



**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-2015-843** Date January 15, 2016

Application No. **CENAP-OP-R-2015-843** File No. **CENAP-OP-R-2015-843-85**

In Reply Refer to:
REGULATORY BRANCH

Reference is made to 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), submitted by the Delaware River and Bay Authority to construct a floating dock consisting of 4, 45 feet long by 8 feet wide sections connected to the existing Lay Pier via 32 feet Long gangway and secured to 11, 14 inch diameter driven concrete filled composite pipe piles at 43 Henlopen Drive (Tax Map Parcel 3-35-5.00-17.00) Lewes, Sussex County, Delaware. The purpose of this notice is to respond to comments from the general public in response to our public notice for this application issued on August 20, 2015.

After a complete review of the permit application and in full consideration of the comments and recommendations received in response to our public notice, we have decided to issue a Department of the Army permit to the Delaware River and Bay Authority. No objections to the issuance of this permit were received from State, local and other Federal resource agencies (Delaware Department of Natural Resources and Environmental Control, City of Lewes, Environmental Protection Agency, Fish and Wildlife Service, and the National Marine Fisheries Service) concerning the effects of the proposed work on resources within their jurisdictions.

The main concerns expressed in public comments received were the potential increase in recreational vessel traffic that may result in additional beach erosion, pollutants entering the waterway and safety issues to surrounding recreational areas. This area is currently subject to high recreational vessel traffic, whereas the configuration of the proposed floating dock only allows for approximately nine recreational vessels to be moored at any time. Furthermore, recreational vessels would only have access to the floating dock during the operational hours of the ferry. Given the existing vessel traffic conditions and the limited number of proposed berthing slips, the Corps of Engineers has determined that the proposed floating dock would not have unacceptable environmental or social effects, nor would it be contrary to the public interest.

If you should have any questions regarding this matter, please contact Michael D. Yost at (302) 736-9763, by e-mail at michael.d.yost@usace.army.mil or write to the above address.

Samuel L. Reynolds
Acting Chief, Regulatory Branch