

REPAIR SAA – PERMIT CONDITIONS

PERMIT CONDITIONS:

1. The activities authorized by this SAA shall be completed in accordance with the terms and conditions of the Department of the Army Permit SPGP-20.
2. Replaced structures shall be removed from the water and disposed of at an appropriate upland disposal site.
3. The structures authorized by this SAA shall be constructed within the exact footprint of the existing structure.
4. The use of creosote treated timber or asphalt for any project is strictly prohibited. The use of vinyl, recycled plastic lumber, polymer coatings or other alternative construction materials rather than CCA or ACQ treated lumber is encouraged and preferred.
5. The permittee and contractor shall at all times comply with all applicable laws and regulations of the Department of Natural Resources and Environmental Control.
6. The activities authorized herein shall be constructed in accordance with the approved plan.
7. A copy of the Approved Permit, the Approved Plans and the Permit Conditions shall be available on-site during all phases of construction.
8. Construction of the structures authorized herein shall be completed within one (1) year from the date of issuance.
9. The activities authorized herein shall be undertaken in accordance with the permit conditions, the final stamped and approved plans, and with the information provided in the SAA application.
10. A copy of the SAA and the stamped approved plans shall be available on-site during all phases of construction activity.
11. The conditions contained herein shall be incorporated into any and all construction contracts associated with the construction authorized herein. The permittee and contractor are responsible to ensure that the workers executing the activities authorized by this SAA have full knowledge of, and abide by, the terms and conditions of this SAA.
12. The permittee shall protect and save the State of Delaware harmless from any loss, cost or damage resulting from the activities authorized herein.

13. The issuance of this SAA does not constitute approval for any activities that may be required by any other local, state or federal government agency.
14. The issuance of this SAA does not imply approval of any other part, phase, or portion of any overall project the permittee may be contemplating.
15. This SAA authorizes only the activities described herein. Modifications to the project may require a supplemental approval from this office prior to the initiation of construction. A determination of the need for a supplemental approval will be made by this office pursuant to the permittee submitting written notification and revised plans indicating project changes. Failure to contact the Department prior to executing changes to the project shall constitute reason for this SAA being revoked.
16. Representatives of the Department of Natural Resources and Environmental Control shall be allowed to access the property to inspect all work during any phase of the construction and may conduct pre and post-construction inspections, collect any samples or conduct any tests that are deemed necessary.
17. The activities authorized herein shall be conducted so as not to violate the State of Delaware's Surface Water Quality Standards, as amended July 11, 2004.
18. All construction materials, waste, or debris associated with this activity shall be properly disposed of and contained at all times to prevent its entry into waters or wetlands. Construction materials shall not be stockpiled in subaqueous lands or wetlands.
19. Disturbance of subaqueous lands or wetlands adjacent to the authorized structures or activities is prohibited. Disturbance of subaqueous lands or wetlands in the path of construction activity shall be minimized. Any temporarily impacted subaqueous lands or wetlands shall be returned to pre-disturbance elevations and conditions.
20. The permittee and contractor shall employ measures during construction to prevent spills of fuels, lubricants or other hazardous substances. In the event of a spill, the permittee and contractor shall make every effort to stop the leak and contain the spill, and shall immediately contact the Hazardous Spill Response Team (HAZMAT) at 1-800-662-8802 and this office at (302) 739-9943. The permittee and contractor are responsible to comply with all directives to contain and clean up the spilled material(s) as stipulated by the HAZMAT team, and to restore the site as may be required by this office.
21. None of the activities authorized herein shall occur after the construction expiration date identified on Page 1 of this SAA. The permittee may file one construction expiration date extension request of up to one (1) year if necessary to complete the authorized work. Such requests must be received by the Department at least thirty (30) days prior to the construction expiration date.
22. The permittee shall notify the Wetlands and Subaqueous Lands Section prior to the commencement of the work authorized by this SAA.

23. The permittee shall maintain all authorized structures and activities in a good and safe condition.
24. Any actions, operations or installations which are found by the Department to be contrary to the public interest may constitute reason for the discontinuance and/or removal of said action, operation or installation. Removal and restoration shall be at the expense of the permittee and/or upland property owner within thirty (30) days of receipt of written notice of revocation and demand for removal.
25. Failure to comply with any of the terms or conditions of this SAA may result in enforcement action, which could include the revocation of this SAA, and subsequent restoration of the site to preconstruction conditions.

BULKHEAD REPLACEMENT CONDITIONS

1. The bulkhead shall be constructed prior to the filling of any land contained by said structure.
2. There shall be no excavation channelward of the permitted alignment either before, during or after the installation of the bulkhead.
3. No portion of the bulkhead shall be constructed using creosote treated timber.
4. No permanent structure (building, house, patio, porch, deck, or other such structure) shall be constructed on a bulkhead or any portion of the anchoring system or any adjacent area that would interfere with future repair and/or replacement of the bulkhead.
5. The bulkhead shall not be constructed channelward of the permittee's water-side property boundary without written permission from the underwater land owner.
6. Modular floating vessel platforms shall be removed during the off-season, when feasible.
7. New vinyl sheeting installed immediately to the face of the existing bulkhead shall not extend greater than 12 inches from the face of the existing bulkhead; the existing bulkhead can remain in place provided the material is NOT creosote treated.
8. The location of the bulkhead shall connect and align with adjacent shoreline erosion control measures wherever possible. Where there is no adjacent protective structure, a return shall be installed.
9. Filter cloth shall be used behind the bulkhead to prevent the loss of soil into the waterway.

CONDITIONS FOR DOCK/PIER/BOAT LIFT REPLACEMENTS

1. No portion of the decking on any dock, pier, or wetland walkway authorized by this Permit shall exceed the width dimensions for that structure identified on Page One of this Permit.
2. No portion of any pier or dock, including the piles, shall be constructed using creosote treated timber.
3. The activities authorized herein shall be constructed in the exact footprint of the old pier and/or dock and shall not impair water access to the adjoining property.
4. The boat lift shall be positioned adjacent to the pier in such a manner that no portion of the vessel extends channelward of the end of the pier when positioned on the lift.
5. This Permit does not authorize any future repairs below the water line, or any additions or modifications to the structures authorized herein. Such activities require separate written authorization from the Department of Natural Resources and Environmental Control.
6. The floating personal watercraft dock shall be removed from the water at the end of the boating season or during extended periods of non-use.