



Initial Review: _____
 Updated On: _____
 Complete: _____
 Official Use Only

Coastal Zone Management Act Federal Consistency Form

This document provides the Delaware Coastal Management Program (DCMP) with a Federal Consistency Determination or Certification for activities regulated under the Coastal Zone Management Act of 1972, as amended, and NOAA's Federal Consistency Regulations, 15 C.F.R. Part 930. Federal agencies and other applicants for federal consistency are not required to use this form; it is provided to applicants to facilitate the submission of a Consistency Determination or Consistency Certification. In addition, federal agencies and applicants are only required to provide the information required by NOAA's Federal Consistency Regulations.

Project/Activity Name:	BRYAN DOCKING FACILITIES
-------------------------------	---------------------------------

i. Federal Agency or Non-Federal Applicant Contact Information:

Contact Name/Title: Evelyn Maurmeyer, CER, Inc. (applicant's agent)

Federal Agency Contractor Name (if applicable): n/a

Federal Agency: IP application submitted to US Army Corps of Engineers
 (either the federal agency proposing an action or the federal agency issuing a federal license/permit or financial assistance to a non-federal applicant)

Mailing Address: PO Box 674

City: Lewes State: DE Zip Code: 19958

E-mail: maurmeye@udel.edu Telephone #: (302) 645-9610

ii. Federal Consistency Category:

- | | |
|---|---|
| <p><input checked="" type="radio"/> Federal Activity or Development Project
(15 C.F.R. Part 930, Subpart C)</p> <p><input type="radio"/> Outer Continental Shelf Activity
(15 C.F.R. Part 930, Subpart E)</p> <p><input type="radio"/> Federal Financial Assistance
(15 C.F.R. Part 930, Subpart F)</p> | <p><input type="radio"/> Federal License or Permit Activity
(15 C.F.R. Part 930, Subpart D)</p> <p><input type="radio"/> Federal License or Permit Activity which occurs wholly in another state (interstate consistency activities identified in DCMP's Policy document)</p> |
|---|---|

iii. Detailed Project Description (attach additional sheets if necessary):

See attached sheets

IV. General Analysis of Coastal Effects (attach additional sheets if necessary):

See attached sheets

V. Detailed Analysis of Consistency with DCMP Enforceable Policies (attach additional sheets if necessary):

Policy 5.1: Wetlands Management

See attached sheets

Policy 5.2: Beach Management

See attached sheets

Policy 5.3: Coastal Waters Management (includes wells, water supply, and stormwater management. Attach additional sheets if necessary)

See attached sheets

Policy 5.4: Subaqueous Land and Coastal Strip Management

See attached sheets

Policy 5.5: Public Lands Management

See attached sheets

Policy 5.6: Natural Lands Management

See attached sheets

Policy 5.7: Flood Hazard Areas Management

See attached sheets

Policy 5.8: Port of Wilmington

See attached sheets

Policy 5.9: Woodlands and Agricultural Lands Management

See attached sheets

Policy 5.10: Historic and Cultural Areas Management

See Attached sheets

Policy 5.11: Living Resources

See attached sheets

Policy 5.12 Mineral Resources Management

See attached sheets

Policy 5.13: State Owned Coastal Recreation and Conservation

See attached sheets

Policy 5.14: Public Trust Doctrine

See attached sheets

Policy 5.15: Energy Facilities

See attached sheets

Policy 5.16: Public Investment

See attached sheets

Policy 5.17: Recreation and Tourism

See attached sheets

Policy 5.18: National Defense and Aerospace Facilities

See attached sheets

Policy 5.19: Transportation Facilities

See attached sheets

Policy 5.20: Air Quality Management

See attached sheets

Policy 5.21: Water Supply Management

See attached sheets

Policy 5.22: Waste Disposal Management

See attached sheets

Policy 5.23: Development

See attached sheets

Policy 5.24: Pollution Prevention

See attached sheets

Policy 5.25: Coastal Management Coordination

See attached sheets

VI. JPP and RAS Review (Check all that apply):

Has the project been reviewed in a monthly Joint Permit Processing and/or Regulatory Advisory Service meeting?

- JPP
- RAS
- None

*If yes, provide the date of the meeting(s): _____

VII. Statement of Certification/Determination and Signature (Check one and sign below):

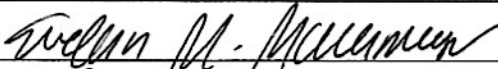
FEDERAL AGENCY CONSISTENCY DETERMINATION. Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity is consistent to the maximum extent practicable with the enforceable policies of the Delaware Coastal Management Program.

OR

FEDERAL AGENCY NEGATIVE DETERMINATION. Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity will not have any reasonably foreseeable effects on Delaware's coastal uses or resources (Negative Determination) and is therefore consistent with the enforceable policies of the Delaware Coastal Management Program.

OR

NON-FEDERAL APPLICANT'S CONSISTENCY CERTIFICATION. Based upon the information, data, and analysis included herein, the non-federal applicant for a federal license or permit, or state or local government agency applying for federal funding, listed in (I) above, finds that this proposed activity complies with the enforceable policies of the Delaware Coastal Management Program and will be conducted in a manner consistent with such program.

Signature:		
Printed Name:	Evelyn M. Maurmeyer, CER, Inc.	Date: 11/9/2023

Pursuant to 15 C.F.R. Part 930, the Delaware Coastal Management Program must provide its concurrence with or objection to this consistency determination or consistency certification in accordance with the deadlines listed below. Concurrence will be presumed if the state's response is not received within the allowable timeframe.

Federal Consistency Review Deadlines:

Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)	60 days with option to extend an additional 15 days or stay review (15 C.F.R. § 930.41)
Federal License or Permit (15 C.F.R. Part 930, Subpart D)	Six months, with a status letter at three months. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.63)
Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)	Six months, with a status letter at three months. If three month status letter not issued, then concurrence presumed. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.78)
Federal Financial Assistance to State or Local Governments (15 C.F.R. Part 930, Subpart F)	State Clearinghouse schedule

OFFICIAL USE ONLY:

Reviewed By:	Fed Con ID:	Date Received:
Public notice dates: _____ to _____	Comments Received: <input type="checkbox"/> NO <input type="checkbox"/> YES <i>[attach comments]</i>	
Decision type: <small>(objections or conditions attach details)</small>	Decision Date: _____	



COASTAL & ESTUARINE RESEARCH, INC.

Marine Studies Complex
P.O. Box 674
Lewes, Delaware 19958
302-645-9610

November 9, 2023

**DELAWARE COASTAL MANAGEMENT PROGRAM
FEDERAL CONSISTENCY CERTIFICATION**

Applicant

Richard L. Bryan
25 DeVries Circle
Lewes, DE 19958
(302) 542-2005
richardleebryan@gmail.com

III. Detailed Project Description

Site Location and Description. The project site is 575 E. Savannah Road, Lewes, Sussex County, DE (Tax Map Parcel #335-8.08-150.01). See Figures 1, 2, and 3 for maps and directions. The site is depicted on the USGS topographic map, Lewes quadrangle, Delaware (Figure 4), and is adjacent to the Lewes and Rehoboth Canal. Width of waterway = 180'±. The site is depicted on State of Delaware DNREC wetland map #087 (Figure 5), and is mapped W (water), adjacent to O (other, uplands or non-tidal wetlands less than 400 acres). See Figure 6 for aerial photograph and Figure 7 for ground-level photograph.

Proposed Project. The applicant proposes to construct new docking facilities, to consist of the following (see Figures 8 and 9 for plan view and cross-sections):

- A 10' long x 6' wide landing (in uplands);
- A 25' long x 3' wide gangway;
- A 10' long x 6' wide floating pier;
- A 50' long x 6' wide floating dock.

Purpose. Purpose of the docking facilities is to provide mooring facilities for the applicant's two motorboats.

IV. General Analysis of Coastal Effects.

Purpose of the docking facility is to provide mooring facilities for the applicant's two motorboats. The proposed docking facility will extend only 16% channelward of the mean low water width of the waterway, less than the 20% limit, and will be 30-40' from the edge of the Corps' buffer zone. The proposed project will assure continued availability of the waterway (Lewes and Rehoboth Canal) for public recreational purposes. The proposed project is consistent with enforceable policies of the Delaware Coastal Management Program, as described in greater detail in the ensuing sections.

V. Detailed Analysis of Consistence with DCMP Enforceable Policies

POLICY 5.1: WETLANDS MANAGEMENT. No DNREC-regulated wetlands are mapped at the site (see Figure 5).

POLICY 5.2: BEACH MANAGEMENT. The project site is not within the area of DNREC-regulated beaches.

POLICY 5.3: COASTAL WATERS MANAGEMENT. The proposed project will assure continued availability of the waterway (Lewes and Rehoboth Canal) for public recreational purposes. The proposed docking structure will not extend into the Corps' buffer zone, thus will not impede navigational use of the waterway. The project will maintain beneficial uses of the waterway for the public (including secondary contact recreation such as boating and fishing). The project will not result in pollution which may threaten the safety and health of the public. Approved materials will be utilized for construction (salt-treated wooden pilings; aluminum gangway; poly-encapsulated floats and composite decking). No creosote-treated timber or other harmful materials will be utilized.

POLICY 5.4: SUBAQUEOUS LANDS AND COASTAL STRIP MANAGEMENT. The proposed project does not involve industrial nor manufacturing facilities. There will be no extraction of materials (dredging) associated with the proposed project. The project involves construction of private docking facilities for use by the applicant, for which permit applications have been submitted to the US Army Corps of Engineers and DNREC Wetlands and Waterways Section (copies attached). The coastal strip will continue to be protected for public use for recreation, fishing, and crabbing; the proposed project will not impact these activities. No additional supporting facilities will be required for the project. There are similar docking facilities along the Lewes and Rehoboth Canal. The applicant's primary (water-dependent) purpose cannot be realized without the use of public subaqueous lands.

POLICY 5.5: "PUBLIC LANDS" MANAGEMENT. The applicant has submitted a permit application to the DNREC Wetlands and Waterways Section, for which a Subaqueous Lands Permit/Lease will be issued.

POLICY 5.6: NATURAL AREAS MANAGEMENT. The project site does not lie within a State Natural Heritage site nor within a Delaware National Estuarine Research Reserve.

POLICY 5.7: FLOOD HAZARD AREAS MANAGEMENT. The proposed project is not anticipated to contribute to increased flood hazards.

POLICY 5.8: PORT OF WILMINGTON. The project site is not located in the Port of Wilmington.

POLICY 5.9: WOODLANDS AND AGRICULTURAL LANDS MANAGEMENT. The site is located within the City of Lewes, not in woodlands nor agricultural lands.

POLICY 5.10: HISTORIC AND CULTURAL AREAS MANAGEMENT. The application will be reviewed as part of the US Army Corps of Engineers review process to determine if any registered properties or properties listed as eligible for inclusion in the National Register of Historic Places would be affected by the proposed project.

POLICY 5.11: LIVING RESOURCES. The application will be reviewed as part of the US Army Corps of Engineers review process to determine if the proposed project will affect living resources. The US Army Corps of Engineers Public Notice for similar docking facilities across the waterway at 114 Gills Neck Road, Lewes, DE (CENAP-OP-R-2020-00025-85, Earl Webb, III, permittee) stated that "the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended." It is anticipated that the same determination will be made for the proposed project.

POLICY 5.12: MINERAL RESOURCE MANAGEMENT. No mineral extraction proposed.

POLICY 5.13: STATE-OWNED COASTAL RECREATION AND CONSERVATION. The site is not State-owned. However, recreational opportunities in the Lewes and Rehoboth Canal will be maintained.

POLICY 5.14: PUBLIC TRUST DOCTRINE. The public's right to navigation will not be impeded by the proposed project.

POLICY 5.15: ENERGY FACILITIES. The proposed project does not involve energy facilities.

POLICY 5.16: PUBLIC INVESTMENT. The project is entirely private; no public investment involved.

POLICY 5.17: RECREATION AND TOURISM. The proposed project will improve recreational boating access for the applicant, his family, and friends, and will result in increased participation in water-based recreational activities (boating, fishing, crabbing, etc.).

POLICY 5.18: NATIONAL DEFENSE AND AEROSPACE FACILITIES. The proposed activity does not involve national defense nor aerospace facilities.

POLICY 5.19: TRANSPORTATION FACILITIES. The proposed project does not involve commercial transportation facilities.

POLICY 5.20: AIR QUALITY MANAGEMENT. Air pollution resulting from the proposed project will be minimal.

POLICY 5.21: WATER SUPPLY MANAGEMENT. The site is not located in a water supply area.

POLICY 5.22: WASTE DISPOSAL MANAGEMENT. No waste disposal is associated with the proposed project.

POLICY 5.23: DEVELOPMENT. The proposed project is not associated with new community development.

POLICY 5.24: POLLUTION PREVENTION. It is not anticipated that there will be significant pollution associated with the proposed project. All materials are approved for use in marine construction.

POLICY 5.25: COASTAL MANAGEMENT COORDINATION. Coordination among State and Federal agencies will take place in review of the proposed project. The public will have the opportunity to comment of the project in response to Public Notices issued by the US Army Corps of Engineers; DNREC Wetlands and Waterways Section; and Delaware Coastal Management Program.

3. Based on the review outlined in section (2) above, the project proposed by Richard L. Bryan, its associated facilities, and their effects are all consistent with the enforceable policies of the Delaware Coastal Management Program.

U.S. Army Corps of Engineers (USACE)
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

For use of this form, see 33 CFR 325. The proponent agency is CECW-CO-R.

Form Approved -
OMB No. 0710-0003
Expires: 08-31-2023

The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

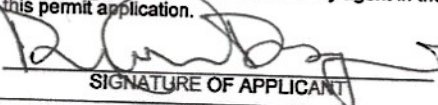
1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
--------------------	----------------------	------------------	------------------------------

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Richard Middle - L. Last - Bryan Company - E-mail Address - Richardleebryan@gmail.com			8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Evelyn Middle - M. Last - Maurmeyer Company - CER, Inc. E-mail Address - maurmeye@udel.edu		
6. APPLICANT'S ADDRESS: Address- 25 DeVries Circle City - Lewes State - DE Zip - 19958 Country - USA			9. AGENT'S ADDRESS: Address- PO Box 674 City - Lewes State - DE Zip - 19958 Country - USA		
7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax (302) 542-2005			10. AGENTS PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax (302) 645-9610		

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Evelyn Maurmeyer act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.


 SIGNATURE OF APPLICANT DATE 11-9-23

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) Bryan Docking Facilities	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Lewes and Rehoboth Canal	14. PROJECT STREET ADDRESS (if applicable) Address <u>575 E. Savannah Road</u> City - <u>Lewes</u> State- <u>DE</u> Zip- <u>19958</u>
15. LOCATION OF PROJECT Latitude: <u>+N 38.77578°</u> Longitude: <u>-W 75.13205°</u>	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID <u>#335-8.08-150.01</u> Municipality <u>The City of Lewes</u> Section - <u>--</u> Township - <u>--</u> Range - <u>--</u>	

17. DIRECTIONS TO THE SITE

See Figures 1, 2, and 3 for maps and directions.

18. Nature of Activity (Description of project, include all features)

Applicant proposes to construct a 10' L x 6' W landing (on uplands); a 25' L x 3' W gangway; a 10' L x 6' W floating pier; and a 50' L x 6' W floating dock. Work will be conducted from water (barge-mounted equipment). Salt-treated 12" diameter pilings (T = 4) will be installed using a vibratory hammer. Materials will be aluminum gangway and poly-encapsulated floating pier and dock with composite decking.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

Purpose is to provide docking facilities for applicant's two motorboats.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

No discharge proposed.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards: None proposed

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
-------------------------------	-------------------------------	-------------------------------

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions) No filling proposed.

Acres
or
Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

See attached sheet.

BLOCK 23.

Avoidance. Avoidance of impacts (“no action” alternative) is not feasible. There are no docking facilities present on the applicant’s property. The purpose of the proposed structure is to provide docking facilities for the applicant’s two boats recreational boating (water-dependent activity). The modern mooring facilities will provide safe and convenient access to the vessels at all tide stages, and will provide navigational access to Delaware Bay, Rehoboth Bay, and the Atlantic Ocean.

Minimization. The applicant has minimized the project to the greatest extent feasible. The width of the floating pier and dock will be 6’, in compliance with DNREC Wetlands and Waterways guidelines. The length of the gangway and floating pier are the minimum necessary to access navigable water depths. The length of the proposed dock will accommodate the applicant’s two boats. The new structures will not extend into the Corps’ buffer zone, thus will not interfere with navigational use of the waterway.

Compensation. There will be no fill in wetlands associated with the proposed project; therefore, no compensation is proposed.

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- See Figure 3.

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
DNREC W&WS	Subaq. permit	n/a	11/7/2023	pending	
DCMP	CZM certification	n/a	11/9/2023	"	
USACE, Balt. Dist	RE License	n/a	11/9/2023	"	
City of Lewes	Building permit	n/a	TBD (when permits are issued)		

*Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

PART I

I. PROJECT DESCRIPTION:

- A. General Site Location: Accurately locate the project site with respect to State, county, or other subdivision, and in relation to streams and rivers.
Project site is located in State of Delaware, Sussex County, adjacent to the Lewes and Rehoboth Canal.
- B. Specific Site Locations: Completely locate the project site with respect to cove, creek, property owner, plot number, etc.
Project site is 575 E. Savannah Road, Lewes, DE 19958 (Tax Map Parcel #335-8.08-150.01), Richard L. Bryan, owner.
- C. Description of Proposed Action: Carefully describe the action proposed, including the method of construction, equipment, and materials to be used. Details in your description are important. Attach additional sheets if necessary.
Applicant proposes to construct new docking facilities, consisting of a 10' L x 6' W landing (on uplands); a 25' L x 3' W gangway; a 10' L x 6' W floating pier; and a 50' L x 6' W floating dock.
- D. Purpose of Proposed Action: Define the purpose of the proposed structure or work. For example, the purpose of bulkheading may be to stabilize an eroding bank; whereas, the purpose for a pier may be for the mooring of a private boat, for access to a public or private facility, for a marina, or for another purpose.
Purpose is to moor applicant's two boats.
- E. Submit color photographs of the site, with explanations of the views shown (prints only). Photographs help us to better understand your project. The more photographs you provide, the easier it is to understand and process your application.
See Figure 6 for aerial photograph, and Figure 7 for ground-level photograph.

PART II - ENVIRONMENTAL IMPACT CHECKLIST			
ENVIRONMENTAL IMPACT	YES	NO	QUALIFYING REMARKS
A. Physical			
1. Topography	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
2. Geological Elements and Leaching	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
3. Air	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
4. Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will improve recreational boating
5. Handling of Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None involved
6. Spoil Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
7. Sewage and Solid Wastes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
8. Water Resources			
a. Water Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Possible minor, localized turbidity during construction
b. Hydrography, Circulation, Littoral Drift	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Possible localized, minor effects
c. Ground Water	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
B. Biological			
1. Vegetation			
a. Terrestrial	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
b. Aquatic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
2. Fish and Wildlife			
a. Mammals	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
b. Birds	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
c. Amphibians	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
d. Reptiles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
e. Fish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Possible minor disturbance during construction
f. Shellfish	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts (area closed to shellfish harvesting)
g. Invertebrates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Possible minor impacts
3. Rare or Endangered Species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None known on site

ENVIRONMENTAL IMPACT	YES	NO	QUALIFYING REMARKS
C. Cultural			
1. Land Use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Similar structures in vicinity
2. Population Density and Trends	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
3. Regional Development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
4. Historic Places	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None known on site
5. Archaeological Sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
6. Aesthetics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will improve aesthetics
7. Utilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
8. Transportation Systems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will improve recreational boating
9. Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	"
10. Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No impacts anticipated
D. Other Factors			
1. Secondary Effects	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None anticipated
2. Controversiality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
3. Is significant dredging involved?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No dredging involved
4. Is significant filling involved?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No filling involved



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT CORPS OF ENGINEERS
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

OCT 02 2018

CENAP-OP-R-Coastal Zone Management (Delaware)

Public Notice

SUBJECT: "Consistency Certification" with Approved State Coastal Zone Management Programs

Federal regulations require that applicants for Department of the Army permits to perform work in waters of the United States, which fall under the jurisdiction of a State with a Coastal Zone Management (CZM) Program approved by the Secretary of Commerce, must provide a signed consistency certification statement to the Corps of Engineers with their application for a Department of the Army permit.

On August 21, 1979, a CZM Program was approved for the State of Delaware by the U.S. Department of Commerce. Therefore, all applications for Department of the Army permits for work in Delaware's designated Coastal Zone, which is the entire state of Delaware, **MUST CONTAIN A SIGNED CONSISTENCY CERTIFICATION** stating that: "The proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program."

Furthermore, concurrent with the application for a Department of the Army permit, the applicant **MUST ALSO PROVIDE A SIGNED CONSISTENCY CERTIFICATION STATEMENT DIRECTLY TO THE Delaware Coastal Management Program (DCMP)** for their review and concurrence. This certification must be accompanied by the following information:

- A copy of the Federal application for the Department of the Army permit.
- A detailed description of the proposed activity and its associated facilities which is adequate to assess the activity's probable coastal zone effects. Including but not limited to, maps, diagrams, technical data, etc.
- A brief assessment of the probable coastal zone effects of the proposal and their relation to the relevant policies of the DCMP. A DCMP Policy Document may be obtained by contacting the DCMP at (302) 739-9283.
- A brief set of findings, derived from the above assessment, indicating that the proposed activity and the effects are all consistent with the provisions of the DCMP.

The above information should be sent to:

Delaware Coastal Management Program
Delaware Department of Natural Resources and Environmental Control
100 W. Water Street, Suite 7B
Dover, Delaware 19904
(302) 739-9283 (V)
(302) 739-2048 (F)

A handwritten signature in black ink, appearing to read "Edward E. Bonner". The signature is fluid and cursive, with the first name "Edward" and last name "Bonner" clearly distinguishable.

Edward E. Bonner
Chief, Regulatory Branch

INFORMATION FOR PUBLIC NOTICE

Applicant

Richard L. Bryan
25 DeVries Circle
Lewes, DE 19958
(302) 542-2005
richardleebryan@gmail.com

a. Site Location:

575 E. Savannah Road, Lewes, Sussex County, Delaware 19958
(adjacent to the Lewes and Rehoboth Canal)
Tax Map Parcel #335-8.08-150.01

Latitude: 38.77578° North.
Longitude: -75.13205 ° West

b. Adjacent Property Owners

<u>Tax Map Parcel #</u>	<u>Owner</u>
#3-35-8.08-2.00	BAR-SGR, LLC, 32193 Winery Way, Lewes DE 19958
#3-35-8.08-150.00	Lewes and Rehoboth Canal, United States of America, PO Box 518, Lewes, DE 19958

c. Mailing Addresses

1. U.S. Post Office, 116 Front Street, Lewes, DE 19958
2. The City of Lewes, P.O. Box 227, Lewes, DE 19958
3. News Journal Newspaper, 950 West Basin Road, New Castle, DE 19720
4. Delaware State News, 429 Webbs Lane, Dover, DE 19901



REPLY TO
ATTENTION OF

CENAP-OP-R

DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT, CORPS OF ENGINEERS
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

PUBLIC NOTICE

The Philadelphia District of the Corps of Engineers requests that applicants for Department of the Army permits for work in waters of the United States provide in their permit application the following information:

- a. street address, lot and block number, latitude and longitude of the proposed project site;
- b. names and addresses of adjoining property owners, lessees, etc. to the proposed project site;
- c. mailing addresses of post office, city and county governments, and local newspapers in the vicinity of the proposed project site.

The more the applicant provides, the easier it is to understand and process an application. The above information is necessary in order to initiate processing of the permit application. Failure to provide the information will result in the withdrawal of the permit application without prejudice.

A handwritten signature in black ink, appearing to read "Frank J. Ciarfrani".

Frank J. Ciarfrani
Chief, Regulatory Branch

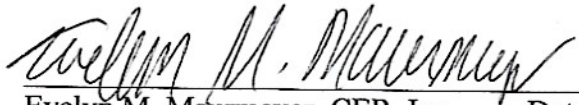


COASTAL & ESTUARINE RESEARCH, INC.

Marine Studies Complex
P.O. Box 674
Lewes, Delaware 19958
302-645-9610

**DELAWARE COASTAL MANAGEMENT PROGRAM
CONSISTENCY CERTIFICATION**

The proposed activity, construction of new docking facilities, consisting of a 10' long x 6' wide landing (in uplands); a 25' long x 3' wide gangway; a 10' long x 6' wide floating pier; and a 50' long x 6' wide floating dock adjacent to the Lewes and Rehoboth Canal at 575 E. Savannah Road, Lewes, Sussex County, Delaware (Tax Map Parcel #335-8.08-150.01), Richard L. Bryan, applicant, complies with and will be conducted in a manner that is consistent with the approved Delaware Coastal Management Program (DCMP).

 11/7/2023
Evelyn M. Maurmeyer, CER, Inc. Date
Agent for applicant

PROPOSED CONSTRUCTION OF 10' LONG x 6' WIDE LANDING (IN UPLANDS); 25' LONG x 3' WIDE GANGWAY; 10' LONG x 6' WIDE FLOATING PIER; AND A 6' WIDE x 50' LONG FLOATING DOCK
IN: Lewes and Rehoboth Canal
AT: 575 E. Savannah Road, Lewes, Sussex County, DE 19958
 Tax Map Parcel #3-35-8.08-150.01
APPLICANT: Richard L. Bryan
DATE: Nov. 7, 2023

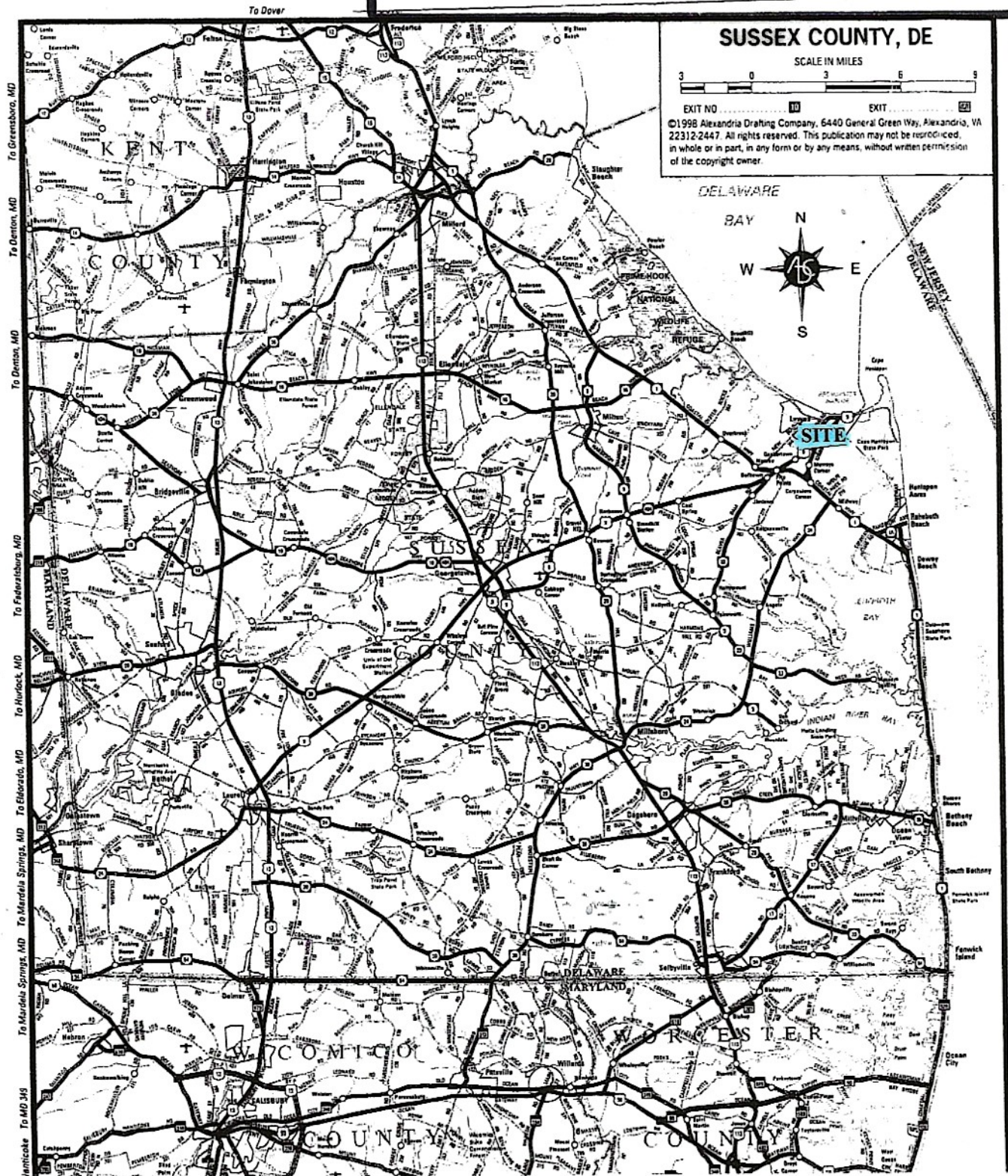


Figure 1. Map of Sussex County, Delaware showing project location, Lewes.

PROPOSED CONSTRUCTION OF 10' LONG x 6' WIDE LANDING (IN UPLANDS); 25' LONG x 3' WIDE GANGWAY; 10' LONG x 6' WIDE FLOATING PIER; AND A 6' WIDE x 50' LONG FLOATING DOCK
 IN: Lewes and Rehoboth Canal
 AT: 575 E. Savannah Road, Lewes, Sussex County, DE 19958
 Tax Map Parcel #3-35-8.08-150.01
 APPLICANT: Richard L. Bryan
 DATE: Nov. 7, 2023

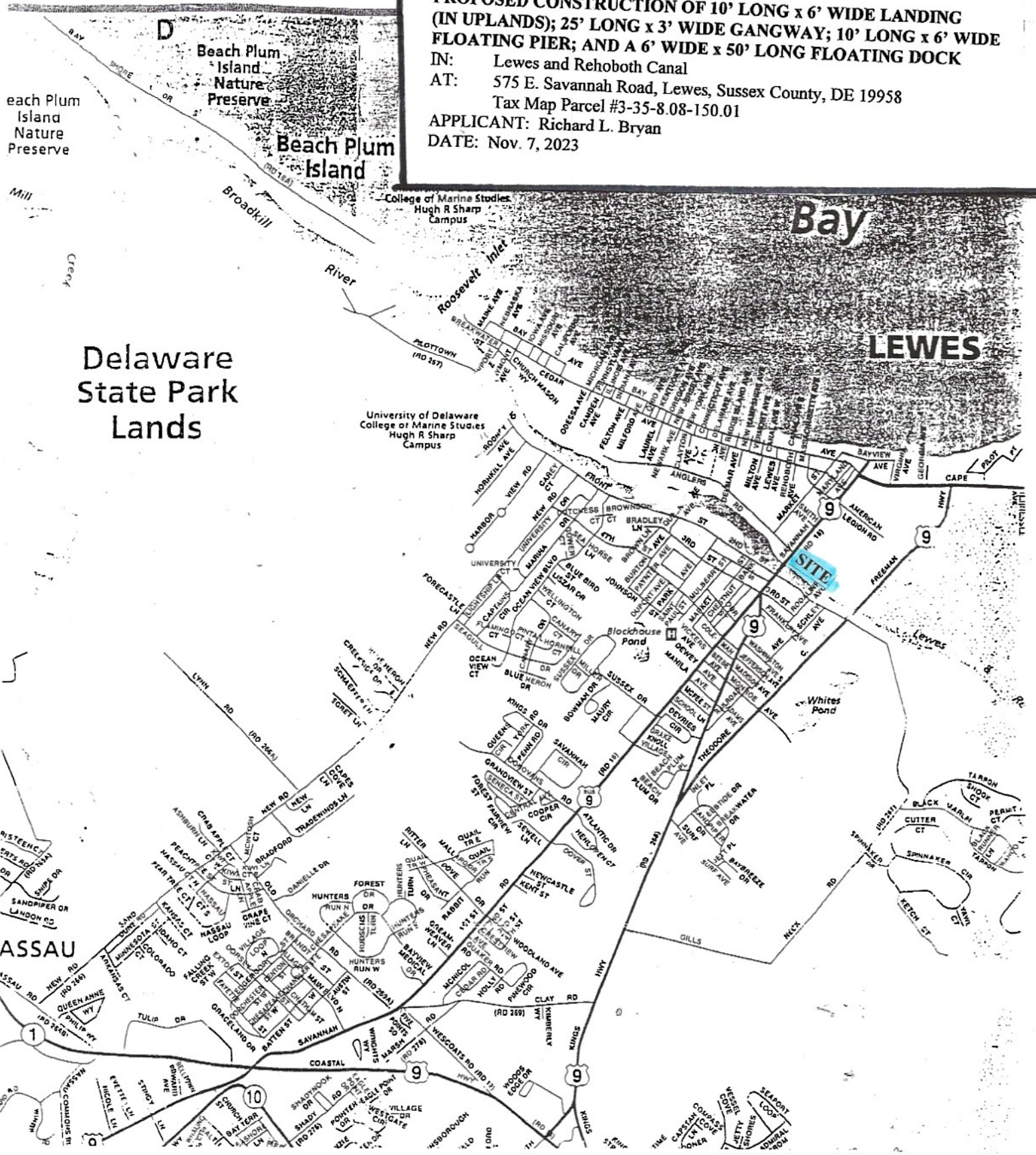


Figure 2. Map of Lewes, Sussex County, Delaware showing site location, 575 E. Savannah Road (vacant parcel, east of Savannah Road, north side of Lewes and Rehoboth Canal. Directions to site (from Dover, DE): Route 1 southbound toward Lewes; left at Five Points intersection onto Business Route 9 (Savannah Road), continue over Lewes and Rehoboth Canal bridge, site is on right. Also see Figure 3.

**PROPOSED CONSTRUCTION OF 10' LONG x 6' WIDE LANDING
(IN UPLANDS); 25' LONG x 3' WIDE GANGWAY; 10' LONG x 6' WIDE
FLOATING PIER; AND A 6' WIDE x 50' LONG FLOATING DOCK**

IN: Lewes and Rehoboth Canal

AT: 575 E. Savannah Road, Lewes, Sussex County, DE 19958

Tax Map Parcel #3-35-8.08-150.01

APPLICANT: Richard L. Bryan

DATE: Nov. 7, 2023

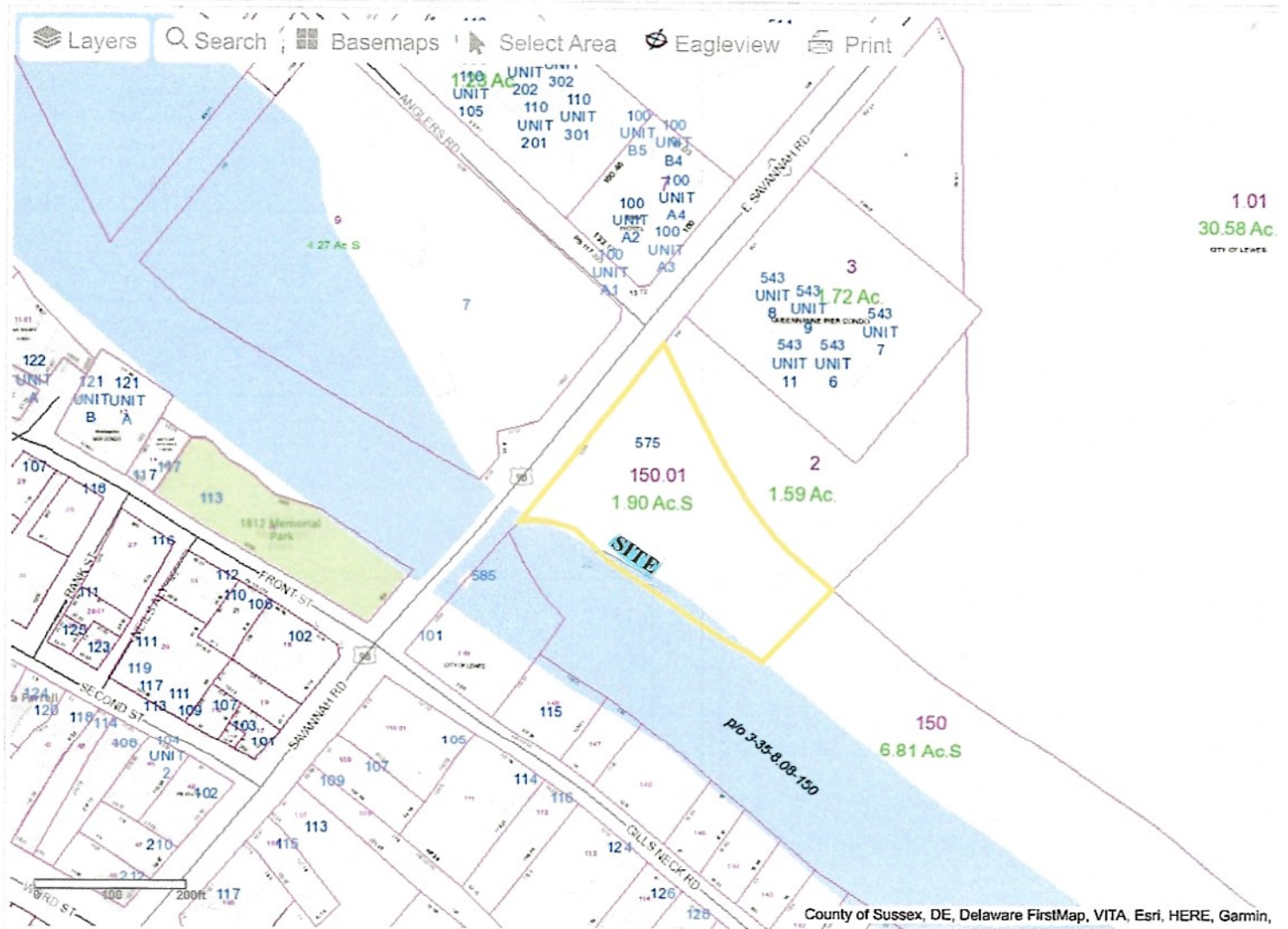


Figure 3. Site location, 575 E. Savannah Road, Lewes, Sussex County, Delaware (Tax Map Parcel #3-35-8.08-150.01). Names and addresses of adjacent property owners:

Tax Map Parcel #	Owner
#3-35-8.08-2.00	BAR-SGR, LLC, 32193 Winery Way, Lewes DE 19958
#3-35-8.08-150.00	Lewes and Rehoboth Canal, United States of America, PO Box 518, Lewes, DE 19958

**PROPOSED CONSTRUCTION OF 10' LONG x 6' WIDE LANDING
(IN UPLANDS); 25' LONG x 3' WIDE GANGWAY; 10' LONG x 6' WIDE
FLOATING PIER; AND A 6' WIDE x 50' LONG FLOATING DOCK**

IN: Lewes and Rehoboth Canal

AT: 575 E. Savannah Road, Lewes, Sussex County, DE 19958

Tax Map Parcel #3-35-8.08-150.01

APPLICANT: Richard L. Bryan

DATE: Nov. 7, 2023

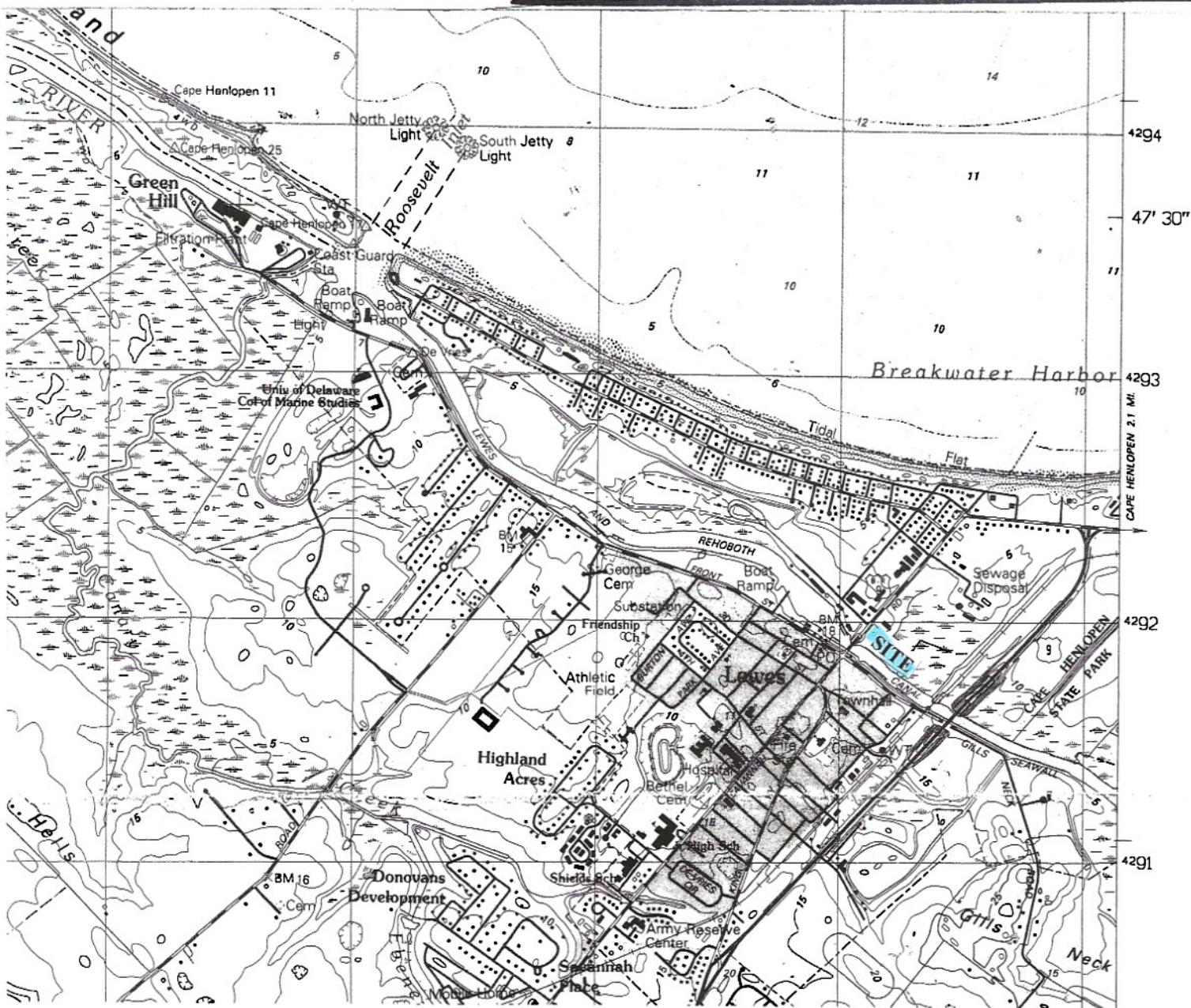


Figure 4. Site location on U.S.G.S. topographic map, Lewes, Delaware quadrangle. Site is adjacent to the Lewes and Rehoboth Canal. Scale: 1" = 2,000'.

**PROPOSED CONSTRUCTION OF 10' LONG x 6' WIDE LANDING
(IN UPLANDS); 25' LONG x 3' WIDE GANGWAY; 10' LONG x 6' WIDE
FLOATING PIER; AND A 6' WIDE x 50' LONG FLOATING DOCK**

IN: Lewes and Rehoboth Canal

AT: 575 E. Savannah Road, Lewes, Sussex County, DE 19958

Tax Map Parcel #3-35-8.08-150.01

APPLICANT: Richard L. Bryan

DATE: Nov. 7, 2023

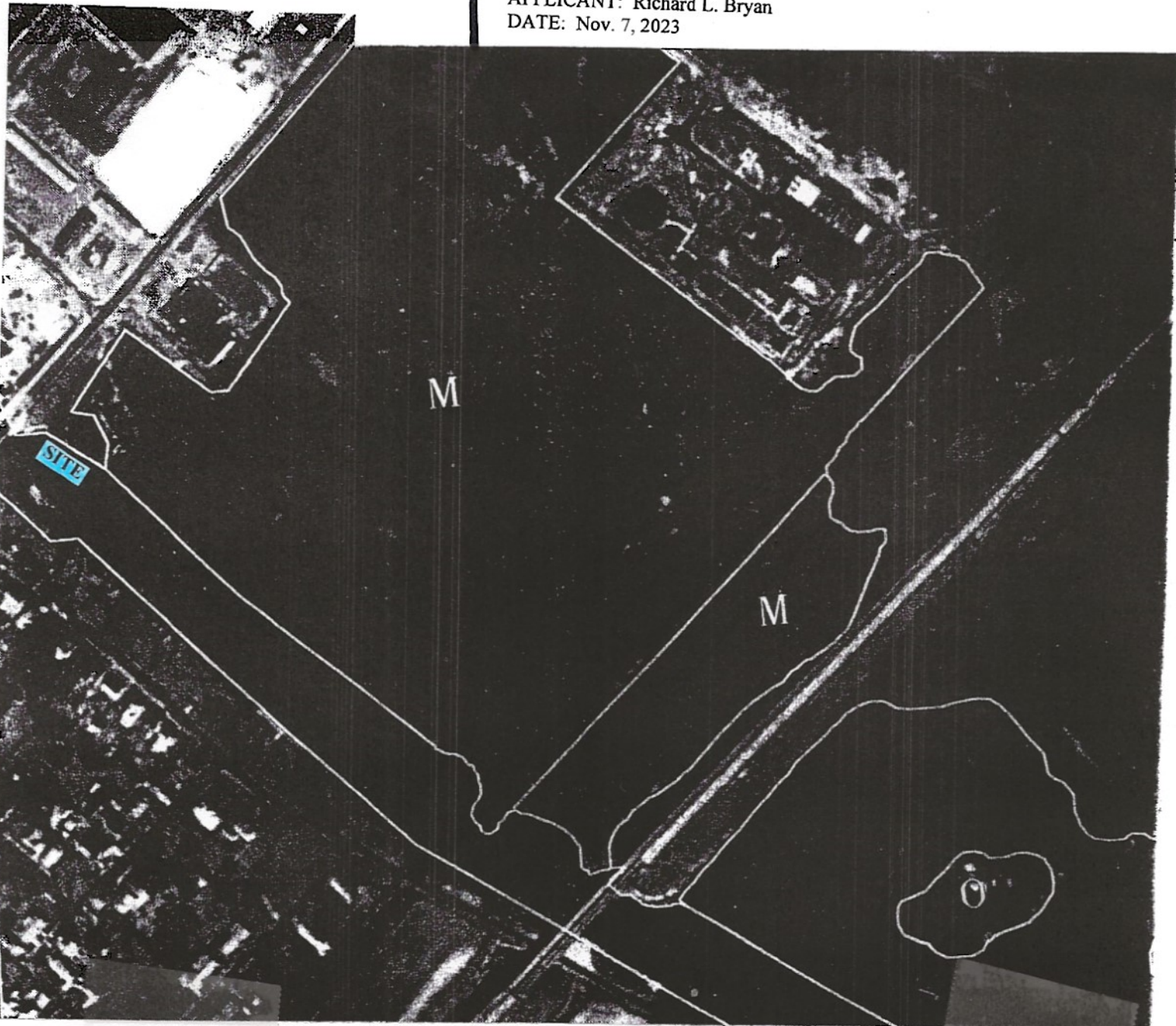


Figure 5.

Site location on State of Delaware Wetlands Map #DNR064 (1988 photobase). Scale: 1" = 300'. Site is mapped O (other, uplands or non-tidal wetlands less than 400 acres), adjacent to W (water). No impacts proposed in M (marsh). The DNREC wetland line was delineated on site on September 21, 2021 by Matt Jones and Rob Josefowski, Wetlands and Subaqueous Lands Section, DNREC (JD-335/21; copy of letter attached). The location of the DNREC wetland line was placed on the site survey by Karins and Associates (copy of survey included in application).

PROPOSED CONSTRUCTION OF 10' LONG x 6' WIDE LANDING (IN UPLANDS); 25' LONG x 3' WIDE GANGWAY; 10' LONG x 6' WIDE FLOATING PIER; AND A 6' WIDE x 50' LONG FLOATING DOCK

IN: Lewes and Rehoboth Canal

AT: 575 E. Savannah Road, Lewes, Sussex County, DE 19958

Tax Map Parcel #3-35-8.08-150.01

APPLICANT: Richard L. Bryan

DATE: Nov. 7, 2023



Bryan

03/06/2023

Figure 6.

Aerial photograph of site, 575 Savannah Road, Lewes, Sussex County, Delaware, (Tax Map Parcel #3-35-8.08-150.01), adjacent to the Lewes and Rehoboth Canal. MLW width of waterway at project site = 180^{\pm} . Applicant proposes to construct a 10' long x 6' wide landing (in uplands); a 25' long x 3' wide gangway; a 10' long x 6' wide floating pier; and a 50' long x 6' wide floating dock. Total channelward extent of structure will be 33' from top of bank/MHW (28' from MLWL; 16% of MLW width of waterway). See Figure 9 for plan view and cross-section (project prepared by Precision Marine Construction, Inc.)

**PROPOSED CONSTRUCTION OF 10' LONG x 6' WIDE LANDING
(IN UPLANDS); 25' LONG x 3' WIDE GANGWAY; 10' LONG x 6' WIDE
FLOATING PIER; AND A 6' WIDE x 50' LONG FLOATING DOCK**

IN: Lewes and Rehoboth Canal

AT: 575 E. Savannah Road, Lewes, Sussex County, DE 19958

Tax Map Parcel #3-35-8.08-150.01

APPLICANT: Richard L. Bryan

DATE: Nov. 7, 2023



Figure 7. Ground-level photograph of project site, 575 Savannah Road, Lewes, Sussex County, Delaware, (Tax Map Parcel #3-35-8.08-150.01), adjacent to the Lewes and Rehoboth Canal. Applicant proposes to construct a 10' long x 6' wide landing (in uplands); a 25' long x 3' wide gangway; a 10' long x 6' wide floating pier; and a 50' long x 6' wide floating dock. Structure will be 30' east (to the right) of the old wooden structure in the center of the photo (origin and purpose unknown). See Figure 9 for plan view and cross-section of proposed project (prepared by Precision Marine Construction, Inc.) .

PROPOSED CONSTRUCTION OF 10' LONG x 6' WIDE LANDING (IN UPLANDS); 25' LONG x 3' WIDE GANGWAY; 10' LONG x 6' WIDE FLOATING PIER; AND A 6' WIDE x 50' LONG FLOATING DOCK

IN: Lewes and Rehoboth Canal

AT: 575 E. Savannah Road, Lewes, Sussex County, DE 19958

Tax Map Parcel #3-35-8.08-150.01

APPLICANT: Richard L. Bryan

DATE: Nov. 7, 2023

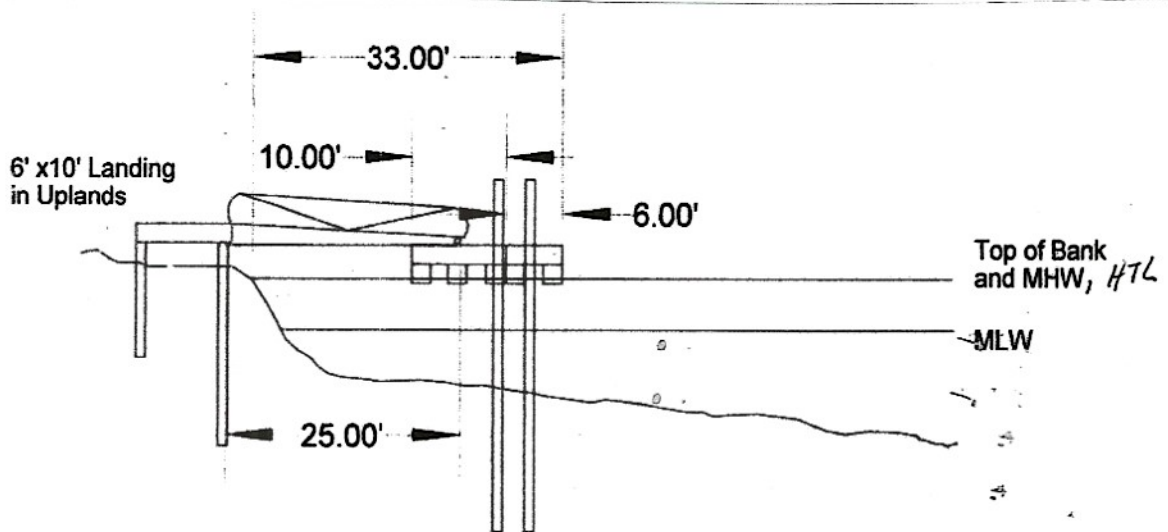
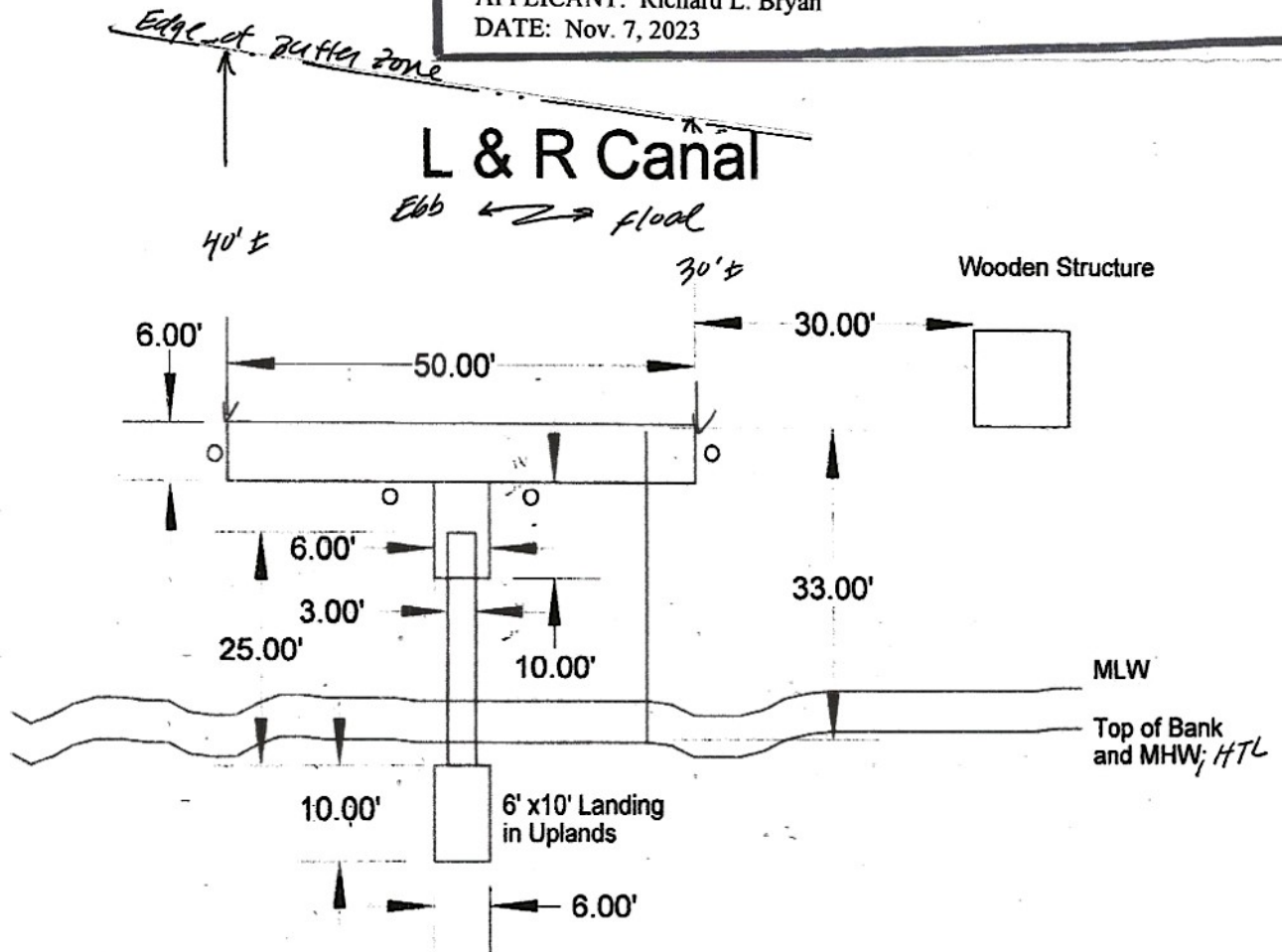


Figure 9. Plan view and cross-section of proposed project (prepared by Precision Marine Construction, Inc.)

Proposed Floating Dock
Richard L Bryan
Adjacent to the L & R Canal
Lewes, DE 19958

PRECISION MARINE CONSTRUCTION INC.

202 Woodbridge Hills
Rehoboth Beach, DE 19971

Scale: 1" = 20' Date: 09-18-2023