DNREC Division of Water: Wetlands and Water
Attn: Matt Jones
Richardson & Robbins Building
89 Kings Highway SW
Dover, DE 19901

Shoreline Stabilization Project – Riprap Sill

Applicant: Sandy Cove Townhomes Homeowners Association
Attn: Ms. Regina Ashcroft, HOA President - 30171 Jump Lane Ocean View, DE 19977

To Whom It May Concern,

The proposed project area is located within the Sandy Cove Townhomes Community located at 37693 Sandy Trap Drive, Ocean View, Delaware 19970, along White Creek, a tributary to the Indian River Bay. The purpose of this project is to provide shoreline stabilization by installing a (+/-220 linear feet) low-profile vented sill on the existing erosive shoreline within the subject property. Severe shoreline erosion is present due to capillary and fetch wave action on exposed soil. The (+/-220 linear foot) low-profile vented sill consist of a geotextile fabric base and Delaware R-4 riprap (+/- 120 yd^3) with a base width of 10' and height of 3' with a 1.5':1 slope. Vents will be formed during the installation of the sill and installed every (+/- 30 linear feet) with a top width of 3' and height of 1.5'. Approximately (2,200 ft^2) of S-300 geotextile fabric will be installed to line the bottom of the proposed low-profile vented sill in order to prevent rip rap displacement/sinking and disturbance to benthic soils.

All appropriate risk avoidance measures will be followed to allow practicable alternatives and consideration of impacts were necessary. The work authorized shall be completed in accordance with the terms and conditions of the applicable United States Army Corps of Engineers Permit (Nationwide Permit #13-Bank Stabilization). Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the current Delaware Erosion and Sediment Control Handbook so as to minimize entry and dispersal of sediment and other contaminants to surface waters.
Site Maps and required property documents are attached.

Please contact me with any questions.
Best Regards,

Ld

Lyle de la Rosa
Environmental Project Manager
Envirotech Environmental Consulting, Inc.
Office Phone: 302.684.5201
Fax: 302.684.5204
email: lyle@envirotechecinc.com
email: nick@envirotechecinc.com

CCR# 03/22/2024/11

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

Last Revised on: March 28, 2017

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY

Application Instructions:

1. Complete each section of this basic application and appropriate appendices as thoroughly and accurately as possible. Incomplete or inaccurate applications will be returned.

2. All applications must be accompanied by a scaled plan view and cross-section view plans that show the location and design details for the proposed project. Full construction plans must be submitted for major projects.

3. All applications must have an original signature page and proof of ownership or permitted land use agreement.

4. Submit an original and two (2) additional copies of the application (total of 3) with the appropriate application fee and public notice fee* (prepared in separate checks) to:

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

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

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

Helpful Information:

1. Tax Parcel Information:	New Castle County	(302) 395-5400
	Kent County	(302) 736-2010
	Sussex County	(302) 855-7878
2. Recorder of Deeds:	New Castle County	(302) 571-7550
	Kent County	(302) 744-2314
	Sussex County	(302) 855-7785

3. A separate application and/or approval may be required through the Army Corps of Engineers. Applicants are strongly encouraged to contact the Corps for a determination of their permitting requirements. For more information, contact the Philadelphia District Regulator of the Day at (215) 656-6728 or visit their website at: http://www.nap.usace.army.mil/Missions/Regulatory.aspx.

4. For questions about this application or the Wetlands and Subaqueous Lands Section, contact us at (302) 739-9943 or visit our website at:
http://www.dnrec.delaware.gov/wr/Services/Pages/WetlandsAndSubaqueousLands.aspx.
Office hours are Monday through Friday 8:00 AM to 4:30 PM, except on State Holidays.

APPLICANT'S REVIEW BEFORE MAILING

DID YOU COMPLETE THE FOLLOWING?

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

Submit 3 complete copies of the application packet to:

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

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

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

Section 1: Applicant Identification

1. Applicant's Name: Sandy Cove Townhomes HOA
Mailing Address: 30231 Jump Lane
Ocean View, DE 19970
Telephone #: 302.537.4298
Fax #:
E-mail: board@sandycovehomes.com

2. Consultant's Name: Todd Fritchman
Mailing Address: 17605 Nassau Commons Boulevard, Unit D
Lewes, DE 19958
Company Name: Envirotech Environmental Consulting, Inc.
Telephone #: 302.684.5201
Fax #: 302.684.5204
E-mail: lyle@envirotechecinc.com

3. Contractor's Name:
Mailing Address:
Company Name:
Telephone #:
Fax #:
E-mail:

Section 2: Project Description

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

5. Project Purpose (attach additional sheets as necessary):
Living shoreline stabilization of unconsolidated shoreline (+/- 220 linear feet). 120 cubic yards of R4 riprap stone

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

	A. Boat Docking Facilities		G. Bulkheads		N. Preliminary Marina Checklist
	B. Boat Ramps	X	H. Fill		O. Marinas
	C. Road Crossings	X	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	X	M. Activities in State Wetlands		S. New Dredging

Section 3: Project Location

7. Project Site Address: 37693 Sandy Trap Drive
Ocean View, DE 19970
County: ☐ N.C. ☐ Kent ☐ Sussex
Site owner name (if different from applicant): Ocean View Land Development LLC
Address of site owner: 112 Airport Road PO Box 341 Coatesville, PA

8. Driving Directions: Attached as separate document
(Attach a vicinity map identifying road names and the project location)

9. Tax Parcel ID Number: 134-8.00-154.00
Subdivision Name: Sandy Cove Townhomes

WSLS Use Only: **Permit #s:** _____ _____ _____ _____

Type **SP** ☐ **SL** ☐ **SU** ☐ **WE** ☐ **WQ** ☐ **LA** ☐ **SA** ☐ **MP** ☐ **WA** ☐

Corps Permit: SPGP 18 ☐ **20** ☐ **Nationwide Permit #:** _____ **Individual Permit #**_____
Received Date: _____ **Project Scientist:** _____
Fee Received? Yes ☐ **No** ☐ **Amt: $**_____ **Receipt #:** _____
Public Notice #: _____ **Public Notice Dates: ON** _____ **OFF** _____

Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: White Creek waterbody is a tributary to: Indian River Bay

11. Is the waterbody: X Tidal ☐ Non-tidal Waterbody width at mean low or ordinary high water +/- 1,000 Feet

12. Is the project: ☐ On public subaqueous lands? X On private subaqueous lands?*
X In State-regulated wetlands? X In Federally-regulated wetlands?

*If the project is on private subaqueous lands, provide the name of the subaqueous lands owner:
Ocean View Land Development LLC
(Written permission from the private subaqueous lands owner must be included with this application)

13. Present Zoning: ☐ Agricultural X 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):
Reilly Martin F; 38295 Sandy Cove Road, Ocean View, DE 1970
Batistas Theofaniy James; 7982 Valderama Court, Gainesville, VA 20155
Cedar Shores Condominium Association; 301 Cedar Shores Road, Ocean View, DE 19970

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):
Attached as separate document

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 X No
B. Has the project been reviewed in a monthly Joint Permit Processing Meeting? ☐ Yes X No
*If yes, what was the date of the meeting? _____

16. Are there existing structures or fill at the project site in subaqueous lands? X Yes ☐ No
*If yes, provide the permit and/or lease number(s):
SP-232/18

*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 X Pending ☐ Issued ☐ Denied Date: _____

Type of Permit: NWP-13 Federal Permit or ID #: _____

18. Have you applied for permits from other Sections within DNREC?
☐ No ☐ Pending ☐ Issued ☐ Denied Date: _____ Permit or ID #: _____

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

Other: _____

Section 5: Signature Page

19. Agent Authorization:

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

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

I wish to authorize an agent as indicated below X

I, Regina Ashcraft, hereby designate and authorize Envirotech Environmental Consulting, Inc.
(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: Todd Fritchman Telephone #: 302.684.5201
Mailing Address: 17605 Nassau Commons Boulevard Fax #:
Unit D Lewes, Delaware 19958 E-mail:

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.

Todd Fritchman
Agent's Signature

February 14, 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.

Applicant's Signature

3/17/2025
Date

Regina Ashcraft, Sandy Cove HOA President
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

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? 220 ft.
      mean low water line? 0 ft.
   b. Non-tidal waters: ordinary high water line? N/A ft.

2. What is the area of fill that will be located:
   a. on subaqueous land (channelward of mean high water) 2,200 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.

   Pennsy Supply- Elk Mills Quarry- 896 Elk Mills Road, Elk Mills, MD 21920

4. What is the total volume of fill? 120 cubic yards
   a. What is the total fill per running foot of shoreline? 0.55 cubic yards

5. What method will be used to place the fill?

   Light machinery will be utilized to transport the rip rap to the project location. All stones will be placed by hand during the installation of the Low-Profile Vented Sill. In water work will be avoided to the best extent possible and light machinery will not be opperarted near or in the water.

6. State the type and composition percentage of the fill material (e.g. sand 80%, silt 5%, clay 15%, etc.)

   R-4 Rip Rap Stone, and S-300 Geotextile Fabric

7. How will the fill be retained? Complete appropriate appendix.

   The Rip Rap will be installed above 2,200 sqaure feet of S-300 Geotextile fabric to prevent stone displacement/ sinking.

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?

   N/A

9. Describe the type(s) of structure(s) to be erected on the filled area (if any). Complete appropriate appendix.

   The 120 Cubic yards of R-4 rip rap stone will be utilized to form a 220'x10'x3.5' low-profile vented sill. Vents will be installed every 30 linear feet with a top width of 3' and height of 1.5'.

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:
   X 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? 220'

3. Is the project a: ___ Standard rip-rap revetment X Free-standing sill

4. Describe the existing shoreline:
   Unconsolidated, sandy beach shoreline that receives continuous wave energy due to high winds, boat traffic, and capillary fetch. Fordunes are located landward of the shoreline's MHWL which contain active native wetland vegetation populations.

5. What is the total number of cubic yards of rip-rap that will be used? 120

6. What is the number of cubic yards of rip-rap per running foot of shoreline? 0.55
   (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: X Core stone: _____
   [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:
   2,200 square feet of S-300 Geotextile Fabric will be installed before the R-4 rip rap stone to prevent stone displacement/sinking.

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: _____Mean Low Water: _____
   Ordinary High Water: _____ (for non-tidal waters)

   B. 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: _____

   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 ___ No

   E. What is the average slope of the existing bank? _____

   F. What is the proposed slope of the rip-rap revetment? _____
   (See page 3 for a guide to calculating slopes).
9. Sill Projects:
   A. What is the base width of the proposed structure: 10___
   B. What is the top width of the proposed structure: 3____
   C. How many square feet of the structure will be located:

   Channelward of Mean High Water: 2,200 Channelward of Mean Low Water: 0
   Channelward of Ordinary High Water: N/A (for non-tidal waters)
   On vegetated wetlands: 0

   D. What will be the average height of the structure: 3 feet
   E. How much of the structure (in inches) will extend vertically above:

   Mean High Water: 8-12" Ordinary High Water: N/A (for non-tidal waters)

   F. Are breaks or notches proposed in the sill to allow for greater flushing? X Yes___ No
   G. Will fill material be placed behind the sill? ___ Yes X No If yes, complete appropriate appendix.

   2,200 Square Feet of S-300 Geotextile Fabric will be placed beneath the installed sill to prevent sinking/displacement.

   H. Will wetland vegetation be planted behind the sill? ___ Yes X 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 X__ 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:

All work will be performed during MLW in order to avoid in-water work. Approximatly 2,200 square feet of S-300 Geotextile fabric will be installed within the proposed low-profile vented sill's footprint to prevent stone displacement. 120 Cubic yards of clean R-4 rip rap stone will be installed above the geotextile fabric to form the 220'x10'x3.5' vented sill. Surrounding vegitation will be avioded to the best extent possible and Best Management Practices will be applied througout all stages of the project's construction. (Project Descripton Attached)

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 * Linear feet of shoreline stabilized/27 = Total Cubic Yards

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

Total # Cubic Yards/ Linear feet of shoreline = 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 Total Cubic Yards

II. 33.33/ 100= 0.333 Cubic Yards per running foot

III. 6/3= Slope of 2

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.
   Project Description Attached.

2. What is area of impact for each activity in state wetlands?

   Wetlands Walkways/Other Structures:
   Length _____220_ ft. Width _____10_ ft.
   # Piles _N/A_____ Height_N/A_____ ft. over marsh

3. What is volume of fill or excavated material involved in this project?

   Fill _____120__ cubic yards
   Excavation _____0__ cubic yards

4. Map number of state wetland map where project is located: DNR # _041_____

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.

   The project location is in an area of wetlands that receives continuous tidal activity that is directly causing shoreline loss and erosion. The proposed project location is selected to address the severe shoreline erosion and foredune undercutting that is currently observed within the target area.

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.

   Permanent changes includes the installation of a 220'x10'x3' Low-profile vented sill with 115 cubic yards of R-4 Rip Rap placed on 2,200 Sqaure Feet of S-300 geotextile fabric to reduce received wave energy a prevent shoreline loss/erosion.

7. Describe alternatives to the proposed action which would reduce or avoid environmental damage.

   Wetland matts will be temporarily placed within the project to reduce the total surface area impacted by foot traffic and light machinery. The Installation of the Low-Profile Vented Sill will be performed during MLWL and machinery will only operate from an upland area in order to prevent the release/displacement of benthic soils and contaminiants to surface waters.
   All Appropriate risk avoidance measures will be followed/implemented to allow practicable alternatives and consideration of environmental impacts when necessary.

8. Describe all measures to be taken during and after the completion of the proposed project to reduce detrimental effects.

   The design and construction of the Low-Profile Vented Sill will be performed in accordance with the Delaware Sediment and Erosion Control Handbook and the terms/conditions of the applicable United States Army Corp of Engineers Nation Wide Permit (NWP #13- Bank Stabilization). State and Federal time of year construction restrictions will be followed to prevent disturbance to spawning fish and wildlife habbitat. All construction activity will occur landward of Mean Low Water Level and machinery will from an upland area in order to prevent the release/displacement of benthic soils and contaminants to surface waters. Native Vegetation will be avioded to the best extent possible throughout all construction activies.

9. Describe all permanent environmental impacts which cannot be avoided.

   The installation of (+/- 115 Cubic yards) of R-4 Rip Rap to form a permanent Low-Profile Vented Sill structure and (2,200 Sqaure Feet) of S-300 Geotextile Fabric underlayment to prevent Rip Rap displacement/Sinking. Vents will be installed every 30 linear feet to allow aquatic wildilfe to enter/exit the area freely.

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

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.

The Low-Profile Vented Sill will absorb wave energy and promote sediment accreation by capturing eroded material to restablish natural wetands and prevent aquatic sediment discharge within the surrounding water body. This will ultimatley reduce shorline loss/erosion damage and the effects of silting within Whites creek. The vented sill will also allow tidal flushing to naturally occur.

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.

The proposed sill will increase habitat vaule by preventing the loss/degradation of the target area's shoreline, foredunes, and lower transitional zones which currently allows mammals, waterbirds and nearshore birds to forage, roost, and nest. Furthermore, the sill will provide wave action protection and habitat stucture for aquatic organisms which will increase biodiversity and the habitat value within the project area. The vented sill will allow tidal flushing and aquatic organisms to enter/exit the area freely with the change of tide.

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.

The proposed Low-Profile Vented Sill's aesthetic effect will coincide with the presence of the surrounding water body (White Creek) and the surrounding topography consisting of sand dunes that are currently populated by Delaware native wetland vegetation. The proposed project will also prevent the loss/degradation of the target area's aesthetic effect/appeal.

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.

N/A

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.

N/A

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.

The proposed Low-Profile Vented Sill will decrease cost associated with repairing damages caused by costal flooding, severe wave/weather action, and erosion. The proposed sill will reduce received wave energy and limit shorline loss/damage caused by severe events.

Envirotech
ENVIRONMENTAL CONSULTING, INC.
Providing Environmental Solutions

October 14, 2024

Authorized Representative for Shoreline Stabilization Permit

Subject Property: Sandy Cove Townhomes Homeowner's Association
Tax Map Parcel #: 134-8.00-154.00 (+/- 21.7 acres)

The Subject Property is located south of Jump Lane in Ocean View, DE 19970. The property is currently owned by the "OCEAN VIEW LAND DEVELOPMENT LLC."

The designated 'Authorized Representative' will sign permitting documentation on behalf of the property owners of tax map parcel #134-8.00-154.00.

"OCEAN VIEW LAND DEVELOPMENT LLC" and Sandy Cove Townhomes HOA Representative:

Name: Regina Ashcraft

Signature: [signature]

Date: 10/14/24

Thank you. Regards,

Lyle de la Rosa

Lyle de la Rosa
Environmental Project Manager
Envirotech Environmental Consulting, Inc.
Office: 302.684.5201 ext. 3
Email: lyle@envirotechecinc.com

Attachment A:

Property Maps & Project Diagrams

Envirotech
ENVIRONMENTAL CONSULTING, INC.
Providing Environmental Solutions

Envirotech Environmental Consulting, Inc.
17605 Nassau Commons Boulevard, Unit D
Lewes, DE 19958
Phone: (302) 684-5201 Fax: (302) 684-5204

Sandy Cove Townhomes Shoreline Stabilization Project;
Project Location: 37693 Sandy Trap Drive, Ocean View, DE 19970
Tax Map ID #:134-8.00-154.00

DATE: 6/12/2025	REF NUMBER: 29169
DRAWN BY: NRW	SCALE: As shown
CHECKED BY: LAd	FIGURE NO: 1
PROJECT: Low-Profile Vented Sill	SHEET 1 OF 4

Envirotech
ENVIRONMENTAL CONSULTING, INC.
Providing Environmental Solutions

Envirotech Environmental Consulting, Inc.
17605 Nassau Commons Boulevard, Unit D
Lewes, DE 19958
Phone: (302) 684-5201 Fax: (302) 684-5204

Sandy Cove Townhomes Shoreline Stabilization Project;
Subject Property: 37693 Sandy Trap Drive, Ocean View, DE 19970
Tax Map ID #:134-8.00-154.00

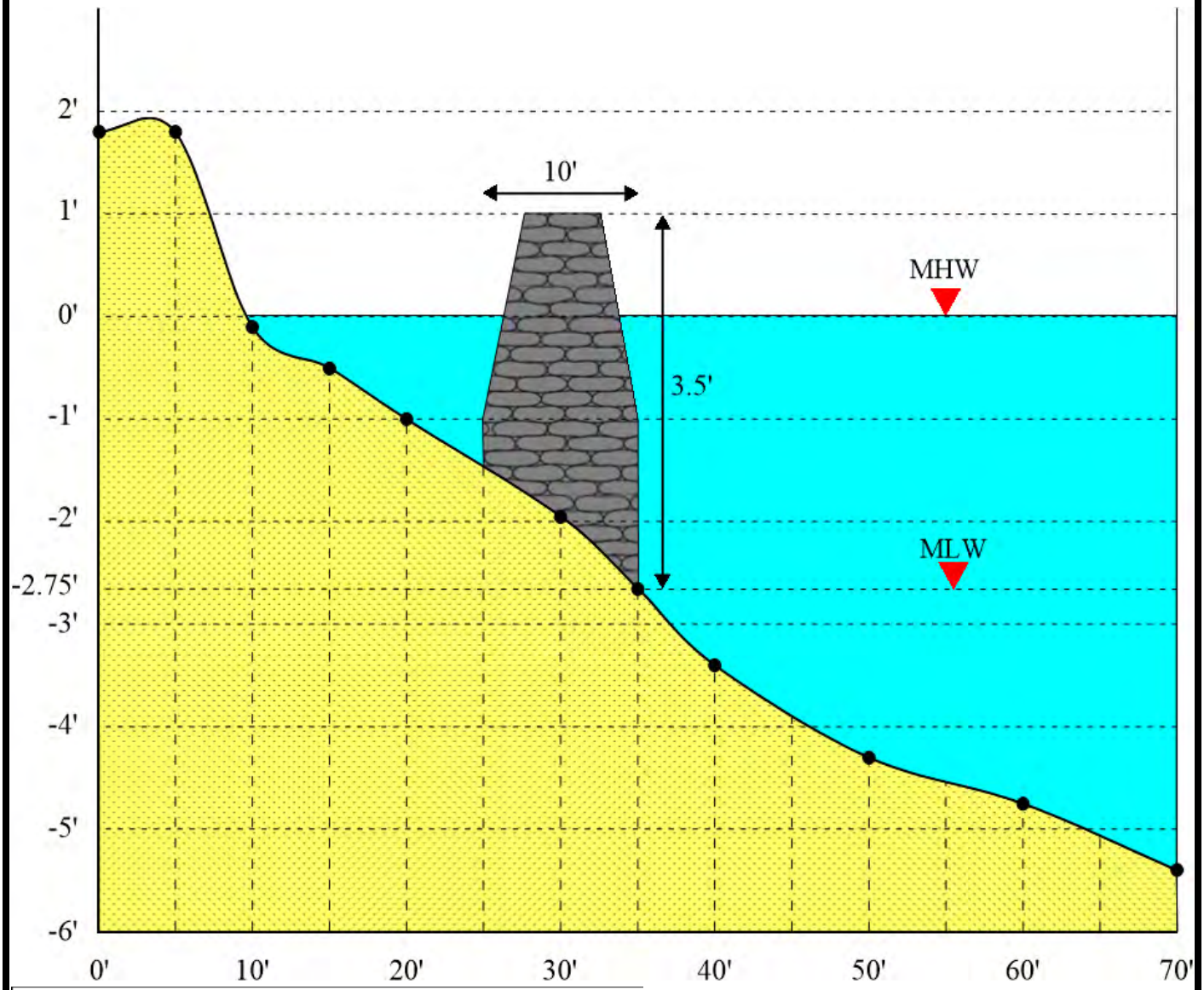
DATE: 6/12/2025	REF NUMBER: 29169
DRAWN BY: NRW	SCALE: As shown
CHECKED BY: LAd	FIGURE NO: 2
PROJECT: Low-Profile Rip-Rap Sill	SHEET 2 OF 4

Envirotech
ENVIRONMENTAL CONSULTING, INC.
Providing Environmental Solutions

Envirotech Environmental Consulting, Inc. 17605 Nassau Commons Boulevard, Unit D Lewes, DE 19958
Phone: (302) 684-5201 Fax: (302) 684-5204

Sandy Cove Townhomes Shoreline Stabilization Project; Project Design
37693 Sandy Trap Drive, Ocean View, DE 19970
Tax Map ID #:134-8.00-154.00

DATE: 6/12/2025	REF NUMBER: 29169
DRAWN BY: NRW	SCALE: As shown
CHECKED BY: LAd	FIGURE NO: 3
PROJECT: Sandy Cove Townhomes Low-Profile Vented Sill	SHEET 3 OF 4



LEGEND:

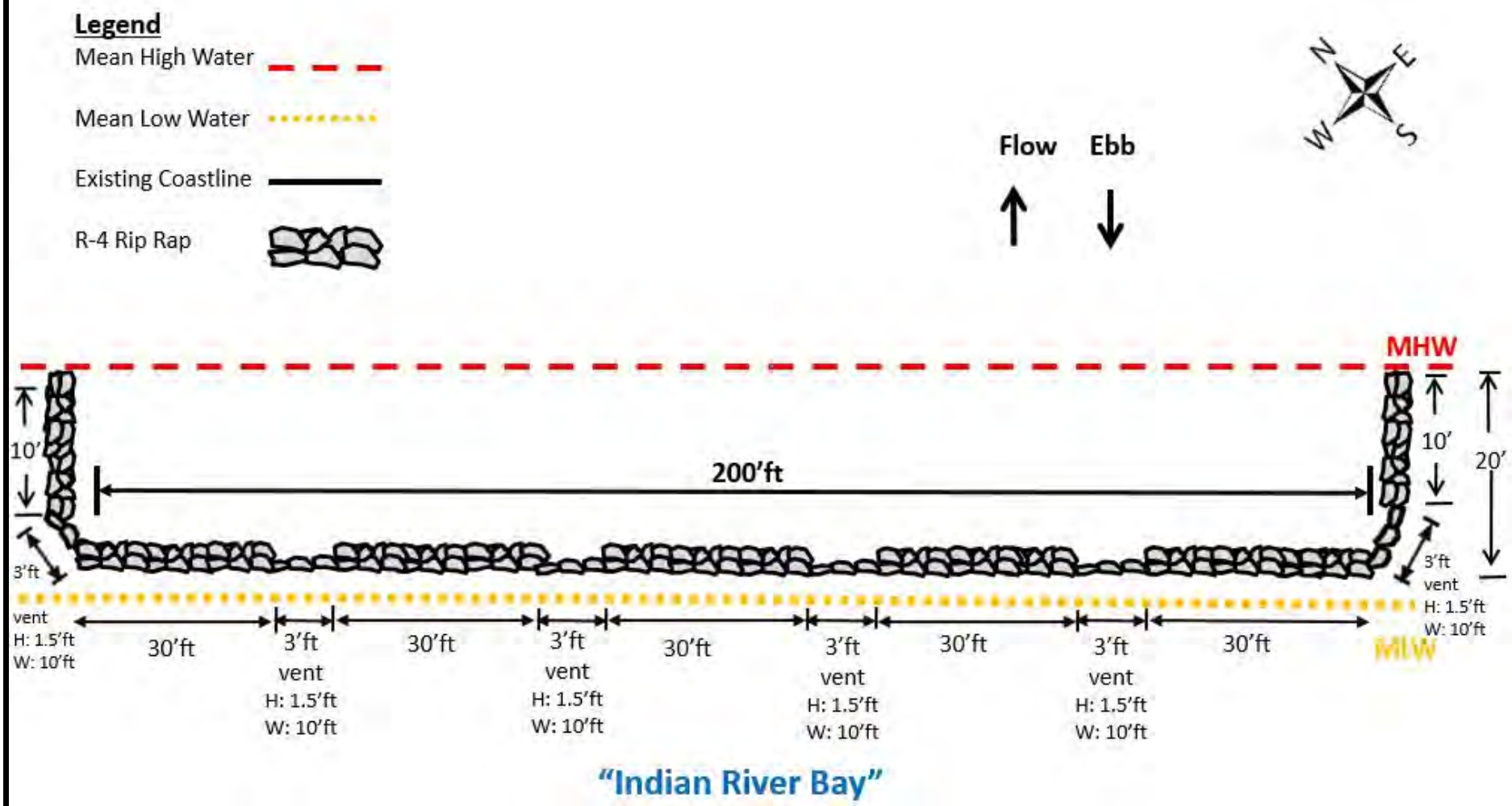
= 220'x10'x3.5' Low Profile Vented Sill

Envirotech
ENVIRONMENTAL CONSULTING, INC.
Providing Environmental Solutions

Envirotech Environmental Consulting, Inc.
17605 Nassau Commons Boulevard, Unit D
Lewes, DE 19958
Phone: (302) 684-5201 Fax: (302) 684-5204

Sandy Cove Townhomes Shoreline Stabilization Project;
Cross Section: 37693 Sandy Trap Drive, Ocean View, DE 19970
Tax Map ID #:134-8.00-154.00

DATE: 6/12/2025	REF NUMBER: 29169
DRAWN BY: NRW	SCALE: As shown
CHECKED BY: LAd	FIGURE NO: 4
PROJECT: Low-Profile Rip-Rap Sill	SHEET 4 OF 4



Envirotech
ENVIRONMENTAL CONSULTING, INC.
Providing Environmental Solutions

Envirotech Environmental Consulting, Inc. 17605 Nassau Commons Boulevard, Unit D Lewes, DE 19958
Phone: (302) 684-5201 Fax: (302) 684-5204

Sandy Cove Townhomes Shoreline Stabilization Project; Low-Profile Vented Sill Dimensions
37693 Sandy Trap Drive, Ocean View, DE 19970
Tax Map ID #:134-8.00-154.00

DATE: 6/12/2025	REF NUMBER: 29169
DRAWN BY: NRW	SCALE: As shown
CHECKED BY: LAd	FIGURE NO: 5
PROJECT: Sandy Cove Townhomes Low-Profile Vented Sill	SHEET 5 OF 5

Attachment B:

Property Deed & Survey

RETURN TO:
Ocean View Land Development, LLC., a
Delaware Limited Liability Company
211 South Pond Road, Westridge
Hockessin, DE 19707

Tax No.: p/o 1-34 8.00 154.00
1-34 9.00 101.00
1-34 8.00 154.00 Unit 103 & 104
PREPARED BY:
Tunnell & Raysor, P.A.
323E Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. AS7480/MLG

NO TITLE SEARCH REQUESTED
NO TITLE SEARCH PERFORMED
NO TITLE GUARANTEE
DEED PREPARATION ONLY

THIS DEED, made this 30th day of December, 2010,

- BETWEEN -

CLINTON PROPERTIES, LLC, of 4 Manor Drive, Rehoboth Beach, DE 19971, party of the first part,

- AND -

OCEAN VIEW LAND DEVELOPMENT, LLC., A DELAWARE LIMITED LIABILITY COMPANY, of 211 South Pond Road, Westridge, Hockessin, DE 19707, as sole owner, 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 heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL the rest, residue and remainder of that parcel of land, including but not limited to the infrastructure, roads, undeveloped/unsold lands, undeveloped common elements and undeveloped limited common elements, units under construction but not yet conveyed, all development and management rights, in and to the development known as Sandy Cove, as same is shown and designated on that certain site plan titled "Sandy Cove", prepared by

TUNNELL & RAYSOR, P.A.
Rehoboth Beach, DE

DBP, dated May 3, 2007 and recorded May 11, 2007 in Plot Book 94, Page 268, all of which includes the Townhomes of Sandy Cove, a condominium and the Sandy Cove Marina, a boat slip condominium, more particularly described by a metes and bounds description as follows, to wit:

TRACT ONE:

ALL that certain tract, piece or parcel of land, situated in Cedar Neck, Baltimore Hundred, Sussex County, Delaware, bounded as follows: On the North by County Road No. 358, leading from Derrickson Point to Ocean View; on the West by high water mark of White Creek; on the South and East in part by lands now or late of Virginia Meyle, Mary Phyllis James and Wilbert E. Hocker; and being more particularly bounded and described as follows, to wit:

BEGINNING at a point in the center of aforesaid County Road No. 358, and the high water mark of aforesaid White Creek; thence from said point of beginning with the center of aforesaid County Road No. 358, South 67 degrees 30 minutes East 1080.71 feet to a point, a corner for lands now or late of aforesaid Hocker; thence by same, South 6 degrees 40 minutes 32 seconds West, 166.73 feet passing over an iron bar at 18.95 feet to a concrete monument, a corner for land now or late of aforesaid Hocker and land now or late of aforesaid James; thence by land now or late of aforesaid James, the following three (3) courses and distances: (1) South 87 degrees 37 minutes 19 seconds West, 37 feet to a concrete monument; (2) South 10 degrees 59 minutes 37 seconds West, 100 feet to a concrete monument; (3) South 53 degrees 47 minutes West, 135.60 feet to a concrete monument; thence in part with land now or late of aforesaid James and land now or late of aforesaid Meyle, South 62 degrees 45 minutes West, 82.78 feet to a concrete monument; thence by land now or late of aforesaid Meyle, the following twenty (20) courses and distances: (1) South 73 degrees 57 minutes West, 110.91 feet to a point; (2) North 89 degrees 44 minutes 30 seconds West, 85.43 feet to a point; (3) North 76 degrees 8 minutes West, 111.68 feet to a point; (4) North 71 degrees 44 minutes West, 104.40 feet to a point; (5) North 52 degrees 8 minutes 50 seconds West, 50.30 feet to a point; (6) North 39 degrees 6 minutes 50 seconds West, 99.38 feet to a point; (7) North 56 degrees 24 minutes 50 seconds West, 56.67 feet to a point; (8) North 74 degrees 48 minutes 30 seconds West, 60.86 feet to a concrete monument; (9) 83 degrees 05 minutes 30 seconds West, 159.17 feet to a point; (10) South 63 degrees 46 minutes 10 seconds West, 32.68 feet to a point; (11) South 59 degrees 47 minutes 10 seconds West, 36.60 feet to a point; (12) South 67 degrees 44 minutes 10 seconds West, 42.32 feet to a point; (13) South 51 degrees 33 minutes 40 seconds West, 53.23 feet to a point; (14) South 38 degrees 32 minutes 40 seconds West, 43.38 feet to a point; (15) South 32 degrees 47 minutes 40 seconds West, 39.44 feet to a point; (16) South 13 degrees 23 minutes 10 seconds West, 43.92 feet to a point; (17) South 16 degrees 5 minutes 56 seconds East, 30 feet to a point; (18) South 30 degrees 29 minutes 2 seconds East, 45.57 feet to a point; (19) South 27 degrees 45 minutes 21 seconds East, 37.03 feet to a point; (20) South 9 degrees 34 minutes 29 seconds East, 46.30 feet to a point in the high water line of aforesaid White Creek; thence by same, the following twenty-seven (27) courses and distances: (1) South 53 degrees 24 minutes 16

seconds West, 39.81 feet to a point; (2) South 78 degrees 51 minutes 24 seconds West, 44.88 feet to a point; (3) North 89 degrees 9 minutes 20 seconds West, 36.48 feet to a point; (4) North 53 degrees 41 minutes 52 seconds West, 57.23 feet to a point; (5) North 5 degrees 30 minutes 51 seconds West, 26.33 feet to a point; (6) North 16 degrees 16 minutes 2 seconds East, 42.41 feet to a point; (7) North 2 degrees 7 minutes 24 seconds West, 41.70 feet to a point; (8) North 23 degrees 47 minutes 11 seconds East, 74.85 feet to a point; (9) North 24 degrees 37 minutes 15 seconds East, 18.33 feet to a point; (10) North 25 degrees 31 minutes 39 seconds East, 68.11 feet to a point; (11) North 44 degrees 1 minute 32 seconds East, 79.27 feet to a point; (12) North 45 degrees 32 minutes 40 seconds East, 28.79 feet to a point; (13) North 62 degrees 28 minutes 14 seconds East, 27.20 feet to a point; (14) North 62 degrees 18 minutes 10 seconds East, 50.00 feet to a point; (15) North 53 degrees 12 minutes 45 seconds East, 25.32 feet to a point; (16) North 42 degrees 30 minutes 14 seconds East, 26.57 feet to a point; (17) North 38 degrees 33 minutes 12 seconds East, 27.31 feet to a point; (18) North 19 degrees 32 minutes 49 seconds East, 30.56 feet to a point; (19) North 12 degrees 20 minutes 16 seconds East, 50.49 feet to a point; (20) North 7 degrees 48 minutes 6 seconds East, 50.09 feet to a point; (21) North 4 degrees 56 minutes 28 seconds East, 100.01 feet to a point; (22) North 3 degrees 36 minutes 7 seconds West, 50.49 feet to a point; (23) North 6 degrees 39 minutes 31 seconds East, 50.04 feet to a point; (24) North 10 degrees 4 minutes 43 seconds East, 50.25 feet to a point; (25) North 12 minutes 21 seconds West, 50.16 feet to a point; (26) North 4 degrees 43 minutes 20 seconds West, 50.64 feet to a point; (27) North 13 degrees 55 minutes 27 seconds East, 64.21 feet to the point and place of beginning and containing 13.297 acres of land, more or less. **EXCEPTING THEREFROM** 23,577 square feet of land, more or less, conveyed unto J. Temple Jump, Jr. by Deed filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 1617, page 204.

TRACT TWO:

ALL that certain lot, piece or parcel of land consisting of 6.75 acres, more or less, situate on the northeast side of White's Creek, Cedar Neck, Baltimore Hundred, Sussex County, Delaware, known as Parcel 155 (Tax Map No. 1-34-8), and being more particularly bounded and described as follows, to wit:

ON THE EAST by lands formerly of Sandy Cove Camping Area, Inc.; on the south and west by White's Creek; and on the north and west by lands of the said Sandy Cove Camping Area, Inc. The aforesaid lands are as shown on a survey dated July 18, 1955 and recorded on August 2, 1957, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Plot Book 2, Page 101A.

TRACT THREE:

ALL that certain tract, piece or parcel of land, lying and being in Cedar Neck, Baltimore Hundred, Sussex County, Delaware, bounded as follows: on the west by lands now or formerly of Virginia Meyle, on the north and on the east by lands formerly of

Sandy Cove Camping Area, Inc., and on the south by White's Creek, be the contents what they may. The aforesaid lands were surveyed as set forth on a certain survey dated July 18, 1955, recorded on August 2, 1957, in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Plot Book 2, Page 101A.

TRACT FOUR:

ALL that certain lot, piece of land situate, lying and being in Baltimore Hundred, Sussex County, Delaware, being known and designated as Lot #1, Section #1, PINE CREST TERRACE, as surveyed and plotted by J. Kenneth Carter, Registered Surveyor, in the month of August, 1968; a plot of the same being filed for record in the Office of the Recorder of Deeds in and for Sussex County, at Georgetown, Delaware, in Plot Book 8, Page 47.

EXCEPTING THEREFROM the following units that have been previously transferred by the Grantor:

Unit 101, 102, 105, 106, 501, 502, 503, 504, 505, 506, 507, 701, 702, 703, 704, 705, 706, 707, 801, 802, 803, 1001, 1002, 1003, 1004, 1101, 1102, 1103,1104, 1105, 1106, 1201, 1202, 1203, and 1204.

This Deed is intended to convey the entire rights, duties, privileges and ownership interest in the development known as "Sandy Cove" as shown in Plot Book 94, page 268 as recorded in the Sussex County, Delaware Recorder of Deeds. This transfer should include Sandy Cove Condo Units 103 and 104; which are already built and the transfer of the Subaqueous Land Lease from the State of Delaware, as recorded in Sussex County Recorder of Deeds, in Deed Book 3014, page 160.

BEING a portion of the same lands conveyed to Clinton Properties, LLC from Sandy Cove Campgrounds, Inc., Formerly Kevin's Trailer Sales, Inc. and Laurie Ann Sagers, by Deed dated November 10, 2003, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on November 13, 2003, in Deed Book 2908, Page 283.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

IN WITNESS WHEREOF, the said Clinton Properties, LLC, a Delaware limited liability company, has caused its name to be hereunto set under seal by Clinton Bunting, an authorized member of Clinton Properties, LLC, the day and year first above written.

CLINTON PROPERTIES, LLC

Michelle L Gunn
Witness

By: _____(SEAL)
Clinton Bunting, Managing Member

Consideration: 3,900,000.00

County		58,500.00
State		58,500.00
Town	Total	117,000.00

Received: Sue D Dec 30,2010

STATE OF DELAWARE :
: ss
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 30th day of December, 2010, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Clinton Bunting, Managing Member of Clinton Properties, LLC, a Delaware limited liability company, 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 limited liability company; that the signature of the Member is in his/her own proper handwriting and by his/her authority to act; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by a resolution of the limited liability company.

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

Michelle L Gunn
Notary Public

MICHELLE L. GUNN
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires July 17, 2013

My Commission Expires: _____

TUNNELL & RAYSOR, P.A.
Rehoboth Beach, DE

RECEIVED
DEC 30 2010
ASSESSMENT DIVISION OF SUSSEX COUNTY

Recorder of Deeds
John F. Brady
Dec 30,2010 11:40A
Sussex County
Doc. Surcharge Paid

FEDERAL WETLANDS LINE TABLE		
LINE	BEARING	DISTANCE
WL1	S 46°33'16" W	32.71'
WL2	S 33°10'41" W	26.60'
WL3	S 42°52'39" W	20.60'
WL4	S 32°54'04" W	27.99'
WL5	S 54°49'33" W	27.68'
WL6	S 59°44'14" W	28.90'
WL7	S 12°50'27" W	9.58'
WL8	S 45°56'11" W	8.39'
WL9	S 84°16'42" W	13.77'
WL10	S 57°24'15" W	13.69'
WL11	S 12°42'48" W	7.45'
WL12	S 36°41'50" W	17.52'
WL13	S 33°30'28" W	16.05'
WL14	N 86°56'03" W	9.93'
WL15	N 84°59'30" W	19.30'
WL16	N 68°09'00" W	14.48'
WL17	N 59°29'03" W	11.89'
WL18	S 80°53'35" W	20.14'
WL19	S 82°13'53" W	21.05'
WL20	S 77°49'50" W	27.03'
WL21	S 60°34'50" W	40.72'
WL22	N 83°03'51" W	48.75'
WL23	N 83°21'36" W	22.98'
WL24	N 74°56'00" W	51.01'
WL25	N 68°23'36" W	47.10'
WL26	N 74°08'08" W	18.49'
WL27	N 74°21'27" W	29.51'
WL28	N 78°30'16" W	21.13'
WL29	N 62°28'07" W	21.95'
WL30	N 65°10'08" W	18.49'
WL31	N 65°32'19" W	13.28'
WL32	N 49°23'35" W	28.13'
WL33	N 44°26'33" W	29.79'
WL34	N 50°02'22" W	33.70'
WL35	N 59°33'03" W	21.03'
WL36	N 49°14'45" W	29.21'
WL37	N 40°03'09" W	25.65'
WL38	N 43°13'44" W	10.18'
WL39	N 38°36'09" W	16.52'
WL40	N 41°43'09" W	24.71'
WL41	N 70°21'38" W	25.52'
WL42	N 66°22'43" W	24.10'
WL43	S 81°36'55" W	14.13'
WL44	S 79°07'42" W	21.54'
WL45	N 82°55'02" W	20.19'

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 08°35'35" W	20.83'
L2	N 65°11'54" W	14.66'
L3	S 24°48'06" W	2.08'
L4	S 43°35'32" W	47.81'
L5	N 43°35'32" E	42.23'
L6	S 64°05'33" E	1.80'
L7	S 25°54'27" W	14.00'
L8	S 25°54'27" W	18.00'
L9	N 24°48'06" E	21.38'
L10	S 46°06'03" W	28.90'
L11	N 24°48'06" E	11.14'
L12	S 65°11'54" E	15.00'
L13	S 24°48'06" W	16.99'
L14	N 43°53'57" W	16.10'
L15	S 43°53'57" E	18.27'
L16	S 43°53'57" E	34.37'
L17	S 46°06'03" W	17.07'
L18	S 65°11'54" E	15.00'
L19	N 24°48'06" E	88.40'
L20	N 24°48'06" E	20.00'
L21	N 65°11'54" W	191.08'
L22	S 24°48'06" W	5.00'
L23	S 24°48'06" W	88.40'
L24	S 65°11'54" E	51.01'
L25	S 24°48'06" W	21.38'
L26	S 65°11'54" E	370.96'
L27	N 24°48'06" E	1.50'
L28	S 65°11'54" E	51.01'
L29	N 40°02'10" E	29.75'
L30	N 40°02'10" E	20.73'

DELAWARE TRAFFIC SUMMARY 2003

ADT – CURRENT –	1631
SPEED – POSTED –	50 MPH
ENTRANCE CLASSIFICATION –	7
TRAFFIC PATTERN GROUP –	C

TRAFFIC DIAGRAM
NO SCALE

DESIGN TYPE OF DEV.	CODE	UNITS	ADT
TOWNHOUSES	230	84	554

WETLANDS CERTIFICATION

I, CHARLES MILLER, STATE THAT THE STATE AND/OR FEDERAL WETLANDS BOUNDARIES DELINEATED UPON THIS PLAN ARE ACCURATELY SHOWN AND THAT THE DELINEATION WAS PERFORMED UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE APPROPRIATE STATE OR FEDERAL STANDARD FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS.

SIGNATURE TITLE DATE

PRINT NAME

OWNER'S CERTIFICATION

WE, CLINTON PROPERTIES, LLC, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE TITLE DATE

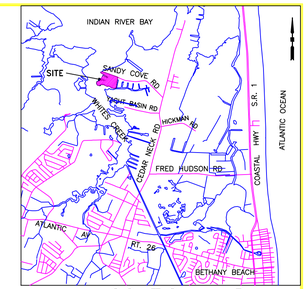
PRINT NAME

ENGINEER'S STATEMENT

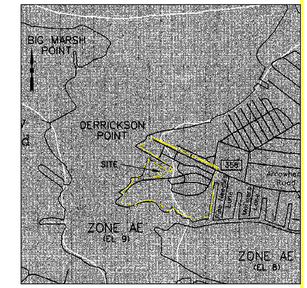
I, W. ZACHARY CROUCH, HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DAVIS, BOWEN & FRIEDEL, INC.
by W. ZACHARY CROUCH DATE
DELAWARE PROFESSIONAL ENGINEER
NO. 12734

EASEMENT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	39.27'	35.36'	S 69°48'06" W	90°00'00"
C2	175.00'	88.28'	87.35'	S 39°15'12" W	28°54'12"
C3	275.00'	50.08'	50.01'	S 48°29'18" W	10°26'01"
C4	175.00'	100.26'	98.90'	S 59°41'05" W	32°49'35"
C5	325.00'	337.28'	322.35'	N 74°10'18" W	59°27'39"
C6	125.00'	42.87'	42.66'	N 54°16'01" W	19°39'05"
C7	175.00'	60.02'	59.73'	S 54°16'01" E	19°39'05"
C8	25.00'	39.27'	35.34'	S 89°26'29" E	90°00'00"
C9	125.00'	45.28'	45.04'	N 35°10'49" E	20°45'25"
C10	25.00'	39.27'	35.36'	N 20°11'54" W	90°00'00"
C11	163.00'	59.70'	59.37'	N 54°42'19" W	20°59'10"
C12	113.00'	39.23'	39.04'	S 55°15'08" E	19°53'32"
C13	25.00'	39.27'	35.36'	N 69°48'06" E	90°00'00"
C14	25.00'	39.27'	35.36'	N 20°11'54" W	90°00'00"
C15	25.00'	39.27'	35.36'	S 69°48'06" W	90°00'00"
C16	25.00'	39.27'	35.36'	S 20°11'54" E	90°00'00"
C17	25.00'	39.27'	35.36'	S 69°48'06" W	90°00'00"
C18	175.00'	63.40'	63.05'	S 35°10'49" W	20°45'25"
C19	25.00'	40.54'	36.24'	S 00°53'45" E	92°54'32"
C20	275.00'	271.43'	260.54'	S 75°37'34" E	56°33'07"
C21	125.00'	71.62'	70.64'	N 59°41'05" E	32°49'35"
C22	325.00'	59.18'	59.10'	N 48°29'18" E	10°26'01"
C23	125.00'	63.06'	62.39'	N 39°15'12" E	28°54'12"
C24	25.00'	39.27'	35.36'	N 20°11'54" W	90°00'00"
C50	25.00'	34.24'	31.62'	S 75°34'13" W	78°27'47"
C51	25.00'	5.03'	5.03'	S 30°34'13" W	11°32'13"
C52	125.00'	19.01'	18.99'	N 48°47'53" W	08°42'49"
C53	125.00'	23.86'	23.83'	N 58°37'25" W	10°56'16"
C54	25.00'	5.03'	5.03'	N 19°02'00" E	11°32'13"
C55	25.00'	5.25'	5.24'	N 07°14'39" E	12°02'28"
C56	25.00'	28.98'	27.39'	N 31°59'15" W	66°25'19"
C57	25.00'	28.98'	27.39'	S 81°35'27" W	66°25'19"
C58	25.00'	5.25'	5.24'	S 42°21'33" W	12°02'28"
C59	25.00'	5.03'	5.03'	S 30°34'13" W	11°32'13"
C60	25.00'	5.03'	5.03'	N 19°02'00" E	11°32'13"
C61	25.00'	5.25'	5.24'	N 07°14'39" E	12°02'28"
C62	25.00'	28.98'	27.39'	N 31°59'15" W	66°25'19"



LOCATION MAP
SCALE: 1" = 1 MILE



FLOOD MAP
SCALE: 1" = 1000'±

FEMA FLOOD MAP NUMBER 10005C0505 F, DATED JUNE 16, 1995 (NGVD 29). PROPERTY LIES WITHIN ZONE AE (EL. 8 & 9).

NOT SHOWN: MAP REVISED TO MAP NUMBER 10005C0505J DATED JANUARY 6, 2005 (NAVD 88). PROPERTY LIES WITHIN ZONE AE (EL. 7 & 8).

DATA COLUMN

TAX MAP NUMBERS: 1–34–8.00–154.00, 155.00, & 156.00

EX. ZONING: GR (GENERAL RESIDENTIAL)
PROP. ZONING: GR (GENERAL RESIDENTIAL)

EX. USE: 180± CAMP GROUND SITES
PROP. USE: 84 TOWNHOUSE UNITS WITH CLUBHOUSE AND POOL

OWNER: CLINTON PROPERTIES, LLC
42 REHOBOTH AVENUE
REHOBOTH BEACH, DELAWARE 19971
302–227–5227

PREPARED BY: DAVIS, BOWEN, AND FRIEDEL, INC.
23 NORTH WALNUT STREET
MILFORD, DE 19963
(302) 424–1441

AREA DEDICATED TO PUBLIC USE: 0.59± ACRES
EXISTING WETLANDS: 7.88± ACRES
PASSIVE / OPEN SPACE: 8.83± ACRES
EASEMENT: 2.92± ACRES
TOTAL SITE AREA: 20.22± ACRES

PARKING:
REQUIRED: 84 UNITS x 3/UNIT= 252 SPACES
PROVIDED:
84 DRIVES x 2 SPACES
84 GARAGES x 1 SPACES
TOTAL PROVIDED: 252 SPACES

UTILITIES:
SEWER: SUSSEX COUNTY
WATER: SUSSEX SHORES WATER COMPANY

SETBACK REQUIREMENTS:
FRONT SETBACK: 40'
SIDE SETBACK: 10'
REAR SETBACK: 10'

PROPOSED BUILDING HEIGHT: LESS THAN 42'

PROPOSED BUILDING CONSTRUCTION:
WOOD CONSTRUCTION / CONCRETE BLOCK

THIS SITE AS SHOWN HEREON CONTAINS STATE OR FEDERALLY REGULATED SECTION 10 WETLANDS, BASE ON NWI AND DNREC WETLAND MAPS.

PHOTOGRAMMETRY FLOWN 11–25–03 BY AXIS GEOSPATIAL, LLC (8903 GLEBE PARK DRIVE EASTON, MD 21801 PHONE: 410–822–1441 FAX: 410–822–6225)

AERIAL TOPOGRAPHY HAS BEEN ALTERED BY DBF, INC. TO ADJUST ELEVATIONS AND CONTOURS FROM NGVD 88 TO NGVD 29.

VERTICAL DATUM IS NGVD 29 BASED ON NGS BM "GPS S1". ELEV. 26.41'

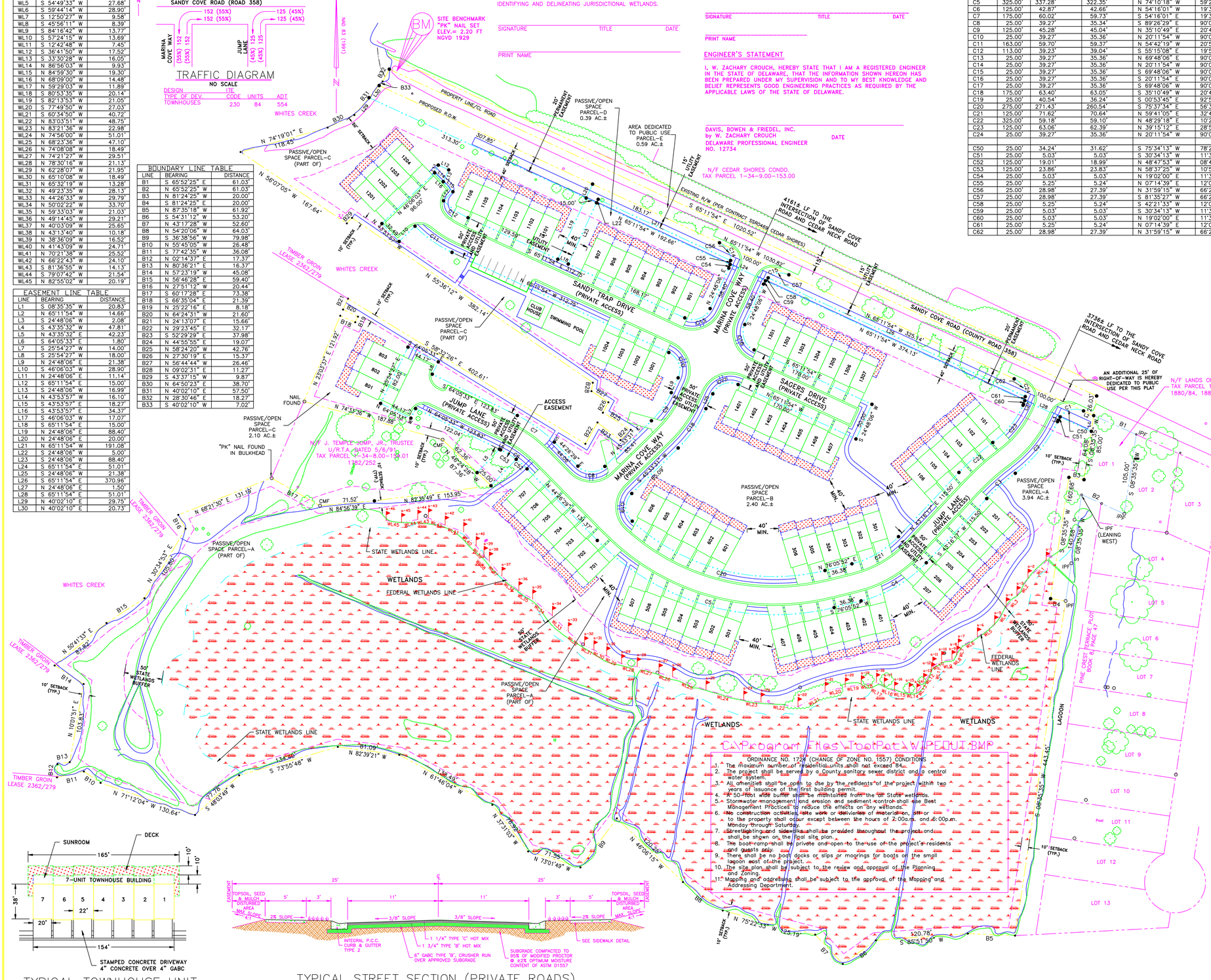
HORIZONTAL DATUM IS SPC DE NAD 83 (1991) BASED ON NGS BM "GPS S1", N 199,819.668', E 732,912.473'.

SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF COMMON AREAS OR WITHIN PRIVATE RIGHT–OF–WAYS ARE TO BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THE OWNERSHIP IS TRANSFERRED TO THE PRIVATE PROPERTY OWNER'S ASSOCIATION. SUSSEX COUNTY ASSUMES NO MAINTENANCE RESPONSIBILITY FOR PRIVATE ROADWAYS.

ALL STORMWATER FACILITIES ARE TO BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THE OWNERSHIP IS TRANSFERRED TO THE PRIVATE PROPERTY OWNER'S ASSOCIATION. SUSSEX COUNTY ASSUMES NO MAINTENANCE RESPONSIBILITY FOR STORMWATER FACILITIES.

ALL COMMON SPACE SHALL BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THE OWNERSHIP IS TRANSFERRED TO THE PRIVATE PROPERTY OWNER'S ASSOCIATION. SUSSEX COUNTY ASSUMES NO MAINTENANCE RESPONSIBILITY FOR COMMON SPACE.

ALL SEWER WILL BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL IT IS COMPLETE AND HAS RECEIVED FINAL ACCEPTANCE BY SUSSEX COUNTY COUNCIL.



BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
B1	S 65°52'25" E	61.03'
B2	N 65°52'25" W	61.03'
B3	N 81°24'25" W	20.00'
B4	S 81°24'25" E	20.00'
B5	N 87°35'18" W	61.92'
B6	S 54°31'12" W	53.20'
B7	N 43°17'28" W	52.60'
B8	S 54°20'06" W	64.03'
B9	S 36°38'56" W	79.98'
B10	N 55°45'05" W	26.48'
B11	S 77°42'35" W	36.08'
B12	N 02°14'37" E	17.37'
B13	N 80°36'21" E	16.37'
B14	N 57°23'19" W	45.08'
B15	N 56°46'28" E	59.40'
B16	N 27°51'12" W	20.44'
B17	S 60°17'28" E	73.38'
B18	S 66°35'04" E	21.39'
B19	N 25°22'16" E	8.18'
B20	N 64°24'31" W	21.60'
B21	N 24°13'07" E	15.66'
B22	N 29°23'45" E	32.17'
B23	S 52°29'29" E	37.98'
B24	N 44°55'55" E	19.07'
B25	N 58°24'20" W	42.76'
B26	N 27°30'19" E	15.37'
B27	N 56°44'44" W	26.46'
B28	N 09°02'31" E	11.27'
B29	S 43°37'15" W	9.87'
B30	N 64°50'23" E	38.70'
B31	N 40°02'10" E	57.50'
B32	N 28°30'46" E	18.27'
B33	S 40°02'10" W	7.02'

TYPICAL TOWNHOUSE UNIT

TYPICAL STREET SECTION (PRIVATE ROADS)
NO SCALE
50' EASEMENT

ORDINANCE NO. 1724 (CHANGE OF ZONE NO. 1557) CONDITIONS

1. The maximum number of residential units shall not exceed 84.
2. The project shall be served by a County sanitary sewer district and a central water system.
3. All amenities shall be open to use by the residents of the project within two years of issuance of the first building permit.
4. A 50-foot wide buffer shall be maintained from the on State wetlands.
5. Stormwater management and erosion and sediment control shall use Best Management Practices to reduce the effects on any wetlands.
6. No construction activities, site work or deliveries of material on, off or to the property shall occur except between the hours of 7:00a.m. and 6:00p.m. Monday through Saturday.
7. Streetlighting and sidewalks shall be provided throughout the project and shall be shown on the final site plan.
8. The boat ramp shall be private and open to the use of the project's residents and guests only.
9. There shall be no body docks or slips or moorings for boats on the small lagoon east of the project.
10. The site plan shall be subject to the review and approval of the Planning and Zoning.
11. Mapping and addressing shall be subject to the approval of the Mapping and Addressing Department.

CHAIRMAN OR SECRETARY OF THE COMMISSION

SIGNATURE DATE

PRESIDENT OF THE SUSSEX COUNTY COUNCIL

SIGNATURE DATE

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DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
SALISBURY, MARYLAND (410) 543–9091
MILFORD, DELAWARE (302) 424–1441

RECORD PLAN

COMMUNITY

SANDY COVE TOWNHOUSE COMMUNITY
BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

REVISED:
3–14–05 DELDOT, SCD, & FIRE MARSHAL
4–13–05 DELDOT, SCD
4–15–05 SUSSEX ENG.
5–24–05 SUSSEX ENG.

Date:	JAN. 2005
Scale:	1"=60'
Dwn.By:	TPS/DJS
Proj.No.:	1043A005
Dwg.No.:	R–2

Attachment C:

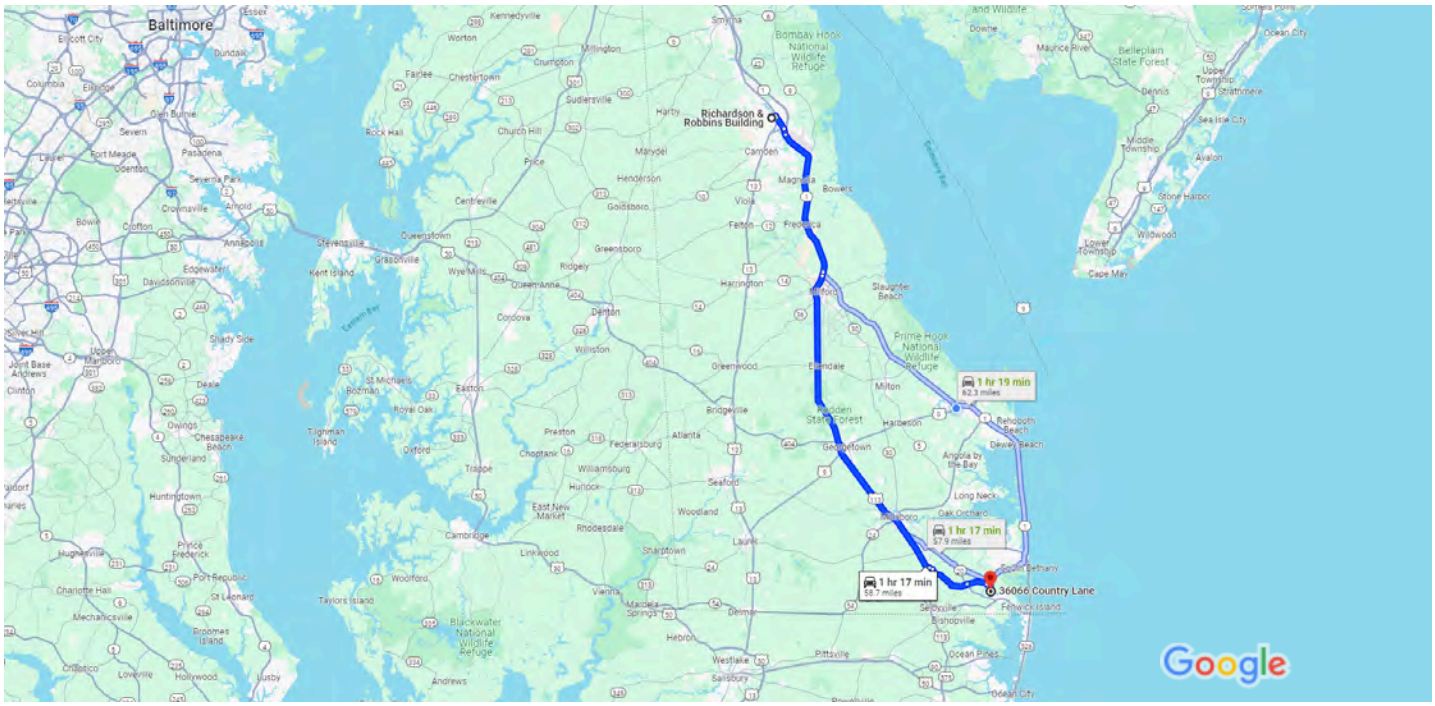
Driving Directions

Google Maps

Richardson & Robbins Building, 89 Kings Hwy SW, Dover, DE 19901 to 36066 Country Ln, Frankford, DE 19945

Drive 58.7 miles, 1 hr 17 min

Babcock Property



Map data ©2024 Google 5 mi

Richardson & Robbins Building
89 Kings Hwy SW, Dover, DE 19901

Take E Division St to US-13 S

2 min (0.6 mi)

1. Head north on Kings Hwy SW toward American Ave

0.2 mi

2. Turn right onto E Division St/Kings Hwy NE
   Continue to follow E Division St

0.4 mi

Follow DE-1 S and US-113 S/N Dupont Blvd to Daisey St in Sussex County

1 hr (50.2 mi)

3. Turn right onto US-13 S

0.2 mi

4. Use the left 2 lanes to turn slightly left onto S Bay Rd

1.3 mi

5. Slight right to stay on S Bay Rd

0.7 mi

6. Merge onto DE-1 S

15.2 mi

7. Use the right lane to take the US-113 S/DE-1BUS ramp to Milford/Georgetown

0.3 mi

8. Continue onto DE-1 BUS S/US-113 S/N Dupont Blvd

Continue to follow US-113 S/N Dupont Blvd

Pass by AutoZone Auto Parts (on the right in 27.6 mi)

32.5 mi

Take Gum Rd and Rd 381A/Wilgus Cemetery Rd to your destination

15 min (7.9 mi)

9. Turn left onto Daisey St

0.3 mi

10. Turn right onto Clayton Ave/Rte 401

171 ft

11. Continue onto Main St

0.3 mi

12. Continue onto Rd 376/Pepper Rd

0.4 mi

13. Turn left onto Gum Rd

3.8 mi

14. Turn left onto Rd 382/Pyle Center Rd

141 ft

15. Turn right onto Rd 381A/Wilgus Cemetery Rd

2.1 mi

16. Turn right onto Rd 384/Bayard Rd

249 ft

17. Turn left onto Rd 381/Old Mill Bridge Rd

0.5 mi

18. Turn right onto Country Ln

0.3 mi

19. Turn right

0.2 mi

36066 Country Ln
Frankford, DE 19945

Attachment D:

Surrounding Properties
within 1,000 ft radius

Sandy Cove Townhomes 1000 Ft Radius

Tax Map ID #	Owner Name	Physical Adress	Mailing Adress	Town	State	Zip
134-8.00-148.00	BAYSHORE INC		30145 BAYSHORE RD	OCEAN VIEW	DE	19970
134-8.00-149.00	BAYSHORE INC	30145 BAYSHORE RD	30145 BAYSHORE RD	OCEAN VIEW	DE	19970
134-8.00-150.00	COX BRETT M	38288 SANDY COVE RD	30145 BAYSHORE RD	OCEAN VIEW	DE	19970
134-8.00-150.01	COX BRETT M	38286 SANDY COVE RD	30145 BAYSHORE RD	OCEAN VIEW	DE	19970
134-8.00-151.00	1ST PETCHEL LLC	38292 SANDY COVE RD	6 STOCKTON DR	NEW CASTLE	DE	19720
134-8.00-153.00	CEDAR SHORES CONDOMINIUM ASSOCIATION	30127 CEDAR SHORES RD	30127 CEDAR SHORES RD	OCEAN VIEW	DE	19970
134-8.00-153.01	CEDAR SHORES CONDOMINIUM ASSOCIATION		30124 CEDAR NECK RD	OCEAN VIEW	DE	19970
134-8.00-153.02	CEDAR SHORES CONDOMINIUM ASSOCIATION		30124 CEDAR NECK RD	OCEAN VIEW	DE	19970
134-8.00-153.03	SUSSEX COUNTY	30135 CEDAR SHORES RD	PO BOX 589	GEORGETOWN	DE	19947
134-8.00-154.00	OCEAN VIEW LAND DEVELOPMENT LLC	37693 SANDY TRAP DR	112 AIRPORT RD BOX 341	COATESVILLE	PA	19320
134-8.00-154.01	BATISTAS THEOFANIY JAMES	30231 JUMP LN	7982 VALDERAMA CT	GAINESVILLE	VA	20155
134-8.00-157.00	HEALY WILLIAM ANTHONY & EILEEN	38258 YACHT BASIN RD	38258 YACHT BASIN ROAD	OCEAN VIEW	DE	19970
134-8.00-158.00	WEINHOLD JERRY D & JAYNE L	38262 YACHT BASIN RD	366 BEAVERS RD	BIRDSBORO	PA	19508
134-8.00-159.00	SHEEHAN ERIC C & RENEE J SHEEHAN	38264 YACHT BASIN RD	55 HERBERT DR	NEW CASTLE	DE	19720
134-8.00-160.00	BENNETT DIANE M TRUSTEE	38266 YACHT BASIN RD	PO BOX 369	OCEAN VIEW	DE	19970
134-8.00-161.00	HOCKER GERALD W SR	38268 YACHT BASIN RD	38489 HICKMAN RD	OCEAN VIEW	DE	19970
134-8.00-162.00	GERALD & EMILY PROPERTIES LLC		345 FAIRWAY LN	DAGSBORO	DE	19939
134-8.00-42.00	BETHANY BAY HOMEOWNERS ASSOCIATION	37270 CLUBHOUSE LN	PO BOX 30368	CHARLOTTE	NC	28230
134-9.00-101.00	REILLY MARTIN F	38295 SANDY COVE RD	38295 SANDY COVE RD	OCEAN VIEW	DE	19970
134-9.00-102.00	WISGO-HUNSINGER SHARON	38293 SANDY COVE RD	38293 SANDY COVE RD	OCEAN VIEW	DE	19970
134-9.00-103.00	HUNSINGER LAN J SHARON L WISGO	30300 PINE NEEDLE DR	38293 SANDY COVE RD	OCEAN VIEW	DE	19970
134-9.00-104.00	BILIK ANNA T HRS		228 E 2ND ST	NEW CASTLE	DE	19720
134-9.00-104.01	BILIK JOSEPH S		228 E 2ND ST	NEW CASTLE	DE	19720
134-9.00-104.02	BROOKS HENRY W III	30312 PINE NEEDLE DR	1421 BETHEL CHURCH RD	MIDDLETOWN	DE	19709
134-9.00-105.00	BROOKS HENRY W III	30314 PINE NEEDLE DR	1421 BETHEL CHURCH RD	MIDDLETOWN	DE	19709
134-9.00-106.00	POLLITT LEONARD E	30316 PINE NEEDLE DR	30316 PINE NEEDLE DR	OCEAN VIEW	DE	19970
134-9.00-107.00	THOMAS JAMES T & MARSHA A	30318 PINE NEEDLE DR	322 N ORLANDO AVE	OCEAN VIEW	DE	19970
134-9.00-108.00	CORROZI JOHN F	30320 PINE NEEDLE DR	905 E MATSON RUN PKWY	WILMINGTON	DE	19802
134-9.00-109.00	MOONEY J MICHAEL TTEE	30319 PINE NEEDLE DR	1721 GUNNING DR	WILMINGTON	DE	19803
134-9.00-110.00	MCLAUGHLIN JODI D	30317 PINE NEEDLE DR	30317 PINE NEEDLE DR	OCEAN VIEW	DE	19970
134-9.00-111.00	EGNER WALTER ANTHONY TTEE	30315 PINE NEEDLE DR	6209 CIDER PRESS RD	HARRISBURG	PA	17111
134-9.00-112.00	PAULINSKI JOSEPH TRUSTEE	30313 PINE NEEDLE DR	518 ANDREA DR	WILLOW GROVE	PA	19090
134-9.00-113.00	BRESSI RUTH ANN JAMES W MONTGOMERY	30311 PINE NEEDLE DR	285 MISTY PATCH RD	E FALLOWFIELD T	PA	19320
134-9.00-1139.00	HOCKER FARM LIMITED PARTNERSHIP		6610 MADISON MCLEAN DR	MCLEAN	VA	22101
134-9.00-114.00	MCCAUGHAN STEPHEN A	30309 PINE NEEDLE DR	32 JOHN BEAL DR	GARNET VALLEY	PA	19060
134-9.00-114.01	TLS PROPERTIES LLC	30307 PINE NEEDLE DR	2222 ST FRANCIS ST	WILMINGTON	DE	19808
134-9.00-1140.00	CEDAR LANDING HOMEOWNERS ASSOCIATION		38300 CLEARWATER CT	OCEAN VIEW	DE	19970
134-9.00-115.00	EISNER RANDOLPH A THERESA M	30303 PINE NEEDLE DR	3504 BROOKSIDE DR	HARRISBURG	PA	17109
134-9.00-116.00	GARRISON MICHAEL R	38287 SANDY COVE RD	380 SNOW DRIVE	LEBANON	PA	17046
134-9.00-117.00	EBERLY GALEN R & GRACE A	38285 SANDY COVE RD	1951 LANCASTER RD	MANHEIM	PA	17545
134-9.00-118.00	SEARLES HELEN S	38281 SANDY COVE RD	2 POSSAGHI RD	NEWTON	NJ	07860
134-9.00-119.00	DAWSON SUSAN T	38279 SANDY COVE RD	2617 DRAYTON DR	WILMINGTON	DE	19808
134-9.00-120.00	ROTH JESSE	30202 MARINERS LN	515 CRESTWOOD LN	DOWNINGTOWN	PA	19335
134-9.00-121.00	HANWELL WALTER D JR & THELMA C	30204 MARINERS LN	30204 MARINERS LN	OCEAN VIEW	DE	19970
134-9.00-122.00	BROWN STEVEN E	30206 MARINERS LN	10 WALDEN CT	YORK	PA	17404
134-9.00-123.00	HOLLERBUSH BRIAN R & JENNIFER G	30208 MARINERS LN	300 EDGEBORO DR	MANCHESTER	PA	17345
134-9.00-124.00	CHOWDHURY AUBREY	30210 MARINERS LN	521 LILAC TER NE	LEESBURG	VA	20176
134-9.00-125.00	SAGERS RUTH ANN TTEE TR	30212 MARINERS LN	30212 MARINERS LN	OCEAN VIEW	DE	19970
134-9.00-126.00	PEER ALAN J	30213 MARINERS LN	4039 HILLVIEW RD	TEMPLE	PA	19560
134-9.00-127.00	ROSIN CAROLYN J	30211 MARINERS LN	28 WENTWOOD CT	MEDFORD	NJ	08055
134-9.00-128.00	BECK MICHAEL F	30209 MARINERS LN	30209 MARINERS LN	OCEAN VIEW	DE	19970
134-9.00-129.00	COLLETT DENNIS W TTEE	30207 MARINERS LN	30207 MARINERS LN	OCEAN VIEW	DE	19970
134-9.00-130.00	HARLAN WILLIAM M	30205 MARINERS LN	30205 MARINERS LN	OCEAN VIEW	DE	19970
134-9.00-131.00	RILEY BRYAN & JENNIFER RILEY	30203 MARINERS LN	1331 CHURCHTOWN RD	MIDDLETOWN	DE	19709
134-9.00-132.00	OLIVIER ADRIEN L & RUTH	38271 SANDY COVE RD	30348 BERMUDA DR	OCEAN VIEW	DE	19970
134-9.00-133.00	HILL JASON B	38269 SANDY COVE RD	38269 SANDY COVE RD	OCEAN VIEW	DE	19970
134-9.00-134.00	FOARD WILLIAM A & SUSAN D FOARD	38267 SANDY COVE RD	4157 FEDERAL HILL RD	JARRETTSVILLE	MD	21084
134-9.00-135.00	GIBBONEY TODD A & LEIGH ANN	38265 SANDY COVE RD	38265 SANDY COVE RD	OCEAN VIEW	DE	19970
134-9.00-136.00	HARRIS JERRY L II & KATHY A	30102 PINECREST DR	211 BROAD ST	LANDISVILLE	PA	17538
134-9.00-137.00	MUENTZ ROBERT	30106 PINECREST DR	30106 PINECREST DR	OCEAN VIEW	DE	19970
134-9.00-138.00	MORRIS C JOHN JR & JOANN	30108 PINECREST DR	PO BOX 547	OCEAN VIEW	DE	19970
134-9.00-139.00	CARTER ROBERT L TRUSTEE	30112 PINECREST DR	131 SMALLEYS DAM RD	NEWARK	DE	19702
134-9.00-140.00	YEP GREGORY LEE	30116 PINECREST DR	1012 WHITEGATE RD	WAYNE	PA	19087
134-9.00-140.01	ROBINS JEFFREY B	30118 PINECREST DR	11119 ARROYO DR	ROCKVILLE	MD	20852
134-9.00-141.00	ELLIOTT GEORGE N III TTEE REV TR	30117 PINECREST DR	30117 PINE CREST DR	OCEAN VIEW	DE	19970
134-9.00-142.00	MURPHY BRIAN P & JOAN T MURPHY	30115 PINECREST DR	30115 PINECREST DR	OCEAN VIEW	DE	19970
134-9.00-143.00	LENDZIOSZEK JOSEPH P SR TTEE	30113 PINECREST DR	30113 PINECREST DR	OCEAN VIEW	DE	19970
134-9.00-144.00	WHITSON BENNY	30111 PINECREST DR	137 BRIDGE ST	KINGSPORT	TN	37660
134-9.00-145.00	WIERMAN MICHAEL	30109 PINECREST DR	1 PARK AVE	ORELAND	PA	19075
134-9.00-146.00	YOUNDT CHARLES R & BETSY A	30107 PINECREST DR	PO BOX 414	BROWNSTOWN	PA	17508
134-9.00-147.00	O'DONNELL PATRICK	30101 PINECREST DR	2508 VIVALDI LN	GAMBRILLS	MD	21054
134-9.00-268.00	BENNETT J S & SON INC	38254 YACHT BASIN RD	35112 ATLANTIC AVE	MILLVILLE	DE	19967
134-9.00-269.00	BENNETT ELVA F	38252 YACHT BASIN RD	35128 ATLANTIC AVE	MILLVILLE	DE	19967
134-9.00-270.00	JOHNSON STEVEN R	38250 YACHT BASIN RD	38250 YACHT BASIN RD	OCEAN VIEW	DE	19970
134-9.00-880.00	CEDAR LANDING HOMEOWNERS ASSOCIATION		PO BOX 1595	OCEAN VIEW	DE	19970
134-9.00-881.00	ASHBY JOHN G	37854 ISLAND DR	2 HESSPAR CT	PHOENIX	MD	21131
134-9.00-882.00	MCCANDLESS THOMAS C TTEE REV TR	37846 ISLAND DR	37846 ISLAND DR	OCEAN VIEW	DE	19970
134-9.00-883.00	OSLIN DAVID WAYNE	37838 ISLAND DR	1225 LONGMEADOW RD	GARNET VALLEY	PA	19060
134-9.00-884.00	JORDAN HEATHER L	37830 ISLAND DR	32 ROBERTS CIR	BASKING RIDGE	NJ	07920
134-9.00-885.00	HANNA MATTHEW	37828 ISLAND DR	138 PEOPLES WAY	HOCKESSIN	DE	19707
134-9.00-886.00	VANSANT JOSEPH E	37824 ISLAND DR	526 RUNNYMEADE RD	HOCKESSIN	DE	19707
134-9.00-887.00	WASHINGTON MICHAEL L & LINDA C	37825 ISLAND DR	37825 ISLAND DR	OCEAN VIEW	DE	19970
134-9.00-888.00	MCCOOL MARK E	37827 ISLAND DR	31 MYSTIC VIEW LN	DOYLESTOWN	PA	18901
134-9.00-889.00	ROMANOWSKI KEITH T	37831 ISLAND DR	37831 ISLAND DR	OCEAN VIEW	DE	19970
134-9.00-890.00	CONDE JESSE J	37839 ISLAND DR	37839 ISLAND DR	OCEAN VIEW	DE	19970
134-9.00-891.00	MARCONI THOMAS C LISA F	37849 ISLAND DR	37849 ISLAND DR	OCEAN VIEW	DE	19970
134-9.00-892.00	CULLEN KIMBERLEE M	37855 ISLAND DR	37855 ISLAND DR	OCEAN VIEW	DE	19970
134-9.00-893.00	GARR ROSEMARY E		8711 HIDDEN HILL LN	POTOMAC	MD	20854
134-9.00-894.00	GARR LAWRENCE D & ROSEMARY E	37871 ISLAND DR	8711 HIDDEN HILL LN	POTOMAC	MD	20854
134-9.00-895.00	STEVENSON SIDNEY W III	37881 ISLAND DR	37881 ISLAND DR	OCEAN VIEW	DE	19970
134-9.00-896.00	DUFFY MICHAEL C	37889 ISLAND DR	142 PEOPLES WAY	HOCKESSIN	DE	19707
134-9.00-897.00	JUST MARIA	37901 ISLAND DR	37901 ISLAND DRIVE	OCEAN VIEW	DE	19970
134-9.00-898.00	LONGO VINCENT U	37902 ISLAND DR	202 PINE KNOLL CIR	HOCKESSIN	DE	19707
134-9.00-899.00	CEDAR LANDING HOMEOWNERS ASSOCIATION		PO BOX 1595	OCEAN VIEW	DE	19970
134-9.00-94.01	BAYSHORE INC		30145 BAY SHORE RD	OCEAN VIEW	DE	19970
134-9.00-95.00	COX BRETT M TTEE REV TR	38270 SANDY COVE RD	30145 BAYSHORE DR	OCEAN VIEW	DE	19970
134-9.00-96.00	COX BRETT M TRUSTEE	38264 SANDY COVE RD	30145 BAYSHORE RD	OCEAN VIEW	DE	19970
134-9.00-97.00	TOWNSEND KAYLER B	38252 SANDY COVE RD	30123 CAROLINE RD	OCEAN VIEW	DE	19970
134-9.00-97.01	COX BRETT M TRUSTEE	38260 SANDY COVE RD	30145 BAYSHORE RD	OCEAN VIEW	DE	19970

Attachment E:

SP-232/18

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

WETLANDS & SUBAQUEOUS
LANDS SECTION

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

Ocean View Land Development, LLC
C/o: Edward Pavelick
116 Quarry Road
Coatesville, PA 19320
Tax Parcel: 1-34-8.00-154.00

Subaqueous Lands Permit: SP-232/18
Associated Permits: JD-450/17
Date of Issuance: 11-7-2018
Construction Expiration Date: 11-7-2021
Amended Date: N/A

SUBAQUEOUS LANDS PERMIT

GRANTED TO:

Ocean View Land Development, LLC

TO CONDUCT THE FOLLOWING ACTIVITIES:

To place up to 735 cubic yards of rip-rap for the construction of a 360-foot long low profile sill, and to repair three (3) jetties, one (1) 80-feet long, one (1) 110-feet long, and one (1) 70-feet long with rip-rap

To place up to 735 cubic yards of rip-rap for the construction of a 360-foot long low profile sill and to repair 3 existing jetties

LOCATED ON PRIVATE AND PUBLIC SUBAQUEOUS LANDS:

In the Whites Creek
Adjacent to Jump Lane and the Sandy Cove Marina,
Ocean View, Sussex County, Delaware

Pursuant to the provisions of 7 Del. C., §7205, and the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this 7th day of November A.D. 2018, to construct the above-referenced project in accordance with the approved plans (6 sheets), as approved on October 22, 2018; and the application dated May 18, 2018, and received by this Division on June 1, 2018, and with subsequent information received on July 23, 2018 and July 31, 2018.

WHEREAS, Ocean View Land Development, LLC, owners of certain adjoining lands to the Whites Creek, have applied for permission to construct the indicated structures for private use; and;

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

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

SPECIAL CONDITIONS

1. This approval is in accordance with the plans and application submitted to the Department of Natural Resources and Environmental Control, a copy of which is attached hereto and made a part hereof.
2. This permit is granted for the purpose of erosion control and shoreline stabilization, as stated in the Permit application. Any other use without prior approval shall constitute reason for this Permit being revoked.
3. To protect horseshoe crabs, no in-water work shall occur from April 15 through August 30.
4. The existing jetties shall be repaired within their existing footprint and the existing lumber shall be removed prior to the installation of rip-rap.
5. As indicated on the approved plans, Jetty #1 is 80-feet long, Jetty #2 is 110-feet long and Jetty #3 is 70-feet long.
6. Filter cloth shall be placed underneath the rip-rap to provide support and stabilization, and to prevent the loss of soil into the Bay.
7. Minor grading to achieve proper elevations for low profile sill placement is allowable, however no excavation and/or dredging of sediment is authorized.
8. The toe of the rip-rap shall consist of properly sized stone and shall be appropriately trenched in to provide support for the structure.
9. The rip-rap shall consist only of appropriately sized stone. No concrete, rubble, debris or other materials shall be utilized for the structure.
10. No impacts in State-regulated wetlands are authorized by this Permit.
11. There shall be no movement of equipment within subaqueous lands not specifically authorized by this Permit. Any areas disturbed outside the footprint of the authorized work shall be returned to pre-construction conditions and elevations, and be properly stabilized.
12. All construction materials, waste or debris associated with this activity shall be properly disposed of and contained at all times to prevent its entry into waters or wetlands. Construction materials shall not be stockpiled in subaqueous lands or wetlands.
13. Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the current Delaware Erosion and Sediment Control Handbook so as to minimize entry and dispersal of sediment and other contaminants in surface waters.
14. The work authorized by this permit is subject to the terms and conditions of the appropriate Department of the Army Nationwide Permit.

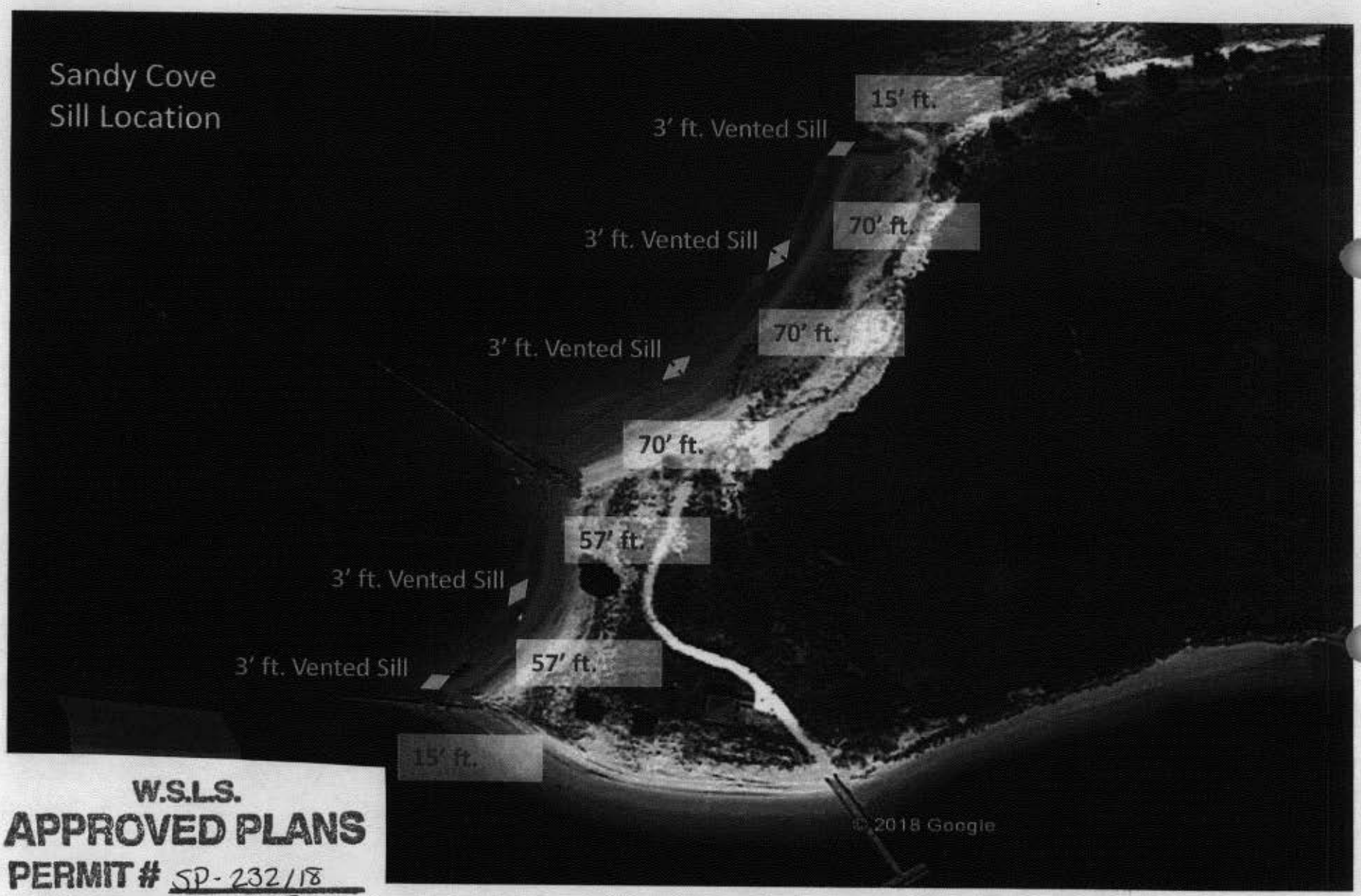
IN WITNESS WHEREOF, I, Tyler Brown, the duly authorized representative of Shawn M. Garvin, Secretary of the Department of Natural Resources and Environmental Control, have hereunto set my hand this 7th day of November, 2018.

By Tyler Brown, Section Manager
the duly authorized representative of the Secretary of the Department of Natural Resources and Environmental Control

Katie Esposito, Environmental Scientist
Wetlands and Subaqueous Lands Section

W.S.L.S.
APPROVED PLANS
PERMIT # SP-232/18
DATE 10-22-18 VE
(SEE PERMIT CONDITIONS)

JUN 1 2018



W.S.L.S.
APPROVED PLANS
PERMIT # SP-232/18
DATE 10-22-18 KE
(SEE PERMIT CONDITIONS)

JUN 1 2018

W.S.L.S.
APPROVED PLANS
PERMIT # SP-232/18
DATE 10-22-18 KB
(SEE PERMIT CONDITIONS)

RECEIVED
JUL 2 3 2018
BY:_____

SANDY COVE, OCEAN VIEW, DELAWARE 19970

Jetty Location Map

July 23, 2018

Envirotech
ENVIRONMENTAL CONSULTING, INC.
Providing Environmental Solutions

Plan View

DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

WETLANDS AND SUBAQUEOUS LANDS SECTION

PERMIT NO.: SP-232/18 **CONSTRUCTION EXPIRATION DATE:** 11-7-2021

TO CONDUCT THE FOLLOWING ACTIVITIES:

To place up to 735 cubic yards of rip-rap for the construction of a 360-foot long low profile sill and to repair 3 existing jetties

LOCATED ON PUBLIC AND PRIVATE SUBAQUEOUS LANDS:

In Whites Creek
Adjacent to Jump Lane and the Sandy Cove Marina,
Ocean View, Sussex County, Delaware

ISSUED TO: Ocean View Land Development, LLC

LOCATION OF WORK: Same as above

DISPLAY THIS CERTIFICATE IN A HIGHLY VISIBLE LOCATION ON THE JOB SITE.

Authorized by:

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

GENERAL CONDITIONS

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

15. All construction materials, waste or debris associated with this activity shall be properly disposed of and contained at all times to prevent its entry into waters or wetlands. Construction materials shall not be stockpiled in subaqueous lands or wetlands.

16. The permittee and contractor shall employ measures during construction to prevent spills of fuels, lubricants or other hazardous substances. In the event of a spill, the permittee and contractor shall make every effort to stop the leak and contain the spill, and shall immediately contact the Hazardous Spill Response Team (HAZMAT) at 1-800-662-8802 and this office at (302) 739-9943. The permittee and contractor are responsible to comply with all directives to contain and clean up the spilled material(s) as stipulated by the HAZMAT team, and to restore the site as may be required by this office.

17. No construction shall occur after the construction expiration date identified on Page One of this Permit. The permittee may file a construction expiration date extension request of up to one (1) year if necessary to complete the authorized work. Such requests must be received by the Department at least thirty (30) days prior to the construction expiration date.

18. Any actions, operations or installations which are found by the Department to be contrary to the public interest may constitute reason for the discontinuance and/or removal of said action, operation or installation. Removal and restoration shall be at the expense of the permittee and/or upland property owner within thirty (30) days of receipt of written notice of revocation and demand for removal.

19. Disturbance of subaqueous lands or wetlands adjacent to the authorized structures or activities is prohibited unless specifically addressed in the special conditions of this Permit. Disturbance of subaqueous lands or wetlands in the path of construction activities shall be minimized. Any temporarily impacted subaqueous lands or wetlands shall be returned to pre-disturbance elevations and conditions.

20. This Permit is personal and may not be transferred without the prior written consent of the Department. Prior to the transfer of the adjacent upland property, the permittee shall obtain the written consent of the Department to transfer the Permit to the new upland property owner. Failure to obtain such written consent may result in the revocation of this Permit and the removal of all structures authorized by this Permit at the expense of the permittee.

21. The permittee shall notify the Wetlands and Subaqueous Lands Section prior to the commencement of the work authorized by this Permit.

22. No portion of the structure shall be installed within ten (10) feet of the adjacent property lines.

23. No portion of the structure shall exceed 20% of the width of the water body as measured at mean low water.

24. The structures authorized by this Permit shall be constructed and maintained in a manner so as to assure water access to adjacent properties.

25. This Permit does not authorize any future repairs below the water line, or any additions or modifications to the structures authorized herein. Such activities require separate written authorization from the Department of Natural Resources and Environmental Control.

26. Failure to comply with any of the terms or conditions of this Permit may result in enforcement action which could include the revocation of this Permit and subsequent restoration of the site to preconstruction conditions.

Electronically Recorded Document# 2025000014243 BK: 6290 PG: 269
Recorder of Deeds, Alexandra Reed Baker On 4/24/2025 at 12:21:49 PM Sussex County, DE
Consideration: $0.00 County/Town: $0.00 State: $0.00 Total: $0.00
Doc Surcharge Paid Town: SUSSEX COUNTY

Tax Map Parcel No: 1-34-8.00-154.00

Prepared by and Return to:
David J. Weidman, Esq.
Sergovic Carmean Weidman McCartney & Owens P.A.
25 Chestnut Street
Georgetown, Delaware 19947
THIS DEED IS PREPARED WITHOUT
BENEFIT OF A TITLE EXAMINATION

DEED, ASSIGNMENT AND DECLARATION

This Deed, Assignment and Declaration, is made this 23rd day of April, 2025, by and between:

OCEAN VIEW LAND DEVELOPMENT LLC, (hereinafter "Declarant" and "Developer"), acting individually and as Declarant and Developer named in various Restrictive Covenants hereinafter identified, party of the first part;

AND

SANDY COVE MARINA CONDOMINIUM OWNERS ASSOCIATION INC., (hereinafter "the Association "), a corporation of the State of Delaware, party of the second part.

WHEREAS, Declarant has recorded an approved Plat in the Office of the Recorder of Deeds in and for Sussex County, Delaware, at Plot Book 113, page 94, for the marina in the subdivision known as Sandy Cove, upon and subject to the terms and conditions stated in the Declaration recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, at Book 3448, page 231 *et. seq.* ("the Declaration"), as amended; and

WHEREAS, the Declarant created the Association by filing a Certificate of Formation with the Delaware Secretary of State, Division of Corporations, dated February 29, 2012; and,

WHEREAS, the Declarant desires to assign its rights, powers, and authority granted, retained, and/or reserved in favor of and for the benefit of the Declarant under the Declaration, and all of the Declarant's duties, obligations, and liabilities therein, to the Association by a written Instrument recorded in the Office of the Recorder of Deeds; and,

WHEREAS, Declarant hereby conveys and transfers the Marina to the Association; and,

NOW THEREFORE, in consideration of the sum of One Dollar ($1.00), lawful money of the United States of America, and other good and valuable consideration, the Declarant hereby grants and conveys unto the Association, its successors and assigns, all of its right, title and interest, in fee simple, to the following described lands, situate, lying and being in Sussex County, State of Delaware, to:

1. **THE MARINA AND ALL COMMON ELEMENTS APPURTENANT THERETO**

DECLARATION

Declarant/Developer hereby declares that the property conveyed herein shall be held, transferred, conveyed, occupied and used subject to the following covenants, conditions, restrictions, reservations and easements:

1. **BINDING EFFECT.** The terms and provisions set forth herein shall be binding upon and inure to the benefit of the Association, its members, and all individuals and entities who have the right or who are granted the right to use the Common Areas thereon and shall run with the lands to which they are specifically applicable.

2. **COMMON AREAS.** The Common Areas conveyed hereby are acknowledged, recognized, designated and confirmed to consist of the Marina. These Common Areas conveyed shall be and remain subject to the applicable Restrictive Covenants and the restrictions, covenants, conditions, easements and reservations set forth in the Declaration for the Sandy Cove Marina recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, at Book 3448, page 231 *et. seq.*, as amended.

3. **RULES AND REGULATIONS.** The Association shall have the right to promulgate and enforce reasonable rules and regulations with regard to the use and enjoyment of the Marina and its Common Areas from time to time.

4. **INDEMNITY.** The Association shall indemnify and hold harmless Declarant/Developer from any liability, cost, or expense incurred by Declarant and/or Developer because of, or arising out of, the Association's ownership and use of the Marina, as well as for the Association's exercise of any rights, duties, powers, obligations, and responsibilities under the Declaration.

ASSIGNMENT

Declarant hereby grants, conveys, assigns and transfers to the Association any and all rights, duties, powers, obligations and responsibilities reserved to the Declarant/Developer under the Declaration and any other written instrument.

IN WITNESS WHEREOF, Declarant has hereunto set its Hand and Seal to cause this instrument to be duly executed on this day and year first above written.

OCEAN VIEW LAND DEVELOPMENT LLC

K. R. McCl (SEAL)

BY: Kevin R. McClure

STATE OF ~~DELAWARE~~ PA **:**

Document# 2025000014243 BK: 6290 PG: 271
Recorder of Deeds, Alexandra Reed Baker On 4/24/2025 at 12:21:49 PM Sussex County, DE
Doc Surcharge Paid

Chester : ss.
COUNTY OF ~~SUSSEX~~ :

BE IT REMEMBERED, that on this 23 day of April, A.D. 2025, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Kevin R. McClure, Authorized Member of **OCEAN VIEW LAND DEVELOPMENT LLC**, party to this Indenture, known to me personally to be such, and he acknowledged this Indenture to be his act and deed.

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

Commonwealth of Pennsylvania - Notary Seal
David J. Kelly, Notary Public
Chester County
My commission expires May 20, 2026
Commission number 1083384
Member, Pennsylvania Association of Notaries

NOTARY PUBLIC

Sandy Cove Property Owners Association, Inc.

Authorized Representative for Sandy Cove Townhomes
Shoreline Stabilization Permit

Applicant: Sandy Cove Property Owners Association, Inc.
Subject Property: Sandy Cove Townhomes / Sandy Cove Property Owners
Jump Lane Ocean View, DE 19970
Tax Map Parcel #: 134-8.00-154.00 (+/- 21.7 acres)

The Subject Property is located south of Jump Lane in Ocean View, DE 19970. This permit project involves the construction of a 220' x 10' x 3.5' riprap sill.

The designated 'Authorized Representative' will sign permitting documentation on behalf of the property owners of tax map parcel #134-8.00-154.00.

Sandy Cove Property Owners Association HOA Representative

Name: Michael E Dooley

Title: Secretary

Signature: _____

Date: September 15, 2025

DNREC Division of Water: Wetlands and Water
Attn: Matt Jones
Richardson & Robbins Building
89 Kings Highway SW
Dover, DE 19901

Shoreline Stabilization Project – Riprap Sill

Applicant: Sandy Cove Townhomes Homeowners Association
Attn: Ms. Regina Ashcroft, HOA President - 30171 Jump Lane Ocean View, DE 19977

To Whom It May Concern,

The proposed project area is located within the Sandy Cove Townhomes Community located at 37693 Sandy Trap Drive, Ocean View, Delaware 19970, along White Creek, a tributary to the Indian River Bay. The purpose of this project is to provide shoreline stabilization by installing a (+/-220 linear feet) low-profile vented sill on the existing erosive shoreline within the subject property. Severe shoreline erosion is present due to capillary and fetch wave action on exposed soil. The (+/-220 linear foot) low-profile vented sill consist of a geotextile fabric base and Delaware R-4 riprap (+/- 120 yd^3) with a base width of 10' and height of 3' with a 1.5':1 slope. Vents will be formed during the installation of the sill and installed every (+/- 30 linear feet) with a top width of 3' and height of 1.5'

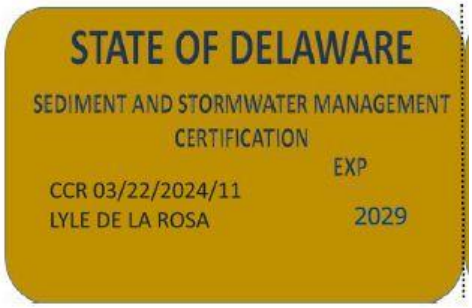
All appropriate risk avoidance measures will be followed to allow practicable alternatives and consideration of impacts were necessary. The work authorized shall be completed in accordance with the terms and conditions of the applicable United States Army Corps of Engineers Permit (Nationwide Permit #13-Bank Stabilization). Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the current Delaware Erosion and Sediment Control Handbook so as to minimize entry and dispersal of sediment and other contaminants to surface waters.
Site Maps and required property documents are attached.

Please contact me with any questions.
Best Regards,

Ld

Lyle de la Rosa
Environmental Project Manager
Envirotech Environmental Consulting, Inc.
Office Phone: 302.684.5201
Fax: 302.684.5204
email: lyle@envirotechecinc.com
email: nick@envirotechecinc.com

CCR# 03/22/2024/11



Attachment A:

Property Maps & Project Diagrams

U.S. Fish and Wildlife Service
National Wetlands Inventory

Sandy Cove Townhomes

February 12, 2025

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

The National Map US Topo

BETHANY BEACH QUADRANGLE
DELAWARE - SUSSEX COUNTY
7.5-MINUTE SERIES

Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid:Universal Transverse Mercator, Zone 18S

This map is not a legal document. Boundaries may be generalized for this map scale. Private lands within government reservations may not be shown. Obtain permission before entering private lands.

Imagery....NAIP, August 2018 - August 2018
Roads.... U.S. Census Bureau, 2016 - 2016
Names....GNIS, 1979 - 2023
Hydrography....National Hydrography Dataset, 2004 - 2022
Contours....National Elevation Dataset, 2016
Boundaries....Multiple sources; see metadata file 2020 - 2022

Wetlands....FWS National Wetlands Inventory 2007

MN GN
11°44′
209 MILS
0°2′
1 MILS

UTM GRID AND 2023 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

U.S. National Grid
100,000 - m Square ID
VH
Grid Zone Designation 18S

SCALE 1:24 000

KILOMETERS 1 0.5 0 1 2
METERS 1000 500 0 1000 2000
MILES 1 0.5 0 1
FEET 1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000

CONTOUR INTERVAL 5 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard.

DELAWARE
QUADRANGLE LOCATION

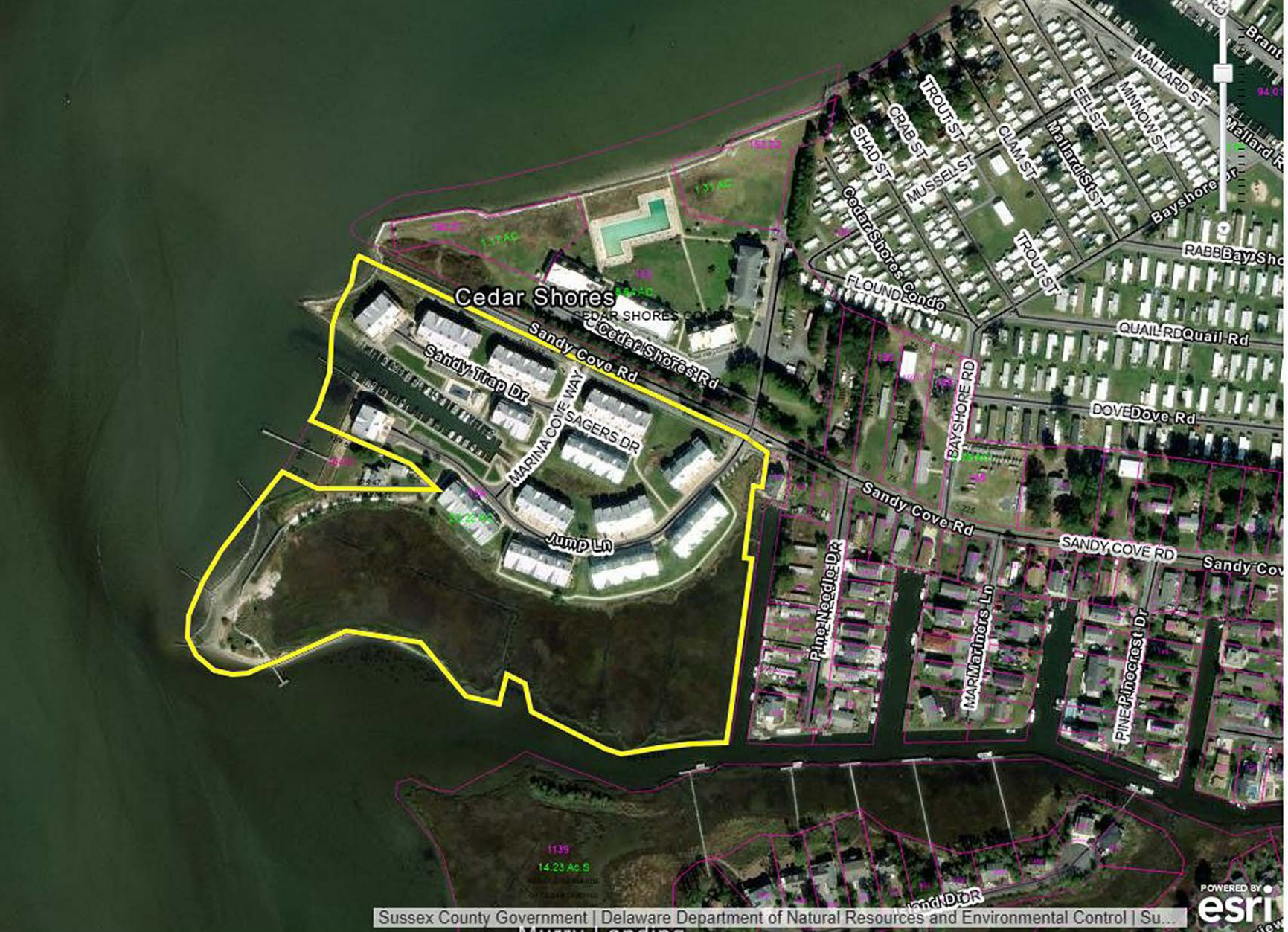
1 Fairmount
2 Rehoboth Beach
3 Frankford
4 Selbyville
5 Assawoman Bay

ADJOINING QUADRANGLES

ROAD CLASSIFICATION
Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

BETHANY BEACH, DE
2023

NSN. 7643016360188
NGA REF NO. USGSX24K3526



▼ 1) 134-8.00-154.00 Zoom

BOOK	5703
PAGE	226
FULLNAME	OCEAN VIEW LAND DEVELOPMENT LLC
MAILINGADDRESS	112 AIRPORT RD BOX 341
CITY	COATESVILLE
STATE	PA
a_account	11-02-154
DESCRIPTION	S/RD 358 SANDY COVE
DESCRIPTION2	TOWNHOUSE COMM
DESCRIPTION3	DUMMY ACCT S W
LUC	999
MUNI	00
CAP	0
APRBLDG	88300

▸ 2) 134-8.00-154.00-10 Zoom

▸ 3) 134-8.00-154.00-1001 Zoom

▸ 4) 134-8.00-154.00-1002 Zoom

▸ 5) 134-8.00-154.00-1003 Zoom

Selected Features (1 - 5 of 160)

Clear Selected

Attachment B:

Property Deed & Survey

RETURN TO:
Ocean View Land Development, LLC., a
Delaware Limited Liability Company
211 South Pond Road, Westridge
Hockessin, DE 19707

Tax No.: p/o 1-34 8.00 154.00
1-34 9.00 101.00
1-34 8.00 154.00 Unit 103 & 104
PREPARED BY:
Tunnell & Raysor, P.A.
323E Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. AS7480/MLG

NO TITLE SEARCH REQUESTED
NO TITLE SEARCH PERFORMED
NO TITLE GUARANTEE
DEED PREPARATION ONLY

THIS DEED, made this 30th day of December, 2010,

- BETWEEN -

CLINTON PROPERTIES, LLC, of 4 Manor Drive, Rehoboth Beach, DE 19971, party of the first part,

- AND -

OCEAN VIEW LAND DEVELOPMENT, LLC., A DELAWARE LIMITED LIABILITY COMPANY, of 211 South Pond Road, Westridge, Hockessin, DE 19707, as sole owner, 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 heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL the rest, residue and remainder of that parcel of land, including but not limited to the infrastructure, roads, undeveloped/unsold lands, undeveloped common elements and undeveloped limited common elements, units under construction but not yet conveyed, all development and management rights, in and to the development known as Sandy Cove, as same is shown and designated on that certain site plan titled "Sandy Cove", prepared by

TUNNELL & RAYSOR, P.A.
Rehoboth Beach, DE

DBP, dated May 3, 2007 and recorded May 11, 2007 in Plot Book 94, Page 268, all of which includes the Townhomes of Sandy Cove, a condominium and the Sandy Cove Marina, a boat slip condominium, more particularly described by a metes and bounds description as follows, to wit:

TRACT ONE:

ALL that certain tract, piece or parcel of land, situated in Cedar Neck, Baltimore Hundred, Sussex County, Delaware, bounded as follows: On the North by County Road No. 358, leading from Derrickson Point to Ocean View; on the West by high water mark of White Creek; on the South and East in part by lands now or late of Virginia Meyle, Mary Phyllis James and Wilbert E. Hocker; and being more particularly bounded and described as follows, to wit:

BEGINNING at a point in the center of aforesaid County Road No. 358, and the high water mark of aforesaid White Creek; thence from said point of beginning with the center of aforesaid County Road No. 358, South 67 degrees 30 minutes East 1080.71 feet to a point, a corner for lands now or late of aforesaid Hocker; thence by same, South 6 degrees 40 minutes 32 seconds West, 166.73 feet passing over an iron bar at 18.95 feet to a concrete monument, a corner for land now or late of aforesaid Hocker and land now or late of aforesaid James; thence by land now or late of aforesaid James, the following three (3) courses and distances: (1) South 87 degrees 37 minutes 19 seconds West, 37 feet to a concrete monument; (2) South 10 degrees 59 minutes 37 seconds West, 100 feet to a concrete monument; (3) South 53 degrees 47 minutes West, 135.60 feet to a concrete monument; thence in part with land now or late of aforesaid James and land now or late of aforesaid Meyle, South 62 degrees 45 minutes West, 82.78 feet to a concrete monument; thence by land now or late of aforesaid Meyle, the following twenty (20) courses and distances: (1) South 73 degrees 57 minutes West, 110.91 feet to a point; (2) North 89 degrees 44 minutes 30 seconds West, 85.43 feet to a point; (3) North 76 degrees 8 minutes West, 111.68 feet to a point; (4) North 71 degrees 44 minutes West, 104.40 feet to a point; (5) North 52 degrees 8 minutes 50 seconds West, 50.30 feet to a point; (6) North 39 degrees 6 minutes 50 seconds West, 99.38 feet to a point; (7) North 56 degrees 24 minutes 50 seconds West, 56.67 feet to a point; (8) North 74 degrees 48 minutes 30 seconds West, 60.86 feet to a concrete monument; (9) 83 degrees 05 minutes 30 seconds West, 159.17 feet to a point; (10) South 63 degrees 46 minutes 10 seconds West, 32.68 feet to a point; (11) South 59 degrees 47 minutes 10 seconds West, 36.60 feet to a point; (12) South 67 degrees 44 minutes 10 seconds West, 42.32 feet to a point; (13) South 51 degrees 33 minutes 40 seconds West, 53.23 feet to a point; (14) South 38 degrees 32 minutes 40 seconds West, 43.38 feet to a point; (15) South 32 degrees 47 minutes 40 seconds West, 39.44 feet to a point; (16) South 13 degrees 23 minutes 10 seconds West, 43.92 feet to a point; (17) South 16 degrees 5 minutes 56 seconds East, 30 feet to a point; (18) South 30 degrees 29 minutes 2 seconds East, 45.57 feet to a point; (19) South 27 degrees 45 minutes 21 seconds East, 37.03 feet to a point; (20) South 9 degrees 34 minutes 29 seconds East, 46.30 feet to a point in the high water line of aforesaid White Creek; thence by same, the following twenty-seven (27) courses and distances: (1) South 53 degrees 24 minutes 16

seconds West, 39.81 feet to a point; (2) South 78 degrees 51 minutes 24 seconds West, 44.88 feet to a point; (3) North 89 degrees 9 minutes 20 seconds West, 36.48 feet to a point; (4) North 53 degrees 41 minutes 52 seconds West, 57.23 feet to a point; (5) North 5 degrees 30 minutes 51 seconds West, 26.33 feet to a point; (6) North 16 degrees 16 minutes 2 seconds East, 42.41 feet to a point; (7) North 2 degrees 7 minutes 24 seconds West, 41.70 feet to a point; (8) North 23 degrees 47 minutes 11 seconds East, 74.85 feet to a point; (9) North 24 degrees 37 minutes 15 seconds East, 18.33 feet to a point; (10) North 25 degrees 31 minutes 39 seconds East, 68.11 feet to a point; (11) North 44 degrees 1 minute 32 seconds East, 79.27 feet to a point; (12) North 45 degrees 32 minutes 40 seconds East, 28.79 feet to a point; (13) North 62 degrees 28 minutes 14 seconds East, 27.20 feet to a point; (14) North 62 degrees 18 minutes 10 seconds East, 50.00 feet to a point; (15) North 53 degrees 12 minutes 45 seconds East, 25.32 feet to a point; (16) North 42 degrees 30 minutes 14 seconds East, 26.57 feet to a point; (17) North 38 degrees 33 minutes 12 seconds East, 27.31 feet to a point; (18) North 19 degrees 32 minutes 49 seconds East, 30.56 feet to a point; (19) North 12 degrees 20 minutes 16 seconds East, 50.49 feet to a point; (20) North 7 degrees 48 minutes 6 seconds East, 50.09 feet to a point; (21) North 4 degrees 56 minutes 28 seconds East, 100.01 feet to a point; (22) North 3 degrees 36 minutes 7 seconds West, 50.49 feet to a point; (23) North 6 degrees 39 minutes 31 seconds East, 50.04 feet to a point; (24) North 10 degrees 4 minutes 43 seconds East, 50.25 feet to a point; (25) North 12 minutes 21 seconds West, 50.16 feet to a point; (26) North 4 degrees 43 minutes 20 seconds West, 50.64 feet to a point; (27) North 13 degrees 55 minutes 27 seconds East, 64.21 feet to the point and place of beginning and containing 13.297 acres of land, more or less. **EXCEPTING THEREFROM** 23,577 square feet of land, more or less, conveyed unto J. Temple Jump, Jr. by Deed filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 1617, page 204.

TRACT TWO:

ALL that certain lot, piece or parcel of land consisting of 6.75 acres, more or less, situate on the northeast side of White's Creek, Cedar Neck, Baltimore Hundred, Sussex County, Delaware, known as Parcel 155 (Tax Map No. 1-34-8), and being more particularly bounded and described as follows, to wit:

ON THE EAST by lands formerly of Sandy Cove Camping Area, Inc.; on the south and west by White's Creek; and on the north and west by lands of the said Sandy Cove Camping Area, Inc. The aforesaid lands are as shown on a survey dated July 18, 1955 and recorded on August 2, 1957, in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Plot Book 2, Page 101A.

TRACT THREE:

ALL that certain tract, piece or parcel of land, lying and being in Cedar Neck, Baltimore Hundred, Sussex County, Delaware, bounded as follows: on the west by lands now or formerly of Virginia Meyle, on the north and on the east by lands formerly of

Sandy Cove Camping Area, Inc., and on the south by White's Creek, be the contents what they may. The aforesaid lands were surveyed as set forth on a certain survey dated July 18, 1955, recorded on August 2, 1957, in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Plot Book 2, Page 101A.

TRACT FOUR:

ALL that certain lot, piece of land situate, lying and being in Baltimore Hundred, Sussex County, Delaware, being known and designated as Lot #1, Section #1, PINE CREST TERRACE, as surveyed and plotted by J. Kenneth Carter, Registered Surveyor, in the month of August, 1968; a plot of the same being filed for record in the Office of the Recorder of Deeds in and for Sussex County, at Georgetown, Delaware, in Plot Book 8, Page 47.

EXCEPTING THEREFROM the following units that have been previously transferred by the Grantor:

Unit 101, 102, 105, 106, 501, 502, 503, 504, 505, 506, 507, 701, 702, 703, 704, 705, 706, 707, 801, 802, 803, 1001, 1002, 1003, 1004, 1101, 1102, 1103,1104, 1105, 1106, 1201, 1202, 1203, and 1204.

This Deed is intended to convey the entire rights, duties, privileges and ownership interest in the development known as "Sandy Cove" as shown in Plot Book 94, page 268 as recorded in the Sussex County, Delaware Recorder of Deeds. This transfer should include Sandy Cove Condo Units 103 and 104; which are already built and the transfer of the Subaqueous Land Lease from the State of Delaware, as recorded in Sussex County Recorder of Deeds, in Deed Book 3014, page 160.

BEING a portion of the same lands conveyed to Clinton Properties, LLC from Sandy Cove Campgrounds, Inc., Formerly Kevin's Trailer Sales, Inc. and Laurie Ann Sagers, by Deed dated November 10, 2003, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on November 13, 2003, in Deed Book 2908, Page 283.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

IN WITNESS WHEREOF, the said Clinton Properties, LLC, a Delaware limited liability company, has caused its name to be hereunto set under seal by Clinton Bunting, an authorized member of Clinton Properties, LLC, the day and year first above written.

CLINTON PROPERTIES, LLC

Michelle L Gunn
Witness

By: _____(SEAL)
Clinton Bunting, Managing Member

Consideration: 3,900,000.00

County 58,500.00
State 58,500.00
Town Total 117,000.00
Received: Sue D Dec 30,2010

STATE OF DELAWARE :
: ss
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 30th day of December, 2010, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Clinton Bunting, Managing Member of Clinton Properties, LLC, a Delaware limited liability company, 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 limited liability company; that the signature of the Member is in his/her own proper handwriting and by his/her authority to act; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by a resolution of the limited liability company.

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

Michelle L Gunn
Notary Public

MICHELLE L. GUNN
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires July 17, 2013

My Commission Expires: _____

TUNNELL & RAYSOR, P.A.
Rehoboth Beach, DE

RECEIVED
DEC 30 2010
ASSESSMENT DIVISION OF SUSSEX COUNTY

Recorder of Deeds
John F. Brady
Dec 30,2010 11:40A
Sussex County
Doc. Surcharge Paid

FEDERAL WETLANDS LINE TABLE		
LINE	BEARING	DISTANCE
WL1	S 46°33'16" W	32.71'
WL2	S 33°10'41" W	26.60'
WL3	S 42°52'39" W	20.60'
WL4	S 32°54'04" W	27.99'
WL5	S 54°49'33" W	27.68'
WL6	S 59°44'14" W	28.90'
WL7	S 12°50'27" W	9.58'
WL8	S 45°56'11" W	8.39'
WL9	S 84°16'42" W	13.77'
WL10	S 57°24'15" W	13.69'
WL11	S 12°42'48" W	7.45'
WL12	S 36°41'50" W	17.52'
WL13	S 33°30'28" W	16.05'
WL14	N 86°56'03" W	9.93'
WL15	N 84°59'30" W	19.30'
WL16	N 68°09'00" W	14.48'
WL17	N 59°29'03" W	11.89'
WL18	S 80°53'35" W	20.14'
WL19	S 82°13'53" W	21.05'
WL20	S 77°49'50" W	27.03'
WL21	S 60°34'50" W	40.72'
WL22	N 83°03'51" W	48.75'
WL23	N 83°21'36" W	22.98'
WL24	N 74°56'00" W	51.01'
WL25	N 68°23'36" W	47.10'
WL26	N 74°08'08" W	18.49'
WL27	N 74°21'27" W	29.51'
WL28	N 78°30'16" W	21.13'
WL29	N 62°28'07" W	21.95'
WL30	N 65°10'08" W	18.49'
WL31	N 65°32'19" W	13.28'
WL32	N 49°23'35" W	28.13'
WL33	N 44°26'33" W	29.79'
WL34	N 50°02'22" W	33.70'
WL35	N 59°33'03" W	21.03'
WL36	N 49°14'45" W	29.21'
WL37	N 40°03'09" W	25.65'
WL38	N 43°13'40" W	10.18'
WL39	N 38°36'09" W	16.52'
WL40	N 41°43'09" W	24.71'
WL41	N 70°21'38" W	25.52'
WL42	N 66°22'43" W	24.10'
WL43	S 81°36'55" W	14.13'
WL44	S 79°07'42" W	21.54'
WL45	N 82°55'02" W	20.19'

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 08°35'35" W	20.83'
L2	N 65°11'54" W	14.66'
L3	S 24°48'06" W	2.08'
L4	S 43°35'32" W	47.81'
L5	N 43°35'32" E	42.23'
L6	S 64°05'33" E	1.80'
L7	S 25°54'27" W	14.00'
L8	S 25°54'27" W	18.00'
L9	N 24°48'06" E	21.38'
L10	S 46°06'03" W	28.90'
L11	N 24°48'06" E	11.14'
L12	S 65°11'54" E	15.00'
L13	S 24°48'06" W	16.99'
L14	N 43°53'57" W	16.10'
L15	S 43°53'57" E	18.27'
L16	S 43°53'57" E	34.37'
L17	S 46°06'03" W	17.07'
L18	S 65°11'54" E	15.00'
L19	N 24°48'06" E	88.40'
L20	N 24°48'06" E	20.00'
L21	N 65°11'54" W	191.08'
L22	S 24°48'06" W	5.00'
L23	S 24°48'06" W	88.40'
L24	S 65°11'54" E	51.01'
L25	S 24°48'06" W	21.38'
L26	S 65°11'54" E	370.96'
L27	N 24°48'06" E	1.50'
L28	S 65°11'54" E	51.01'
L29	N 40°02'10" E	29.75'
L30	N 40°02'10" E	20.73'

DELAWARE TRAFFIC SUMMARY 2003

ADT – CURRENT –	1631
SPEED – POSTED –	50 MPH
ENTRANCE CLASSIFICATION –	7
TRAFFIC PATTERN GROUP –	C

TRAFFIC DIAGRAM

NO SCALE

DESIGN TYPE OF DEV.	TE CODE	UNITS	ADT
TOWNHOUSES	230	84	554

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
B1	S 65°52'25" E	61.03'
B2	N 65°52'25" W	61.03'
B3	N 81°24'25" W	20.00'
B4	S 81°24'25" E	20.00'
B5	N 87°35'18" W	61.92'
B6	S 54°31'12" W	53.20'
B7	N 43°17'28" W	52.60'
B8	S 54°20'06" W	64.03'
B9	S 36°38'56" W	79.98'
B10	N 55°45'05" W	26.48'
B11	S 77°42'35" W	36.08'
B12	N 02°14'37" E	17.37'
B13	N 80°36'21" E	16.37'
B14	N 57°23'19" W	45.08'
B15	N 56°46'28" E	59.40'
B16	N 27°51'12" W	20.44'
B17	S 60°17'28" E	73.38'
B18	S 66°35'04" E	21.39'
B19	N 25°22'16" E	8.18'
B20	N 64°24'31" W	21.60'
B21	N 24°13'07" E	15.66'
B22	N 29°23'45" E	32.17'
B23	S 52°29'29" E	37.98'
B24	N 44°55'55" E	19.07'
B25	N 58°24'20" W	42.76'
B26	N 27°30'19" E	15.37'
B27	N 56°44'44" W	26.46'
B28	N 09°02'31" E	11.27'
B29	S 43°37'15" W	9.87'
B30	N 64°50'23" E	38.70'
B31	N 40°02'10" E	57.50'
B32	N 28°30'46" E	18.27'
B33	S 40°02'10" W	7.02'

WETLANDS CERTIFICATION

I, CHARLES MILLER, STATE THAT THE STATE AND/OR FEDERAL WETLANDS BOUNDARIES DELINEATED UPON THIS PLAN ARE ACCURATELY SHOWN AND THAT THE DELINEATION WAS PERFORMED UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE APPROPRIATE STATE OR FEDERAL STANDARD FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS.

SIGNATURE TITLE DATE

PRINT NAME

OWNER'S CERTIFICATION

WE, CLINTON PROPERTIES, LLC, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THAT THE PLAN WAS MADE AT OUR DIRECTION, THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE TITLE DATE

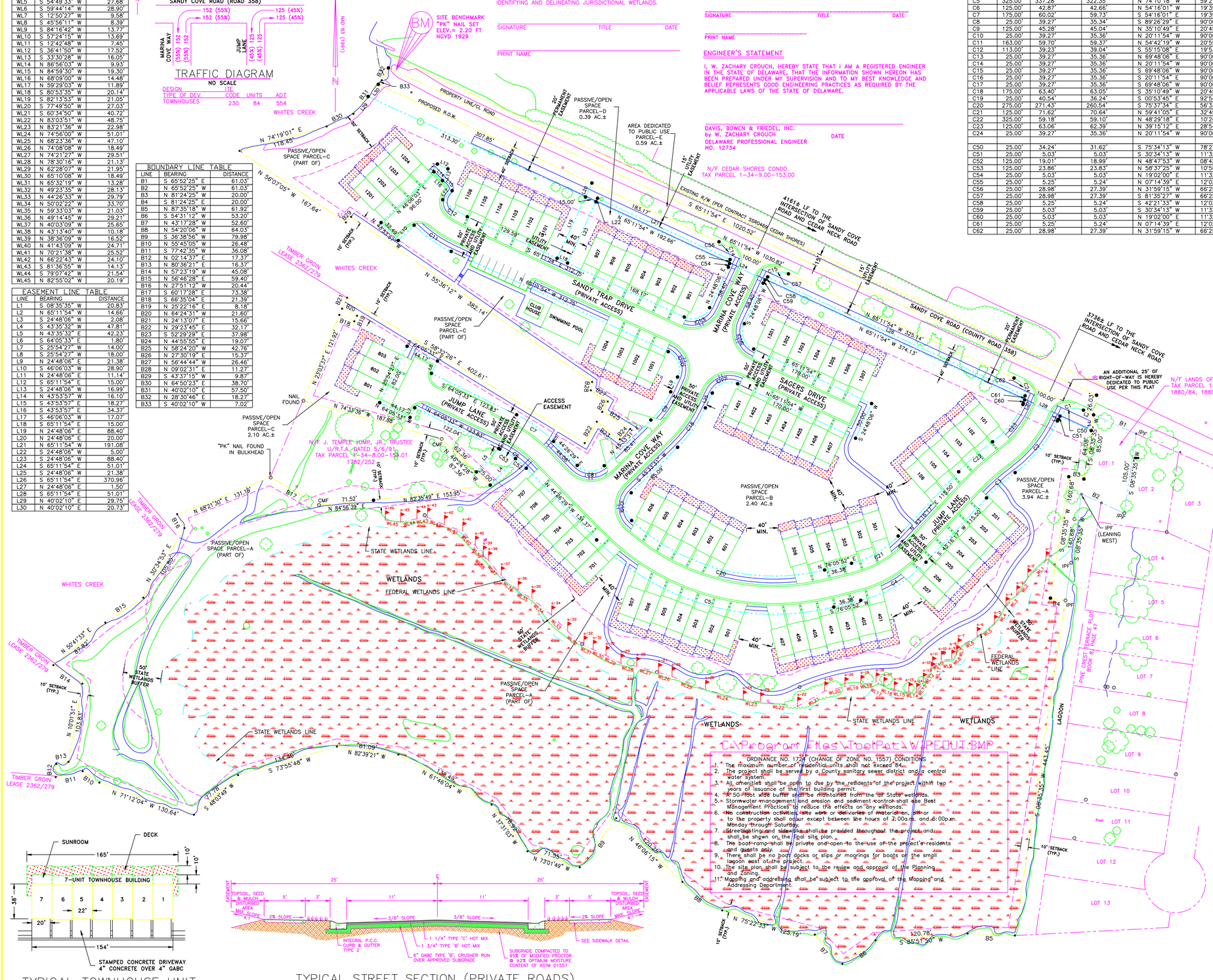
PRINT NAME

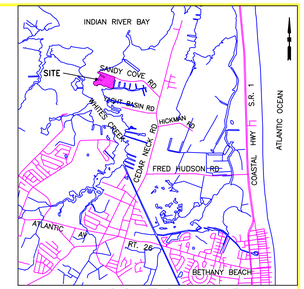
ENGINEER'S STATEMENT

I, W. ZACHARY CROUCH, HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DAVIS, BOWEN & FRIEDEL, INC.
by W. ZACHARY CROUCH DATE
DELAWARE PROFESSIONAL ENGINEER
NO. 12734

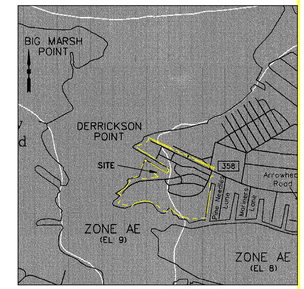
EASEMENT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	39.27'	35.36'	S 69°48'06" W	90°00'00"
C2	175.00'	88.28'	87.35'	S 39°15'12" W	28°54'12"
C3	275.00'	50.08'	50.01'	S 48°29'18" W	10°26'01"
C4	175.00'	100.26'	98.90'	S 59°41'05" W	32°49'35"
C5	325.00'	337.28'	322.35'	N 74°10'18" W	59°27'39"
C6	125.00'	42.87'	42.66'	N 54°16'01" W	19°39'05"
C7	175.00'	60.02'	59.73'	S 54°16'01" E	19°39'05"
C8	25.00'	39.27'	35.34'	S 89°26'29" E	90°00'00"
C9	125.00'	45.28'	45.04'	N 35°10'49" E	20°45'25"
C10	25.00'	39.27'	35.36'	N 20°11'54" W	90°00'00"
C11	163.00'	59.70'	59.37'	N 54°42'19" W	20°59'10"
C12	113.00'	39.23'	39.04'	S 55°15'08" E	19°53'32"
C13	25.00'	39.27'	35.36'	N 69°48'06" E	90°00'00"
C14	25.00'	39.27'	35.36'	N 20°11'54" W	90°00'00"
C15	25.00'	39.27'	35.36'	S 69°48'06" W	90°00'00"
C16	25.00'	39.27'	35.36'	S 20°11'54" E	90°00'00"
C17	25.00'	39.27'	35.36'	S 69°48'06" W	90°00'00"
C18	175.00'	63.40'	63.05'	S 35°10'49" W	20°45'25"
C19	25.00'	40.54'	36.24'	S 00°53'45" E	92°54'32"
C20	275.00'	271.43'	260.54'	S 75°37'34" E	56°33'07"
C21	125.00'	71.62'	70.64'	N 59°41'05" E	32°49'35"
C22	325.00'	59.18'	59.10'	N 48°29'18" E	10°26'01"
C23	125.00'	63.06'	62.39'	N 39°15'12" E	28°54'12"
C24	25.00'	39.27'	35.36'	N 20°11'54" W	90°00'00"
C50	25.00'	34.24'	31.62'	S 75°34'13" W	78°27'47"
C51	25.00'	5.03'	5.03'	S 30°34'13" W	11°32'13"
C52	125.00'	19.01'	18.99'	N 48°47'53" W	08°42'49"
C53	125.00'	23.86'	23.83'	N 58°37'25" W	10°56'16"
C54	25.00'	5.03'	5.03'	N 19°02'00" E	11°32'13"
C55	25.00'	5.25'	5.24'	N 07°14'39" E	12°02'28"
C56	25.00'	28.98'	27.39'	N 31°59'15" W	66°25'19"
C57	25.00'	28.98'	27.39'	S 81°35'27" W	66°25'19"
C58	25.00'	5.25'	5.24'	S 42°21'33" W	12°02'28"
C59	25.00'	5.03'	5.03'	S 30°34'13" W	11°32'13"
C60	25.00'	5.03'	5.03'	N 19°02'00" E	11°32'13"
C61	25.00'	5.25'	5.24'	N 07°14'39" E	12°02'28"
C62	25.00'	28.98'	27.39'	N 31°59'15" W	66°25'19"





LOCATION MAP

SCALE: 1" = 1 MILE



FLOOD MAP

SCALE: 1" = 1000'±

FEMA FLOOD MAP NUMBER 10005C0505 F, DATED JUNE 16, 1995 (NGVD 29). PROPERTY LIES WITHIN ZONE AE (EL. 8 & 9).

NOT SHOWN: MAP REVISED TO MAP NUMBER 10005C0505J DATED JANUARY 6, 2005 (NAVD 88). PROPERTY LIES WITHIN ZONE AE (EL. 7 & 8).

DATA COLUMN

TAX MAP NUMBERS: 1-34-8.00-154.00, 155.00, & 156.00

EX. ZONING: GR (GENERAL RESIDENTIAL)
PROP. ZONING: GR (GENERAL RESIDENTIAL)

EX. USE: 180± CAMP GROUND SITES
PROP. USE: 84 TOWNHOUSE UNITS WITH CLUBHOUSE AND POOL

OWNER: CLINTON PROPERTIES, LLC
42 REHOBOTH AVENUE
REHOBOTH BEACH, DELAWARE 19971
302-227-5227

PREPARED BY: DAVIS, BOWEN, AND FRIEDEL, INC.
23 NORTH WALNUT STREET
MILFORD, DE 19963
(302) 424-1441

AREA DEDICATED TO PUBLIC USE: 0.59± ACRES
EXISTING WETLANDS: 7.88± ACRES
PASSIVE / OPEN SPACE: 8.83± ACRES
EASEMENT: 2.92± ACRES
TOTAL SITE AREA: 20.22± ACRES

PARKING:
REQUIRED: 84 UNITS x 3/UNIT= 252 SPACES
PROVIDED:
84 DRIVES x 2 SPACES
84 GARAGES x 1 SPACES
TOTAL PROVIDED: 252 SPACES

UTILITIES:
SEWER: SUSSEX COUNTY
WATER: SUSSEX SHORES WATER COMPANY

SETBACK REQUIREMENTS:
FRONT SETBACK: 40'
SIDE SETBACK: 10'
REAR SETBACK: 10'

PROPOSED BUILDING HEIGHT: LESS THAN 42'

PROPOSED BUILDING CONSTRUCTION:
WOOD CONSTRUCTION / CONCRETE BLOCK

THIS SITE AS SHOWN HEREON CONTAINS STATE OR FEDERALLY REGULATED SECTION 10 WETLANDS, BASE ON NWI AND DNREC WETLAND MAPS.

PHOTOGRAMMETRY FLOWN 11-25-03 BY AXIS GEOSPATIAL, LLC (8903 GLEBE PARK DRIVE EASTON, MD 21801 PHONE: 410-822-1441 FAX: 410-822-6225)

AERIAL TOPOGRAPHY HAS BEEN ALTERED BY DBF, INC. TO ADJUST ELEVATIONS AND CONTOURS FROM NGVD 88 TO NGVD 29.

VERTICAL DATUM IS NGVD 29 BASED ON NGS BM "GPS S1". ELEV. 26.41'

HORIZONTAL DATUM IS SPC DE NAD 83 (1991) BASED ON NGS BM "GPS S1", N 199,819.668', E 732,912.473'.

SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF COMMON AREAS OR WITHIN PRIVATE RIGHT-OF-WAYS ARE TO BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THE OWNERSHIP IS TRANSFERRED TO THE PRIVATE PROPERTY OWNER'S ASSOCIATION. SUSSEX COUNTY ASSUMES NO MAINTENANCE RESPONSIBILITY FOR PRIVATE ROADWAYS.

ALL STORMWATER FACILITIES ARE TO BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THE OWNERSHIP IS TRANSFERRED TO THE PRIVATE PROPERTY OWNER'S ASSOCIATION. SUSSEX COUNTY ASSUMES NO MAINTENANCE RESPONSIBILITY FOR STORMWATER FACILITIES.

ALL COMMON SPACE SHALL BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THE OWNERSHIP IS TRANSFERRED TO THE PRIVATE PROPERTY OWNER'S ASSOCIATION. SUSSEX COUNTY ASSUMES NO MAINTENANCE RESPONSIBILITY FOR COMMON SPACE.

ALL SEWER WILL BE OWNED, OPERATED, AND MAINTAINED BY THE DEVELOPER UNTIL IT IS COMPLETE AND HAS RECEIVED FINAL ACCEPTANCE BY SUSSEX COUNTY COUNCIL.

TYPICAL TOWNHOUSE UNIT

TYPICAL STREET SECTION (PRIVATE ROADS)

NO SCALE

50' EASEMENT

ORDINANCE NO. 1724 (CHANGE OF ZONE NO. 1557) CONDITIONS

1. The maximum number of residential units shall not exceed 84.
2. The project shall be served by a County sanitary sewer district and a central water system.
3. All amenities shall be open to use by the residents of the project within two years of issuance of the first building permit.
4. A 50-foot wide buffer shall be maintained from the all State wetlands.
5. Stormwater management and erosion and sediment control shall use Best Management Practices to reduce the effects on any wetlands.
6. No construction activities, site work or deliveries of material in, off or to the property shall occur except between the hours of 7:00a.m. and 6:00p.m. Monday through Saturday.
7. Streetlighting and sidewalks shall be provided throughout the project and shall be shown on the final site plan.
8. The boat ramp shall be private and open to the use of the project residents and guests only.
9. There shall be no body docks or slips or moorings for boats on the small lagoon east of the project.
10. The site plan shall be subject to the review and approval of the Planning and Zoning.
11. Mapping and addressing shall be subject to the approval of the Mapping and Addressing Department.

CHAIRMAN OR SECRETARY OF THE COMMISSION

SIGNATURE DATE

PRESIDENT OF THE SUSSEX COUNTY COUNCIL

SIGNATURE DATE

THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT © 2004

DAVIS, BOWEN & FRIEDEL, INC.
ARCHITECTS, ENGINEERS & SURVEYORS
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

RECORD PLAN

COMMUNITY

SANDY COVE TOWNHOUSE COMMUNITY

BALTIMORE HUNDRED
SUSSEX COUNTY, DELAWARE

REVISED:
3-14-05 DELDOT, SCD, & FIRE MARSHAL
4-13-05 DELDOT, SCD
4-15-05 SUSSEX ENG.
5-24-05 SUSSEX ENG.

Date:	JAN. 2005
Scale:	1"=60'
Dwn.By:	TPS/DJS
Proj.No.:	1043A005
Dwg.No.:	R-2

ATTACHMENT C:

State and Federal Agency Letters

HCA
DELAWARE HISTORICAL & CULTURAL AFFAIRS

Delaware Division of Historical & Cultural Affairs
29 N. State St., Dover, Delaware 19901
Tel. (302) 736-7400 | Fax. (302) 739-5660
history.delaware.gov

March 7, 2025

Nickolas Wright
Envirotech, Inc.
17605 Nassau Commons Boulevard, Unit D
Lewes, DE 19958

Subject: 37693 Sandy Trap Drive
SHPO Project No. 2025.02.13.02

Dear Mr. Wright:

We understand from your letter that the applicant is seeking a permit from the US Army Corps of Engineers (USACOE) for the proposed undertaking at 37693 Sandy Trap Drive in Ocean View. The applicant is proposing to install a low-profile vented sill to provide shoreline stabilization. Because of the need for authorization from the USACOE, the project is subject to compliance with Section 106 of the National Historic Preservation Act of 1966 (as amended).

There are no known above-ground historic properties within or adjacent to the area of potential effect (APE). There are two archaeological sites within a half-mile radius of the APE. Due to distance to known resources and the minimal nature of the proposed undertaking, the known sites will not be affected. According to historic maps and aerials, the APE has changed significantly over the past 100 years as a result of shoreline erosion and accretion. Due to this disturbance, there is minimal potential for intact archaeological sites.

Our Office finds there to be No Historic Properties Affected by the proposed undertaking. Please feel free to contact me if you have any questions at (302) 736-7431 or sarah.carr@delaware.gov.

Sincerely,

Sarah Carr, Archaeologist
Environmental Specialist
cc: Gwen Davis, Deputy SHPO

American Alliance of Museums Accredited Museum

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF FISH & WILDLIFE
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

DIRECTOR'S OFFICE

PHONE
(302) 739-9910

February 13, 2025

Nick Wright
Envirotech Environmental Consulting, Inc
17605 Nassau Commons Blvd, Unit D
Lewes, DE 19958

Re: ETEC 2025 37693 Sandy Trap Drive (134-8.00-154.00)

Dear Nick:

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

State Natural Heritage Site
A review of our database indicates that there are currently no records of state-rare or federally listed plants, animals or natural communities at this project site. As a result, at present, this project does not lie within a State Natural Heritage Site, nor does it lie within a Delaware National Estuarine Research Reserve which are two criteria used to identify "Designated Critical Resource Waters" in the U.S. Army Corps of Engineers (USACE) Nationwide Permit General Condition No. 22. A copy of this letter shall be included in any permit application or pre-construction notification submitted to the USACE for activities on this property.

Fisheries
Summer Flounder
Sampling conducted by our Division's fisheries staff revealed that White Creek supports a large number of juvenile migratory fish and is thus considered an important nursery area in the Inland Bays. Several species of particular commercial and recreational importance utilize the creek and could be impacted by this project. A primary species of concern for this project is summer flounder (*Paralichthys dentatus*) which utilize the creek as a nursery area. ***If*** there is in-water work, we request it **not** occur from **March 1st to September 30th** to allow time for young of the year to grow large enough to be less vulnerable to habitat-altering activities and then migrate out of the system. This window should minimize the number of young of the year flounder impacted by the shoreline stabilization project.

Rip-Rap/Shoreline Hardening

We recommend that the applicant consider a more natural material for bank stabilization, such as bio-logs. Rip-rap serves to harden the shoreline and reduce available fish spawning, aquatic invertebrate and plant habitat. Habitat has already been lost to a large number of docks, piers, and artificial shoreline hardening, making efforts to protect what is left important.

Wildlife entanglement in RECP

For erosion control, we recommend (if feasible) using materials that are biodegradable and that do not include plastic netting or have welded-joint poly-based matting. Wildlife entanglement in rolled erosion control products (RECP), especially those that contain plastic netting, is well documented (references available upon request). These materials (even some marketed as 'biodegradable') are hazardous because of their durability, flexibility and resistance to degradation. Netting is often placed on the ground or over vegetation where wildlife typically traverse or forage. Birds that occur within wetlands such as herons, ducks and geese are susceptible to entanglement and snakes are particularly susceptible due to their twisting escape behavior when caught. Some of these species are already undergoing major declines due to the impact of habitat loss, pollution, collection pressure and other causes.

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

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

Sincerely,

Matthew Young
Environmental Review Coordinator
Phone: (302) 735-8677
Email: matthew.young@delaware.gov
6180 Hay Point Landing Road
Smyrna, DE 19977

(See invoice on next page)

United States Department of the Interior

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

In Reply Refer To: 11/26/2024 16:05:27 UTC
Project Code: 2025-0024527
Project Name: Sandy Cove Townhomes: Shoreline Stabilization

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

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

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

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

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

PROJECT SUMMARY

Project Code: 2025-0024527

Project Name: Sandy Cove Townhomes: Shoreline Stabilization

Project Type: Shoreline Stabilization

Project Description: The proposed project area is located within the Sandy Cove Townhomes Community located at 37693 Sandy Trap Drive, Ocean View, Delaware 19970, along White Creek, a tributary to the Indian River Bay. The purpose of this project is to provide shoreline stabilization by installing a (+/-220 linear feet) low-profile vented sill on the existing erosive shoreline within the subject property. Severe shoreline erosion is present due to capillary and fetch wave action on exposed soil. The (+/-220 linear foot) low-profile vented sill consist of a geotextile fabric base and Delaware R-4 riprap (+/- 115 yd3) with a base width of 10’ and height of 3’ with a 1.5’:1 slope. Vents will be formed during the installation of the sill and installed every (+/- 20 linear feet) with a top width of 3’ and height of 1.5’

All appropriate risk avoidance measures will be followed to allow practicable alternatives and consideration of impacts were necessary. The work authorized shall be completed in accordance with the terms and conditions of the applicable United States Army Corps of Engineers Permit (Nationwide Permit #13-Bank Stabilization). Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the current Delaware Erosion and Sediment Control Handbook so as to minimize entry and dispersal of sediment and other contaminants to surface waters.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.572482199999996,-75.09511182982703,14z

Counties: Sussex County, Delaware

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

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

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

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

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

MAMMALS

NAME	STATUS
Tricolored Bat *Perimyotis subflavus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: ▪ Potential habitat for Black Rail exists in this area. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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

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

WETLANDS

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

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

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

ESTUARINE AND MARINE WETLAND

- E2US2M
- E2US2N
- E2EM1P
- E2US2P
- E2EM1Nd

ESTUARINE AND MARINE DEEPWATER

- E1UBL

IPAC USER CONTACT INFORMATION

Agency: Envirotech Environmental Consulting Inc.
Name: nick wright
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City: Lewes
State: DE
Zip: 19958
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Phone: 3026845201

United States Department of the Interior

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

In Reply Refer To: 11/26/2024 16:23:45 UTC
Project code: 2025-0024527
Project Name: Sandy Cove Townhomes: Shoreline Stabilization

Federal Nexus: no
Federal Action Agency (if applicable):

Subject: Federal agency coordination under the Endangered Species Act, Section 7 for 'Sandy Cove Townhomes: Shoreline Stabilization'

Dear nick wright:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on November 26, 2024, for “Sandy Cove Townhomes: Shoreline Stabilization” (here forward, Project). This project has been assigned Project Code 2025-0024527 and all future correspondence should clearly reference this number.

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

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

required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required (except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13]).

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

Species	**Listing Status**	**Determination**
Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*)	Threatened	No effect

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

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

- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

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

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

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

1. Name

Sandy Cove Townhomes: Shoreline Stabilization

2. Description

The following description was provided for the project 'Sandy Cove Townhomes: Shoreline Stabilization':

> The proposed project area is located within the Sandy Cove Townhomes Community located at 37693 Sandy Trap Drive, Ocean View, Delaware 19970, along White Creek, a tributary to the Indian River Bay. The purpose of this project is to provide shoreline stabilization by installing a (+/-220 linear feet) low-profile vented sill on the existing erosive shoreline within the subject property. Severe shoreline erosion is present due to capillary and fetch wave action on exposed soil. The (+/-220 linear foot) low-profile vented sill consist of a geotextile fabric base and Delaware R-4 riprap (+/- 115 yd3) with a base width of 10’ and height of 3’ with a 1.5’:1 slope. Vents will be formed during the installation of the sill and installed every (+/- 20 linear feet) with a top width of 3’ and height of 1.5’
> All appropriate risk avoidance measures will be followed to allow practicable alternatives and consideration of impacts were necessary. The work authorized shall be completed in accordance with the terms and conditions of the applicable United States Army Corps of Engineers Permit (Nationwide Permit #13-Bank Stabilization). Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the current Delaware Erosion and Sediment Control Handbook so as to minimize entry and dispersal of sediment and other contaminants to surface waters.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.572482199999996,-75.09511182982703,14z

QUALIFICATION INTERVIEW

1. As a representative of this project, do you agree that all items submitted represent the complete scope of the project details and you will answer questions truthfully?

   Yes

2. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed species?

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

   No

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

   No

4. Will the proposed project involve the use of herbicide where listed species are present?

   No

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

   No

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

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

   No

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

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

   No

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

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

   No

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

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

   No

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

    Yes

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

    No

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

    No

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

    No

14. Will the proposed project involve the removal of excess sediment or debris, dredging or in-stream gravel mining where listed species may be present?

    No

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

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

    No

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

    No

17. Will the proposed project involve blasting where listed species may be present?

    No

18. Will the proposed project include activities that could negatively affect fish movement temporarily or permanently (including fish stocking, harvesting, or creation of barriers to fish passage).

    No

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

    Note: Answer "Yes" to this question if erosion and sediment control measures will be used to protect the stream.

    No

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

    No

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

    No

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

    Yes

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

    No

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

    Automatically answered
    No

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

    Automatically answered
    No

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

    Automatically answered
    No

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

    Automatically answered
    No

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

    Automatically answered
    No

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

    Automatically answered
    No

30. [Hidden Semantic] Does the project intersect the Eastern black rail AOI?

    Automatically answered
    Yes

31. Does the action area include persistent emergent wetlands (salt, brackish, or freshwater)?

    No

32. Does the action area include undeveloped upland areas within 500 feet of persistent emergent wetlands (salt, brackish, or freshwater)?

    No

33. Do you have any other documents that you want to include with this submission?

    No

PROJECT QUESTIONNAIRE

1. Briefly describe the habitat within the construction/disturbance limits of the project site.

   The habitat of the project site consists of sandy beach shoreline

2. Approximately how many acres of trees would the proposed project remove?

   0

3. Approximately how many total acres of disturbance are within the disturbance/ construction limits of the proposed project?

   0

IPAC USER CONTACT INFORMATION

Agency: Envirotech Environmental Consulting Inc.
Name: nick wright
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State: DE
Zip: 19958
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Phone: 3026845201

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
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Phone: (410) 573-4599 Fax: (410) 266-9127

In Reply Refer To: 11/26/2024 16:28:55 UTC
Project code: 2025-0024527
Project Name: Sandy Cove Townhomes: Shoreline Stabilization

Federal Nexus: no
Federal Action Agency (if applicable):

Subject: Record of project representative's no effect determination for 'Sandy Cove Townhomes: Shoreline Stabilization'

Dear nick wright:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on November 26, 2024, for 'Sandy Cove Townhomes: Shoreline Stabilization' (here forward, Project). This project has been assigned Project Code 2025-0024527 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

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

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

Determination for the Northern Long-Eared Bat and/or Tricolored Bat

Based upon your IPaC submission and a standing analysis, your project has reached the following effect determinations:

Species	Listing Status	Determination

Tricolored Bat (*Perimyotis subflavus*)	Proposed Endangered	No effect

Federal agencies must consult with U.S. Fish and Wildlife Service under section 7(a)(2) of the Endangered Species Act (ESA) when an action *may affect* a listed species. Tricolored bat is proposed for listing as endangered under the ESA, but not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can *confer* under the authority of section 7(a)(4) of the ESA. Such conferences can follow the procedures for a consultation and be adopted as such if and when the proposed species is listed. Should the tricolored bat be listed, agencies must review projects that are not yet complete, or projects with ongoing effects within the tricolored bat range that previously received a NE or NLAA determination from the key to confirm that the determination is still accurate.

To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

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

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

- Eastern Black Rail *Laterallus jamaicensis ssp. jamaicensis* Threatened
- Monarch Butterfly *Danaus plexippus* Candidate

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the species covered by this key. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals

the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Chesapeake Bay Ecological Services Field Office and reference Project Code 2025-0024527 associated with this Project.

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

1. Name

Sandy Cove Townhomes: Shoreline Stabilization

2. Description

The following description was provided for the project 'Sandy Cove Townhomes: Shoreline Stabilization':

> The proposed project area is located within the Sandy Cove Townhomes Community located at 37693 Sandy Trap Drive, Ocean View, Delaware 19970, along White Creek, a tributary to the Indian River Bay. The purpose of this project is to provide shoreline stabilization by installing a (+/-220 linear feet) low-profile vented sill on the existing erosive shoreline within the subject property. Severe shoreline erosion is present due to capillary and fetch wave action on exposed soil. The (+/-220 linear foot) low-profile vented sill consist of a geotextile fabric base and Delaware R-4 riprap (+/- 115 yd3) with a base width of 10’ and height of 3’ with a 1.5’:1 slope. Vents will be formed during the installation of the sill and installed every (+/- 20 linear feet) with a top width of 3’ and height of 1.5’
> All appropriate risk avoidance measures will be followed to allow practicable alternatives and consideration of impacts were necessary. The work authorized shall be completed in accordance with the terms and conditions of the applicable United States Army Corps of Engineers Permit (Nationwide Permit #13-Bank Stabilization). Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the current Delaware Erosion and Sediment Control Handbook so as to minimize entry and dispersal of sediment and other contaminants to surface waters.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@38.572482199999996,-75.09511182982703,14z

DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed bats or any other listed species?

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

   No

2. Is the action area wholly within Zone 2 of the year-round active area for northern long-eared bat and/or tricolored bat?

   Automatically answered
   No

3. Does the action area intersect Zone 1 of the year-round active area for northern long-eared bat and/or tricolored bat?

   Automatically answered
   No

4. Does any component of the action involve leasing, construction or operation of wind turbines? Answer 'yes' if the activities considered are conducted with the intention of gathering survey information to inform the leasing, construction, or operation of wind turbines.

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

   No

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

   No

6. [Semantic] Is the action area located within 0.5 miles of a known bat hibernaculum?

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

   Automatically answered
   No

7. Does the action area contain any winter roosts or caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating bats?

   No

8. Will the action cause effects to a bridge?

   Note: Covered bridges should be considered as bridges in this question.

   No

9. Will the action result in effects to a culvert or tunnel at any time of year?

   No

10. Are trees present within 1000 feet of the action area?

    Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    Yes

11. Does the action include the intentional exclusion of bats from a building or structure?

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

    No

12. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats?**

    No

13. Will the action cause construction of one or more new roads open to the public?

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

    No

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

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

    No

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

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

    No

16. Will the proposed Action involve the creation of a new water-borne contaminant source (e.g., leachate pond, pits containing chemicals that are not NSF/ANSI 60 compliant)?

    Note: For information regarding NSF/ANSI 60 please visit https://www.nsf.org/knowledge-library/nsf-ansi-standard-60-drinking-water-treatment-chemicals-health-effects

    No

17. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

    No

18. Will the action include drilling or blasting?

    No

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

    No

20. Will the proposed action involve the use of herbicides or other pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

    No

21. Will the action include or cause activities that are reasonably certain to cause chronic or intense nighttime noise (above current levels of ambient noise in the area) in suitable summer habitat for the northern long-eared bat or tricolored bat during the active season?

    Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time. Sources of chronic or intense noise that could cause adverse effects to bats may include, but are not limited to: road traffic; trains; aircraft; industrial activities; gas compressor stations; loud music; crowds; oil and gas extraction; construction; and mining.

    Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    No

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

    Note: Additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines.

    No

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

    No

24. Will the proposed action result in the use of prescribed fire?

    Note: If the prescribed fire action includes other activities than application of fire (e.g., tree cutting, fire line preparation) please consider impacts from those activities within the previous representative questions in the key. This set of questions only considers impacts from flame and smoke.

    No

25. Does the action area intersect the tricolored bat species list area?

    Automatically answered
    Yes

26. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats?

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

    Automatically answered
    No

27. Has a presence/probable absence bat survey targeting the tricolored bat and following the Service's Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines been conducted within the project area?

    No

28. Is suitable summer habitat for the tricolored bat present within 1000 feet of project activities?
    (If unsure, answer ""Yes."")

    Note: If there are trees within the action area that may provide potential roosts for tricolored bats (e.g., clusters of leaves in live and dead deciduous trees, Spanish moss (Tillandsia usneoides), clusters of dead pine needles of large live pines) answer ""Yes."" For a complete definition of suitable summer habitat for the tricolored bat, please see Appendix A in the Service's Range-wide Indiana Bat and Northern long-eared Bat Survey Guidelines.

    No

29. Do you have any documents that you want to include with this submission?

    No

PROJECT QUESTIONNAIRE

IPAC USER CONTACT INFORMATION

Agency: Envirotech Environmental Consulting Inc.
Name: nick wright
Address: 17605 Nassau Commons Blvd. Unit D, Lewes, Delaware 19958
City: Lewes
State: DE
Zip: 19958
Email nick@envirotechecinc.com
Phone: 3026845201

ATTACHMENT D:

NOAA Fisheries Greater Atlantic Regional Fisheries Office Essential Fish Habitat (EFH) Assessment & Fish and Wildlife Coordination Act (FWCA) Consultation Worksheet

EFH Mapper Report

EFH Data Notice

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

Greater Atlantic Regional Office
Atlantic Highly Migratory Species Management Division

Query Results

Degrees, Minutes, Seconds: Latitude = 38º 34' 22" N, Longitude = 76º 54' 17" W
Decimal Degrees: Latitude = 38.573, Longitude = -75.095

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

***** W A R N I N G *****

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

EFH

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
		Atlantic Butterfish	Adult	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
		Black Sea Bass	Adult, Juvenile	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
		Bluefish	Adult, Juvenile	Mid-Atlantic	Bluefish
		Clearnose Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
		Little Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
		Longfin Inshore Squid	Eggs	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
		Scup	Adult, Juvenile	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
		Smoothhound Shark Complex (Atlantic Stock)	ALL	Secretarial	Amendment 10 to the 2006 Consolidated HMS FMP: EFH
		Spiny Dogfish	Adult Male, Sub-Adult Female	Mid-Atlantic	Amendment 3 to the Spiny Dogfish FMP
		Summer Flounder	Adult, Juvenile, Larvae	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
		Windowpane Flounder	Adult, Eggs, Juvenile, Larvae	New England	Amendment 14 to the Northeast Multispecies FMP
		Winter Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP

Pacific Salmon EFH

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

Atlantic Salmon

No Atlantic Salmon were identified at the report location.

HAPCs

Link	Data Caveats	HAPC Name	Management Council
		Summer Flounder SAV	Mid-Atlantic Fishery Management Council

EFH Areas Protected from Fishing

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

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.
****For links to all EFH text descriptions see the complete data inventory: open data inventory -->**

All EFH species have been mapped for the Greater Atlantic region,
Atlantic Highly Migratory Species EFH,
Bigeye Sand Tiger Shark,
Bigeye Sixgill Shark,
Caribbean Sharpnose Shark,
Galapagos Shark,
Narrowtooth Shark,
Sevengill Shark,
Sixgill Shark,
Smooth Hammerhead Shark,
Smalltail Shark

NOAA Fisheries Greater Atlantic Regional Fisheries Office Essential Fish Habitat (EFH) Assessment & Fish and Wildlife Coordination Act (FWCA) Consultation Worksheet

August 2021 rev.

Authorities

The Magnuson Stevens Fishery Conservation and Management Act (MSA) requires federal agencies to consult with NOAA Fisheries on any action or proposed action authorized, funded, or undertaken by such agency that may adversely affect essential fish habitat (EFH) identified under the MSA. This process is guided by the requirements of our EFH regulation at 50 CFR 600.905, which mandates the preparation of EFH assessments and generally outlines each agency's obligations in the consultation process.

The Fish and Wildlife Coordination Act (FWCA) requires that all federal agencies consult with NOAA Fisheries when proposed actions might result in modifications to a natural stream or body of water. The FWCA also requires that federal agencies consider the effects that these projects would have on fish and wildlife and must also provide for improvement of these resources. Under the FWCA, we work to protect, conserve and enhance species and habitats for a wide range of aquatic resources such as shellfish, diadromous species, and other commercially and recreationally important species that are not federally managed and do not have designated EFH.

It is important to note that these consultations take place between NOAA Fisheries and federal action agencies. **As a result, EFH assessments, including this worksheet, must be provided to us by the federal agency, not by permit applicants or consultants.**

Use of the Worksheet

This worksheet can serve as an EFH assessment for **Abbreviated EFH Consultations**, and as a means to provide information on potential effects to other NOAA trust resources considered under the FWCA. An abbreviated consultation allows us to determine quickly whether, and to what degree, a federal action may adversely affect EFH. Abbreviated consultation procedures can be used when federal actions do not have the potential to cause substantial adverse effects on EFH and when adverse effects could be alleviated through minor modifications.

The intent of the EFH worksheet is to provide a guide for determining the information needed to fully assess the effects of a proposed action on EFH. In addition, the worksheet may be used as a tool to assist you in developing a more comprehensive EFH assessment for larger projects that may have more substantial adverse effects to EFH. <u>However, for large, complex projects that have the potential for significant adverse effects, an **Expanded EFH Consultation** may be warranted and the use of this worksheet alone is not appropriate as your EFH assessment</u>.

An **adverse effect** is any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

Consultation under the MSA is not required if there is no adverse effect on EFH or if no EFH has been designated in the project area. However, because the definition of "adverse effect" is very broad, most in-water work will result in some level of adverse effect requiring consultation with us, even if the impact is temporary or the overall result of the project is habitat restoration or enhancement. It is important to remember that an adverse effect determination is a trigger to consult with us. It does not mean that a project cannot proceed as proposed, or that project modifications are necessary. An adverse effect determination under the EFH provisions of the MSA simply means that the effects of the proposed action on EFH must be evaluated to determine if there are ways to avoid, minimize, or offset adverse effects. Additional details on EFH consultations, tools, and resources, including frequently asked questions can be found on our website.

Instructions

This worksheet should be used as your EFH assessment for **Abbreviated EFH Consultations** or as a guide to develop your EFH assessment. It is not appropriate to use this worksheet as your EFH assessment for large, complex projects, or those requiring an Expanded EFH Consultation.

When completed fully and with sufficient information to clearly describe the activities proposed, habitats affected, and project impacts, as well as the measures taken to avoid, minimize or offset any unavoidable adverse effects, this worksheet provides us with required components of an EFH assessment including:

1. A description of the proposed action.
2. An analysis of the potential adverse effects on EFH and the federally managed species.
3. The federal agency's conclusions regarding the effects of the action on EFH.
4. Proposed mitigation, if applicable.

When completing this worksheet and submitting information to us, it is important to ensure that sufficient information is provided to clearly describe the proposed project and the activities proposed. At a minimum, this should include the public notice (if applicable) or project application and project plans showing:

- location map of the project site with area of impact.
- existing and proposed conditions.
- all in-water work and the location of all proposed structures and/or fill.
- all waters of the U.S. on the project site with mean low water (MLW), mean high water (MHW), high tide line (HTL), and water depths clearly marked.
- Habitat Areas of Particular Concern (HAPCs).
- sensitive habitats mapped, including special aquatic sites (submerged aquatic vegetation, saltmarsh, mudflats, riffles and pools, coral reefs, and sanctuaries and refuges), hard bottom or natural rocky habitat areas, and shellfish beds.
- site photographs, if available.

Your analysis of effects **should focus on impacts that reduce the quality and/or quantity of the habitat or result in conversion to a different habitat type** for all life stages of species with designated EFH within the action area. Simply stating that fish will move away or that the project

will only affect a small percentage of the overall population is not a sufficient analysis of the effects of an action on EFH. Also, since the intent of the EFH consultation is to evaluate the direct, indirect, individual and cumulative effects of a particular federal action on EFH and to identify options to avoid, minimize or offset the adverse effects of that action, is it not appropriate to conclude that an impact is minimal just because the area affected is a small percentage of the total area of EFH designated. The focus of the consultation is to reduce impacts resulting from the activities evaluated in the assessment. Similarly, a large area of distribution or range of the fish species is also not appropriate rationale for concluding the impacts of a particular project are minimal.

Use the information on the our EFH consultation website and NOAA's EFH Mapper to complete this worksheet. The mapper is a useful tool for viewing the spatial distribution of designated EFH and HAPCs. Because summer flounder HAPC (defined as: " all native species of macroalgae, seagrasses, and freshwater and tidal macrophytes in any size bed, as well as loose aggregations, within adult and juvenile summer flounder EFH") does not have region-wide mapping, local sources and on-site surveys may be needed to identify submerged aquatic vegetation beds within the project area. The full designations for each species may be viewed as PDF links provided for each species within the Mapper, or via our website links to the New England Fishery Management Councils Omnibus Habitat Amendment 2 (Omnibus EFH Amendment), the Mid-Atlantic Fishery Management Councils FMPs (MAMFC - Fish Habitat), or the Highly Migratory Species website. Additional information on species specific life histories can be found in the EFH source documents accessible through the Habitat and Ecosystem Services Division website. This information can be useful in evaluating the effects of a proposed action. Habitat and Ecosystem Services Division (HESD) staff have also developed a technical memorandum *Impacts to Marine Fisheries Habitat from Non-fishing Activities in the Northeastern United States,* NOAA Technical Memorandum NMFS-NE-209 to assist in evaluating the effects of non-fishing activities on EFH. If you have questions, please contact the HESD staff member in your area to assist you.

Federal agencies or their non-federal designated lead agency should email the completed worksheet and necessary attachments to the HESD New England (ME, NH, MA, CT, RI) or Mid- Atlantic (NY, NJ, PA, DE, MD, VA) Branch Chief and the regional biologist listed on the Contact Regional Office Staff section on our EFH consultation website and listed below.

We will provide our EFH conservation recommendations under the MSA, and recommendations under the FWCA, as appropriate, within 30 days of receipt of a **complete** EFH assessment for an abbreviated consultation. Please ensure that the EFH worksheet is completed in full and includes detail to minimize delays in completing the consultation. If we are unable to assess potential impacts based on the information provided, we may request additional information necessary to assess the effects of the proposed action on our trust resources before we can begin a consultation. If the worksheet is not completely filled out, it may be returned to you for completion. **The EFH consultation and our response clock does not begin until we have sufficient information upon which to consult**.

If this worksheet is not used, you should include all the information required to complete this worksheet in your EFH assessment. The level of detail that you provide should be commensurate with the magnitude of impacts associated with the proposed project. You may need to prepare a more detailed EFH assessment for more substantial or complex projects to fully characterize the effects of the project and the avoidance and minimization of impacts to EFH. The format of the EFH worksheet may not be sufficient to incorporate the extent of detail required for large-scale projects, and a separate EFH assessment may be required.

Regardless of the format, you should include an analysis as outlined in this worksheet for an expanded EFH assessment, along with any additional necessary information including:

- the results of on-site inspections to evaluate habitat and site-specific effects.
- the views of recognized experts on habitat or the species that may be affected.
- a review of pertinent literature and related information.
- an analysis of alternatives that could avoid or minimize adverse effects on EFH.

For these larger scale projects, interagency coordination meetings should be scheduled to discuss the contents of the EFH consultation and the site-specific information that may be needed in order to initiate the consultation.

Please contact our Greater Atlantic Regional Fisheries Office, Protected Resources Division regarding potential impacts to marine mammals or threatened and endangered species and the appropriate consultation procedures.

HESD Contacts*

New England - ME, NH, MA, RI, CT

Chris Boelke, Branch Chief	christopher.boelke@noaa.gov
Mike Johnson - ME, NH	mike.r.johnson@noaa.gov
Kaitlyn Shaw - ME, NH, MA	kaitlyn.shaw@noaa.gov
Sabrina Pereira -RI, CT	sabrina.pereira@noaa

Mid-Atlantic - NY, NJ, PA, MD, VA

Karen Greene, Branch Chief	karen.greene@noaa.gov
Jessie Murray - NY, Northern NJ (Monmouth Co. and north)	jessie.murray@noaa.gov
Keith Hanson - NJ (Ocean Co. and south), DE and PA, Mid-Altantic wind	keith.hanson@noaa.gov
Maggie Sager - NJ (Ocean Co. and south), DE and PA	lauren.m.sager@noaa.gov
Jonathan Watson - MD, DC	jonathan.watson@noaa.gov
David O'Brien - VA	david.l.obrien@noaa.gov

Ecosystem Management (Wind/Aquaculture)

Peter Burns, Branch Chief	peter.burns@noaa.gov
Alison Verkade (NE Wind)	alison.verkade@noaa.gov
Susan Tuxbury (wind coordinator)	susan.tuxbury@noaa.gov

***Please check for the most current staffing list on our contact us page prior to submitting your assessment.**

EFH Assessment Worksheet rev. August 2021

Please read and follow all of the directions provided when filling out this form.

1. General Project Information

Date Submitted: 03/07/2025

Project/Application Number:

Project Name: Sandy Cove Townhomes: Shoreline Stabilization

Project Sponsor/Applicant: Envirotech Environmental Consulting, Inc.

Federal Action Agency (or state agency if the federal agency has provided written notice delegating the authority[1]):

Fast-41: Yes ☐ No ☑

Action Agency Contact Name:

Contact Phone: Contact Email:

Address, City/Town, State:

37693 Sandy Trap Drive, Ocean View Delaware 19970

2. Project Description

[2]Latitude: 38º 34' 22" N Longitude: 76º 54' 17" W

Body of Water (e.g., HUC 6 name): White Creek

Project Purpose:

Shoreline Stabilization Project

Project Description:

The proposed project area is located within the Sandy Cove Townhomes Community located at 37693 Sandy Trap Drive, Ocean View, Delaware 19970, along White Creek, a tributary to the Indian River Bay. The purpose of this project is to provide shoreline stabilization by installing a (+/-220 linear feet) low-profile vented sill on the existing erosive shoreline within the subject property. Severe shoreline erosion is present due to capillary and fetch wave action on exposed soil. The (+/-220 linear foot) low-profile vented sill consist of a geotextile fabric base and Delaware R-4 riprap (+/- 120 yd3) with a base width of 10' and height of 3' with a 1.5':1 slope. Vents will be formed during the installation of the sill and installed every (+/- 30 linear feet) with a top width of 3' and height of 1.5'

Anticipated Duration of In-Water Work including planned Start/End Dates and any seasonal restrictions proposed to be included in the schedule:

Work is planned to begin immediately after permits are acquired. However, all time of year restrictions set forth by the regulatory agencies will be followed.

[1] A federal agency may designate a non-Federal representative to conduct an EFH consultation by giving written notice of such designation to NMFS. If a non-federal representative is used, the Federal action agency remains ultimately responsible for compliance with sections 305(b)(2) and 305(b)(4)(B) of the Magnuson-Stevens Act. [2] Provide the decimal, or the degrees, minutes, seconds values for latitude and longitude using the World Geodetic System 1984 (WGS84) and negative degree values where applicable.

3. Site Description

EFH includes the biological, chemical, and physical components of the habitat. This includes the substrate and associated biological resources (e.g., benthic organisms, submerged aquatic vegetation, shellfish beds, salt marsh wetlands), the water column, and prey species.

Is the project in designated EFH[3]? ☐ Yes ☑ No

Is the project in designated HAPC? ☐ Yes ☑ No

Does the project contain any Special Aquatic Sites[4]? ☐ Yes ☑ No

Is this coordination under FWCA only? ☐ Yes ☑ No

Total area of impact to EFH (indicate sq ft or acres): N/A

Total area of impact to HAPC (indicate sq ft or acres): N/A

Current range of water depths at MLW	Salinity range (PPT):	Water temperature range (°F):
0-2.75	1-25	36-77

[3]Use the tables in Sections 5 and 6 to list species within designated EFH or the type of designated HAPC present. See the worksheet instructions to find out where EFH and HAPC designations can be found. [4] Special aquatic sites (SAS) are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region. They include sanctuaries and refuges, wetlands, mudflats, vegetated shallows, coral reefs, and riffle and pool complexes (40 CFR Subpart E). If the project area contains SAS (i.e. sanctuaries and refuges, wetlands, mudflats, vegetated shallows/SAV, coral reefs, and/or riffle and pool complexes, describe the SAS, species or habitat present, and area of impact.

4. Habitat Types

In the table below, select the location and type(s) for each habitat your project overlaps. For each habitat type selected, indicate the total area of expected impacts, then what portion of the total is expected to be temporary (less than 12 months) and what portion is expected to be permanent (habitat conversion), and if the portion of temporary impacts will be actively restored to pre- construction conditions by the project proponent or not. A project may overlap with multiple habitat types.

Habitat Location	Habitat Type	Total impacts (lf/ft²/ft³)	Temporary impacts (lf/ft²/ft³)	Permanent impacts (lf/ft²/ft³)	Restored to pre-existing conditions?*
Estuarine	Shore (unconsolidated)				Yes
Estuarine	Substrate (sand/shell)	220 Lf			Yes
Select one	Select One				Select one
Select one	Select One				Select one
Select one	Select One				Select one
Select one	Select One				Select one
Select one	Select One				Select one
Select one	Select One				Select one

*Restored to pre-existing conditions means that as part of the project, the temporary impacts will be actively restored,such as restoring the project elevations to pre-existing conditions and replanting. It does not include natural restoration or compensatory mitigation.

Submerged Aquatic Vegetation (SAV) Present?:

Yes: ☐ No: ☑

If the project area contains SAV, or has historically contained SAV, list SAV species and provide survey results including plans showing its location, years present and densities if available. Refer to Section 12 below to determine if local SAV mapping resources are available for your project area.

All project related activity will occur landward of the Mean Low Water Level (MLWL), therefore no activities will impact/disturb SAV.

Sediment Characteristics:
The level of detail required is dependent on your project – e.g., a grain size analysis may be necessary for dredging. In addition, if the project area contains rocky/hard bottom habitat [6](pebble, cobble, boulder, bedrock outcrop/ledge) identified as Rocky (coral/rock), Substrate (cobble/gravel), or Substrate (rock) above, describe the composition of the habitat using the following table.

Substrate Type* (grain size)	Present at Site? (Y/N)	Approximate Percentage of Total Substrate on Site
Silt/Mud (<0.063mm)	Yes	15
Sand (0.063-2mm)	Yes	85
Rocky: Pebble/Gravel /Cobble(2-256mm)**	Select one	
Rocky: Boulder (256-4096mm)**	Select one	
Rocky: Coral	Select one	
Bedrock**	Select one	

[6]The type(s) of rocky habitat will help you determine if the area is cod HAPC.
* Grain sizes are based on Wentworth grain size classification scale for granules, pebbles, cobbles, and boulders.
** Sediment samples with a content of 10% or more of pebble-gravel-cobble and/or boulder in the top layer (6-12 inches) should be delineated and material with epifauna/macroalgae should be differentiated from bare pebble-gravel-cobble and boulder.

If no grain size analysis has been conducted, please provide a general description of the composition of the sediment. If available please attach images of the substrate.

The shoreline primarily consists of sandy sediment with minor presence of silt/mud loam.

Diadromous Fish (migratory or spawning habitat- identify species under Section 10 below):

Yes: ☐ No: ☑

5. EFH and HAPC Designations

Within the Greater Atlantic Region, EFH has been designated by the New England, Mid-Atlantic, and South Atlantic Fisheries Management Councils and NOAA Fisheries. Use the EFH mapper to determine if EFH may be present in the project area and enter all species and life stages that have designated EFH. Optionally, you may review the EFH text descriptions linked to each species in the EFH mapper and use them to determine if the described habitat is present at your project site. If the habitat characteristics described in the text descriptions do not exist at your site, you may be able to exclude some species or life stages from additional consideration. For example, the water depths at your site are shallower that those described in the text description for a particular species or life stage. We recommend this for larger projects to help you determine what your impacts are.

Species Present	**EFH is designated/mapped for:**				**What is the source of the EFH information included?**
	EFH: eggs	**EFH: larvae**	**EFH: juvenile**	**EFH: adults/ spawning adults**	
clearnose skate	☐	☐	✔	✔	EFH Mapper c
little skate	☐	☐	✔	✔	EFH Mapper c
scup	☐	☐	✔	✔	Text descriptic
summer flounder	☐	☐	✔	✔	Text descriptic
windowpane flounder	✔	✔	✔	✔	EFH Mapper c
winter skate	☐	☐	✔	✔	EFH Mapper c
Select One	☐	☐	☐	☐	Select One
Select One	☐	☐	☐	☐	Select One
Select One	☐	☐	☐	☐	Select One
Select One	☐	☐	☐	☐	Select One
Select One	☐	☐	☐	☐	Select One

6. Habitat Areas of Particular Concern (HAPCs)

HAPCs are subsets of EFH that are important for long-term productivity of federally managed species. HAPCs merit special consideration based their ecological function (current or historic), sensitivity to human-induced degradation, stresses from development, and/or rarity of the habitat.While many HAPC designations have geographic boundaries, there are also habitat specific HAPC designations for certain species, see note below. Use the EFH mapper to identify HAPCs within your project area. Select all that apply.

☐	Summer flounder: SAV[7]	☐	Alvin & Atlantis Canyons
☐	Sandbar shark	☐	Baltimore Canyon
☐	Sand Tiger Shark (Delaware Bay)	☐	Bear Seamount
☐	Sand Tiger Shark (Plymouth-Duxbury-Kingston Bay)	☐	Heezen Canyon
☐	Inshore 20m Juvenile Cod[8]	☐	Hudson Canyon
☐	Great South Channel Juvenile Cod	☐	Hydrographer Canyon
☐	Northern Edge Juvenile Cod	☐	Jeffreys & Stellwagen
☐	Lydonia Canyon	☐	Lydonia, Gilbert & Oceanographer Canyons
☐	Norfolk Canyon (Mid-Atlantic)	☐	Norfolk Canyon (New England)
☐	Oceanographer Canyon	☐	Retriever Seamount
☐	Veatch Canyon (Mid-Atlantic)	☐	Toms, Middle Toms & Hendrickson Canyons
☐	Veatch Canyon (New England)	☐	Washington Canyon
☐	Cashes Ledge	☐	Wilmington Canyon
☐	Atlantic Salmon		

[7] Summer flounder HAPC is defined as all native species of macroalgae, seagrasses, and freshwater and tidal macrophytes in any size bed, as well as loose aggregations, within adult and juvenile summer flounder EFH. In locations where native species have been eliminated from an area, then exotic species are included. Use local information to determine the locations of HAPC.

[8] The purpose of this HAPC is to recognize the importance of inshore areas to juvenile Atlantic cod. The coastal areas of the Gulf of Maine and Southern New England contain structurally complex rocky-bottom habitat that supports a wide variety of emergent epifauna and benthic invertebrates. Although this habitat type is not rare in the coastal Gulf of Maine, it provides two key ecological functions for juvenile cod: protection from predation, and readily available prey. See EFH mapper for links to text descriptions for HAPCs.

7. Activity Details

Select all that apply	Project Type/Category
☐	Agriculture
☐	Aquaculture - List species here:
☑	Bank/shoreline stabilization (e.g., living shoreline, groin, breakwater, bulkhead)
☐	Beach renourishment
☐	Dredging/excavation
☐	Energy development/use e.g., hydropower, oil and gas, pipeline, transmission line, tidal or wave power, wind
☐	Fill
☐	Forestry
☐	Infrastructure/transportation (e.g., culvert construction, bridge repair, highway, port, railroad)
☐	Intake/outfall
☐	Military (e.g., acoustic testing, training exercises)
☐	Mining (e.g., sand, gravel)
☐	Overboard dredged material placement
☐	Piers, ramps, floats, and other structures
☐	Restoration or fish/wildlife enhancement (e.g., fish passage, wetlands, mitigation bank/ILF creation)
☐	Survey (e.g., geotechnical, geophysical, habitat, fisheries)
☐	Water quality (e.g., storm water drainage, NPDES, TMDL, wastewater, sediment remediation)
☐	Other:

8. Effects Evaluation

Select all that apply	Potential Stressors Caused by the Activity
☐	Underwater noise
☑	Water quality/turbidity/ contaminant release
☐	Vessel traffic/barge grounding
☐	Impingement/entrainment
☐	Prevent fish passage/spawning
☐	Benthic community disturbance
☐	Impacts to prey species

Select all that apply and if temporary[9] or permanent		Habitat alterations caused by the activity
Temp	Perm	
☐	☐	Water depth change
☐	☐	Tidal flow change
☐	☐	Fill
☐	☐	Habitat type conversion
☐	☐	Other:
☐	☐	Other:

[9] Temporary in this instance means during construction. [10] Entrainment is the voluntary or involuntary movement of aquatic organisms from a water body into a surface diversion or through, under, or around screens and results in the loss of the organisms from the population. Impingement is the involuntary contact and entrapment of aquatic organisms on the surface of intake screens caused when the approach velocity exceeds the swimming capability of the organism.

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Details - project impacts and mitigation

Briefly describe how the project would impact each of the habitat types selected above and the amount (i.e., acreage or sf) of each habitat impacted. Include temporary and permanent impact descriptions and direct and indirect impacts. For example, dredging has a direct impact on bottom sediments and associated benthic communities. The turbidity generated can result in a temporary impact to water quality which may have an indirect effect on some species and habitats such as winter flounder eggs, SAV or rocky habitats. The level of detail that you provide should be commensurate with the magnitude of impacts associated with the proposed project. Attach supplemental information if necessary.

The equipment utilized for this project has potential to create underwater noise but the equipment will not be positioned near or in the water. Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the current Delaware Erosion and Sediment Control Handbook so as to minimize entry and dispersal of sediment and other contaminants to surrounding waters. Furthermore, light machinery will only operate in upland areas and R-4 Rip Rap will be installed by hand during low tide in order to avoid in-water work and minimize sediment dispersal/water turbidity.

What specific measures will be used to avoid and minimize impacts, including project design, turbidity controls, acoustic controls, and time of year restrictions? If impacts cannot be avoided or minimized, why not?

Erosion and sediment control measures shall be implemented in accordance with the specifications and criteria in the current Delaware Erosion and Sediment Control Handbook so as to minimize entry and dispersal of sediment and other contaminants to surrounding waters. Time of Year restrictions will be followed and all activity will take place landward of the ordinary water level.

Is compensatory mitigation proposed? Yes ☐ No ☑

If compensatory mitigation is not proposed, why not? If yes, describe plans for compensatory mitigation (e.g. permittee responsible, mitigation bank, in-lieu fee) and how this will offset impacts to EFH and other aquatic resources. Include a proposed compensatory mitigation and monitoring plan as applicable.

No compensatory mitigation is proposed because no impact to SAV or benthic communities is anticipated.

9. Effects of Climate Change

Effects of climate change should be included in the EFH assessment if the effects of climate change may amplify or exacerbate the adverse effects of the proposed action on EFH. Use the Intergovernmental Panel on Climate Change (IPCC) Representative Concentration Pathways (RCP) 8.5/high greenhouse gas emission scenario (IPCC 2014), at a minimum, to evaluate the future effects of climate change on the proposed projections. For sea level rise effects, use the intermediate-high and extreme scenario projections as defined in Sweet et al. (2017). For more information on climate change effects to species and habitats relative to NMFS trust resources, see Guidance for Integrating Climate Change Information in Greater Atlantic Region Habitat Conservation Division Consultation Processes.

1. Could species or habitats be adversely affected by the proposed action due to projected changes in the climate?If yes, please describe how:

No

2. Is the expected lifespan of the action greater than 10 years? If yes, please describe project lifespan:

No

3. Is climate change currently affecting vulnerable species or habitats, and would the effects of a proposed action be amplified by climate change? If yes, please describe how:

No- The proposed action is designed to prevent the loss of vulnerable habitat in response to the effects of climate change (Sea Level Rise, Tidal Surges, Coastal Flooding, etc.)

4. Do the results of the assessment indicate the effects of the action on habitats and species will be amplified by climate change? If yes, please describe how:

No

5. Can adaptive management strategies (AMS) be integrated into the action to avoid or minimize adverse effects of the proposed action as a result of climate? If yes, please describe how:

No

10. Federal Agency Determination

Federal Action Agency's EFH determination (select one)	
☑	There is no adverse effect[7] on EFH or EFH is not designated at the project site. EFH Consultation is not required. This is a FWCA only request.
☐	The adverse effect[7] on EFH is not substantial. This means that the adverse effects are no more than minimal, temporary, or can be alleviated with minor project modifications or conservation recommendations. This is a request for an abbreviated EFH consultation.
☐	The adverse effect[7] on EFH is substantial. This is a request for an expanded EFH consultation. We will provide more detailed information, including an alternatives analysis and NEPA documents, if applicable.

[7] An adverse effect is any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

11. Fish and Wildlife Coordination Act

Under the FWCA, federal agencies are required to consult with us if actions that the authorize, fund, or undertake will result in modifications to a natural stream or body of water. Federal agencies are required to consider the effects these modifications may have on fish and wildlife resources, as well as provide for the improvement of those resources. Under this authority, we consider the effects of actions on NOAA-trust resources, such as anadromous fish, shellfish, crustaceans, or their habitats, that are not managed under a federal fisheries management plan. Some examples of other NOAA-trust resources are listed below. Some of these species, including diadromous fishes, serve as prey for a number of federally-managed species and are therefore considered a component of EFH pursuant to the MSA. We will be considering the effects of your project on these species and their habitats as part of the EFH/FWCA consultation process and may make recommendations to avoid, minimize or offset and adverse effects concurrently with our EFH conservation recommendations.

Please contact our Greater Atlantic Regional Fisheries Office, Protected Resources Division regarding potential impacts to marine mammals or species listed under the Endangered Species Act and the appropriate consultation procedures.

Fish and Wildlife Coordination Act Resources	
Species known to occur at site (list others that may apply)	**Describe habitat impact type (i.e., physical, chemical, or biological disruption of spawning and/or egg development habitat, juvenile nursery and/or adult feeding or migration habitat). Please note, impacts to federally listed species of fish, sea turtles, and marine mammals must be coordinated with the GARFO Protected Resources Division.**
alewife	
American eel	
American shad	
Atlantic menhaden	
blue crab	
blue mussel	
blueback herring	
Eastern oyster	
horseshoe crab	
quahog	
soft-shell clams	
striped bass	
other species:	
other species:	
other species:	

12. Useful Links

National Wetland Inventory Maps
EPA's National Estuary Program (NEP)
Northeast Regional Ocean Council (NROC) Data Portal
Mid-Atlantic Regional Council on the Ocean (MARCO) Data Portal

Resources by State

Maine
Maine Office of GIS Data Catalog
Town shellfish information including shellfish conservation area maps
State of Maine Shellfish Sanitation and Management
Eelgrass maps
Casco Bay Estuary Partnership
Maine GIS Stream Habitat Viewer

New Hampshire
NH Statewide GIS Clearinghouse, NH GRANIT
NH Coastal Viewer
State of NH Shellfish Program

Massachusetts
MA DMF Shellfish Sanitation and Management Program
MassGIS Data (Including Eelgrass Maps)
MA DMF Recommended TOY Restrictions Document Massachusetts
Bays National Estuary Program
Buzzards Bay National Estuary Program
Massachusetts Division of Marine Fisheries
Massachusetts Office of Coastal Zone Management

Rhode Island
RI Shellfish and Aquaculture
RI Shellfish Management Plan
RI Eelgrass Maps
Narragansett Bay Estuary Program
Rhode Island Division of Marine Fisheries
Rhode Island Coastal Resources Management Council

Connecticut

CT Bureau of Aquaculture

Natural Shellfish Beds in CT

Eelgrass Maps

Long Island Sound Study

CT GIS Resources

CT DEEP Office of Long Island Sound Programs and Fisheries

CT River Watershed Council

New York

Eelgrass Report

Peconic Estuary Program

NY/NJ Harbor Estuary Program

New York GIS Clearinghouse

New Jersey

Submerged Aquatic Vegetation Mapping

Barnegat Bay Partnership

NJ GeoWeb

NJ DEP Shellfish Maps

Pennsylvania

Delaware River Management Plan

PA DEP Coastal Resources Management Program

PA DEP GIS Mapping Tools

Delaware

Partnership for the Delaware Estuary

Center for Delaware Inland Bays

Delaware FirstMap

Maryland

Submerged Aquatic Vegetation Mapping

MERLIN (Maryland's Environmental Resources and Land Information Network)

Maryland Coastal Atlas

Maryland Coastal Bays Program

Virginia

VMRC Habitat Management Division

Submerged Aquatic Vegetation mapping