

August 20, 2025

ERI Project No. 0004-0556

Mr. Matthew Jones, Program Manager  
Delaware Department of Natural Resources and Environmental Control  
Division of Water Resources  
Wetlands and Subaqueous Lands Section  
89 Kings Highway  
Dover, Delaware 19901

**RE: Shoreline Revetment Repair & Dock Facility  
Muller Property, Tax Map Parcel: 234-17.12-26.00 (Pinewater Farm Subdivision)  
Indian River Hundred, Millsboro, Sussex County, Delaware**

Dear Mr. Jones,

Environmental Resource Insights (ERI) has been retained by Mr. Scott Muller to act as his agent in regard to the repair of the existing rip rap revetment that surround the shoreline of his property (Tax Map Parcel 234-17.12-26.00) in the Indian River Hundred of Sussex County. The repair involves 392 feet of shoreline along Herring Creek. A Nationwide Permit No. 3 and 18 were issued by the Corp of Engineers for the work on June 12, 2025 (NAP-2025-00165-85).

The second aspect of this project involves construction of a docking facility. The property had a pier when it was purchased, which was grandfathered according to Ms. Julie Molina based on a conversation she had with Mr. Muller. That pier is no longer serviceable, and this application also includes plans for a new docking facility. The initial application was rejected by the Wetlands and Waterways Section for several reasons. These have been addressed as described herein and the applicant wishes to proceed with the current application as filed.

## Revisions:

- 1) The request for a double personal watercraft float (PWC) has been reduced to a single PWC float, clearly demonstrating that the proposed structure is a docking facility not a marina.
- 2) Both mean high and mean low water lines were identified on the previously submitted plans, so no revision was required.
- 3) As listed in the application, the width of Hopkins Prong at the docking facility location is  $\pm 432$  feet. It is impossible to illustrate this on a scaled 8.5" x 11" site plan sheet. A note has been added to the plans indicating this distance.
- 4) Mr. Muller has demolished the former home on the property, and he is in the process of reconstructing a new home for his personal full-time residence. He has provided current Delaware registrations for a PWC and a full-size vessel. He has another boat stored on out of state property that he intends to move to his new home when it is completed and when his docking facility is constructed. There is no speculation involved about his plans for the property. It is acceptable to condition the future approvals to require submittal of a second Delaware vessel registration prior to the installation of the boat lift depicted on the west side of the pier.
- 5) Only a single PWC float is now requested.
- 6) Item 8 of the boat docking appendix (Appendix A) lists the Delaware vessel registrations submitted by the applicant.

Should you or your staff have any questions in regard to the revised application, I am available at your convenience.

Sincerely,

ENVIRONMENTAL RESOURCE INSIGHTS



Edward M. Launay  
Senior Professional Wetland Scientist No. 875

Cc: Mr. Scott Muller  
Rebecca Bobola - DNREC

# **WETLANDS AND SUBAQUEOUS LANDS SECTION PERMIT APPLICATION FORM**

**For Subaqueous Lands, Wetlands, Marina and  
401 Water Quality Certification Projects**

**State of Delaware  
Department of Natural Resources and Environmental Control  
Division of Water**

**Wetlands and Subaqueous Lands Section**



**APPLICATION FOR APPROVAL OF  
SUBAQUEOUS LANDS, WETLANDS, MARINA  
AND WATER QUALITY CERTIFICATION PROJECTS**

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

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

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

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

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

**Helpful Information:**

1. Tax Parcel Information:
 

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

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



## APPLICANT'S REVIEW BEFORE MAILING

### DID YOU COMPLETE THE FOLLOWING?

<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: Scott Muller Telephone #: 845-742-2225  
 Mailing Address: 1 E Island Road Millsboro, DE 19966 Fax #: \_\_\_\_\_  
 \_\_\_\_\_ E-mail: sbmuller565@gmail.com  
 \_\_\_\_\_
2. Consultant's Name: Edward M. Launay Company Name: Environmental Resource Insights  
 Mailing Address: 1 Park Ave. Milford, DE 19963 Telephone #: 302-236-3871  
 \_\_\_\_\_ Fax #: 302-424-0430  
 \_\_\_\_\_ E-mail: elaunay@ericonsultants.com
3. Contractor's Name: Unknown 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):

Project purpose is to reconstruct existing rip rap stone revetment in place and to construct a new boat docking facility including two boat lifts and a single personal watercraft float.

(See Attached Sheet - Section 2, Item 5, Project Description)

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

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

**Section 3: Project Location**

7. Project Site Address: 27 Pinewater Drive County: ☐ N.C. ☐ Kent ☒ Sussex  
Harbeson, DE 19951 Site owner name (if different from applicant): \_\_\_\_\_  
Indian River Hundred Address of site owner: \_\_\_\_\_
8. Driving Directions: From the intersection of John J Williams Hwy (Rd24) and Sloan Rd, continue on Sloan Rd for 0.8 miles then turn right onto Multiflora Dr. Continue for 0.2 miles and turn left on Pinewater Dr. The driveway to 27 Pinewater Drive is approximately 0.2 miles on the right.  
 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 234-17.12-26.00 Subdivision Name: Pinewater Farm

<b>WSLS Use Only:</b>		<b>Permit #s:</b> _____		_____		_____		_____	
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 2, Item 5, Project Description

The Muller property is located at 27 Pinewater Drive, Harbeson, DE 19951 within the Indian River Hundred, Sussex County, Delaware. The property consists of approximately 392 feet of existing rip rap shoreline along the frontage of Hopkins Prong, a tributary to Herring Creek. The property is tax map parcel 234-17.12-26.00.

The Muller's recently purchased the property and are proposing to reconstruct and augment the existing rip rap stone along the shoreline with larger sized rip rap stone along with the construction of a new boat docking facility.

### Proposed Docking Facility

The proposed boat docking facility will replace the existing deteriorated pier that has been in place since between 1954 and 1961 based on historical imagery. The existing structure is now unserviceable. The Muller's propose to relocate a new boat docking facility to be constructed on the southwest shoreline of the property in a more desirable location with better water depths. The proposed boat docking facility will consist of a four foot-wide by 84 foot-long pier beginning on uplands. A dock on the east side of the pier will measure six foot-wide and 32 foot-long. There are two 10 foot-wide by 14 foot-long boat lifts proposed, one on each side of the pier. Additionally, a single personal watercraft (PWC) float measuring 6 foot-wide by 15 foot-long is proposed landward of the east side boat lift and will be accessed from the pier. Three individual mooring piles will be installed 14 feet channelward of the dock. This provides the ability to moor Mr. Muller's boat(s) when it is not occupying the boat lifts. This will be a common place in the way Mr. Muller and his family utilize their vessels.

Mr. Muller is in agreement to delay the installation of the boat lift on the west side of the proposed pier until a second full-sized vessel registration is submitted to the Wetlands and Waterways Section. This addresses any concern about need or speculative construction.

The proposed docking facility will be constructed with typical marine construction consisting of salt treated piles and timbers secured with galvanized or stainless steel hardware. Water and electric service to the docking facility is proposed.

### Proposed Rip Rap Revetment

Currently, the 392 foot long shoreline of this property is lined with rip rap stone placed between the mean high and mean low water lines of Hopkins Prong. No state regulated wetlands are mapped on the property. The existing revetment consists of small diameter stone with inadequate shoreline protection. The new owner of the property proposes to reconstruct the revetment with existing stone augmented by geotextile fabric and larger diameter 20 to 40 pound stone. The height of the proposed revetment will be raised to elevation 2.0 feet. Approximately 105 cubic yards of rip rap quarry stone will be placed between the mean low and mean high water lines and will be underlain with geotextile fabric. On the easterly side of the property, a fringe of federally regulated wetlands totaling 0.036 acres will be back filled to elevation 2.0 feet. A total of 48 cubic yards of clean select fill will be placed and stabilized with cool season grasses. This activity will be conducted under a Corps of Engineers Nationwide Permit No. 3 and 18 approval which was issued on June 12, 2025 (NAP-2025-00165-85).



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

10. Name of waterbody at Project Location: Hopkins Prong waterbody is a tributary to: Herring Creek

11. Is the waterbody: ☒ Tidal ☐ Non-tidal Waterbody width at mean low or ordinary high water +/- 432'

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):

Steven C. & Lorrie A. Sareyka - 617 Horseshoe Hill Rd. Hockessin, DE 19707

Kirk W. Christensen & Michelle M. Durand - 25 Pinewater Dr. Harbeson, DE 19951

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):

Not Applicable

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

Michael Yost

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):

Grandfathered

\*If no, were structures and/or fill in place prior to 1969? ☒ Yes ☐ No (1954 - 1961)

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

☐ No ☐ Pending ☒ Issued ☐ Denied Date: February 7, 2025

Type of Permit: DE SPGP-20

Federal Permit or ID #: \_\_\_\_\_

Nationwide Permit 3 & 18

NAP-2025-00165-85 Issued June 12, 2025

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, Scott Muller, hereby designate and authorize Environmental Resource Insights - Edward Launay  
(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: Edward M. Launay

Telephone #: 302-236-3871

Mailing Address: 1 Park Ave. Milford, DE 19963

Fax #: 302-424-0430

E-mail: elaunay@ericonsultants.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.

[Signature]  
Agent's Signature

4/30/2025  
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.

[Signature]  
Applicant's Signature

4/14/25  
Date

Scott Muller

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.

Unknown

Contractor's Name

                      
Date

                      
Print Name

**BOAT DOCKING FACILITIES**

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

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

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

See basic application (Section 2, Item 5, Project Description)

2. Please provide numbers and dimensions as follows:

Structure Type	Number of Support Pilings	Dimensions (Channelward of MHW or OHW)		Dimensions (Channelward of MLW- n/a for non-tidal water)		New, repair or maintain
Dock, Pier, Lift, gangway		Width ____ ft.	Length ____ ft.	Width ____ ft.	Length ____ ft.	
Pier	26	4	76	4	64	New
Dock	8	6	32	6	32	New
Boat Lift	4	10	14	10	14	New
Boat Lift	4	10	14	10	14	New
PWC Float		6	15	6	15	New
Freestanding Pilings	Number					
	3					

Mooring Buoy: 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? +/- 432 ft. (measured from MLW to MLW)
4. What will be the mean low water depth at the most channelward end of the mooring facility? -3.0 ft.
5. What type of material(s) will be used for construction of the mooring facility (e.g. salt treated wood, aluminum, fiberglass floats, etc.) Use of creosote-treated wood is prohibited.  
Salt treated timber and galvanized hardware
6. Circle any of the following items that are proposed over subaqueous lands:  
Fish Cleaning Stations/Benches/Ladders/Water Lines/Satellite/Electric Lines/Handrails/Other (Describe)

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

7. What will be the distance from the most channelward end of the docking facility to the edge of any natural or man-made channel? +/- 100 ft.

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

Make/model	<u>Sea Doo</u>	length	<u>11' 8"</u>	width	<u>          </u>	draft	<u>DL629AR</u>
Make/model	<u>2385 CATVRB</u>	length	<u>23' 0"</u>	width	<u>          </u>	draft	<u>DL3007AN</u>
Make/model	<u>                  </u>	length	<u>          </u>	width	<u>          </u>	draft	<u>          </u>
Make/model	<u>                  </u>	length	<u>          </u>	width	<u>          </u>	draft	<u>          </u>

9. Please provide a copy of the current state registration or Coast Guard Certificate of Documentation for each motorized vessel listed above.

10. Give the number and type of each Marine Sanitation Device (e.g. MSD III, Portable toilet) that will be used on vessels to be docked at the facility.

11. Is there currently a residence on the property? X Yes        No

12. Do you plan to reach the boat docking facility from your own upland property? X Yes        No If "No", explain your proposed means of access and provide documentation of easement or documentation authorizing access if you intend to cross someone else's property.

13. Will any portion of the structure be located in privately owned underwater land (such as a pond or lagoon) owned by someone other than the applicant?        Yes X No.  
If yes, written permission of the underwater land owner must be provided with this application.

14. What is the width of the waterfront property frontage adjacent to subaqueous lands? +/- 392 ft.  
Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line?  
       Yes X No  
If yes, a letter of no objection from the adjacent property owner must be included with this application.



**FILL**

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

1. How many linear feet will the fill extend channelward of the:
  - a. Tidal waters: mean high water line? +/- 12 ft.  
mean low water line? 0 ft.
  - b. Non-tidal waters: ordinary high water line? \_\_\_\_\_ ft.
2. What is the area of fill that will be located:
  - a. on subaqueous land (channelward of mean high water) 3,906 sq. ft.
  - b. on vegetated wetlands? 0 sq. ft.
3. What is the source of the fill?  
X Hauled in from upland sources: What is the source company/location/parcel number?  
\_\_\_\_ Obtained from dredged material: Complete Dredging Appendix.  
Commercial Quarry
4. What is the total volume of fill? 105 cubic yards
  - a. What is the total fill per running foot of shoreline? 0.27 cubic yards
5. What method will be used to place the fill?  
Fill of rip rap stone will be placed using a track mounted excavator/loader working from uplands.
6. State the type and composition percentage of the fill material (e.g. sand 80%, silt 5%, clay 15%, etc.)  
100% Rip Rap Stone
7. How will the fill be retained? Complete appropriate appendix.  
Not Applicable
8. What type of vegetation or ground cover will be provided for the filled area(s) to prevent soil erosion and help keep sediment from reaching State waters?  
Rip rap stone will be the proposed fill material and will augment existing rip rap stone for improved bank stabilization and to prevent erosion from boat wake and tidal influences. No vegetation cover is proposed.
9. Describe the type(s) of structure(s) to be erected on the filled area (if any). Complete appropriate appendix.  
None

**Rip-Rap Sills and Revetments**

Please respond to each question. Questions left blank may result in the application being returned as incomplete. In addition, the answers to all of the questions in this Appendix must correspond accurately to the information on the plan and section view drawings for the project.

1. Will the project be:

- ☐ New Construction (un-stabilized shoreline)  
☒ Repair or Replacement of an Existing Rip-Rap Structure or Rubble  
☐ Repair or Replacement of an Existing Bulkhead  
(If repair or replacement, submit photographs of the entire existing structure).

2. How many linear feet of shoreline are proposed to be stabilized? +/- 392'

3. Is the project a: ☒ Standard rip-rap revetment ☐ Free-standing sill

4. Describe the existing shoreline:

Existing small diameter rip rap stone along the shoreline is no longer functioning as originally  
designed. The proposed rip rap reconstruction will augment the existing rip rap and will reestablish  
effective bank stabilization.

5. What is the total number of cubic yards of rip-rap that will be used? 105

6. What is the number of cubic yards of rip-rap per running foot of shoreline? 0.27  
(See page 4 for a guide to calculating total cubic yards and cubic yards per running foot).

7. What will be the average weight of the stone used for the:

Armor stone: 20 lbs Core stone: 1 lb

[If material other than stone, such as prefab geo-grid or other similar product is proposed, please describe here and include photographs or a brochure. The Department strongly discourages the use of broken concrete, cinderblocks or other materials that are less dense than stone, more apt to move off site due to currents or wave action, and/or are not aesthetically pleasing or in keeping with the natural environment.]

Describe:

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## 8. For Standard Revetments answer A–F, below: (for Sill projects, skip to Question #9)

A. How many linear feet will the structure extend channelward of:

Mean High Water: +/- 12 Mean Low Water: 0'

Ordinary High Water: \_\_\_\_\_ (for non-tidal waters)

B. How many square feet of the structure will be located:

Channelward of Mean High Water: 3,906' Channelward of Mean Low Water: 0'

Channelward of Ordinary High Water: \_\_\_\_\_ (for non-tidal waters)

On vegetated wetlands: \_\_\_\_\_

C. Will the revetment be backfilled? ☒ Yes ☐ No

If yes, complete Appendix H and include it in your application.

D. Will filter cloth be used behind the rip-rap structure? ☒ Yes ☐ NoE. What is the average slope of the existing bank? 0.15%F. What is the proposed slope of the rip-rap revetment? 0.25%

(See page 3 for a guide to calculating slopes).

## 9. Sill Projects:

A. What is the base width of the proposed structure: \_\_\_\_\_

B. What is the top width of the proposed structure: \_\_\_\_\_

C. How many square feet of the structure will be located:

Channelward of Mean High Water: \_\_\_\_\_ Channelward of Mean Low Water: \_\_\_\_\_

Channelward of Ordinary High Water: \_\_\_\_\_ (for non-tidal waters)

On vegetated wetlands: \_\_\_\_\_

D. What will be the average height of the structure: \_\_\_\_\_

E. How much of the structure (in inches) will extend vertically above:

Mean High Water: \_\_\_\_\_ Ordinary High Water: \_\_\_\_\_ (for non-tidal waters)

F. Are breaks or notches proposed in the sill to allow for greater flushing? ☐ Yes ☐ NoG. Will fill material be placed behind the sill? ☐ Yes ☐ No If yes, complete appropriate appendix.H. Will wetland vegetation be planted behind the sill? ☐ Yes ☐ No

If yes, complete Appendix H and include it in your application.

## 10. Construction Techniques (Complete for both Revetment and Sill Projects):

A. Will any dredging be required? \_\_\_ Yes ☒ No

If yes, please include appropriate dredging Appendix with your application).

B. Please describe the sequence of construction and any techniques that will be utilized to minimize adverse impacts on the aquatic environment, and to preserve existing vegetation (particularly woody vegetation) along the shoreline:

The proposed activity involves reconstruction of an existing rip rap revetment, no clearing is proposed.The location is a developed residential lot. Equipment will generally avoid and work between larger caliper trees to be retained.

## CALCULATIONS

RUN = Base width of the structure (in feet) RISE = Vertical height of the structure (in feet)

I. How to calculate total cubic yards:

$$0.5 * RUN * RISE * \text{Linear feet of shoreline stabilized} / 27 = \text{Total Cubic Yards}$$

II. How to calculate cubic yards per running foot of shoreline:

$$\text{Total \# Cubic Yards} / \text{Linear feet of shoreline} = \text{Cubic yards per running foot}$$

III. How to calculate slope: Slope = RUN/RISE

## EXAMPLE:

If we propose to stabilize 100 linear feet of shoreline with a rip-rap revetment that has a basewidth of 6 feet and a height of 3 feet:

$$0.5 * 6 * 3 * 100 / 27 = 33.33 \text{ Total Cubic Yards}$$

$$\text{II. } 33.33 / 100 = 0.333 \text{ Cubic Yards per running foot}$$

$$\text{III. } 6/3 = \text{Slope of 2}$$



# STATE OF DELAWARE

## BOAT REGISTRATION CERTIFICATE

HULL ID NO	REG NO	MAKE	YEAR
YDV41714A020	DL629AR	SEA DOO	2020
LENGTH	HULL MATERIAL	PROPULSION	OPERATION
11' 8"	Fiberglass	Propeller	Pleasure
VESSEL TYPE	FUEL	ENGINE TYPE	EXPIRATION
Personal Watercraft	Gasoline	Inboard	2022
OWNER	BOAT NAME		

SUSAN L MULLER

536 CAMBY RD  
VERBANK, NY 12585

CITIBANK N.A.

# STATE OF DELAWARE

## BOAT REGISTRATION CERTIFICATE

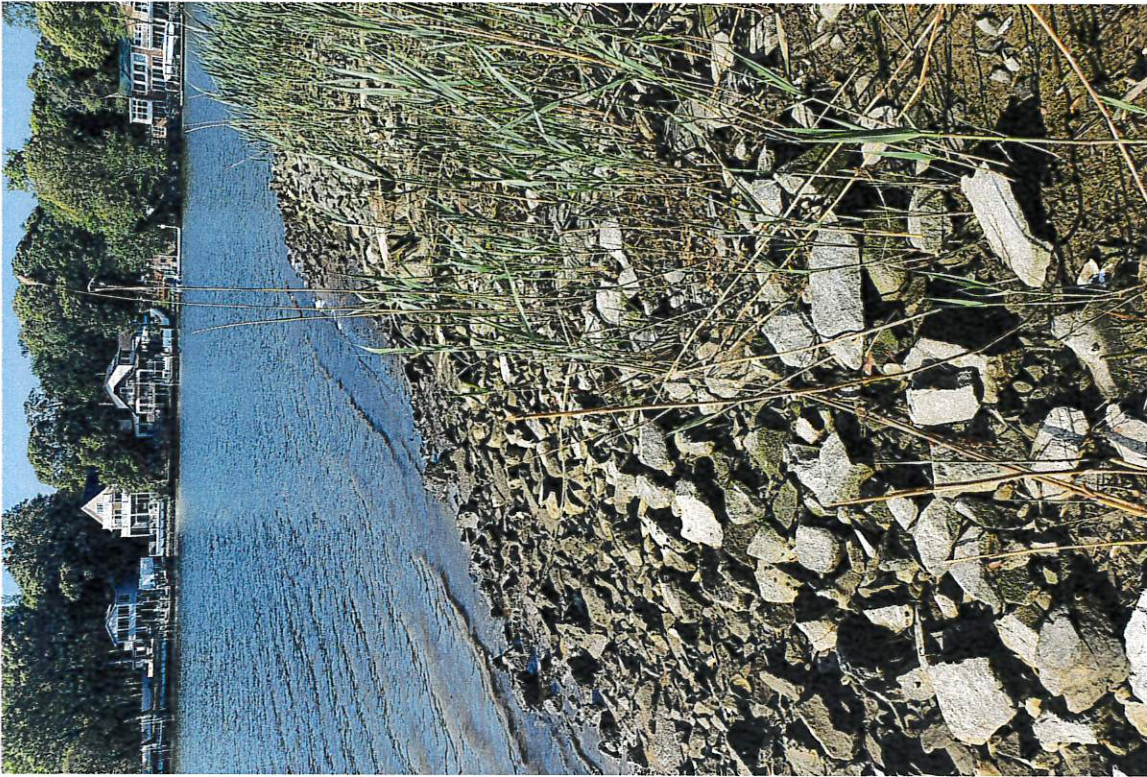
HULL ID NO	REG NO	MAKE	YEAR
DVN32007K021	DL3007AN	2385 CATVRB	2021
LENGTH	HULL MATERIAL	PROPULSION	OPERATION
23' 0"	Aluminum	Propeller	Pleasure
VESSEL TYPE	FUEL	ENGINE TYPE	EXPIRATION
Pontoon Boat	Gasoline	Outboard	2024
OWNER	BOAT NAME		

SCOTT MULLER Or  
SUSAN MULLER

1 E Island Rd,  
Millsboro, DE 19966

USA BANK





View of existing rip rap along easterly bank of property



View of existing rip rap at point of property shoreline





View of existing rip rap south shoreline



View south along E of proposed pier



TAX MAP AND PARCEL NO #:  
2-34 17.12 26.00

PREPARED BY & RETURN TO:  
Morris James LLP  
David C. Hutt, Esq.  
107 West Market Street  
P.O. Box 690  
Georgetown, DE 19947

THIS DEED, made this 6 day of December, 2024,

- BETWEEN -

JOHN A. HOPKINS, III, TRUSTEE OF THE JOHN A. HOPKINS, JR.  
IRREVOCABLE TRUST DATED JULY 7, 2022, of 26984 Round Pole Bridge Rd., Milton,  
DE 19968, party of the first part,

- AND -

SUSAN L. MULLER AND SCOTT B. MULLER, of 1 E. Island Road, Millsboro, DE  
19951, husband and wife, as tenants by the entireties, his or her heirs and assigns, parties of the  
second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum  
of TEN and 00/100 Dollars (\$10.00), lawful money of the United States of America, the receipt  
whereof is hereby acknowledged, hereby grants and conveys unto the parties of the second part,  
and their heirs and assigns, in fee simple, the following described lands, situate, lying and being  
in Sussex County, State of Delaware:

ALL THAT CERTAIN lot, tract, piece or parcel of land situate and lying on the northerly  
side of Hopkins Branch of Herring Creek in Indian River Hundred, Sussex County, State of  
Delaware, more particularly described as follows, to wit:

BEGINNING at a pipe in the Southerly right-of-way line of Pinewater Drive said point of  
beginning being a corner for this lot and lot K-4 (also known as "0"); thence by and with the line  
of this lot and lot K-4 South 30 degrees 35 minutes 20 seconds West 220.6 feet crossing over a  
pipe set at 212.6 feet, to the high water line of Hopkins Branch of Herring Creek; thence turning  
and running with the Meanderings of Herring Creek, with a tie line of North 87 degrees 12 minutes  
20 seconds West 278.17 feet to a point in the high water line of Herring Creek, a corner for this  
lot and lot M; thence turning and running by and with the line of this lot M. North 30 degrees 35  
minutes 20 seconds East 329.0 feet, passing over a pipe set at 54 feet, to a pipe in the Southerly  
right-of-way line of Pinewater Drive; thence turning and running with said right-of-way line South  
64 degrees 21 minutes 40 seconds East 247.0 feet to an iron pin, to the point and place of beginning  
containing 86,750 square feet of land more or less and being known and designated as lot N as  
surveyed by Ira A. Garbutt, HI, Registered Surveyor, February 10, 1981.



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containing 86,750 square feet of land more or less and being known and designated as lot N as  
surveyed by Ira A. Garbutt, HI, Registered Surveyor, February 10, 1981.

**TOGETHER WITH** a perpetual easement, or way of ingress, egress or regress, fifty (50) feet in width, throughout its entire length, across other lands of Samuel M. Sloan, etux. To County Road #49 to be enjoyed in common with the lot owners of Pinewater Farms, for both vehicular and pedestrian traffic, as set forth in a Deed of Easement bearing date of July 26, 1965, between Samuel M. Sloan, etux. and Jane W. Atkinson Laverell, of record in the Office of the Recorder of the Recorder of Deeds, aforesaid in Deed Record 591, page 491.

**EXCEPTING AND RESERVING** any and all possible out conveyances from February 13, 1981, forward.

**BEING** the same lands conveyed to The John A. Hopkins, Jr. Irrevocable Trust dated July 7, 2022, by Deed of John A. Hopkins, Jr. dated July 7, 2022 and recorded July 12, 2022 in the Office of the Recorder of Deeds in and for Sussex County in Deed Book 5736, Page 326.

**SUBJECT** to all easements, agreements, covenants, and plans of record, this reference to which shall not be construed to reimpose any such easements, agreement, covenants and plans that have otherwise lapsed, expired, or have otherwise been terminated in accordance with their terms or otherwise, as applicable, but not subject to any mortgages, judgments or other liens of record or otherwise.

**IN WITNESS WHEREOF**, the party of the first part has hereunto set his hand and seal the day and year first above written.

**THE JOHN A HOPKINS, JR. IRREVOCABLE  
TRUST DATED JULY 7, 2022**

\_\_\_\_\_  
Witness

By: *John A. Hopkins, III* - Trustee (SEAL)  
John A. Hopkins, III, Trustee

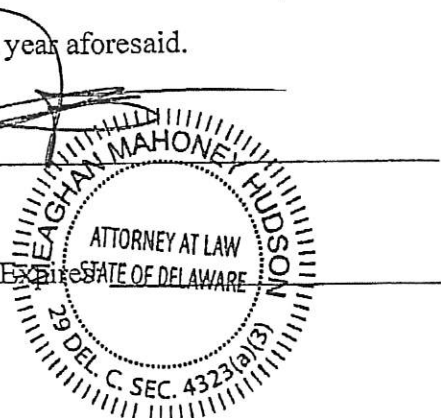
STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

**BE IT REMEMBERED**, that on December 4, 2024, personally came before me, the subscriber, John A. Hopkins, III, Trustee of The John A. Hopkins, Jr. Irrevocable Trust dated July 7, 2022, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

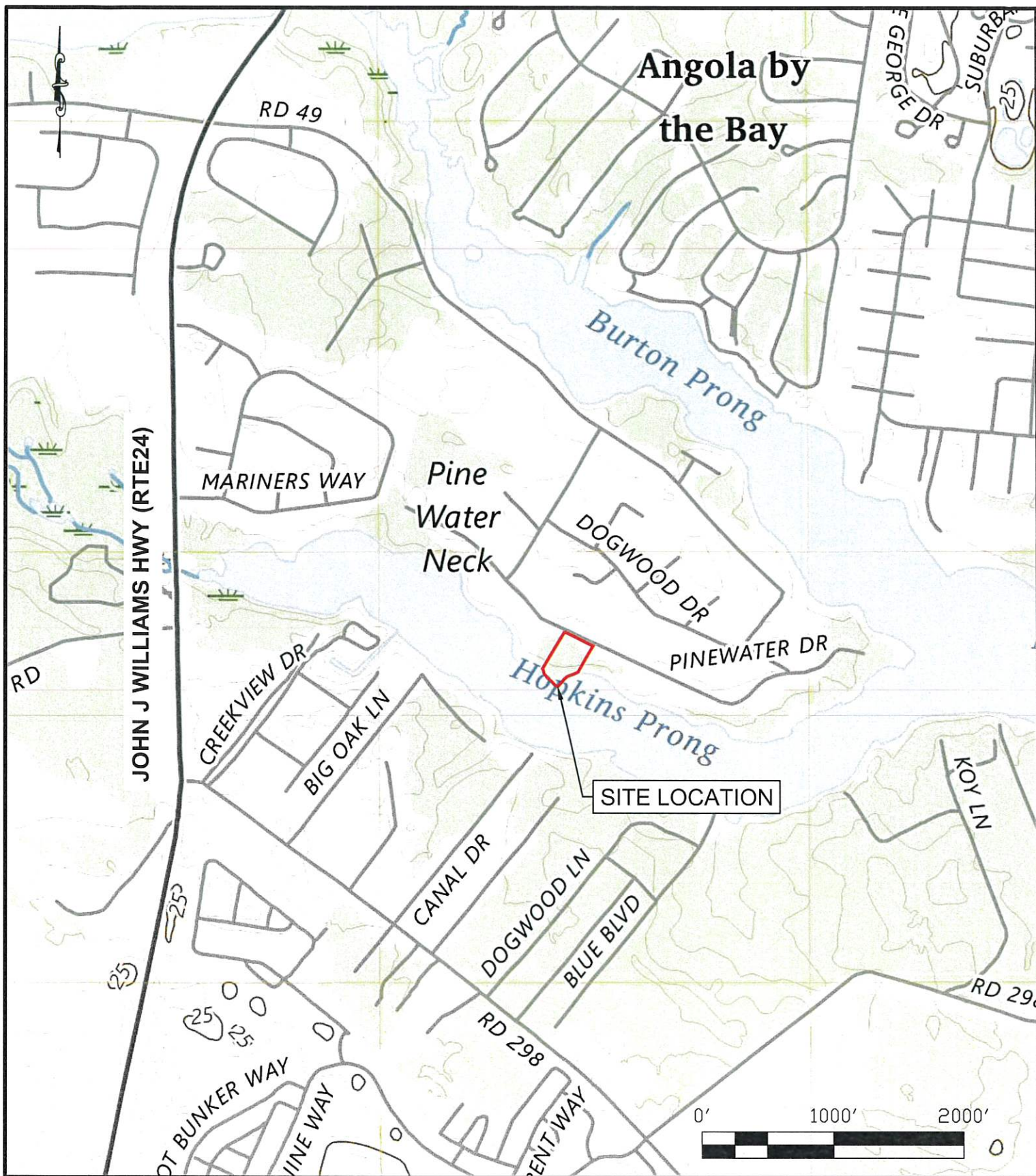
GIVEN under my Hand and Seal of Office the day and year aforesaid.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_







Date:	APRIL, 2025
Scale:	1" = 1000'
Dwn.By:	KWW
Proj.No.:	0004-0556
FAIRMOUNT QUAD.	
Dwg.No.:	1

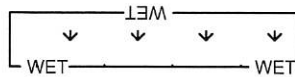
**MULLER PROPERTY**  
**USGS TOPO MAP**  
TMP: 234-17.12-26.00  
INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DELAWARE

**ERI** ENVIRONMENTAL  
RESOURCE  
INSIGHTS  
A DIVISION OF DAVIS, BOWEN & FRIEDEL, INC.



### LINE LEGEND

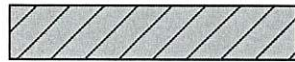
	PROPERTY LINE
	ADJACENT PROPERTY LINE
	NON-TIDAL WETLAND BOUNDARY
	MEAN HIGH WATER LINE
	MEAN LOW WATER LINE/ PROPERTY LINE
	LIMIT OF PROPOSED FILL AREA



FEDERALLY REGULATED  
NON-TIDAL WETLAND



EXISTING RIP RAP EMBANKMENT  
TO BE RECONSTRUCTED



PROPOSED FILL OF FEDERALLY  
REGULATED WETLANDS

### SYMBOL LEGEND

	CMF	CONCRETE MONUMENT FOUND
	IPF	IRON PIPE FOUND
		WETLAND FLAG

NOTE: AREA OF PUBLIC  
SUBAQUEOUS LAND  
CHANNELWARD OF THE  
MEAN LOW WATER LINE  
OCCUPIED BY DOCKING  
FACILITY = ± 818 SQ. FT.

### SUMMARY OF PROPOSED SHORELINE IMPACTS

EXISTING INTERTIDAL AREA (392 LINEAR FEET) OF RIP RAP EMBANKMENT TO BE RECONSTRUCTED (SUBAQUEOUS LANDS & NATIONWIDE PERMIT 3 ACTIVITY)	3,909 SQ. FT. (0.090 AC.)
CUBIC YARDS OF NEW RIP RAP STONE UNDERLAIN WITH GEOTEXTILE FABRIC PLACED IN INTERTIDAL AREA	105 CUBIC YARDS
AREA OF FEDERALLY REGULATED PALUSTRINE SCRUB SHRUB/FORESTED WETLANDS TO BE FILLED	1,558 SQ. FT. (0.036 AC)
CUBIC YARDS OF CLEAN SELECT FILL TO BE PLACED IN CORPS REGULATED WETLAND (NATIONWIDE PERMIT 18 ACTIVITY)	48 CUBIC YARDS

Date: AUGUST, 2025

Scale: NONE

Dwn.By: KWW

Proj.No.: 0004-0556

LEGEND

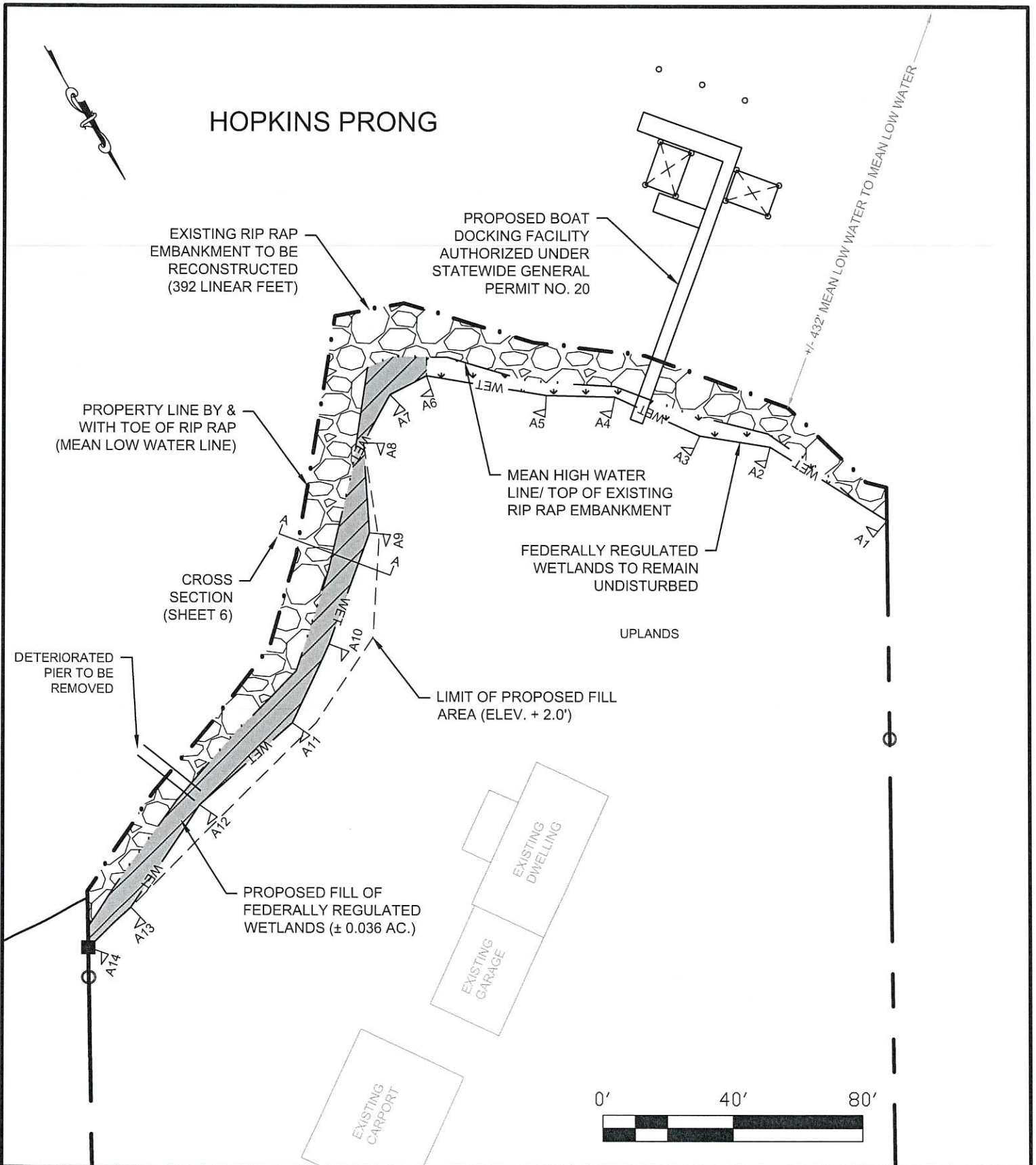
Dwg.No.: 2

**MULLER PROPERTY**  
**LEGEND & IMPACT SUMMARY**  
TMP: 234-17.12-26.00  
INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DELAWARE

**ERI** ENVIRONMENTAL  
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# HOPKINS PRONG



Date: AUGUST, 2025

Scale: 1" = 40'

Dwn.By: KWW

Proj.No.: 0004-0556

OVERALL DETAIL

Dwg.No.: 3

## MULLER PROPERTY PROPOSED RIP RAP RECONSTRUCTION & BOAT DOCKING FACILITY

TMP: 234-17.12-26.00  
INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DELAWARE

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# HOPKINS PRONG

PROPOSED INDIVIDUAL  
MOORING PILES (3)

-3.3  
X

-3.6  
X

14' 14'

14' 6'

32'

-3.1  
X

PROPOSED  
10'X14'  
BOAT LIFT

PROPOSED DOCK

14'

10'

14'

10'

PROPOSED  
10'X14'  
BOAT LIFT

PROPOSED  
6'X15' SINGLE  
PWC FLOAT

-2.3  
X

-1.9  
X

PROPOSED PIER

DECK ELEV. + 3.5'

70'

+/- 432' MEAN LOW WATER TO MEAN LOW WATER

PROPERTY LINE  
BY & WITH TOE OF  
RIP RAP (MEAN  
LOW WATER LINE)

EXISTING RIP RAP  
EMBANKMENT TO  
BE RECONSTRUCTED

MEAN HIGH WATER  
LINE/ TOP OF EXISTING  
RIP RAP EMBANKMENT

UPLANDS

## RANGES OF LOCAL TIDE:

MEAN HIGH WATER: + 0.80

NAVD88 DATUM ELEV.: 0.00

MEAN LOW WATER: - 0.60

3.2  
X

3.7  
X

0' 20' 40'

Date: AUGUST, 2025

Scale: 1" = 20'

Dwn.By: KWW

Proj.No.: 0004-0556

PIER DETAIL

Dwg.No.: 4

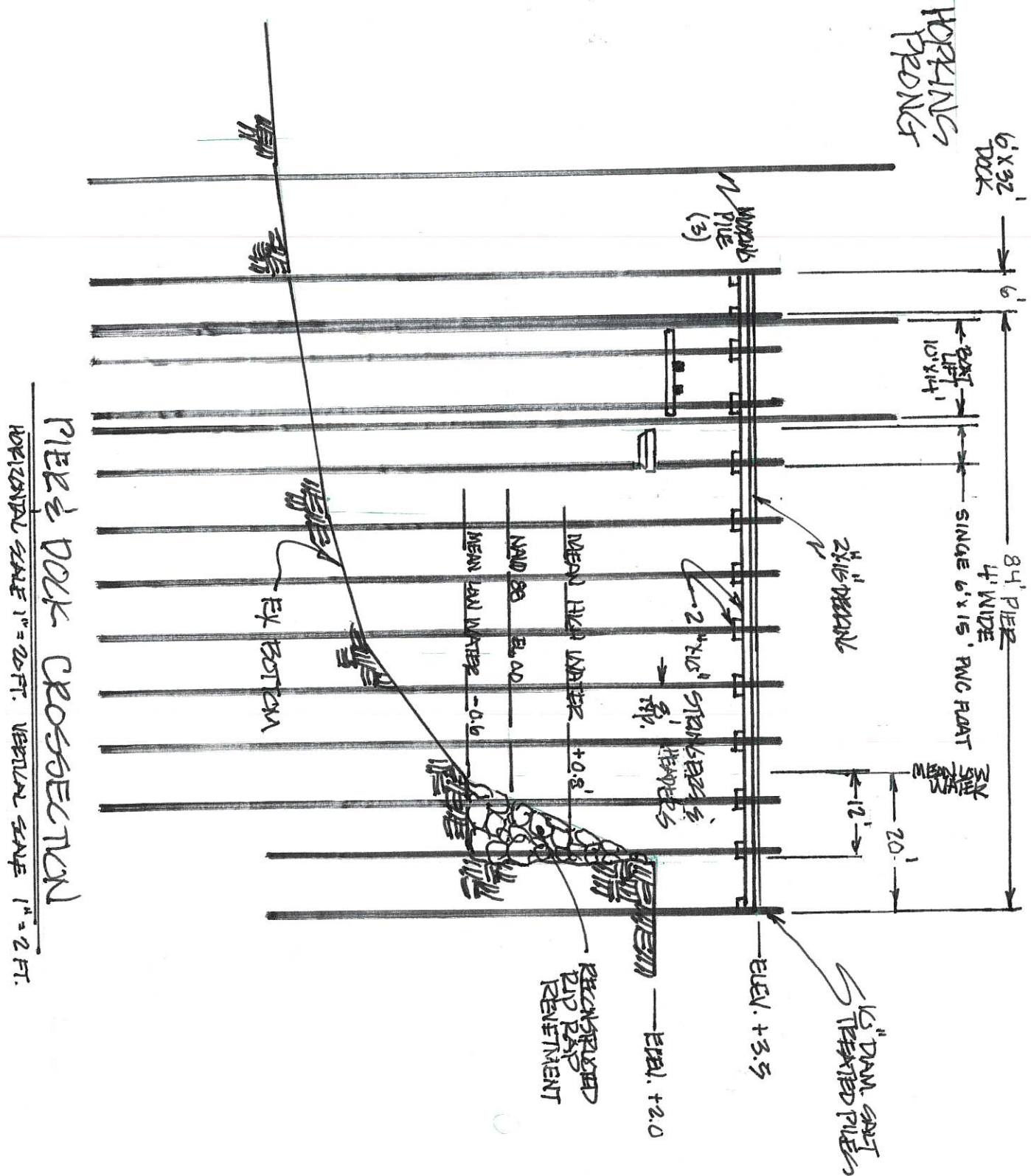
## MULLER PROPERTY PROPOSED BOAT DOCKING FACILITY

TMP: 234-17.12-26.00  
INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DELAWARE

**ERI** ENVIRONMENTAL  
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Date: APRIL, 2025

Scale:

Dwn.By: EML

Proj.No.: 0004-0556

CROSS SECTION

Dwg.No.: 5

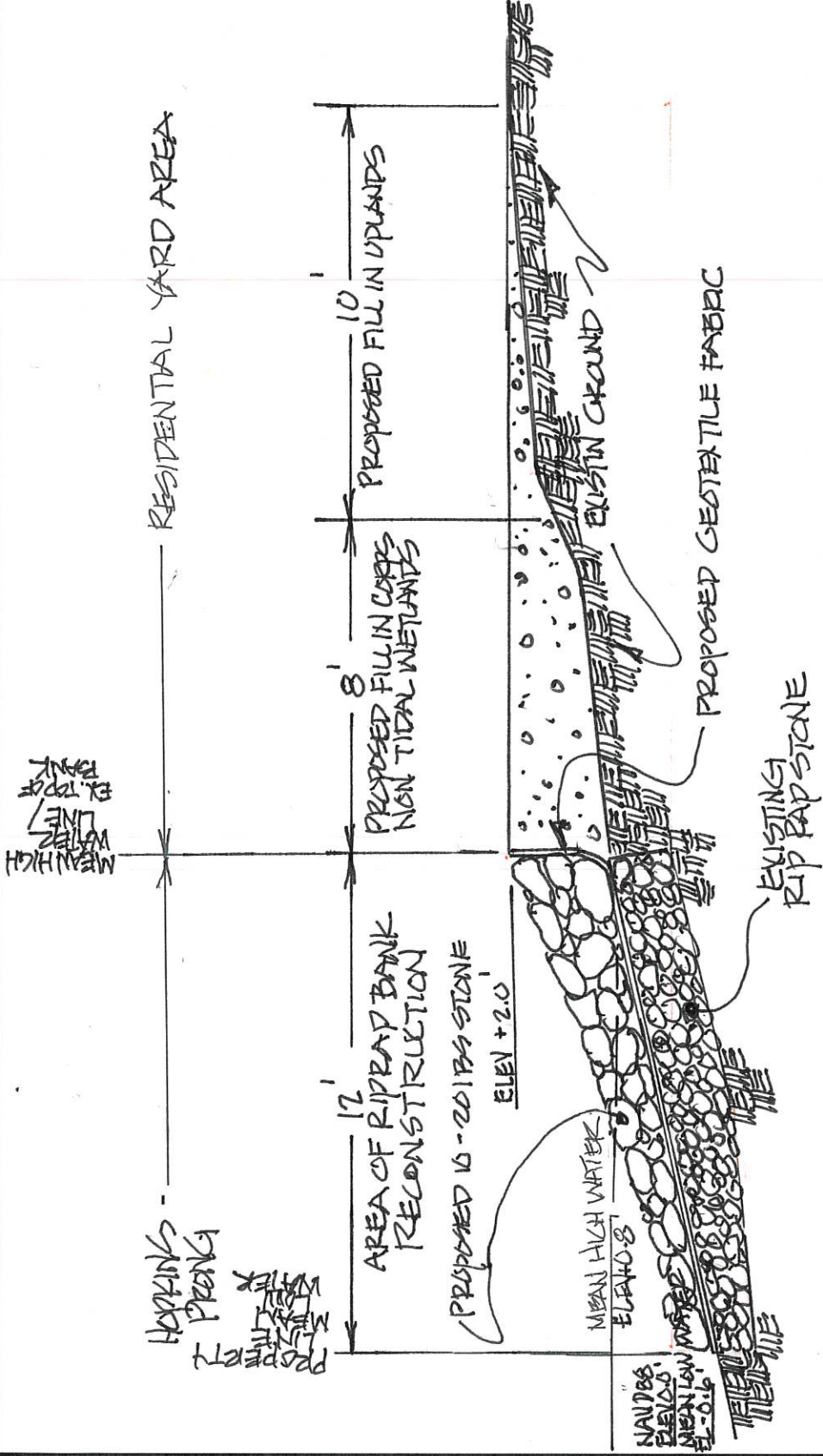
# MULLER PROPERTY

## PROPOSED BOAT DOCKING FACILITY

TMP: 234-17.12-26.00  
INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DELAWARE

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**CROSS SECTION A-A**  
 HORIZONTAL SCALE 1" = 4 FEET  
 VERTICAL SCALE 1" = 2 FEET

Date:	APRIL, 2025
Scale:	
Dwn.By:	EML
Proj.No.:	0004-0556
CROSS SECTION	
Dwg.No.:	6

**MULLER PROPERTY**  
**PROPOSED RIP RAP RECONSTRUCTION**  
 TMP: 234-17.12-26.00  
 INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DELAWARE



ENVIRONMENTAL  
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