

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



June 10, 2009

Mallard Lakes Homeowners Association
37976 Pelican Lane
Selbyville, DE 19975

ATTN: Mr. Stacy Selby

RE: Mallard Lakes Homeowners Association
Drainage Concept Evaluation
MRA 16402.105

Dear Mr. Selby:

The following is a summary of our discussion pertaining to the installation of a water control structure at the Mallard Lakes Community and recommendations for a approach to the permitting and design process.

Morris Ritchie Associates (MRA) and Environmental Resources, Inc. (ERI), have reviewed the email from James T. Chaconas, project manager at DNREC Wetlands & Subaqueous Lands Branch, which indicated that it may be possible to obtain a permit for a water control structure/floodgate. The email indicated it would be important to demonstrate the need for the floodgate to show that any adverse environmental and public impacts have been minimized.

Mr. Chaconas indicated that any water control structure would need to be designed so as to allow for tidal inundation of wetlands during normal conditions.

MRA and ERI can work jointly in regard to the environmental permitting and final engineering design of a suitable water control structure. The design would likely involve constructing a 35- to 40-foot-long water control structure, proximate to the S.R. 54 right-of-way upon which flow control measures would be installed. In order to have a reasonable chance of obtaining State and Federal permits, the design will need to allow twice daily tidal flushing of existing tidal wetlands on the north side of S.R. 54. When above average tidal flooding events occurred, the structure would minimize the potential for tidal water flooding the Mallard Lakes tidal ponds and adjacent properties. The design might also include a second opening for tide gate which would allow water to be discharged from the site on all occasions. A design relying on mechanical rather than electronic means of operating the water control structure would be preferred.

Existing condition surveys in the area proximate to the tide gate, assessment of local tide ranges, delineation of wetland boundaries in the vicinity of the structure and a conceptual hydrology review will be required in order to prepare a design concept suitable for initial presentation to State and federal resource agencies.

Upon review of a conceptual design with the Mallard Lakes Board, MRA and ERI would schedule a pre-application meeting with DNREC to obtain their comments and recommendations. A second pre-application meeting with the U.S. Army Corps of Engineers would follow.

Based upon the responses received during these meetings, the Board may elect to proceed with applying for the necessary State and federal permits and developing a final design.

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MRA and ERI currently estimate that a budget of eight thousand, five hundred dollars (\$8,500.) would be required to prepare a conceptual design, coordinate with the Board and make presentations at State and Federal pre-application meetings.

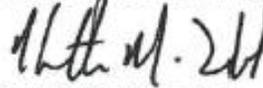
If the Board elects to proceed with the project, a DNREC Subaqueous Land/Wetland Permit application will need to be filed along with an application for an individual Department of the Army Permit. These applications will require the preparation of detailed permit drawings and discussions regarding hydraulics and environmental impacts of the proposed project. A public notice is required for each of the permits. Coordination with other State and federal resource agencies will be required. It would not be unlikely to expect that a hearing may be required by DNREC.

The cost of final permitting, design and building a water control structure is unknown at this time, however, we believe that the Board should have an expectation of budgeting at least sixty-five thousand dollars (\$65,000.).

Anticipated permitting time for this project once applications are submitted would be 4 to 6 months at best if a DNREC public hearing is not required. In the event a hearing is required, processing time would be up to one year. Upon notice to proceed, MRA and ERI could prepare a conceptual design and schedule pre-application meetings with the resource agencies within 3 months of notice to proceed.

Please let us know if you would like to proceed with a formal proposal for the conceptual planning and design services. We look forward to hearing from you soon.

Sincerely,
MORRIS & RITCHIE ASSOCIATES, INC.



Kenneth M. Usab, P.E.
Principal

KMU/amf