



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343

April 27, 2018

Mr. Robert Neal
272 North Front Street Suite 204
Wilmington, NC 28401

Dear Mr. Neal:

Thank you for your request to utilize Disposal Area (DA) 310 or 311, a Corps' Federally maintained Dredged Material Placement Facility (DMPFs). We have reviewed your request and coordinated it internally to ensure that we have taken into account all available information.

Under the Corps' Implementation Guidance issued on February 3, 2017, the Wilmington District is required to make several required findings before a project can be forward to our Division office in Atlanta for a final decision. The Wilmington District is tasked with determining whether sufficient capacity is available to accommodate the proposed non-federal dredged material without reducing the availability of the facility for federal project purposes. Excess capacity is defined as excess disposal capacity for the life of the federal project. As the Atlantic Intracoastal Waterway (AIWW) is a perpetual project, and has no project end date, all available capacity will be needed at some point in the future. However, since no excess capacity exists for placement of non-federal dredged material in DA 310 or 311, we are unable to make the required findings regarding your request to utilize this DMPF.

We realize that this decision may be different than in past years, but as stated earlier, our current guidance establishes additional requirements specifically related to available and future capacities. A copy of the above referenced Implementation Guidance can be obtained from the following website:

<https://cdm16021.contentdm.oclc.org/digital/collection/p16021coll11/id/1349>.

Thank you for your request, and if you have any further questions do not hesitate to contact Mr. Justin Arnette at 910 251-4196.

A handwritten signature in blue ink, appearing to read "Todd Horton".

Todd Horton
Deputy Chief of Navigation