



**US Army Corps  
of Engineers®**

Mispillion Inlet, Milford, DE

# **Mispillion Inlet Section 111 Shore Damage Mitigation Project**

Appendix D – Real Estate

April 2026

NAP

**North Atlantic Division  
Philadelphia District**



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protects the nation's aquatic resources while enhancing the region's economy... by pioneering solutions with regional and national partners (and volunteers) to ensure water navigation, reduce flood risk, encourage recreation, preserve and restore streams and ecosystems, and prepare for and respond to disasters.

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**Mispillion Inlet, Milford  
Sussex  
County, Delaware  
Section 111 Shore Damage Mitigation Project**

**MARCH 2026**

**DRAFT REAL ESTATE PLAN**

**Contents**

1. Statement of Purpose .....	1
2. Real Estate Requirements .....	2
3. Real Estate Owned by the Non-Federal Sponsor .....	5
4. Non-Standard Estates .....	6
5. Existing Federal Projects .....	6
6. Federally Owned Land .....	7
7. Federal Navigation Servitude .....	7
8. Real Estate Mapping .....	7
9. Induced Flooding .....	7
10. Baseline Cost Estimate for Real Estate .....	7
11. Uniform Relocation Assistance (Public Law 91-646) .....	7
12. Minerals and Timber Activity .....	8
13. Non-Federal Sponsor Capability Assessment .....	8
14. Land Use Zoning .....	8
15. Real Estate Acquisition Schedule .....	8
16. Facility and Utility Relocations .....	8
17. Environmental Contamination .....	9
18. Project Public Support .....	9
19. Non-Federal Sponsor Risk Notification .....	9
20. Other Pertinent Information .....	9

**Exhibits and Attachments**

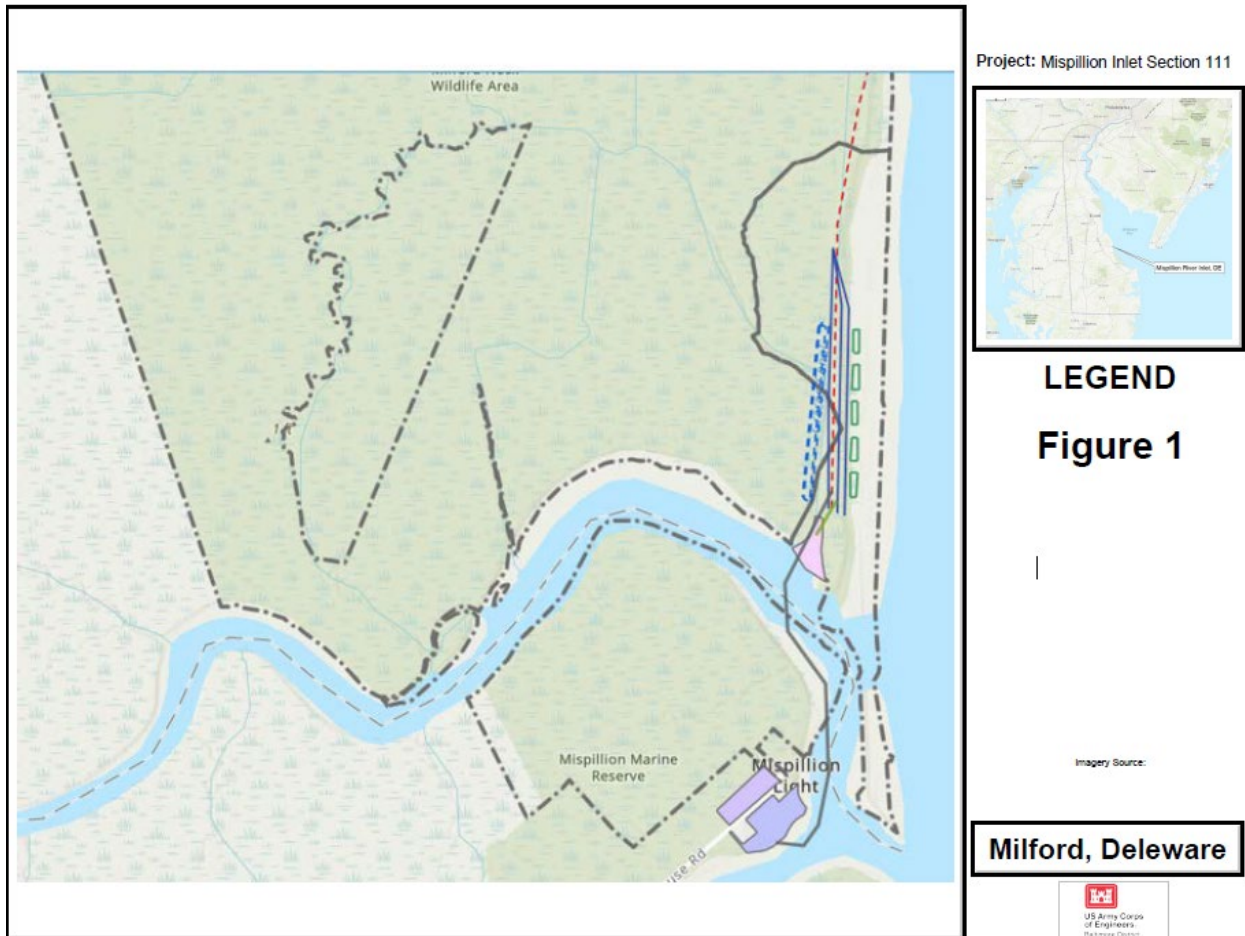
**Exhibits**

Exhibit A - Real Estate Maps .....	11
Exhibit B - Non-Federal Sponsor Capability Assessment Form .....	14

## 1. Statement of Purpose

a. Purpose –This Draft Real Estate Plan (REP) is provided in support of the Mispillion Inlet Section 111 Shore Damage Mitigation Project (the “Project”) and is an appendix to the Project’s Draft Integrated Feasibility Report (the “main report”). The purpose of this REP is to describe the Lands, Easements, and Rights-of-Way, Relocations, and Disposal Area (LERRD) requirements for construction of the Projects Recommended Plan. This REP summarizes the required LERRDS, costs to acquire the LER, real estate acquisition schedule, facility and utility relocations that may be necessary to facilitate construction, and other pertinent real estate information regarding the Tentatively Selected Plan’s LERRD requirements. A Map of the study area is shown below in Figure 1.

**Figure 1**



b. Study Authorization –The authority for this project is Section 111 of the River and Harbor Act of 1968 (Public Law 90-483), as amended. Under this authority, the U.S. Army Corps of Engineers (USACE) is authorized to investigate, study, plan, design, and implement measures for the prevention or mitigation of shore damages to non-Federal public and privately owned shores that are directly attributable to Federal navigation works. Federal participation is limited to mitigating only those damages caused by the Federal navigation project.

c. Non-Federal Sponsor – The non-Federal sponsor for the project is the Delaware Department of Natural Resources and Environmental Control (DNREC). DNREC has been identified as the non-Federal entity in coordination with USACE, Philadelphia District, for the Mispillion Inlet Section 111 Shore Damage Mitigation Project. The project is 100% federally funded, however the DNREC as the non-Federal Sponsor is responsible for providing all necessary LERRDs at zero cost to the Federal Government, in accordance with the original project authorization as required under CAP 111 regulation.

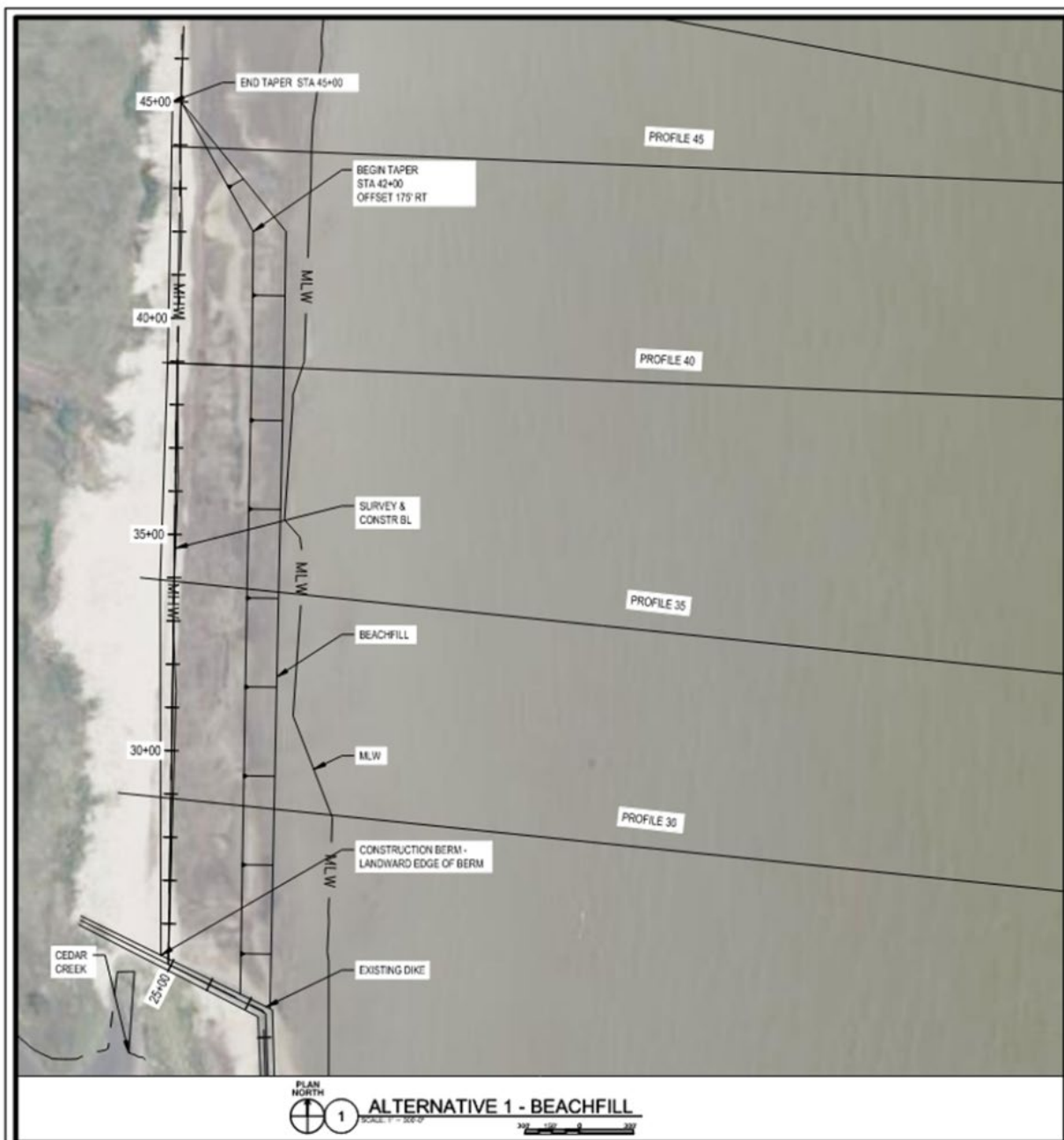
## 2. Real Estate Requirements

### a. Tentatively Selected Plan

Alternative F is the Tentatively Selected Plan for this shoreline protection project. The Recommended Plan consists of the following components:

- **Sand Source:** A sufficient quantity of suitable sand will be sourced from a local, approved quarry. The material will be transported to the project site via truck.
- **Beach Fill Placement:** Approximately 80,500 cubic yards of sand will be placed along 1,700 feet of shoreline adjacent to the Mispillion Inlet on Conch Bar, north of the rock dike. The sand will be graded to create a 150-foot-wide protective berm with a crest elevation of +5 feet NAVD88.150 foot berm.
- **Construction and Staging:** All construction activities, including truck hauling routes, material stockpiling, and equipment staging, will be performed in a manner that minimizes disruption to public access and the local environment.

**Figure 2**




**SHEET NUMBER  
SK-001**

MISPILLION INLET, MILFORD, SUSSEX  
COUNTY, DELAWARE

**MISPILLION INLET  
FEASIBILITY STUDY**

ALTERNATIVE 1  
BEACHFILL

DWN BY: A. JERBASI	DES BY: A. JERBASI	PROJ. DATE: TSP - 07 18 2025
CKD BY: O. DURR	REVIEWED BY: G. GEISSELE	SOLICITATION NUMBER: PROJECT #
 US Army Corps of Engineers Philadelphia District		CONTRACT NUMBER: SOL #
		PROJ. NUMBER: CONTRACT #



b. Required Lands, Easements, and Rights-of-Way –

A temporary work area easement (TWAE) is required to store, maintain, laydown, and place the dredge material pipeline. The same TWAE will be used for the one-time placement of the dredged material upon the beach and all related construction activities. There are no anticipated mitigation requirements for the work required under the TSP, therefore no additional mitigation lands are required.

Table-1: Estate

Estate Type	Acres
Fee	0
FPLE <sup>1</sup>	0
NSME <sup>2</sup>	0
TWAE <sup>3</sup>	162
FNS <sup>4</sup>	0
<b>Total Acres</b>	<b>162</b>

Table-2: Ownership Type

Ownership Type	No. of Parcels
Private	0
Public	0
Sponsor	5
<b>Total Parcels</b>	<b>5</b>

c. Land Value Estimate

No formal land value estimate or appraisal was prepared by USACE for LERRDs required for the Mispillion Inlet Section 111 Shore Damage Mitigation Project.

The project is 100% federally funded, however DNREC as the non-Federal is responsible for providing all necessary LERRDs at zero cost to the Federal Government, in accordance with the original project authorization as required under CAP 111 regulation.

**3. Real Estate Owned by the Non-Federal Sponsor**

The non-Federal sponsor, DNREC, owns several parcels of land within or adjacent to the project area that are necessary for the construction of the Mispillion Inlet Section 111 Shore Damage Mitigation Project. These state-owned properties include public beaches, coastal dunes, access areas, and associated lands north of Mispillion Inlet, including the shoreline identified as experiencing accelerated erosion attributable to the Federal Navigation Project.

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<sup>1</sup> FPLE – Flood Protection Levee Easement  
<sup>2</sup> NSCE – Non-standard Mitigation Easement  
<sup>3</sup> TWAE – Temporary Work Area Easement  
<sup>4</sup> FNS – Federal Navigation Servitude

The following tax parcels, located in Sussex County / Kent County, Delaware (near Milford and the Mispillion Harbor/Milford Neck Nature Preserve area), are owned by DNREC and may be utilized for project features such as placement of beach fill material, dune restoration, and equipment access:

- Tax Parcel 330-5.00-9.00-9.00
- Tax Parcel 330-5-00-7-02
- Tax Parcel 5-00-165500-01-0400-0000001
- Tax Parcel 5-00-154400-01-0900-0000001
- Tax Parcel 33-5-00-10.0

These parcels are part of DNREC-managed public lands, including state-owned beaches and areas associated with the DuPont Nature Center (located at the end of Lighthouse Road in Milford), the Mispillion Harbor Reserve, and adjacent coastal habitats.

Per Delaware State Code, the Chief of DNREC also controls riparian lands under the Mean High Water Line, making those available for project use as required.

#### **4. Nonstandard Estates**

No nonstandard estates are required or proposed for the Mispillion Inlet Section 111 Shore Damage Mitigation Project.

#### **5. Existing Federal Projects**

The Mispillion Inlet jetty and navigation project was constructed by the USACE between 1893 and 1939. Over this 46-year period, the project was progressively modified, resulting in significant impacts to adjacent shorelines, including increased erosion.

Existing features of the Mispillion River navigation project include rock dikes and closures constructed in response to repeated breaching of the barrier island. An initial breach (“Conch Bar”) occurred during a 1977 storm and was closed with a rock dike in 1985. Continued erosion and additional storms led to further breaches and dike extensions in 1987, 1993, 1995, 2009, and 2016–2018. The navigation channel was last dredged in 2009, with dredged sediment placed on the beach north of the inlet to help mitigate erosion and restore habitat.

These ongoing shoreline erosion issues, repeated breaching events, and the need to protect nearby communities and infrastructure from storm damage are the primary reasons the current project is being conducted. The proposed action will address long-standing coastal challenges by stabilizing the shoreline and reducing future erosion and breaching risks.

**6. Federally Owned Land**

The recommended plan includes no federally owned lands as part of the LERRD.

**7. Federal Navigation Servitude**

Navigable servitude would apply due to the project’s nexus to navigation. However, any lands below the MHWL are controlled by the DNREC and will be provided as part of the project real estate.

**8. Real Estate Mapping**

See project mapping and tax parcel information located in Exhibit A. More detailed mapping will be developed in subsequent phases as more detailed information is developed.

**9. Induced Flooding**

No induced flooding is anticipated or will result from the Mispillion Inlet Section 111 Shore Damage Mitigation Project.

**10. Baseline Cost Estimate for Real Estate**

A Baseline Cost Estimate for Real Estate (BCERE) was prepared in accordance with Chapter 12, section 12-18. For this project, LERRD requirements under Account 30 include all administrative costs for the Federal Government and the real estate risk contingency estimates.

Project Cost Category	Federal	Non-Federal	Contg	Total
Total 01-Lands and Damages	\$20,000		\$4,000	\$24,000
Total 02-Relocations (Utility/Facility)				
Total Project BCERE	\$20,000		\$4,000	\$24,000

**11. Uniform Relocation Assistance (Public Law 91-646)**

No relocation assistance is required or anticipated under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646), as amended (42 U.S.C. sec. 4601), for the Mispillion Inlet Section 111 Shore Damage Mitigation Project.

## **12. Minerals and Timber Activity**

There are no known present or anticipated mineral extraction or timber harvesting activities with the LER required for the TSP.

## **13. Non-Federal Sponsor Capability Assessment**

The non-federal sponsor capability assessment for the Mispillion Inlet Section 111 Shore Damage Mitigation Project remains in progress. An assessment will be incorporated into the Draft REP after coordination with DNREC.

## **14. Land Use Zoning**

There will be no application or enactment of zoning ordinances in lieu of, or to facilitate, the Recommended Plan.

## **15. Real Estate Acquisition Schedule**

The non-Federal sponsor will officially initiate real estate acquisition activities only after final execution of the Project Partnership Agreement (PPA) and upon receipt of the Notice to Proceed with Real Estate Acquisition from USACE. As a PPA execution date has not yet been established and the schedule remains pending final coordination and approval, no specific timeline for real estate acquisition is included in the report at this time.

a. PPA Execution	TBD – Start Date
b. Forward Maps to Sponsor	Within 1 week of Start Date
c. Survey and Title Work	Within 12/14 weeks of sponsor map receipt
d. Appraisals receipt	Within 8/10 weeks of survey and title
e. Review Appraisals	Within 4 weeks of appraisal receipt
f. Negotiations	Within 8/9 weeks after appraisal review
g. Closings	Within 6 weeks of completion of negotiations
h. Possession	Within 1 day of closings
i. Certification of Real Estate	Within 1 week of possession; requires the transmittal of the NFS's Authorization for Entry for Construction and Certificate of Authority
j. Condemnation/Eminent Domain	Within 1 year of failure of Negotiations

## **16. Facility and Utility Relocations**

No facility or utility relocations will be performed for this project.

## **17. Environmental Contamination**

No excavation, dredging, or sediment disposal will occur as a result of the project. Sand used for beach nourishment will come from a permitted quarry. Therefore, it is considered unlikely that the project would pose concerns of encountering hazardous, toxic, or radioactive waste materials (HTRW).

There are no known HTRW or suspected presence of contaminants that are in, on, under, or adjacent to the placement area.

## **18. Project Public Support**

Views of the public, stakeholders, and tribes will be provided in the final report after a period of public review for the Draft Feasibility report and all interested parties have had the opportunity to review the current TSP.

## **19. Non-Federal Sponsor Risk Notification**

The Risk Notification was sent to the NFS on March 30, 2026.

## **20. Real Estate Risks**

A potential real estate conflict exists due to overlapping uses in the project area, including possible use of the Dupont Nature Center (owned and operated by the Delaware Department of Natural Resources and Environmental Control (DNREC) division of Fish and Wildlife within the Milford Neck Nature Preserve/ Mispillion Harbor Reserve) as a staging area by USACE for project implementation, as well as a potential DNREC-led shoreline restoration or beach/dune project south of the Mispillion Inlet jetty that could interface with or affect non-structural measures, access, or adjacent real estate interests. This introduces risks of schedule delays, increased coordination costs, and liabilities related to shared land use or environmental impacts, primarily stemming from concurrent federal and state activities in the same sensitive coastal zone; these risks are relative to critical path elements such as real estate acquisition, permitting, and construction mobilization.

PREPARER:

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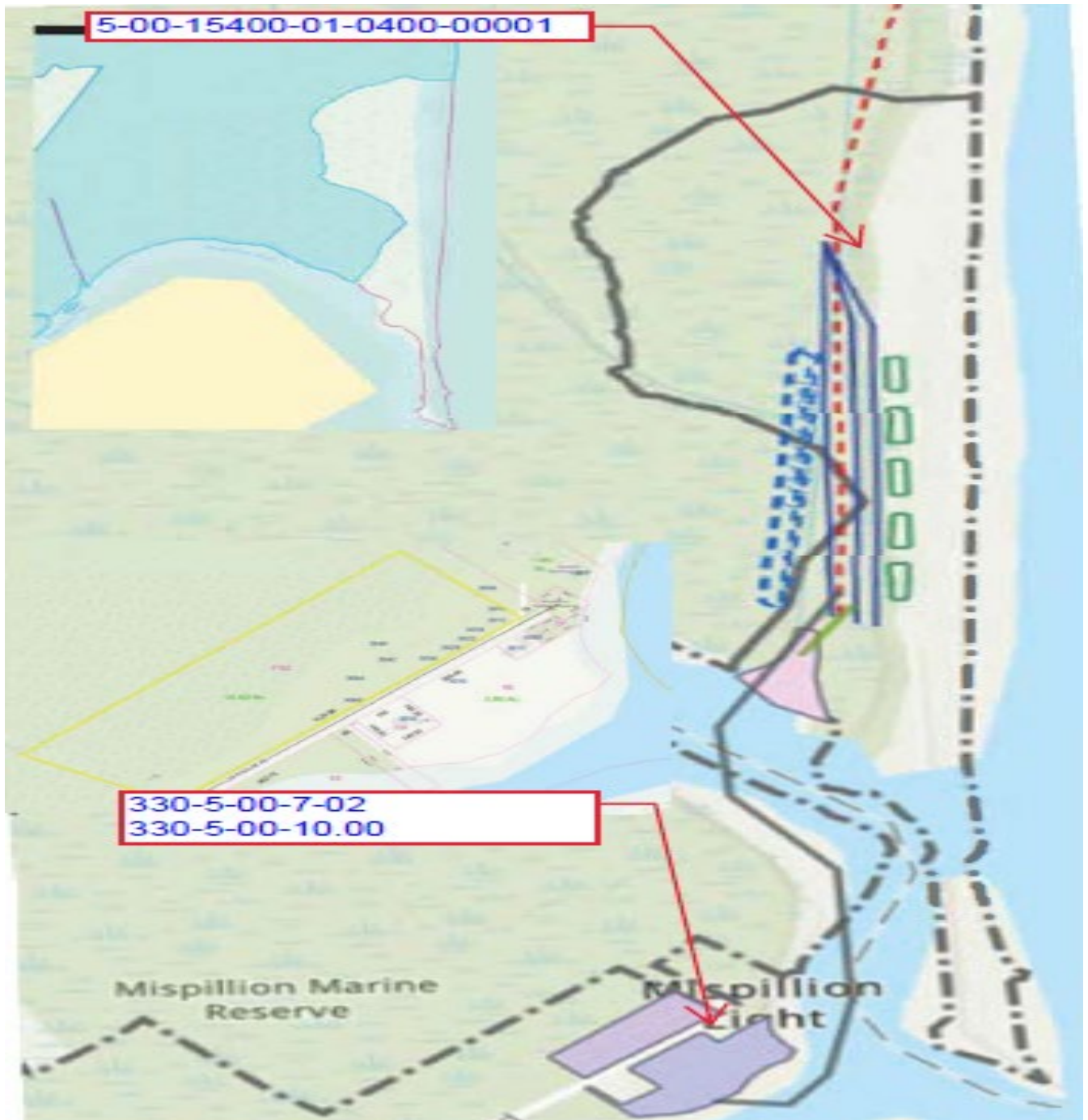
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**Exhibit A**  
**Real Estate Maps**





**Exhibit B**

**Non-Federal Sponsor Real Estate Acquisition  
Capability Assessment Form**

Please be advised that the assessment is currently underway and will be provided as soon as coordination is complete with the NFS.