



**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-200601195-23

Date  
NOV 20 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: CDDW Seaford, LLC

AGENT: Edward Launay  
Environmental Resources, Incorporated  
1 Plaza East  
106 East Main Street  
Salisbury, MD 21801-4921

WATERWAY: Nanticoke River

LOCATION: Tax Map 4-31-5, Parcels 314, 314.01, 315, 316 and 317, City of Seaford, Sussex County, Delaware

ACTIVITY: The applicant, CDDW Seaford, LLC, proposes to develop a 25-slip marina within the Nanticoke River at Tax Map 4-31-5, Parcels 314, 314.01, 315, 316 and 317, in the City of Seaford, Sussex County, Delaware.

The applicant proposes to redevelop an existing warehouse and marginal wharf into a 25-slip marina, including the replacement of 150 linear feet of timber bulkhead and the reconstruction of 55 linear feet of riprap bank. The project would require the placement of 148 cubic yards of earthen fill and riprap within 0.03 acre of navigable waters of the United States. Descriptions of the individual impacts are included below. The project would not impact wetlands.

Timber Bulkhead Replacement. An existing 150-foot long timber bulkhead lies along the project's shoreline between existing concrete and metal bulkheads. Because portions of the timber bulkhead have disintegrated, the applicant proposes to replace it by driving a vinyl sheet pile bulkhead 18 inches channelward of

the damaged section, using 90 cubic yards of clean earthen material and filling 700 square feet of open waters to accomplish the task.

Riprap Embankment Repair. Fifty-five linear feet of existing riprap embankment located at the center of the project site would be repaired by resurfacing with an additional 58 cubic yards of riprap. This portion of the project would require the placement of riprap into 440 square feet of open waters.

Waterfront Boardwalk. The applicant proposes to construct 590 linear feet of waterfront boardwalk, almost entirely over the upland shoreline edge. This six foot wide boardwalk would provide access to the proposed marina piers and serve as a cap over the several bulkhead systems. The boardwalk would extend no more than one foot channelward of the bulkhead face. The deck of the boardwalk would be three feet in height above the mean high water line.

Twenty Five Slip Marina. The project calls for the construction of 13 mooring piers extending channelward of the boardwalk to create twenty five (25) 16-foot wide boat slips. The length of the piers would vary from 29 to 47 feet. Forty three mooring pilings would be installed. A boat lift and utility pedestal is intended for each slip.

Community Dock. The proposal includes a community dock, as part of an upland community plaza, to be used by the future residents of the Riverplace Condominiums. The dock would provide temporary mooring and a recreational fishing location for the residents, and would also serve as a marine pumpout station for the marina. A 36-foot long, five foot wide pier would extend from the waterfront boardwalk, and a 20 x 8' dock would be attached to the east side of the pier.

PURPOSE: The redevelopment of an existing wharf into a marina and community dock.

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). The project will not occur in waters which have been designated as EFH by the National Marine Fisheries Service.

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

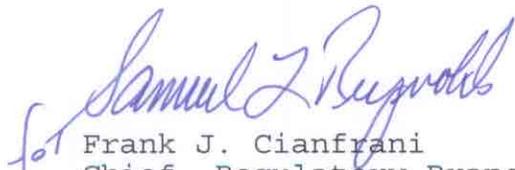
applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. 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.

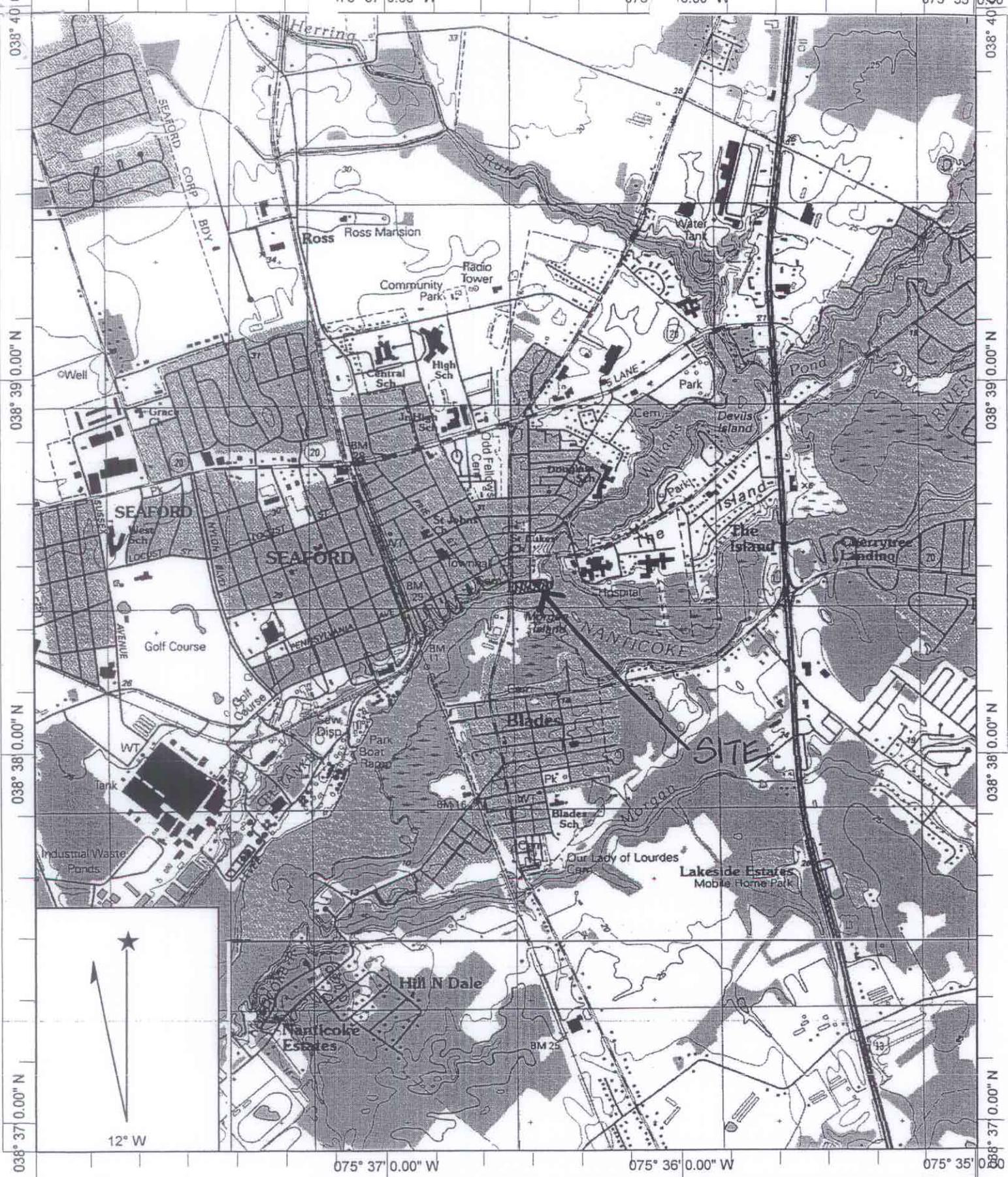
In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

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 John G. Brundage at (302) 736-9763 between the hours of 1:00 and 3:30 p.m. or writing this office at the above address.

  
for Frank J. Cianfrani  
Chief, Regulatory Branch



Name: SEAFORD EAST  
 Date: 5/30/2006  
 Scale: 1 inch equals 2000 feet  
 Sheet 1 of 9

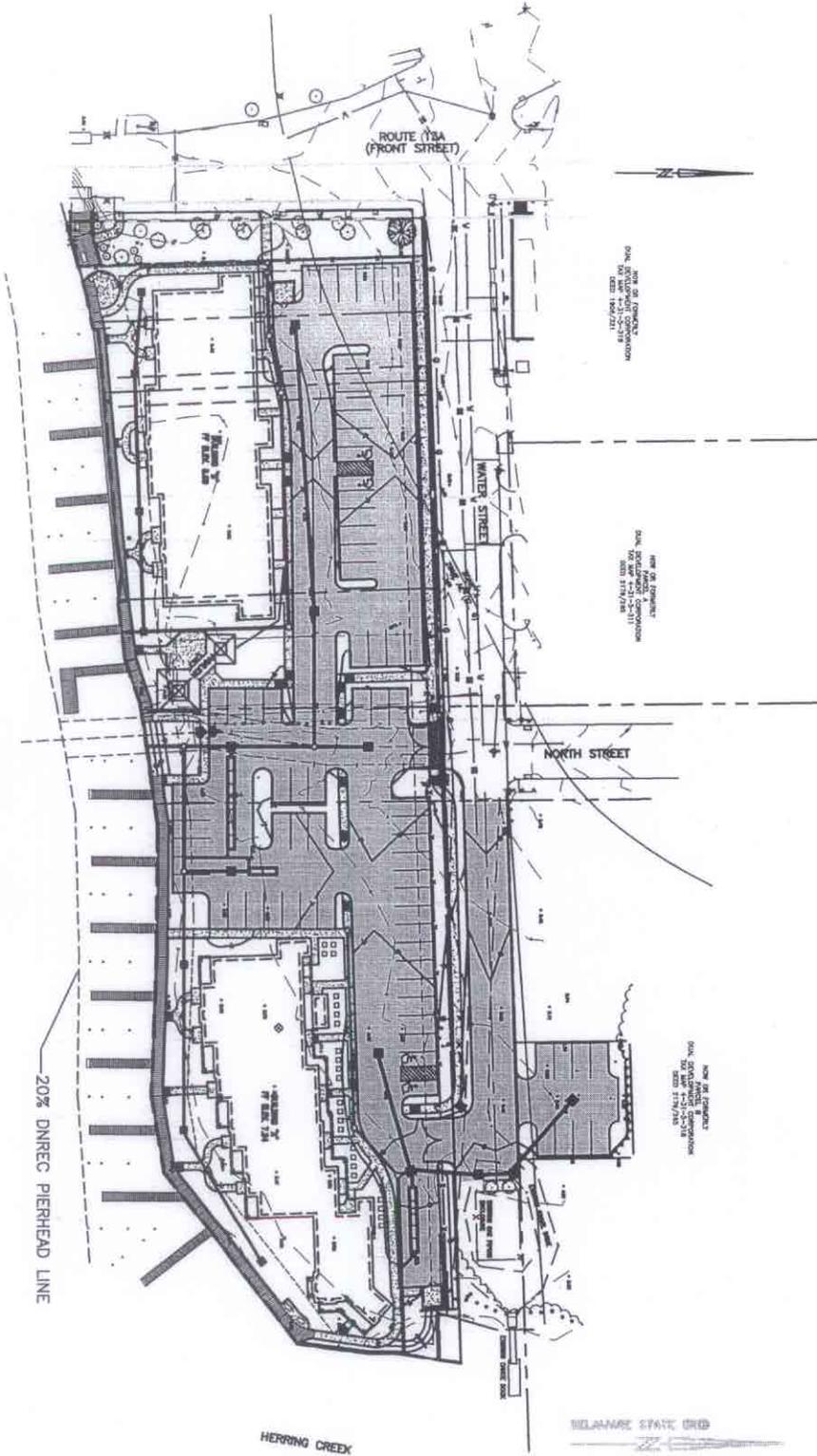
Location: 038° 38' 27.0" N 075° 36' 35.5" W

PROJECT LOCATION  
**E-1**

RIVERPLACE MARINA  
 25 SLIPS ON NANTICOKE  
 RIVER, SEAFORD DE.

**SITE PLAN**

**NANTICOKE RIVER**



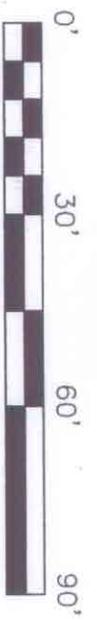
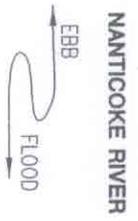
**dbf** DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441

**E-2**

**RIVERPLACE**  
**25 SLIPS NANTICOKE RIVER**  
**SUSSEX COUNTY, DELAWARE** 2 OF 9

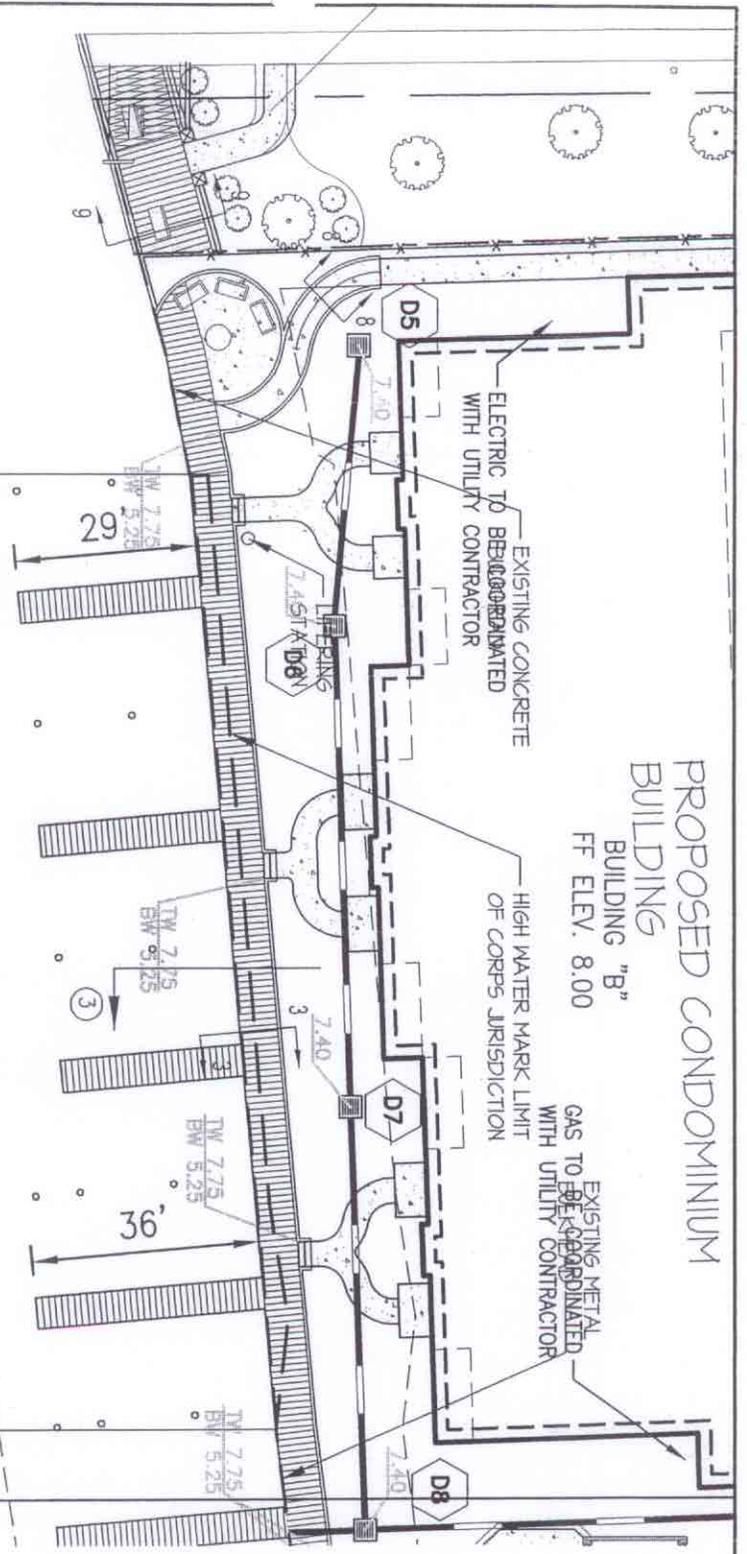
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**PLAN**

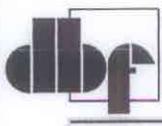
150' LF REPLACEMENT OF EXISTING  
TIMBER BULKHEAD SEE SHEET 7

DNREC 20% PIERHEAD LINE



**PROPOSED CONDOMINIUM  
BUILDING "B"**  
FF ELEV. 8.00

MATCH LINE DRAWING NUMBER 4 OF 9



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BOWEN &  
FRIEDEL, INC.** ARCHITECTS ENGINEERS SURVEYORS

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**E-3**

**RIVERPLACE MARINA  
25 SLIPS NANTICOKE RIVER  
SEAFORD, DELAWARE**

**SHEET 3 OF 9**

Date: 08/28/2006

Scale: 1"=30'

Proj.No.: 438G037B

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SEE TYPICAL PIER PLAN DETAIL  
SHEET 6 OF 9



PLAN



COMMUNITY SERVICE / RECREATION PIER WITH  
MARINE PUMP OUT STATION, TEMPORARY MOORING ONLY

SAFETY  
LADDER

DIRECT 20% PIERHEAD LINE

LIFE RING  
STATION

UTILITY  
EASEMENT

REMOVE EXIST.  
DECK & INSTALL  
55 LF OF RIP-RAP (50 CYD5)  
OVER EXIST. STONE  
MEAN HIGH WATER  
LINE  
HIGH WATER  
MARK

EXISTING  
METAL  
BULKHEAD

HARBORMASTER ROOM, DOCK PAVILION &  
REST ROOM, TELEPHONE, FIRE EXTINGUISHER,  
& BULLETIN BOARD WITH MARINA RULES  
AND EMERGENCY CONTACT NUMBERS

AREA TO BE FILLED ABOVE  
MEAN HIGH WATER LINE  
AFTER REMOVAL OF  
EXISTING RIP RAP

PROPOSED  
CONDOMINIUM  
BUILDING



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E-4

RIVERPLACE MARINA  
25 SLIPS NANTICOKE RIVER

SEAFORD, DELAWARE SHEET 4 OF 9

Date: 08/28/2006

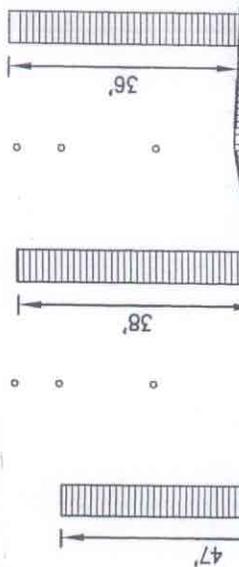
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Proj.No.: 438G037B

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PROPOSED CONDOMINIUM BUILDING

DIRECT 20% PIERHEAD LINE



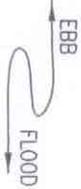
EXISTING METAL BULKHEAD

EMERGENT VEGETATION

HERRING CREEK

HERRING CREEK

NANTICOKE RIVER



PLAN



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DAVIS, BOWEN & FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

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E-5

RIVERPLACE MARINA  
25 SLIPS NANTICOKE RIVER  
SEAFORD, DELAWARE

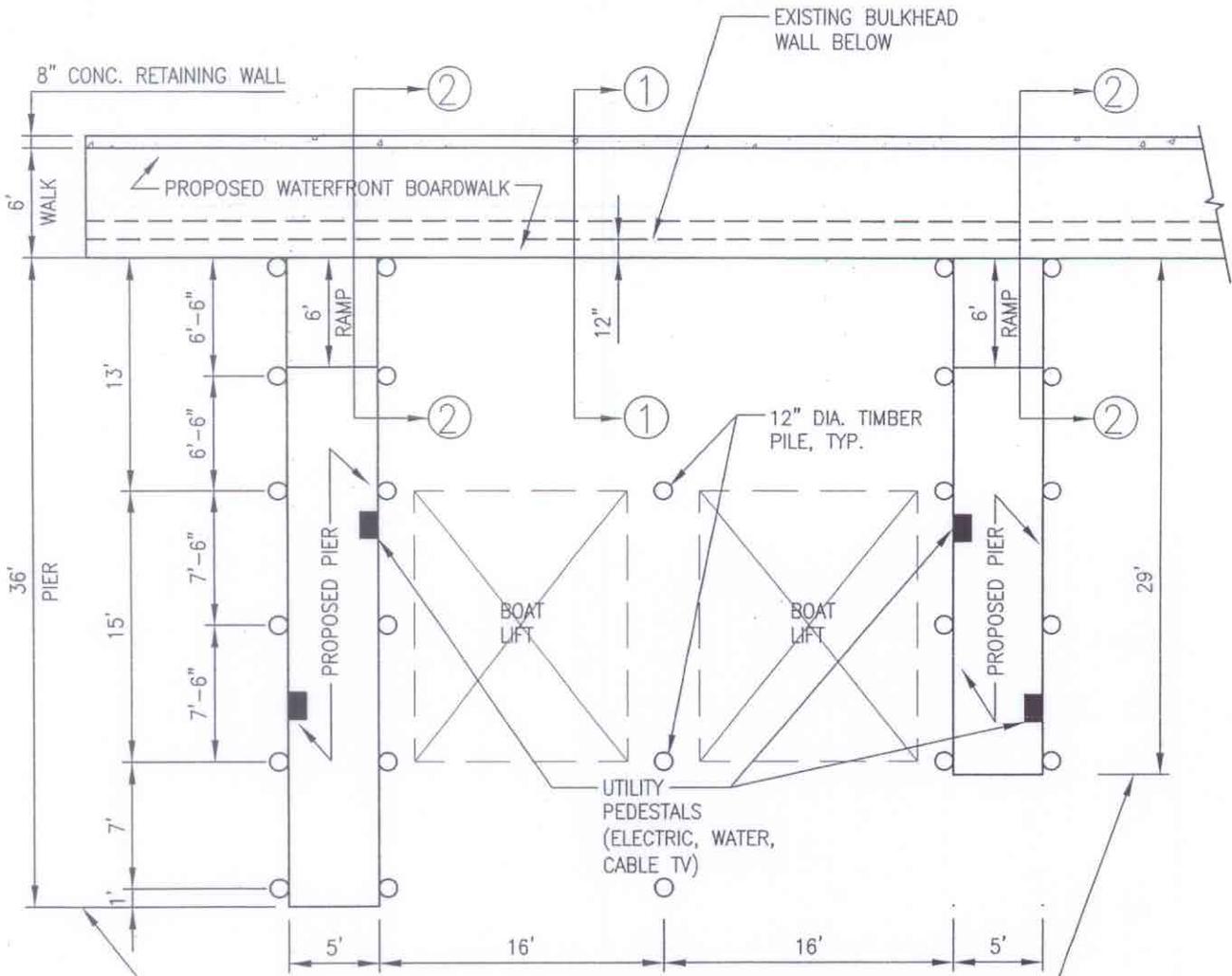
SHEET 5 OF 9

Date: 08/28/2006

Scale: 1"=30'

Proj.No.: 438G037B

NOTE:  
TOP OF EXISTING BULKHEAD = 3.70±



### TYPICAL PIER DETAIL

NOTE: PIER LENGTHS VARY REFER TO SITE PLAN

- 3 MOORING PIERS - 29' LONG
- 7 MOORING PIERS - 36' LONG
- 1 MOORING PIERS - 38' LONG
- 2 MOORING PIERS - 47' LONG
- 1 COMMUNITY SERVICE PIER 36' LONG



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**E-6**

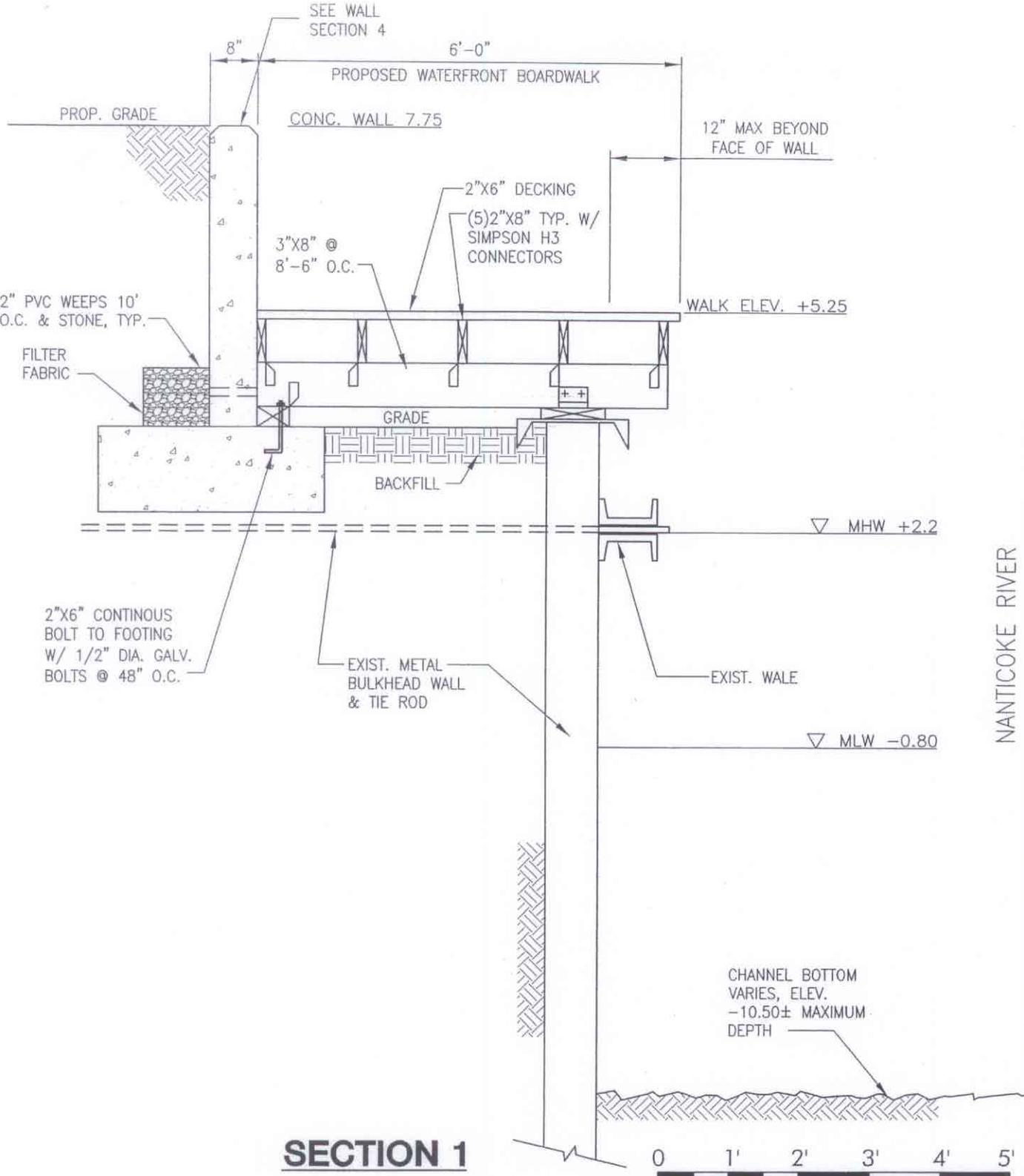
SALISBURY, MARYLAND (410) 543-9091  
MILFORD, DELAWARE (302) 424-1441

**RIVERPLACE MARINA**  
**25 SLIPS NANTICOKE RIVER**

**SEAFORD, DELAWARE SHEET 6 OF 9**

Date: 08/28/2006 Scale: 1"=10'-0" Proj.No.: 438G037A

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**SECTION 1**



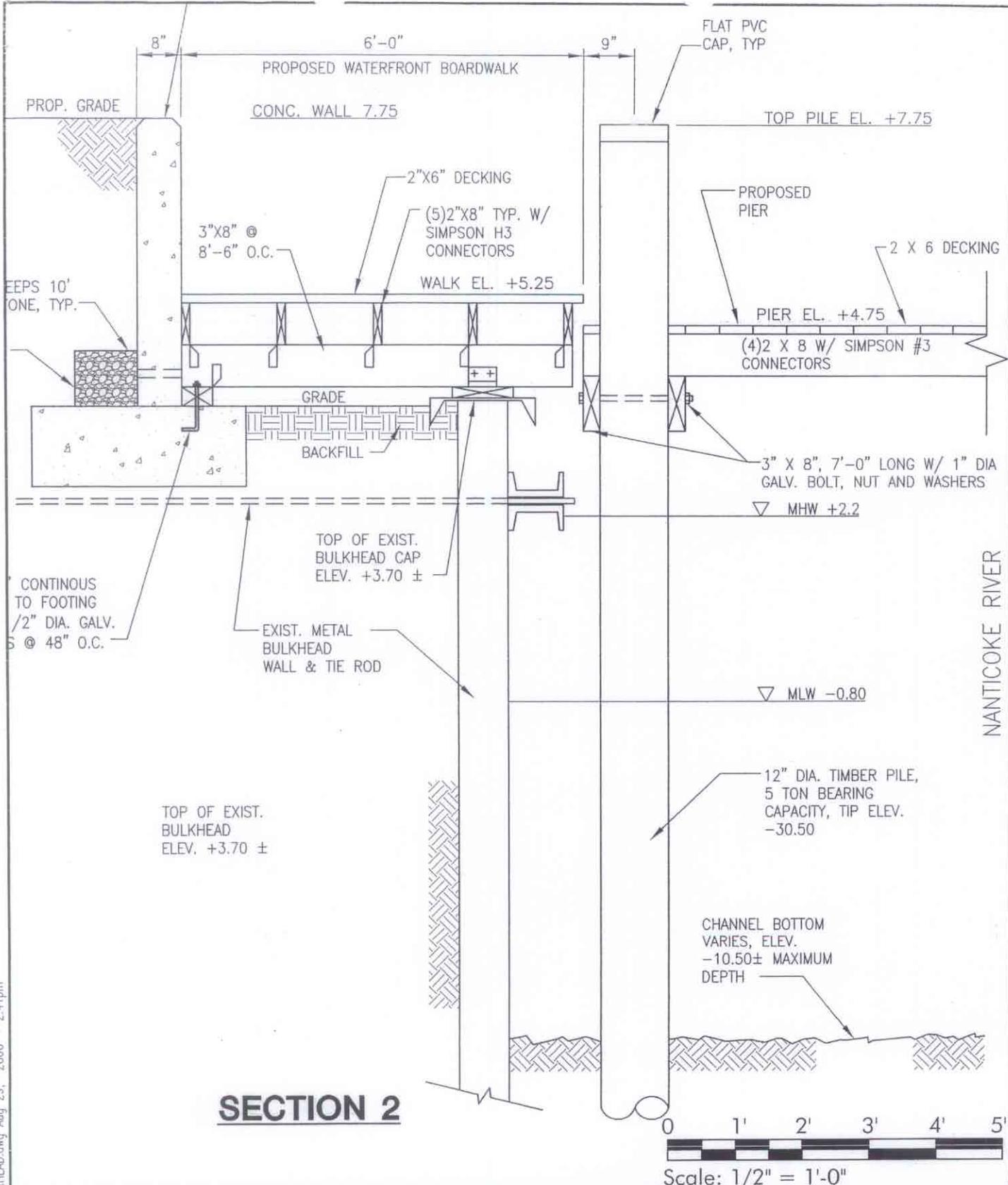
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**E-7**

**RIVERPLACE MARINA**  
**25 SLIPS NANTICOKE RIVER**  
**SEAFORD, DELAWARE SHEET 7 OF 9**

Date: 08/28/2006 Scale: 1/2" = 1'-0" Proj.No.: 438G037A



**SECTION 2**

Scale: 1/2" = 1'-0"

**dbf** DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS

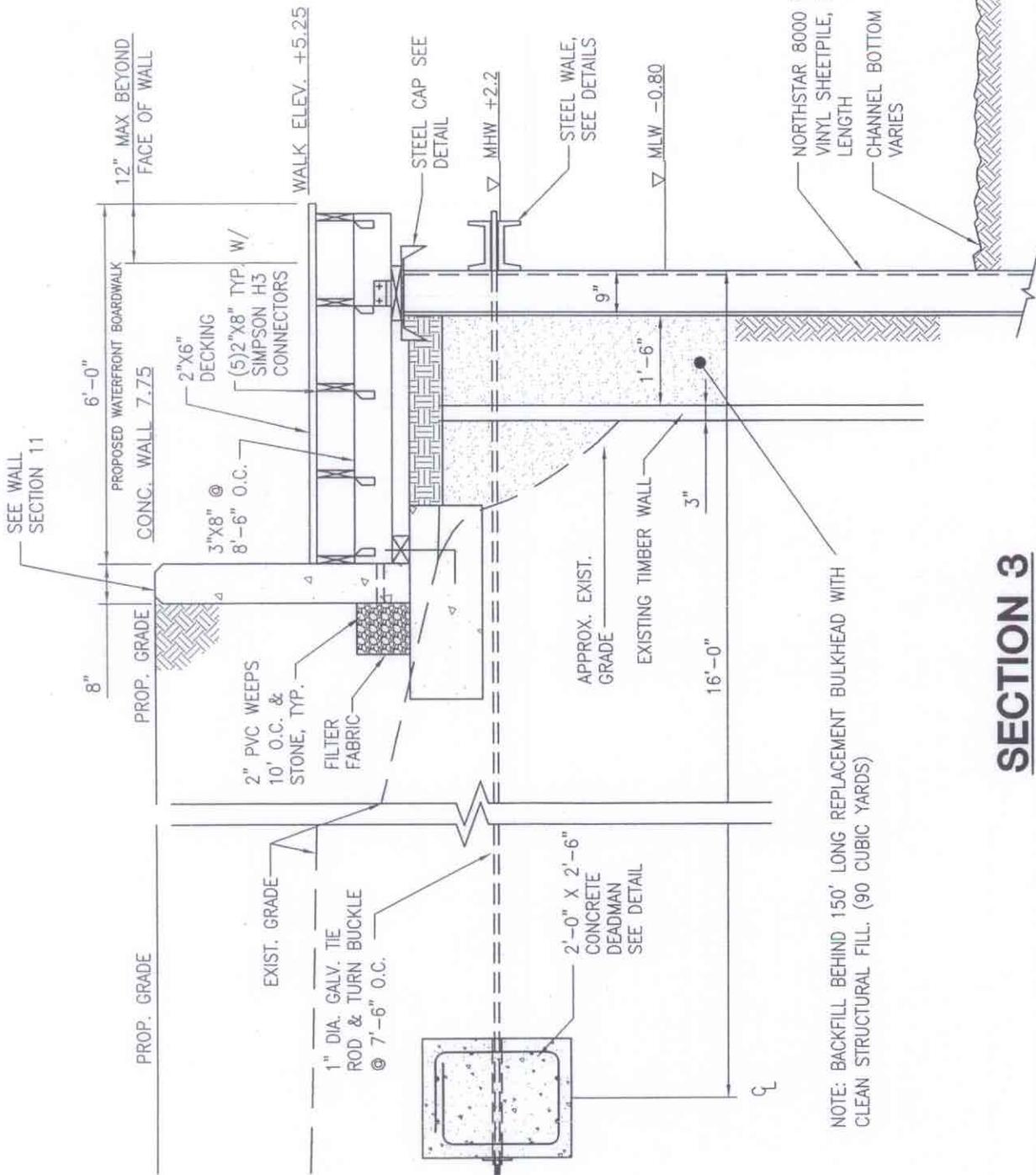
**E-8**

**RIVERPLACE MARINA**  
**25 SLIPS NANTICOKE RIVER**  
**SEAFORD, DELAWARE SHEET 8 OF 9**

SALISBURY, MARYLAND (410) 543-9091  
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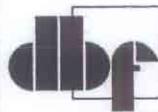
Date: 08/28/2006 Scale: 1/2" = 1'-0" Proj.No.: 438G037A

P:\438G037A\CD\PIER-BULKHEAD.dwg Aug 29, 2006 - 2:41pm



**SECTION 3**

NOTE: BACKFILL BEHIND 150' LONG REPLACEMENT BULKHEAD WITH CLEAN STRUCTURAL FILL. (90 CUBIC YARDS)



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BOWEN &  
FRIEDEL, INC.** ARCHITECTS ENGINEERS SURVEYORS

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**E-9**

**RIVERPLACE MARINA  
25 SLIPS NANTICOKE RIVER**

**SEAFORD, DELAWARE SHEET 9 OF 9**

Date: 08/28/2006

Scale: 3/8" = 1'-0"

Proj.No.: 438G037A