



**US Army Corps  
of Engineers**  
Philadelphia District

Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3390  
ATTN: CENAP-OP-R

# Public Notice

Public Notice No. **CENAP-OP-R-200600513-26** <sup>Date</sup> **JUN 02 2006**

Application No. File No.

In Reply Refer to:  
**REGULATORY BRANCH**

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: Sea Colony Recreational Associates

AGENT: Mr. Robert D. Henry  
Gahagan & Bryant Associates, Inc.  
5803 Kennett Pike, Suite D  
Centerville Square  
Wilmington, Delaware 19807-1195

WATERWAY: Atlantic Ocean

LOCATION: 2,350+/- linear foot stretch of Atlantic Ocean coastline from the southern town limits of Bethany Beach to the northern limits of Middlesex Beach, Sussex County, Delaware.

ACTIVITY: Department of the Army permit CENAP-OP-R-200401143, dated June 16, 2005 was issued to Delaware Department of Environmental Resources which included Sea Colony as a part of a larger Federal beach replenishment project that included Sea Colony, Bethany Beach, South Bethany, Middlesex and North Shores.

This Public Notice is to advertise that Sea Colony Recreational Associates has requested that the previously authorized 108,000 cubic yards of sand be increased to 290,000 cubic yards. This request will provide the Association an opportunity to coordinate and match the Bethany Beach to Middlesex Beach, Sussex County, Delaware.

Construction specifications of the 290,00 cubic yards include:

- a. Underwater Fill (below MLW): 1,034,000 sq.ft.
- b. Intertidal Fill (between MHW & MLW): 117,500 sq.ft.
- c. Subtidal Fill (below MHW): 1,151,500 sq.ft.
- d. Supratidal Fill (between HTL & MHW): 70,500 sq.ft.
- e. Wetland Fill: None

The borrow source for the project would be the 775-acre Borrow Site E, located in the Atlantic Ocean approximately 2.0 miles east of the Sea Colony. Borrow Site E was previously approved by the Corps of Engineers for beach replenishment under Department of the Army permits CENAP-OP-R-200401143, CENAP-OP-R-199800591 and CENAP-OP-R-199801157.

The proposed action involves dredging by hydraulic method, using either a pipeline cutterhead dredge (27-inch or larger) with booster pumps or a hopper dredge equipped with pump-out capability and a monobuoy system.

If a pipeline dredge is utilized, sand would be excavated from the borrow source and pumped directly to the fill areas using both floating and submerged pipelines. Booster pumps may be used depending upon the pumping capabilities of the equipment employed. If a hopper dredge with pumpout capability is employed, sand would be raised by dredge pumps through drag-arms connected to drags in contact with the borrow source bottom and discharged into hoppers built within the vessel. When hopper capacity has been reached the vessel would transport the material to a monobuoy pumpout facility which would be anchored offshore of the project site in water deep enough to accommodate the dredge (i.e., 20 to 30 feet deep). A submerged pipeline would run from the pumpout facility to the shoreline. The dredge would then anchor and its pumpout line would be attached to the facility and sand would be hydraulically pumped to the beach via the submerged pipeline. The sand would be transferred up and down the beach using additional pipelines as necessary.

Once sand has been placed at the project fill areas by either one or both of the aforementioned methods, earth moving equipment (e.g., bulldozers) would shape the material to the design profile.

Dredging sand from Borrow Site E has a potential for encountering unexploded ordnance (UXOS) associated with past military artillery target practice activities along the Atlantic Ocean shoreline. To minimize the potential for UXOS entering the dredge during borrow site operations, each dredge intake would be fitted with a longitudinal bar-screen. The screen would have a maximum opening of 38 millimeters (1.5 inches) between adjacent bars, and would be constructed of material which is very durable and wear resistant. During dredging operations, the screens would be inspected daily to assure their functionality. If ordnance debris larger than 38 millimeters are found on the beach, the contractor would shut down the dredge, remove the objects, and correct the problem.

During pumping operations, the contractor would provide personnel to maintain visual control at the end of the discharge line. Shore-to-dredge contact would be maintained so that dredging can be halted in the event that ordnance debris is found.

PURPOSE: The stated purpose of the project is to replace sand lost from the beach as a result of coastal storms and background erosion since the previous replenishment project in 1998. These coastal areas are important to the State of Delaware for the following reasons: (1) they are heavily used recreational beach areas; and (2) they provide erosion and storm damage protection to public, commercial and private structures and infrastructure landward of the coastline.

A preliminary review of this application indicates that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations in the Northeastern United States, Volume IV: New Jersey and Delaware", dated March 1999, page 90, suggests that the discharge portion of the proposed project would occur within the EFH of winter flounder (Pseudopleuronectes americanus). The nearshore shallow waters of the discharge sites would appear to provide spawning and nursery areas for this species. However, these nearshore waters are characterized by their high energies, resulting in a naturally turbid and erosional state. Such high energy waters are unlikely to be suitable spawning or nursery sites for the winter flounder. Consequently, the District has determined that the project would have no effect on Essential Fish Habitat.

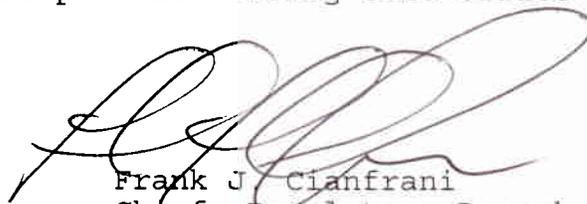
In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated 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. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Kevin E. Faust at (302) 736-9763 between the hours of 1:00 and 3:30 p.m. or writing this office at the above address.



Frank J. Cianfrani  
Chief, Regulatory Branch

# PLAN SEA COLONY BEACH REPLENISHMENT PROJECT

## BEARINGS

	LATITUDE	LONGITUDE
NORTH END	38°31'54"N	75°03'16"E
SOUTH END	38°31'31"N	75°03'10"E

**BETHANY BEACH**

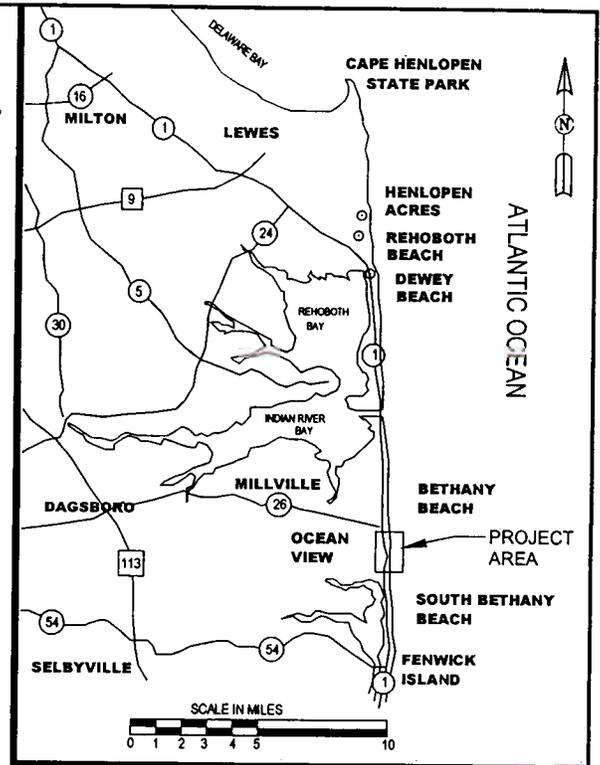
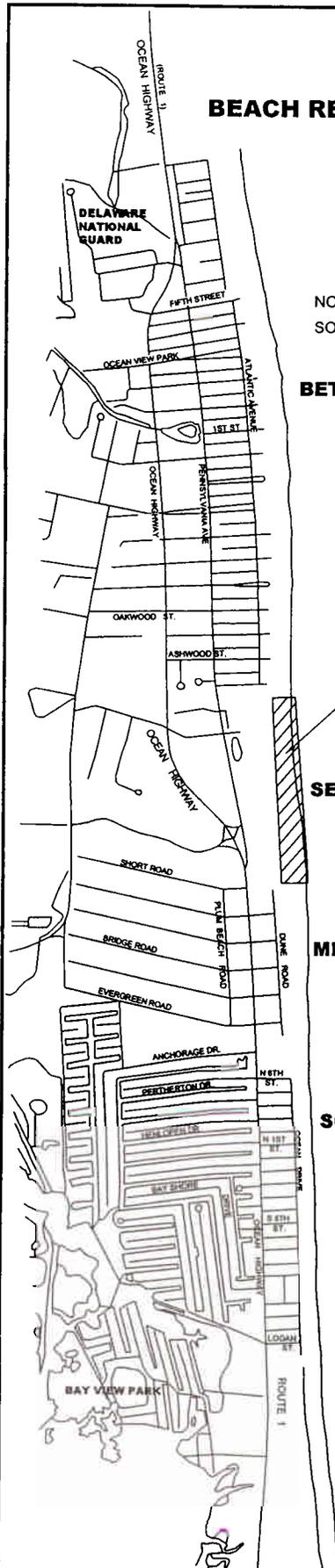
**ATLANTIC OCEAN**

**PROJECT  
FILL AREA**

**SEA COLONY**

**MIDDLESEX**

**SOUTH BETHANY**



**LOCATION MAP**

**PURPOSE:**

RESTORE RECREATIONAL BEACH AREA AND  
PROVIDE EROSION AND STORM PROTECTION

**NOTE:**

PROJECT AREA LENGTH = ±2350 LF

**SCALE IN FEET**



## **BEACH REPLENISHMENT PROJECT**

IN ATLANTIC OCEAN

AT: SEA COLONY

COUNTY OF SUSSEX, STATE OF DELAWARE

APPLICATION BY:

SEA COLONY RECREATIONAL ASSOCIATION, INC.

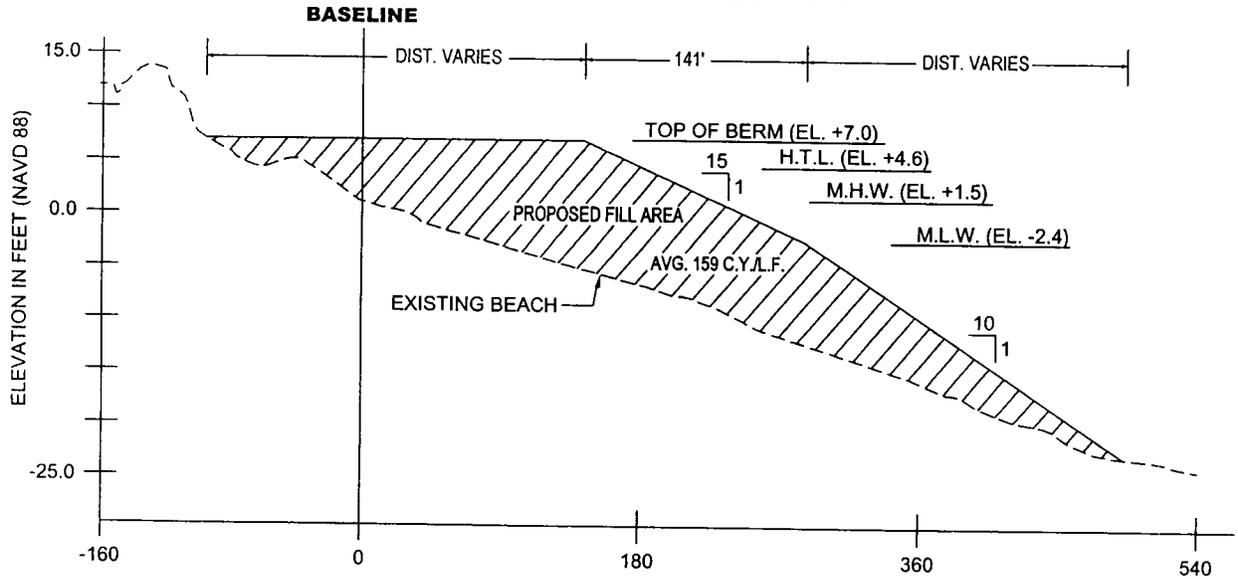
P.O. BOX 480

**BETHANY BEACH, DELAWARE 19930**

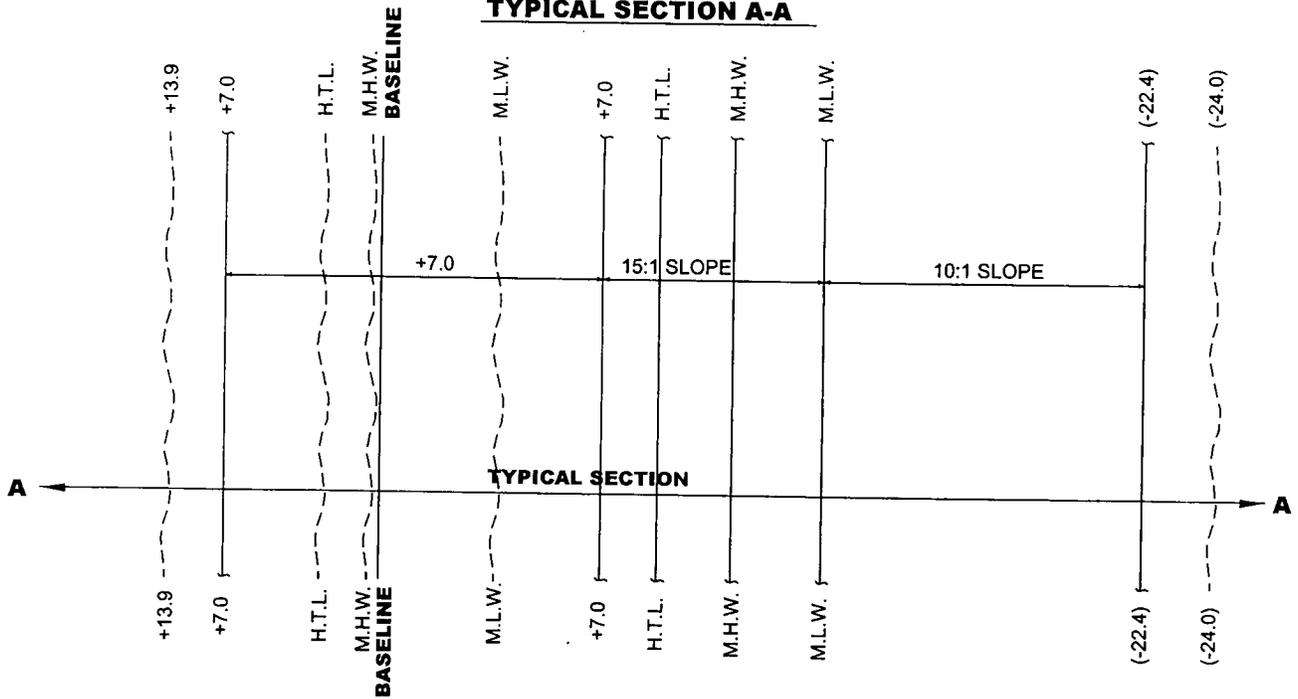
DATE: MARCH 2006

SHEET 1 OF 4

# SEA COLONY DESIGN FILL SECTION



## TYPICAL SECTION A-A



### TYPICAL PLAN

VERTICAL DATUM: NAVD88  
 EXISTING BEACH   
 DESIGN PROFILE

**MEAN TIDAL RANGE = 3.9'**

## BEACH REPLENISHMENT PROJECT

IN ATLANTIC OCEAN

AT: SEA COLONY

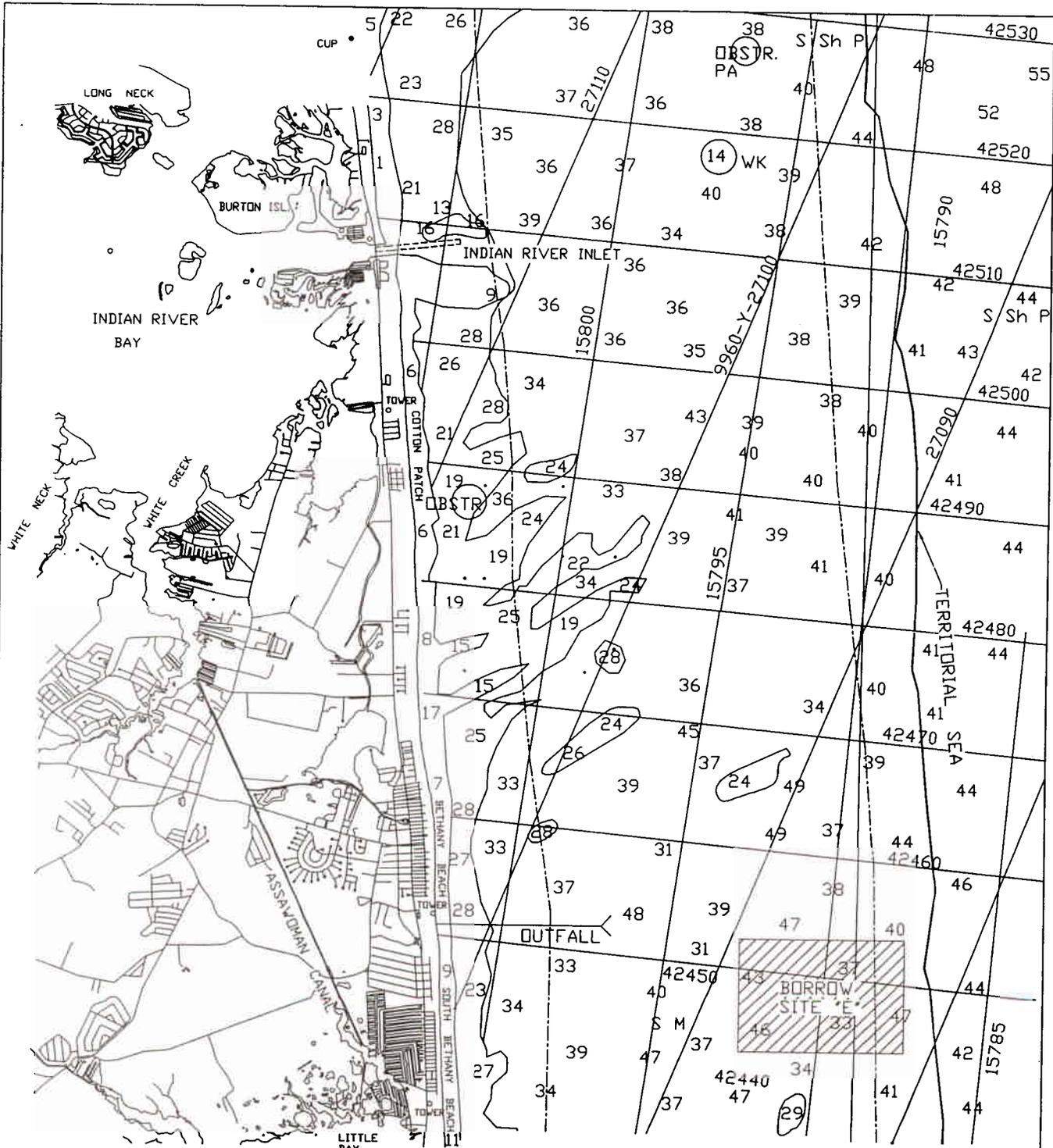
COUNTY OF SUSSEX, STATE OF DELAWARE

APPLICATION BY:

SEA COLONY RECREATIONAL ASSOCIATION, INC.  
 P.O. BOX 480  
 BETHANY BEACH, DELAWARE 19930

DATE: MARCH 2006

SHEET 2 OF 4



**PROPOSED BORROW  
SITE "E" LOCATION**  
REFERENCE: N.O.A.A. CHART 12214:  
DEPTHS SHOWN IN FEET BELOW M.L.W.

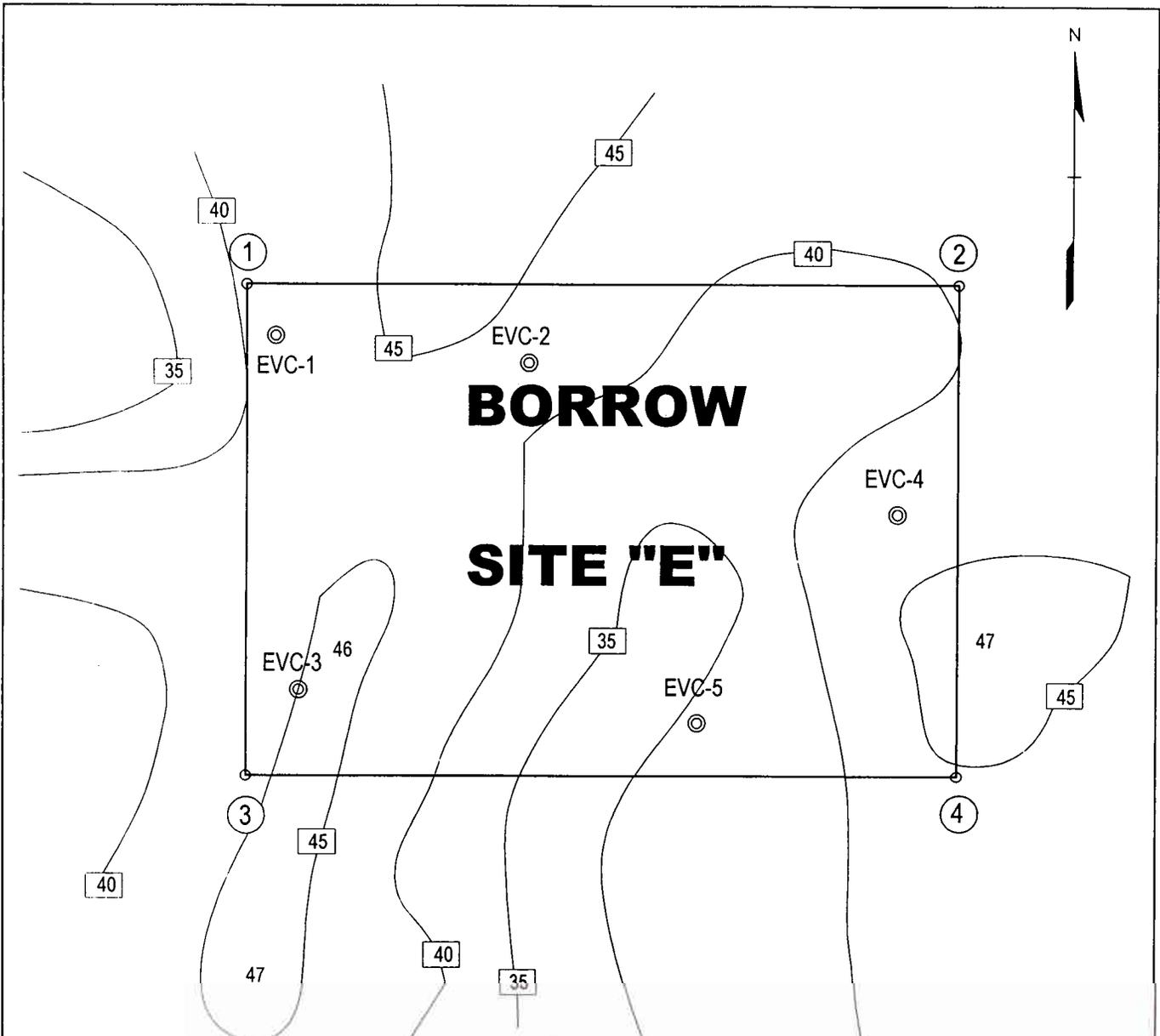
**BEACH REPLENISHMENT PROJECT**

IN ATLANTIC OCEAN  
AT: SEA COLONY  
COUNTY OF SUSSEX, STATE OF DELAWARE

APPLICATION BY:  
**SEA COLONY RECREATIONAL ASSOCIATION, INC.**  
P.O. BOX 480  
BETHANY BEACH, DELAWARE 19930

MARCH 2006

SHEET 3 OF 4



**NOTES:**

BORROW AREA SIZE = ±775 ACRES  
 SITE MATERIAL AVAILABLE = 5,000,000 CU.YDS.  
 CONTOUR DATUM = M.L.W. (FROM N.O.A.A. CHART#12214)

⊙ = EVC # CORE BORING LOCATIONS



POINT	COORDINATES	
	NORTHING	EASTING
①	N 190000	E 770000
②	N 190000	E 777000
③	N 185177	E 770000
④	N 185177	E 777000

STATE PLANE COORDINATES  
 BASED ON NAD - 1983

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