY TPO

SCALE N/A

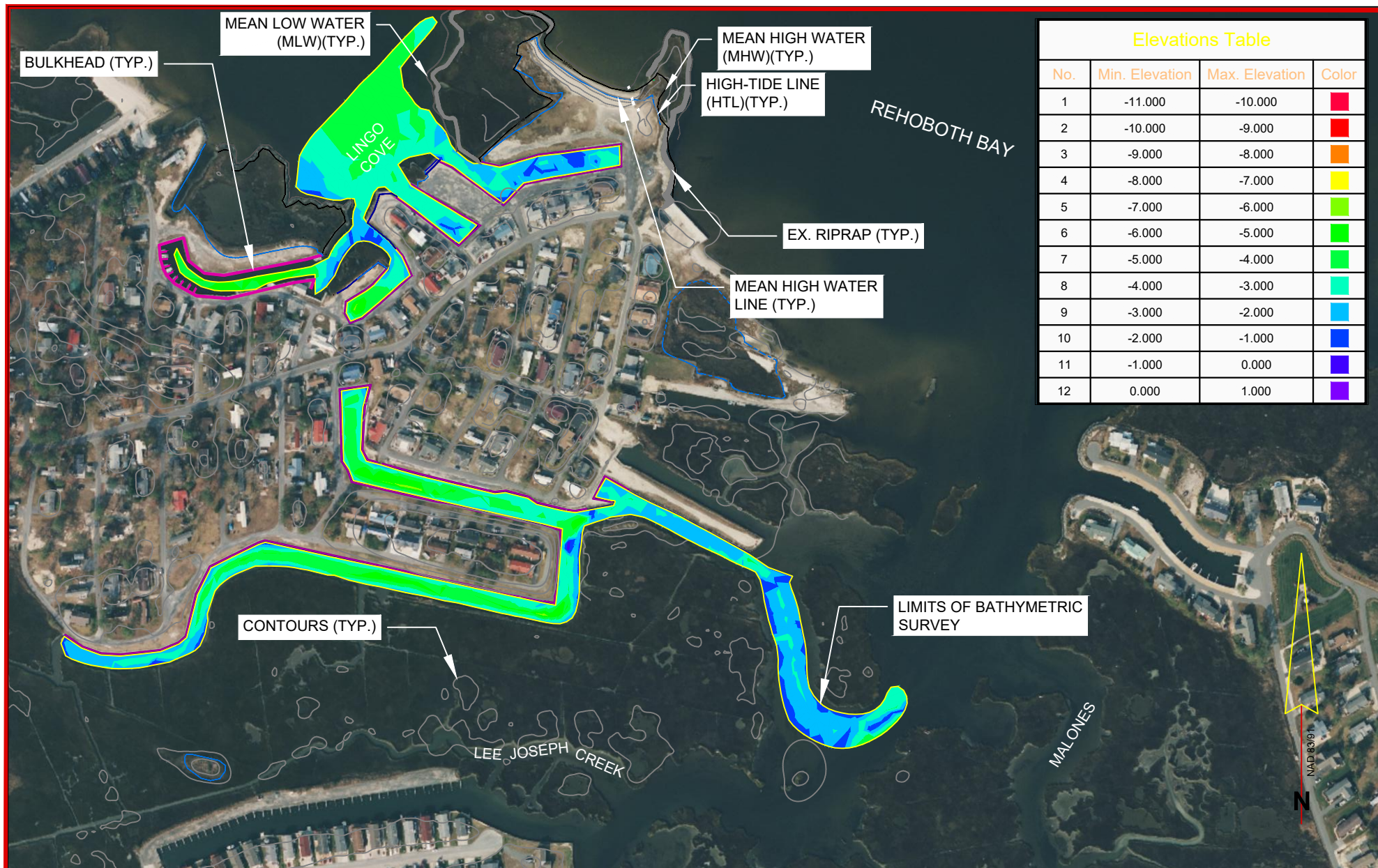
DATE DECEMBER 2022

SHEET 2 OF 13

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Elevations Table

No.	Min. Elevation	Max. Elevation	Color
1	-11.000	-10.000	Red
2	-10.000	-9.000	Orange
3	-9.000	-8.000	Yellow
4	-8.000	-7.000	Light Green
5	-7.000	-6.000	Green
6	-6.000	-5.000	Light Blue
7	-5.000	-4.000	Blue
8	-4.000	-3.000	Dark Blue
9	-3.000	-2.000	Very Dark Blue
10	-2.000	-1.000	Black
11	-1.000	0.000	Dark Purple
12	0.000	1.000	Light Purple



HORIZONTAL DATUM: DELAWARE STATE PLANE, NAD83, US
VERTICAL DATUM: MEAN LOW WATER (MLW)

EXISTING CONDITIONS

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY MHC LLC

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY MHC LLC

DRAWN BY TPO

SCALE 1" = 400'

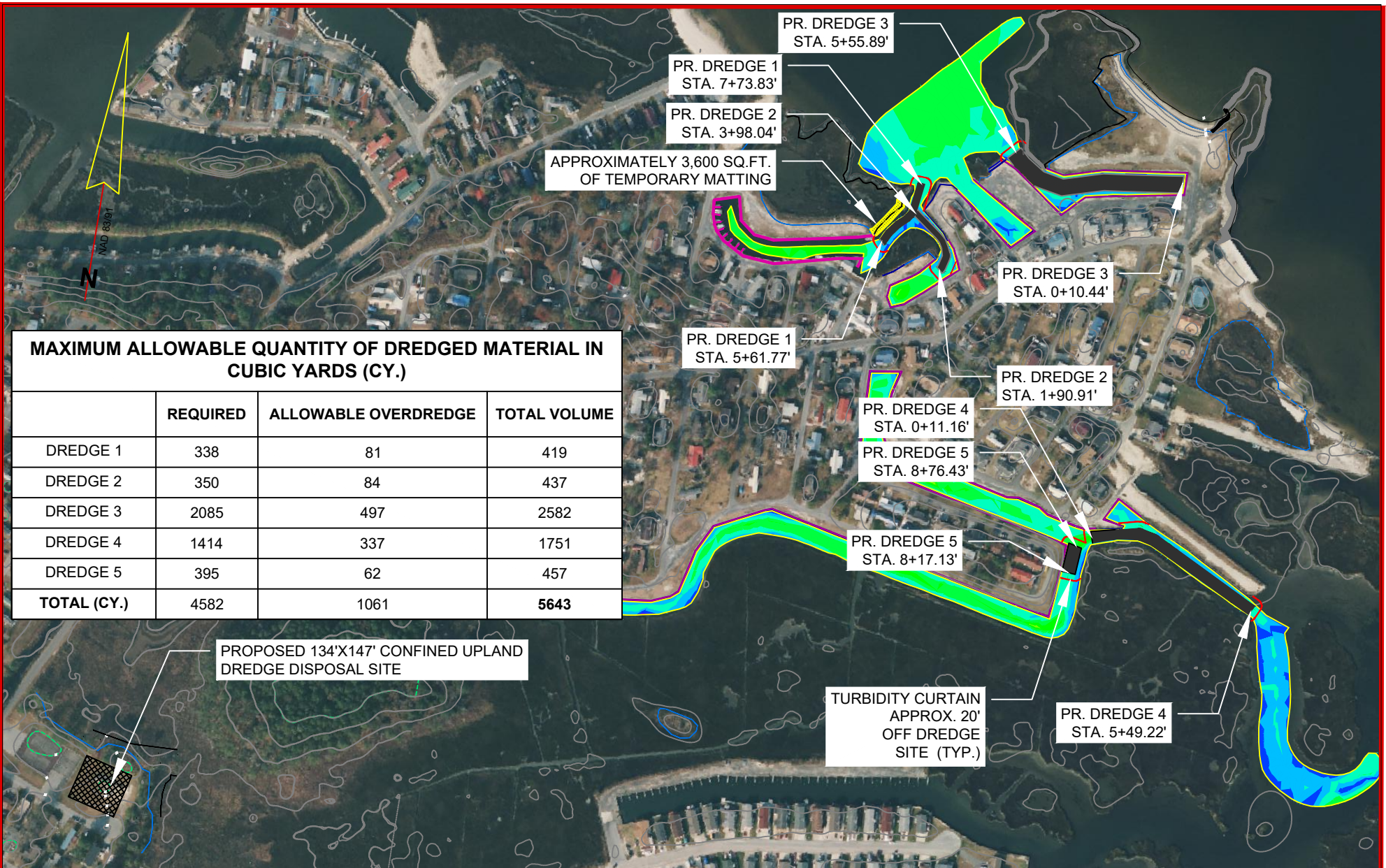
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MAXIMUM ALLOWABLE QUANTITY OF DREDGED MATERIAL IN CUBIC YARDS (CY.)

	REQUIRED	ALLOWABLE OVERDREDGE	TOTAL VOLUME
DREDGE 1	338	81	419
DREDGE 2	350	84	437
DREDGE 3	2085	497	2582
DREDGE 4	1414	337	1751
DREDGE 5	395	62	457
TOTAL (CY.)	4582	1061	5643

HORIZONTAL DATUM: DELAWARE STATE PLANE, NAD83, US
VERTICAL DATUM: MEAN LOW WATER (MLW)

PROPOSED CONDITIONS

PERMIT DRAWINGS FOR BAY CITY SHORE MAINTENANCE DREDGING

BAY CITY LIMITED PARTNERSHIP

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY LIMITED PARTNERSHIP

DRAWN BY: TPO

SCALE: 1" = 400'

DATE: DECEMBER 2022

SHEET: 4 OF 13

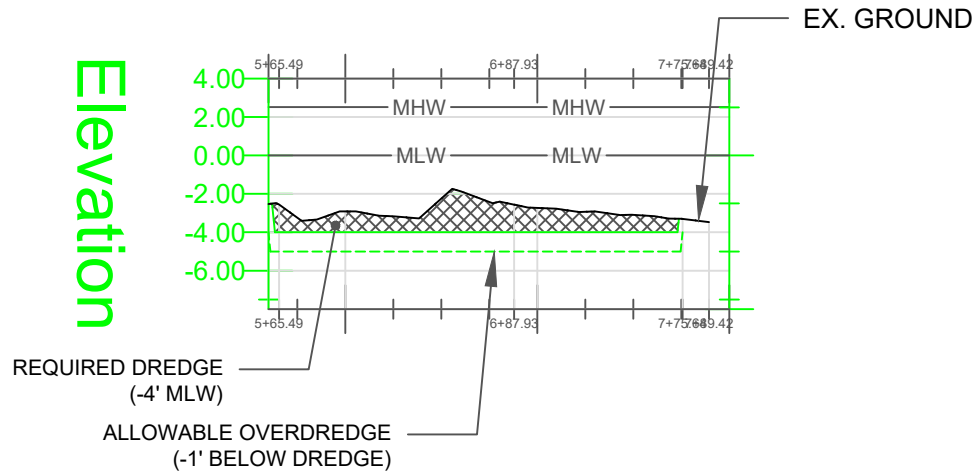
RAUCH

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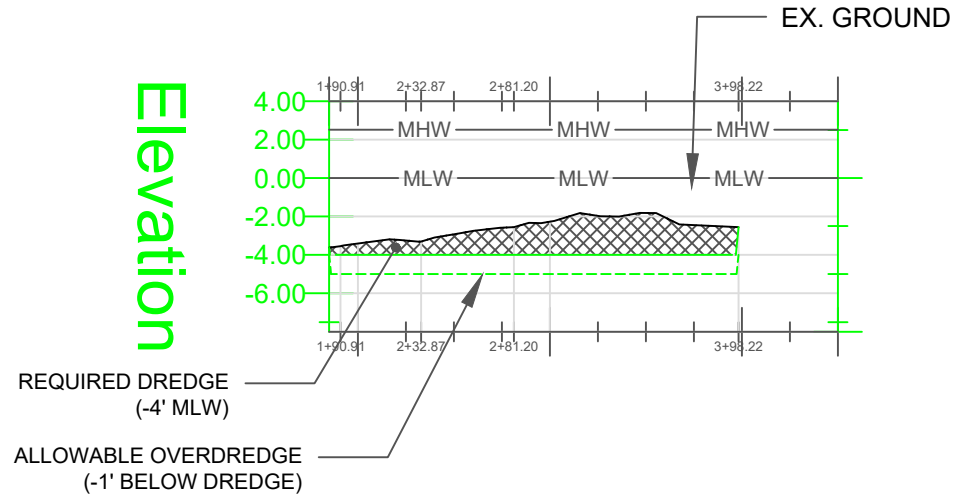
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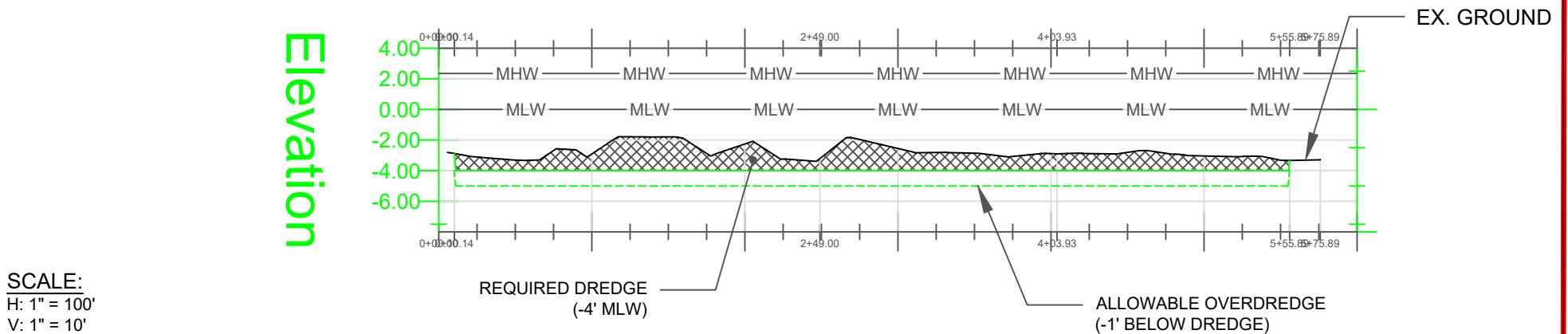
PROPOSED DREDGE 1



PROPOSED DREDGE 2



PROPOSED DREDGE 3



SCALE:
H: 1" = 100'
V: 1" = 10'

PROPOSED DREDGE PROFILES 1, 2 & 3

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY MHC LLC

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY MHC LLC

DRAWN BY TPO

SCALE VARIES

DATE DECEMBER 2022

SHEET 5 OF 13

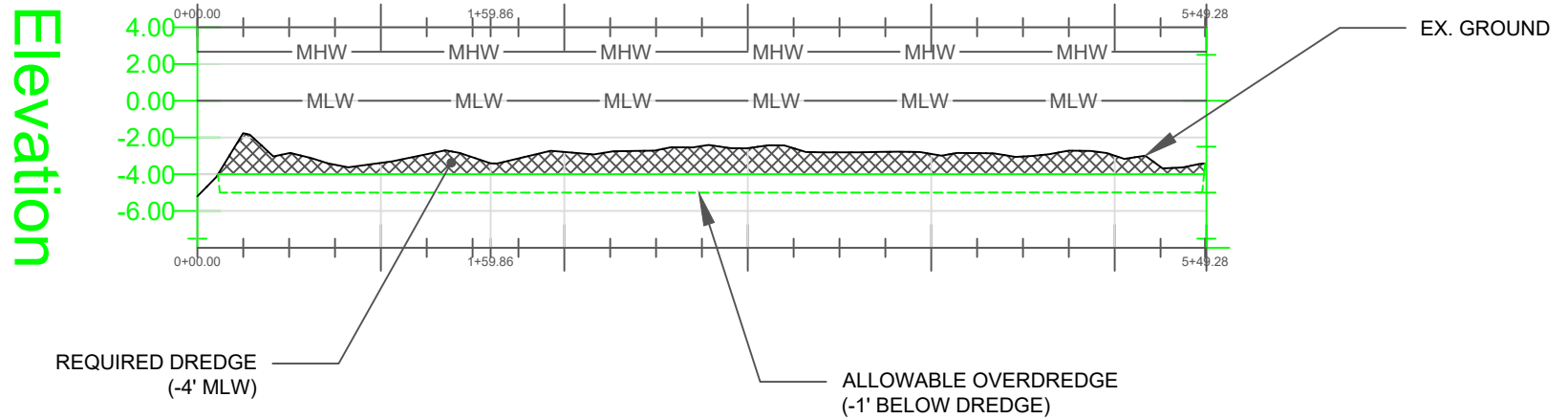
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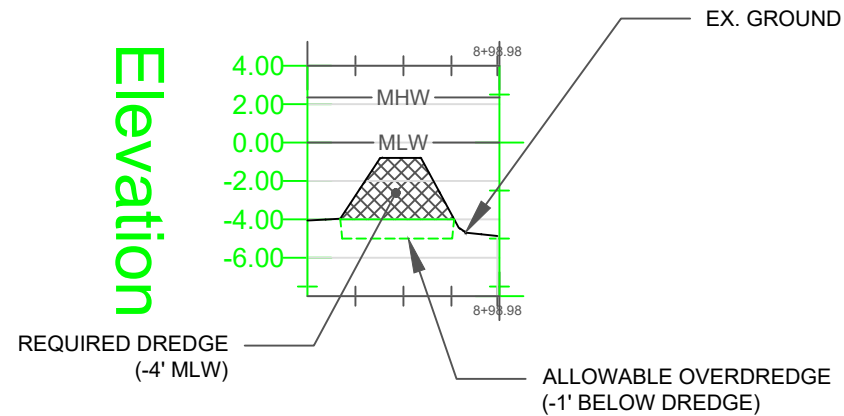
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PROPOSED DREDGE 4



PROPOSED DREDGE 5



SCALE:

H: 1" = 100'

V: 1" = 10'

DREDGE 4 & 5 PROFILE VIEW

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY MHC LLC

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY MHC LLC

DRAWN BY TPO

SCALE VARIES

DATE DECEMBER 2022

SHEET 6 OF 13

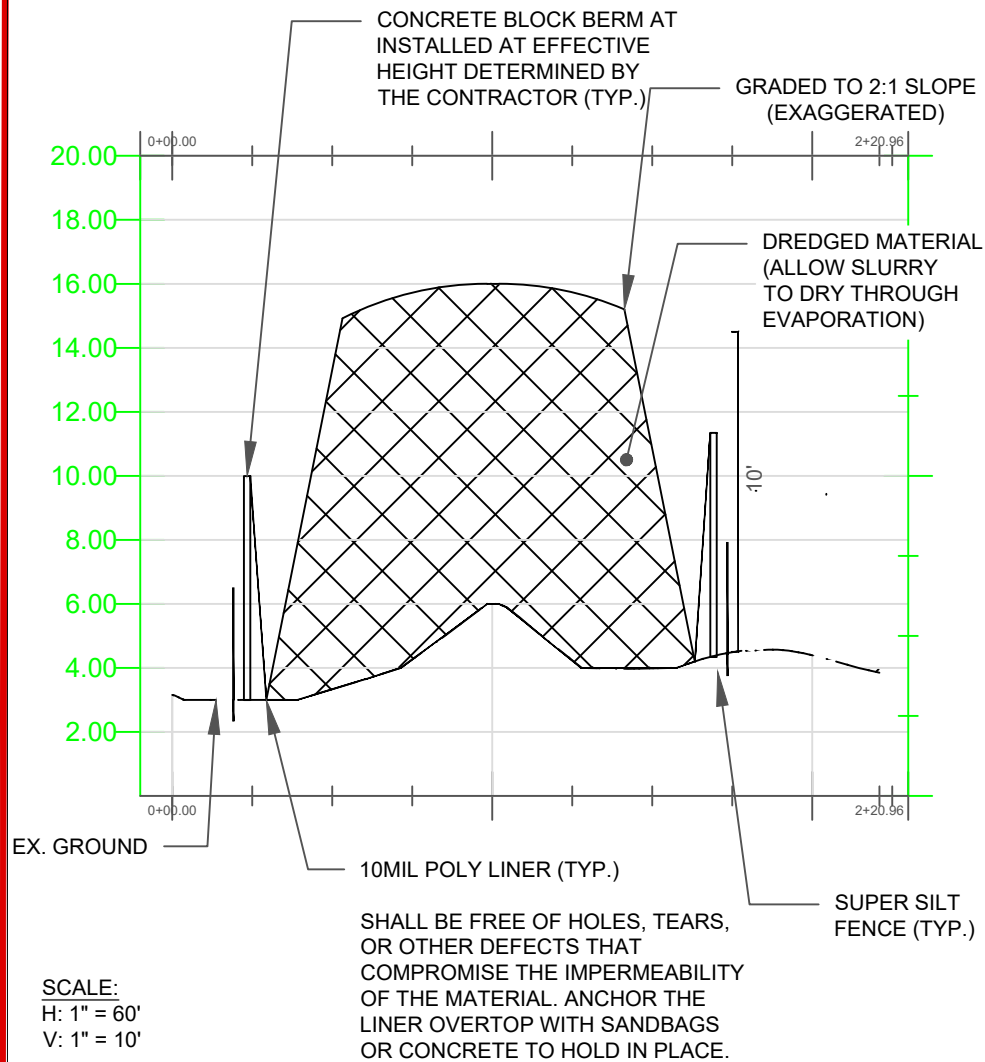
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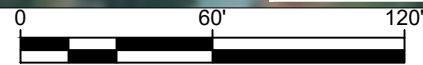
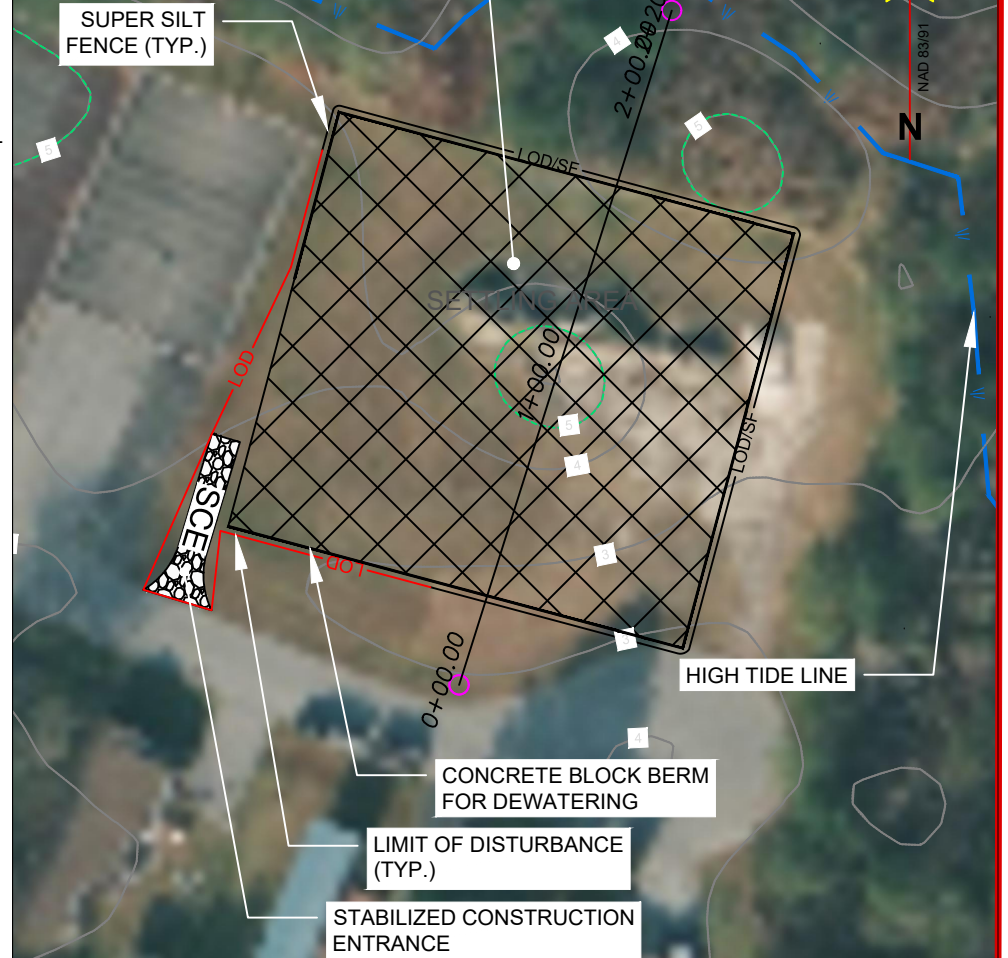
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PROFILE VIEW OF CONFINED UPLAND DISPOSAL SITE



PR. 134'X147' CONFINED UPLAND DREDGE DISPOSAL SITE TO ACCOMMODATE 5,643 CY

CONTRACTOR MAY PROPOSE ALTERNATE LAYOUT WITHIN THE LIMIT OF DISTURBANCE SUBJECT TO APPROVAL BY THE LOCAL APPROVING AUTHORITY



DREDGED DISPOSAL AREA AND CROSS SECTION

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY MHC LLC

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY MHC LLC

DRAWN BY TPO

SCALE VARIES

DATE DECEMBER 2022

SHEET 7 OF 13

RAUCH

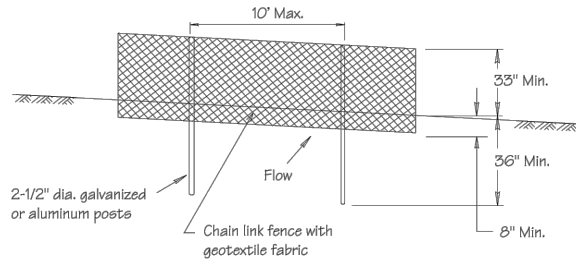
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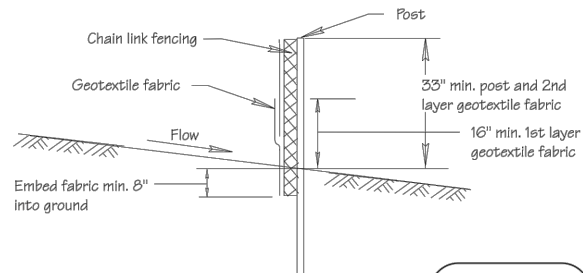
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Standard Detail & Specifications

Super Silt Fence



Perspective



Section

DATA
Max. controlled slope

Source: Adapted from MD Sids. & Specs. for ESC	Symbol: SSF	Detail No. DE-ESC-3.1.2.3 Sheet 1 of 2 Effective FEB 2019
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SUPER SILT FENCE NOTES:

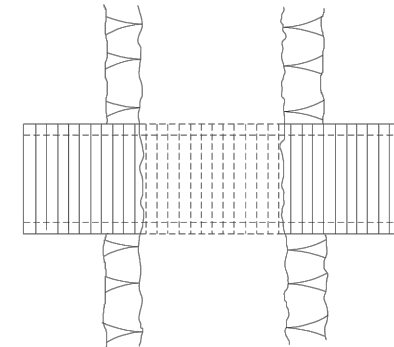
1. THE POLES DO NOT NEED TO BE SET IN CONCRETE.
2. CHAIN LINK FENCE SHALL BE FASTENED SECURELY TO THE FENCE POST WITH WIRE TIES OR STAPLES.
3. GEOTEXTILE FABRIC SHALL BE FASTENED SECURELY TO THE CHAIN LINK WITH TIES SPACED EVERY 24" AT THE TOP AND MID SECTION.
4. GEOTEXTILE FABRIC SHALL BE EMBEDDED A MIN. OF 8" INTO THE GROUND.
5. WHEN TWO SECTIONS OF 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.
7. GEOSYNTHETIC FABRIC TYPE GD-1.

TEMP. TIMBER MATTING NOTES:

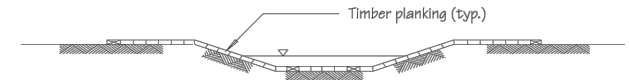
1. NO INSTALLATION OR REMOVAL OF A TEMPORARY TIMBER MAT WILL BE PERMITTED FROM MARCH 15 THROUGH JUNE 15 TO MINIMIZE INTERFERENCE WITH FISH SPAWNING AND MIGRATION. FURTHER RESTRICTIONS MAY APPLY IN ACCORDANCE WITH THE CONDITIONS OF THIS PERMIT.
2. IT MAY BE NECESSARY TO TEMPORARILY REMOVE TIMBER MAT IN ANTICIPATION OF UNUSUAL STORM EVENTS. WHEN THE CROSSING HAS SERVED ITS PURPOSE, ALL COMPONENTS SHALL BE REMOVED WITHIN 14 CALENDAR DAYS. IN ALL CASES, THE CROSSING MATERIALS SHALL BE REMOVED WITHIN ONE YEAR OF INSTALLATION.

Standard Detail & Specifications

Temp. Crossing - Timber Mat



Plan



Profile

Source: Delaware ESC Handbook	Symbol: TC-M	Detail No. DE-ESC-3.5.1.2 Sheet 1 of 2 Effective FEB 2019
----------------------------------	------------------------	---

DETAILS

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY MHC LLC

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY MHC LLC

DRAWN BY TPO

SCALE N/A

DATE DECEMBER 2022

SHEET 8 OF 13

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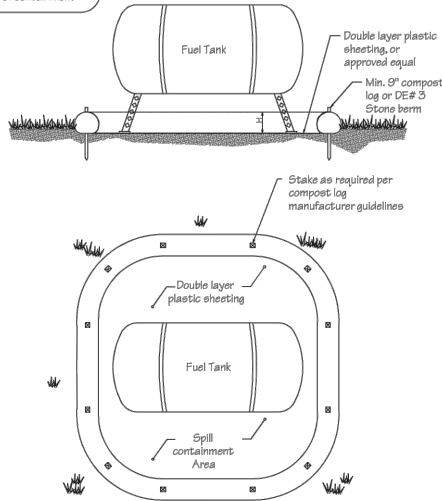
Standard Detail & Specifications

Construction Site Waste Mgt & Spill Control



DATA TO BE PROVIDED

Volume of Potential Pollution
Height of containment
Area of containment
Volume of containment



Source:	Symbol:	Detail No.
Delaware ESC Handbook		DE-ESC-3.6.1 Sheet 1 of 5 Effective FEB 2019

Standard Detail & Specifications

Construction Site Waste Mgt & Spill Control



Pollution Prevention – Spill Prevention

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

CLEAN UP SPILLS

- If it is safe to do so, immediately contain and clean up any chemical and/or hazardous material spills.
- 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

- 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.
- Have spill kits and clean up material on-site.
- Repair leaky equipment promptly or remove problem vehicles and equipment from the site. Clean up contaminated soil immediately.
- Store contaminated waste in sealed containers constructed of suitable material. Label these containers properly.
- Clean up all spills and leaks. Promptly dispose of waste and spent clean up materials.

Source:	Symbol:	Detail No.
Delaware ESC Handbook		DE-ESC-3.6.1 Sheet 2 of 5 Effective FEB 2019

Standard Detail & Specifications

Construction Site Waste Mgt & Spill Control



Notes:

The Construction Site Pollution Prevention Plan should include the following elements:

1. Material Inventory

Document the storage and use of the following materials:

- Concrete
- Detergents
- Paints (enamel and latex)
- Cleaning solvents
- Pesticides
- Wood scraps
- Fertilizers
- Petroleum based products

2. Good housekeeping practices

- Store only enough product required to do the job.
- All materials shall be stored in a neat, orderly manner in their original labeled containers and covered.
- Substances shall not be mixed.
- When possible, all of a product shall be used up prior to disposal of the container.
- Manufacturers' instructions for disposal shall be strictly adhered to.
- The site foreman shall designate someone to inspect all BMPs daily.

3. Waste management practices

- All waste materials shall be collected and stored in securely lidded dumpsters in a location that does not drain to a waterbody.
- Waste materials shall be salvaged and/or recycled whenever possible.
- 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 Pub. 840-B-92-002		DE-ESC-3.6.1 Sheet 3 of 5 Effective FEB 2019

DETAILS

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY MHC LLC

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY MHC LLC

DRAWN BY TPO

SCALE N/A

DATE DECEMBER 2022

SHEET 9 OF 13

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Standard Detail & Specifications Construction Site Waste Mgt & Spill Control

Notes (cont.)

- d. Trash shall be disposed of in accordance with all applicable Delaware laws.
 - e. Trash cans shall be placed at all lunch spots and littering is strictly prohibited. Recycle bins shall be placed near the construction trailer.
 - f. If fertilizer bags can not be stored in a weather-proof location, they shall 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 maintenance.
 - b. If performed on-site, vehicles shall be washed with high-pressure water spray without detergents in an area contained by an impervious berm.
 - c. Drip pans shall be used for all equipment maintenance.
 - d. Equipment shall be inspected for leaks on a daily basis.
 - e. Washout from concrete trucks shall be disposed of in a temporary pit for hardening and proper disposal.
 - f. Fuel nozzles shall be equipped with automatic shut-off valves.
 - g. All used products such as oil, antifreeze, solvents and tires shall be disposed of in accordance with manufacturers' recommendations and local, state and federal laws and regulations.
- 5. Spill prevention practices**
- a. Potential spill areas shall be identified and contained in covered areas with no connection to the storm drain system.
 - b. Warning signs shall be posted in hazardous material storage areas.
 - c. Preventive maintenance shall be performed on all tanks, valves, pumps, pipes and other equipment as necessary.
 - d. Low or non-toxic substances shall be prioritized for use.

Source: Adapted from USEPA Pub. 840-B-92-002	Symbol:	Detail No. DE-ESC-3.6.1 Sheet 4 of 5 Effective FEB 2019
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Standard Detail & Specifications Construction Site Waste Mgt & Spill Control

Notes (cont.)

- e. Contact information for reporting spills through the DNREC 24-Hour Toll Free Number shall be prominently posted.
- 6. Education**
- a. Best management practices for construction site pollution control shall be a part of regular progress meetings.
 - b. Information regarding waste management, equipment maintenance and spill prevention shall be prominently posted in the construction trailer.

CONTACT INFORMATION

DNREC 24-Hour Toll Free Number	800-662-8802
DNREC Solid & Hazardous Waste Management Section	302-739-9403

Source: Adapted from USEPA Pub. 840-B-92-002	Symbol:	Detail No. DE-ESC-3.6.1 Sheet 5 of 5 Effective FEB 2019
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The Liner Company

1567 W. South Airport Rd.
Traverse City, Michigan
49686

Phone | 800-DK-LINER
Fax | 231-943-2270

www.geomembrane.com

TYPICAL APPLICATIONS:

Reservoirs

Canals

Farm Ponds

Water Features

Irrigation Ponds

Golf Course Ponds

Decorative Ponds

Oil Well Drilling Pits

Oil Reserve Pit Closures

SOLUTIONS

ENVIRONMENTAL PROTECTION, INC.

10 mil PVC Geomembrane Specifications

PVC liners fabricated by EPI are a single-ply construction with Polyvinyl Chloride as the principle polymer. Only first quality virgin resins are used and all materials meet or exceed the requirements of ASTM D7175 Standard Specification for PVC geomembranes used in buried applications.

EPI utilizes statistical process control (SPC) to ensure the integrity of each panel produced. Samples from actual factory seams are removed during the welding process for a rigorous, proven testing procedure that assures you of the highest quality factory-fabricated PVC geomembranes available.

PVC Liners are fabricated by EPI in panels, accordion-folded in both directions, and packaged for shipment to your site for quick, easy installation to save you time and money.

Thickness ± 5%	ASTM D-5199	.010"
Specific Gravity (min)	ASTM D-792	1.20
Tensile (lb/in-width, min)	ASTM D-882	24
Elongation at Break (% min)	ASTM D-882	250
Modulus (lb/in-width, min)	ASTM D-882	10
Tear Resistance (lb/in, min)	ASTM D-1004	2.5
Resistance to Soil Burial (% change, max)	ASTM G-160	
1. Breaking Factor		5
2. Elongation At Break		20
3. Modulus at 100% Elongation		20
Impact Cold Crack (°C)	ASTM D-1790	-23
Dimensional Stability (% change, max)	ASTM D-1204 (212°F/15 min.)	4
Water Extraction (% max)	ASTM D-1239	0.15
Volatiles Loss (% max)	ASTM D-1203(A)	1.5
Hydrostatic Resistance (psi, min)	ASTM D-751(A)	42
Plasticizer Min Ave Molec Wt	ASTM 2124	400
Peel Strength (lbs/in, min)	ASTM D-7408	10/FTB
Shear Strength (lbs/in, min)	ASTM D-7408	20

These data are based on tests believed to be reliable. However, these are laboratory tests that may not simulate actual use conditions. They are provided for your informational purposes only. No warranty, express or implied, including any other further warranty of fitness for a particular purpose or merchantability, is made by this promotional literature.

Preserving water resources for future generations

DETAILS

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY MHC LLC

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY MHC LLC

DRAWN BY TPO

SCALE N/A

DATE DECEMBER 2022

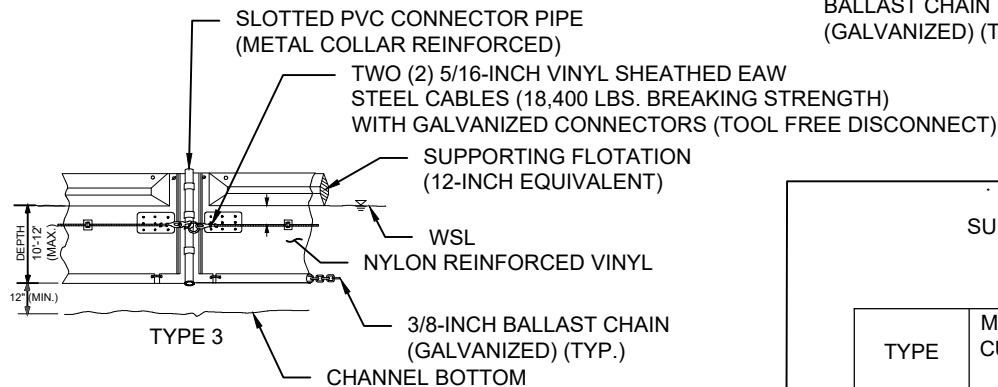
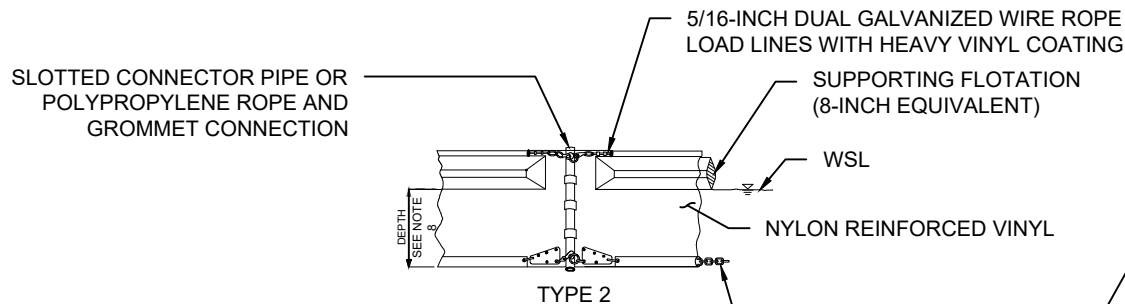
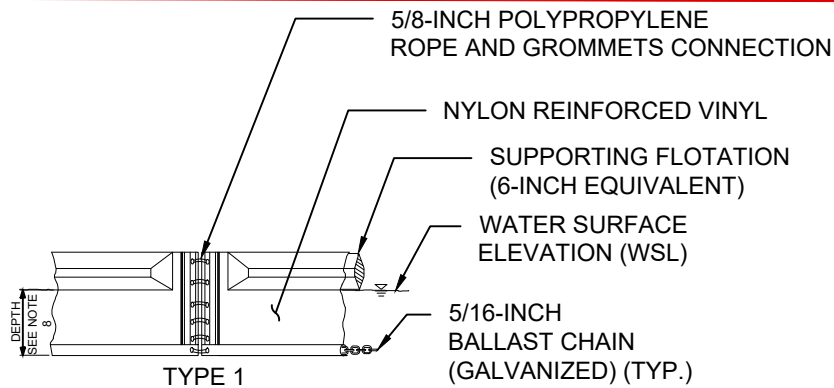
SHEET 10 OF 13

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inc.

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Main Office: 106 N Harrison St - Easton, MD 21601
Web: www.rauch-inc.com | Email: design@raucheng.com
Phone: 410.770.9061 | Fax: 410.770.3667



FLOATING TURBIDITY CURTAINS

EXISTING SHORELINE (TYP.)

STAKE (TYP.)
SEE NOTE 4

TURBIDITY CURTAIN
SECTION (TYP.)

LAND
ANCHORING
SEE NOTE 6

CONSTRUCTION
AREA

TURBID WATER
CLEAR WATER

ANCHOR (TYP.)
SEE NOTES 4 & 5

MOORING LINE WITH
SUPPORTING
FLOTATION (TYP.)
SEE NOTE 7

PLAN VIEW - INSTALLATION FOR SHORELINE WORK

ANCHOR (TYP.)
SEE NOTES 4 & 5

STAKE (TYP.)
SEE NOTE 4

TURBIDITY CURTAIN
SECTION (TYP.)

CONSTRUCTION
AREA

TURBID WATER
CLEAR WATER

MOORING LINE WITH
SUPPORTING FLOTATION (TYP.)
SEE NOTE 7

PLAN VIEW - INSTALLATION FOR PILE WORK

USAGE CHART

TYPE	MAXIMUM CURRENT (FT/S)	ADDITIONAL CONDITIONS
1	0.0	No Wave/Wind/Tidal Action
2	3.5	Moving Water (One Direction)
3	5.0	Tidal Action or Subject to Wind and Wave Actions

DETAILS

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY LIMITED PARTNERSHIP

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY LIMITED PARTNERSHIP

DRAWN BY ATR

SCALE N/A

DATE OCTOBER 2025

SHEET 11 OF 13

RAUCH

INC.

Engineering | Survey | Architecture | Environmental

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Phone: 410.770.9081 | Fax: 410.770.3667

FLOATING TURBIDITY CURTAIN NOTES:

1. Select a floating turbidity curtain type to suit the conditions and meet erosion control and water quality requirements. Submit details and specifications of the selected curtain type for approval prior to installation
2. Install floating turbidity curtains before the start of any construction activities that could impact the area of concern.
3. Install floating turbidity curtains parallel to the direction of flow of a moving water body. Do not install curtains across the main flow of a significant moving water body. Do not install curtains where the flow of water will remove accumulated sediment or significantly move the curtain.
4. Install floating turbidity curtain stakes in a vertical position unless otherwise directed. Install anchors and stakes at no more than 100-foot spacing.
5. For Type 1 floating turbidity curtains, install anchors made of wooden stakes (2- by 4-inch rectangular or 2 1/2-inch minimum diameter) or metal stakes (1 1/3 pounds per linear foot). For Type 2 or Type 3 curtains, install anchors that are either weighted or that dig into the channel bottom.
6. Extend the ends of floating turbidity curtains well up into the shoreline as approved, especially if high water conditions are expected. Secure the ends firmly to the shoreline (preferably to rigid bodies such as trees or piles) to fully enclose the area where sediment may enter into the water body.
7. Provide minimum 1/2-inch nylon rope for adjustment line for mooring system. Ensure the mooring line is securely attached and is sufficiently buoyant to remain afloat under normal load conditions.
8. For Type 1 and 2 floating turbidity curtains, extend the nylon reinforced vinyl fabric through the entire depth of the water (to the channel bottom) unless tidal actions are present.
9. In areas subject to wind and wave actions or where tidal actions are present, use Type 3 floating turbidity curtains as directed. Install Type 3 curtains according to the manufacturer's recommendations and as approved.
10. Remove captured sediment behind floating turbidity curtains prior to removing the curtains. Do not disperse sediment into adjacent water body.

DETAILS

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY LIMITED PARTNERSHIP

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY LIMITED PARTNERSHIP

DRAWN BY ATR

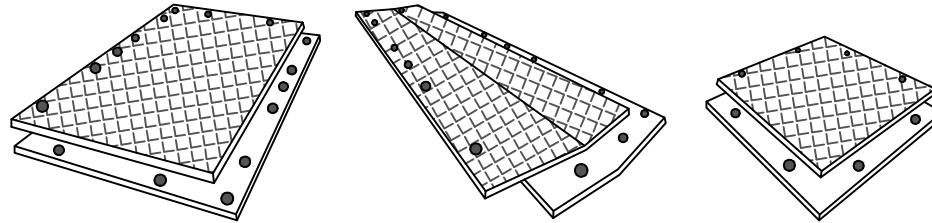
SCALE N/A

DATE OCTOBER 2025

SHEET 12 OF 13

RAUCH
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CUSTOM HDPE MATTING GENERAL SPECIFICATIONS



GENERAL SPECIFICATIONS			
	DURA-BASE Mat	DURA-BASE Turning Mat	DURA-BASE Half Mat
Overall Dimensions	8' x 14' x 4"	7' x 14' x 4"	8' x 7' 6" x 4"
	2.44m x 4.27m x 10.2cm	2.13m x 4.27m x 10.2cm	2.44m x 2.29m x 10.2cm
Surface Dimensions	7' x 13'	58 sqft	7' x 6' 6"
	2.13m x 3.96m	5.38 sqm	2.13m x 1.98m
Weight / Mat	1000 lbs (454 kg)*	750 lbs (340 kg)*	550 lbs (249kg)*
Material	Custom HDPE	Custom HDPE	Custom HDPE
Coefficient of Friction	0.6**	0.6**	0.6**

*All measurements and weights are nominal. **For wet neoprene rubber on mat surface.

NOTES:

- TYPE OF TEMPORARY MATTING MATERIAL TO BE DETERMINED BY CONTRACTOR
- TEMPORARY MATTING TO BE PLACED WITHIN THE VICINITY OF DREDGE SITE 1 AS INDICATED ON SHEET 4
- TEMPORARY MATTING TO BE REMOVED UPON COMPLETION OF DREDGING ACTIVITIES WITHIN DREDGE SITE 1

DETAILS

PERMIT DRAWINGS FOR BAY CITY MAINTENANCE DREDGING

BAY CITY LIMITED PARTNERSHIP

MILLSBORO, SUSSEX COUNTY

PREPARED FOR: BAY CITY LIMITED PARTNERSHIP

DRAWN BY ATR

SCALE N/A

DATE JANUARY 2026

SHEET 13 OF 13

RAUCH

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Dredge Area (CY)

	AREA	CUT	VOLUME=AREAXCUT	VOLUME=CUFTX0.037
	(SQFT)	(VF) (CUFT)		
DREDGE 1	4350	2.1	9135	338
DREDGE 2	4505	2.1	9461	350
DREDGE 3	26807	2.1	56295	2085
DREDGE 4	18174	2.1	38165	1414
DREDGE 5	3329	3.2	10653	395
TOTAL CUBIC YARDS=				4582

PARCEL ID NO.: 234-24.00-34.00
PREPARED BY:
Baird Mandalas Brockstedt Federico Cardea LLC
6 S. State Street
Dover, DE 19901
File No. RE23-0565/JP

RETURN TO:
BAY CITY MHC, LLC
c/o Lakeshore Communities, Inc.
8800 North Bronx Avenue
Second Floor
Skokie, IL 60077

THIS DEED, made this 31 day of May, 2023,

- BETWEEN -

BAY CITY LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, of 34677 Long Neck Road, Millsboro, DE 19966, party of the first part,

- AND -

BAY CITY MHC, LLC, A DELAWARE LIMITED LIABILITY COMPANY, of c/o Lakeshore Communities, 8800 North Bronx Avenue, Second Floor, Skokie, IL 60077, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **ONE Dollar (\$1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its successors and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware.

BAY CITY MOBILE HOME PARK:

ALL those three (3) certain tracts, pieces and parcels of land, situate, lying and being in Indian River Hundred, Sussex County, and State of Delaware, described as follows, to-wit:

Tract No. 1: Known as the Robinson Tract of land, lying on the northeast side of the public road leading from Long Neck to Millsboro, adjoining lands on the west of Jacob W. Wilson, deceased, on the East by lands of Alfred Lee Burton, deceased and lands of William S. Baker, deceased, containing the quantity of one hundred (100) acres, more or less, improved with one story dwelling and outbuildings; about one-half or less, of the land being tillable land, the remainder being marsh.

Tract No. 2: All that certain tract, piece or parcel of marsh land, also lying and being situate in Indian River Hundred, County and State aforesaid, being on Rehoboth Bay adjoining lands formerly of William S. Baker, deceased, and being the same tract, piece or parcel of marsh land which William P. Wolf purchased through an order of Orphan's Court for sale of the lands of William S. Baker, deceased, and is termed "Residue No. 3", a plat of which is in Orphan's Court Record No, 38, A.A. Page 403.

BEING both of the above tracts (one and two) of the same lands conveyed unto Bay City Limited Partnership by deed of John R. Hitchens and Jennie V. Hitchens, his wife, dated August 3, 1982, and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, in Deed Book 1130, at page 17.

Tract No. 3: ALL that certain piece or parcel of land situate in Indian River Hundred, County of Sussex and State of Delaware, lying on the North side of State Road leading from Millsboro to the "White House Farm" more particularly meted and bounded as follows, to-wit:

BEGINNING at a cedar tree at the Southeast corner of this lot and land and lands now or formerly of L.P. Faucett, Inc.; thence running with the North right of way of the said road toward Millsboro 880 feet to a cedar post; thence with other lands now or formerly of Joshua S. Hitchens the following two courses and distances, to-wit: North 40 degrees East 351 feet to a post; South 76 degrees East 648 feet to a post on line for lands now or formerly of L.P. Faucett, Inc.; thence with lands now or formerly of Faucett South 32 degrees West 351 feet to the point or place of beginning, containing five acres (5 A.) of land, be the same more or less, and having no improvements thereon.

EXCEPTING .98 acres of land in the southeast quadrant of above-described tract, such land being more specifically described in Plot Book 48, at page 325, such plot being recorded August 28, 1992, in the Sussex County Recorder of Deeds. Such tract excepted bears Tax Parcel No. 2-34 30.00 4.01.

BEING a portion of the same lands conveyed unto John Robert Hitchens and Jennie Vernal Hitchens, his wife, by deed of John Robert Hitchens, dated October 4, 1974, and of record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware in Deed Book 738, at page 484.

LESS AND EXCEPT:

ALL that certain lot, piece and parcel of land, lying and being situated in Indian River Hundred, Sussex County, Delaware and being all of Tract One in the PLAN OF BAY CITY LIMITED PARTNERSHIP and being more particularly shown and depicted on "MINOR SUBDIVISION PLAN PREPARED FOR BAY CITY LIMITED PARTNERSHIP" and recorded in the Office of the Recorder of Deeds, Sussex County, Delaware in Plot Book 392, Page 1; and as may be amended from time to time.

BEGINNING at a found PVC pipe on the northerly right of way line of Sussex County Road 22, AKA Long Neck Road (50' wide), said point being the southeast corner of the parcel described in Deed Book 833, Page 86; thence along said northerly right of way line the following 3 courses and distances; South 45° 27' 43" East 324.48 feet, to a set iron bar; thence along a curve bearing to the left having a 720.00' radius and a long chord bearing South 66° 43' 44" East, 522.31 feet and an arc length of 534.49 feet to a set iron bar, thence South 87° 59' 44" East, 18.82 feet to a set iron bar at the Southwest corner of the parcel described in Deed Book 4030, Page 266, thence along the westerly line of said parcel as described in Deed Book 4030, Page 266 the following two courses and distances North 18° 16' 23" East, 15.63 feet to a set iron bar, thence North 18° 16' 23" East, 244.62 feet to a set iron bar at the North East corner of said Tract One, thence along the new line of division between said Tract One and the other lands of BAY CITY LIMITED PARTNERSHIP the following 6 courses and distances; North 58° 52' 38" West, 672.25 feet to a set iron bar, thence along a curve bearing to the right having a 75.00' radius and a long chord bearing North 13° 52' 38" West, 106.07 feet and an arc length of 117.81 feet to a set iron bar, thence North 31° 07' 22" East, 130.00 feet to a set iron bar, thence along a curve bearing to left having a 25.00' radius and a long chord bearing North 13° 52' 38" West, 35.36 feet and an arc length of 39.27 feet to a set iron bar, thence North 58° 52' 38" West, 157.85 feet to a set iron bar, thence along a curve bearing to left having a 25.00' radius and a long chord bearing South 78° 14' 38" West, 34.02 feet and an arc length of 37.42 feet to a set iron bar being located on the Easterly line of the main street right of way (50' wide) shown on "FUTURE SECTION BAY CITY" Plot Book 135, Page 80, thence along said Easterly right of way line South 35° 21' 55" West, 220.56 feet to the Northwest corner of said parcel Deed Book 833, Page 86, thence along the Northerly line of said parcel Deed Book 833, Page 86, South 45° 27' 43" East to a found PVC pipe, thence along the Easterly line of said parcel Deed Book 833, Page 86 the following two courses and distance, South 35° 21' 55" West 184.81 feet to a set iron bar, thence South 35° 21' 55" West, 15.19 feet to the PLACE OF BEGINNING.

CONTAINING 7.282 acres of land be the same more or less.

AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL that certain tract of land, situate, lying and being in Indian River Hundred, Sussex County, and State of Delaware, described as follows, to-wit:

BEGINNING at a point on the northerly side of Long Neck Road (Sussex County Road 22, A.K.A. Route 23), said point being the southeast corner of lands of Nanticoke Shores Assoc., thence along said lands and leaving Long Neck Road, north 35°21'55" east, a distance of 3471.24' to a point; thence north 65°08'44" east, a distance of 1526.25' to a point (passing over a concrete monument found at 841.6', said point being referred to as point "a" and being the start of a tie line having a bearing and distance of south 70°38'03" east, 1382.06'); thence north 73°13'44" east, a distance of 132.36' to a point; thence along the high mean water line of Rehoboth Bay, 791' more or less to a point; thence along the north side of an existing bulkhead, south 87°40'39" east, a distance of 35.86' to a point; thence along the high mean water line of Rehoboth Bay a distance of 126' more or less; thence along the north side of another existing bulkhead, north 52°54'54" east, a distance of 61.01' to a point; thence along the high mean water line of Rehoboth Bay, 2027' more or less to a point; thence along lands of S. Riggi, south 64°11'45" west, a distance of 105.60' to a point, said point being the terminus of tie line "a"); thence continuing along lands of S. Riggi, south 25°49'22" east, a distance of 207.68' to a point, (said point being referred to as point "b" and being the start of a tie line having a bearing and distance of south 43°58'22" west, 269.65'); thence still continuing along lands of S. Riggi, north 64°10'58" east, a distance of 84.89' to a point; thence along the high mean water line of Rehoboth Bay or Wingate Creek 1268' more or less to a point; thence along lands of D. Wien, north 69°36'00" west, a distance of 592.94' to a broken concrete monument found, (said monument being the terminus of tie line "b"); thence along the aforesaid lands of D. Wien and lands of J. Anderson, south 21°24'00" west, a distance of 210.00' to a concrete monument found, said point being referred to as point "c" and being the start of a tie line having a bearing and distance of south 54°52'18" west, 1599.45'); thence along lands of the aforesaid J. Anderson, south 59°31'32" east, a distance of 986.03' to a point; thence along the high mean water line of Wingate Creek 482' more or less to a point; thence along the southerly side of an existing bulkhead, south 44°30'59" west, a distance of 13.49' to a point; thence south 58°24'59" west, a distance of 24.38' to a point; thence south 70°05'00" west, a distance of 26.16' to a point; thence along Wingate Creek and along the north bank of a ditch, 2200' more or less to a point (said monument being the terminus of tie line "c"); thence along lands of MHC Mariners Cove, LLC, south 65°15'23" west, a distance of 1249.70' to a concrete monument found; thence south 31°07'22" west, a distance of 1716.33' to an iron pin found; thence along lands of J. Oliva, north 58°52'38" west, a distance of 235.00' to a point; thence south 18°16'23" west, a distance of 9.48' to a point; thence along lands of Bay City LP, north 58°52'38" west, a distance of 672.25' to a point; thence along a curve to the right having a radius of 75.00', an arc length of 117.81' to a point; thence north 31°07'22" east, a distance of 130.00' to a point; thence along a curve to the left having a radius of 25.00', an arc length of 39.27' to a point; thence north 58°52'38" west, a distance of 157.53' to a point; thence along a curve to the left having a radius of 25.00', an arc length of 37.42' to a point; thence south 35°21'55" west, a distance of 220.64' to a nail found; thence along lands of P. Oliva, south 35°22'48" west, a distance of 174.73' to a point; thence along a curve to the left having a radius of 30.00' an arc length of 42.35' to a point; thence along Long Neck Road, north 45°27'43" west, a distance of 76.17' to the point of beginning.

CONTAINING 188.01 acres (8,189,761 sq.ft.), more or less.

SUBJECT TO those matters set forth on Exhibit A attached hereto, this reference to which shall not be construed to reimpose any such covenants, conditions, restrictions, plans and

easements of record which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise as applicable.

BEING a portion of the same property conveyed to Bay City Limited Partnership from Bay City Limited Partnership and John Robert Hitchens and Jennie V. Hitchens, his wife, by deed recorded at the Office of the Recorder of Deeds of Sussex County, State of Delaware, on December 21, 1992 in Deed Book 1887, Page 110.

[remainder of page left intentionally blank]

IN WITNESS WHEREOF, the said Bay City Limited Partnership, a Delaware limited partnership has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

**BAY CITY LIMITED PARTNERSHIP, A
DELAWARE LIMITED PARTNERSHIP**

Paul Oliva
Witness

By: Janet Oliva (SEAL)
Janet Oliva, General Partner

Attest: _____ (SEAL)

[Corporate Seal]

STATE OF Delaware, COUNTY OF Sussex : to-wit

BE IT REMEMBERED, that on this 19 day of May, A.D. 2023, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Janet Oliva, General Partner of Bay City Limited Partnership, a Delaware limited partnership, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said partnership.

GIVEN under my Hand and Seal of Office the day and year aforesaid.

Carol Ann Giampietro
Notary Public
My Commission Expires:

Grantee's Address:

c/o Lakeshore Communities, Inc.
8800 North Bronx Avenue
Second Floor
Skokie, IL 60077

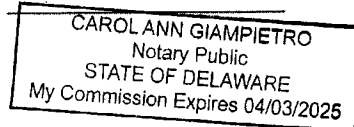


EXHIBIT A

PERMITTED EXCEPTIONS

1. General real estate taxes and assessments for 2023 and subsequent years, a lien not yet due and payable.
2. Right of Way to Delaware Electric Cooperative, Inc., recorded September 21, 1983 in the Office of the Recorder of Deeds in and for Sussex County in Deed Book 1211, Page 272.
3. Interface Grant to Bell Atlantic recorded November 14, 1994 in the Office of the recorder of Deeds in and for Sussex County in Deed Book 2016, Page 316.
4. Interface Grant to Verizon Delaware Inc. recorded November 14, 2005 in the Office of the Recorder of Deeds in and for Sussex County in Deed Book 3230, Page 130, as approximately shown on that certain ALTA/NSPS Land Title Survey prepared by Byron D. Howell of NV5, dated March 23, 2023, last revised May 31, 2023 as Project No. 202300173-001.
5. Deed of Easement to Sussex County recorded August 21, 1990 in the office of the Recorder of Deeds in and for Sussex County in Deed Book 1733, Page 235.
6. Agreement recorded August 1, 1997 in the Office of the Recorder of Deeds in and for Sussex County in Deed Book 2220, Page 111.
7. Agreement recorded August 1, 1997 in the Office of the Recorder of Deeds in and for Sussex County in Deed Book 2220, Page 119.
8. Easement Plan recorded August 21, 1990 in the Office of the Recorder of Deeds in and for Sussex County in Plot Book 44, Page 318.
9. Notes, Easements and Restrictions on Subdivision Plat of record in the Office of the Recorder of Deeds in and for Sussex County in Plot Books 8, Page 768; 9 Page 137; 52 Page 140 and 135 Page 80.
10. Rights of tenants, as tenants only, under unrecorded leases, with no options to purchase or rights of first refusal.
11. Riparian rights of others in and to the waters of Rehoboth Bay, Wingate Creek, Lingo Cove and Lee Joseph Creek through portions of the Land.
12. Access Easement as set forth in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, dated May 19, 2023 from Bay City Limited Partnership to Paul Oliva and Janet P. Oliva recorded May 24, 2023 in Book 5912, Page 27.
13. All matters that are or would be shown on an accurate plat of survey of the real estate conveyed pursuant to this Deed.

BAY CITY MHC, LLC

December 12, 2024

To Whom It May Concern,

I, Joseph I. Wolf, President of Bay City MHC, LLC, hereby authorize that:

Tom Bueltmann shall be authorized as agent for Bay City MHC, LLC, to sign documents on behalf of the company until further notice.

Thank you,



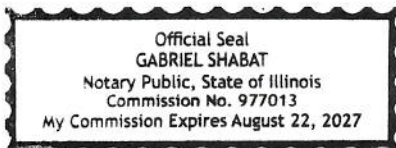
Joseph I. Wolf – President
Bay City MHC, LLC

State of Illinois)
County of Cook)

Subscribes and sworn before me on this 12th day of December, 2024.



Notary Public
My Commission Expires: August 22, 2027



8800 N. Bronx Ave., 2nd Floor
Skokie, IL 60077