

Section 5.0 Comments and Coordination



**Final Environmental Assessment and
Nationwide Section 4(f) Evaluation**

V. CHRONOLOGY OF COORDINATION

As a result of agency coordination, project planning, and public involvement, the selected alternative for the bridge replacement project was developed in an effort to address the Purpose and Need for the Project and to avoid, minimize and mitigate overall environmental impacts.

V.A. Public Involvement: The public involvement effort for the conceptual and preliminary engineering phase of the project involved, several public meetings and activities. These efforts included a listening tour, design charrettes, and public workshops as described below.

V.A.1. Listening Tour: Before the design charrettes were scheduled, the project team identified potential stakeholders and conducted interviews of these stakeholders to determine expectations, desires, concerns, opinions, and positions. The objective of the interviews was to carefully listen to the comments and opinions of each stakeholder. Interviews were conducted with elected officials, state and local government officials, property and business owners, civic groups, environmental groups, and recreational groups. Refer to **Table 9** of the organizations and officials contacted.

V.A.2 Design Charettes: Design charettes are daylong workshops where the project team provides multiple presentations relating to the aesthetic design for the replacement bridge to learn participant preferences. The objectives of the design charettes were to provide an opportunity for:

- Community members participate in an active design process to shape a bridge that best reflects their vision.
- Create a bridge together that:
 - Adds both beauty and functionality for vehicle, bike and pedestrian traffic.
 - Compliment the natural landscape and recreational facilities enjoyed by Delaware citizens and visitors.
 - Is cost-effective and a beautiful structure, vital to the economy, and makes an aesthetic contribution to Delaware's Seashore.

Through this design charrette process, DelDOT and participants came together to work towards developing a bridge design that everyone is agreeable to and all participants will have pride in. After each item was discussed openly, participants voted their preferences on a particular aesthetic feature. Then the design team used the charrette preferences and comments expressed to develop the aesthetic design of the replacement bridge.

a. April 9, 2003 – Design Charette 1: The first design charrette was held in Rehoboth Beach, Delaware with an optional site tour conducted on April 8, 2003. The charette activities included the selection of a Project Theme, which was important because the theme helps to shape, define, and make congruent all the bridge elements. Other preference selections included: Pylon Shapes, Feature Lighting/Pathway Lighting, Traffic Railing Styles, and Theme Reflected in Bridge.

b. May 7, 2003 – Design Charette 2: The second design charette was also held in Rehoboth Beach, Delaware with the purpose of presenting proposed bridge aesthetic options, which were developed from the initial preferences and comments made by the charette participants. The first item presented for participant preference was the overall bridge shape and stay configuration. The single arch with radial stay option was selected from the five options presented. Other preference selections included:

Arch Option Back Span Preference

- Shape of Arch Form
- Lighting
- Pedestrian Railing Styles
- Stay Color

Table 9: Organizations and Officials Contacted Throughout Public Involvement Process

Federal Agencies	
US Army Corps of Engineers	U.S. Coast Guard Station
US Environmental Protection Agency	US Fish and Wildlife Service
National Marine Fisheries Service	Federal Highway Administration
Tribal Coordination¹	
Lenape Indian Tribe of Delaware	Nanticoke Indian Association
State Agencies	
Delaware Department of Transportation	Delaware Economic Development Office
Delaware State Police	Delaware National Guard
Delaware Seashore State Park	Office of State Planning Coordination
Delaware State Historic Preservation Officer	
Sussex County Government	
Sussex County Administrator	Planning and Zoning Commission
Sussex County Council	Economic Development Office
Local – City and Town Mayors	
City of Rehoboth Beach	Town of Dewey Beach
City of Lewes	Town of Bethany Beach
Town of Dagsboro	Town of South Bethany
Town of Fenwick Island	Town of Ocean View
Town of Millville	
Business or Non-Profit Organization	
La Casita de Georgetown	Rehoboth Outlets
Sierra Club	Jack R. Lingo Realty
Positive Growth Alliance	Millville Volunteer Fire Company
Rehoboth Volunteer Fire Company	Indian River Boating Association
Delaware Mobile Surf Fisherman's Assoc.	Center for Inland Bays
Rehoboth Beach/Dewey Beach Chamber of Commerce	University of Delaware, Dept. of Civil/Environmental Engineering
First State Community Action Agency	Bethany & Fenwick Area Chamber of Commerce
Indian River Boating Association	Southern Delaware Tourism

Business or Non-Profit Organization (Continued)	
Bethany-Fenwick Chamber of Commerce	Murray's Bait and Tackle
Sinclair's Cafe, Ltd.	Delaware Marine Trade Association
Sussex Bird Club	Old Inlet Bait & Tackle
Bethany Forest Homeowners Association	La Esperaza
Surfrider Foundation	Citizens Coalition
National Association of Retired Federal Employees	University of Delaware, Center for Innovative Bridge Engineering
Caldwell Banker Res. Brokerage	Bethany Beach Volunteer Fire Company
NAACP	Meridian Consulting Engineers
St. George's United Methodist Church	Environmental Consulting INTL, Corp.
Oak Square Suites, Ocean View	Sussex County Art League
Design Exchange Architects, Inc.	Architect/Planner, Inc.
George, Miles & Buhr, LLC	John Mateyko Architect, LLC
Moonlight Architecture, Inc.	Design Delmarva
Miken Builders	Fenwick Hardware
Delaware Greenways	Bethany Beach Watercolor Society
South Bethany Property Owners Association	The Cape Artists
The Millsboro Art League	DE Shore Project for the Arts
Penny Lane Properties, Inc.	Sinclair's Cafe, Ltd.
Preservation Delaware, Inc.	Delaware Greenways, Inc.
Southern DE Center for the Arts & Humanities	Indian River Captains Association-Henninger Printing
Historical Society of Delaware	

1 Federally recognized Native American tribes with ancestral/cultural ties to Delaware were identified. The federal government has a government-to-government relationship with the tribes, which must be maintained in the coordination process. DelDOT on behalf of FHWA has informed these two, Delaware tribes of this project and representatives were interviewed during the listening tour.

The preferences made at both Charettes, in conjunction with the written and verbal comments expressed during the Public Involvement Process, were used by the project Design Team to develop the final aesthetic design of the replacement bridge to reflect the communities' vision. A presentation, summarizing the second Design Charette, was given at Public Information Workshop III.

V.A.3. Public Workshops: The objective of the public workshops was to provide general information regarding the replacement of the Indian River Inlet Bridge to the citizens of Delaware who live and work near the existing bridge site. These workshops provided an open forum where DelDOT, DNREC, and the project team could interact with the public, to share ideas and present project progress reports and were conducted as follows.

- a. **February 26, 2003:** The first Public Information Workshop was held on Wednesday, February 26, 2003 between 4:00 p.m. and 8:00 p.m. at the Lord Baltimore Elementary School Cafeteria in Ocean View, Delaware. The initial informational workshop focus was to present identified key project issues, parameters, and procedures. Displays depicting key project issues, parameters, and procedures were arranged around the perimeter of the Lord Baltimore Elementary School Cafeteria. Each FIGG Team display was staffed by a FIGG Team member and/or a DelDOT representative in order to clarify the information presented or to answer questions about a particular issue or project parameter. In addition to the FIGG Team displays, the DNREC was also present at the workshop. Comment forms were distributed for the attendees to provide feedback on the information that was presented. After the workshop, the comment forms were collected and the responses recorded.
- b. **April 23, 2003 and April 24, 2003:** The second workshop, presented for public comment, the selected preferences of the participants from Design Charette 1. The same banners were utilized to display the Project Theme options and the Pylon options at the April Public Information Meetings. In addition, displays depicting key project issues and parameters were arranged around the perimeter of the exhibit space at each location. Each FIGG Team display was staffed by a FIGG Team member and/or a DelDOT representative in order to clarify the information presented or to answer questions about a particular issue or project parameter. In addition to the FIGG Team, DNREC was also present at the workshop. Comment forms were distributed for the attendees to provide feedback on the information that was presented. After the workshop, the comment forms were collected and the responses typed.
- c. **May 28, 2003 and May 29, 2003:** The purpose of this workshop was to present for public comment the selected aesthetic preferences of the participants during Design Charette 2, as well as present the park access road alternatives. The key to this workshop was the displays that explained the numerous roadway access and signaling options for the project. Three PowerPoint presentations, summarizing the results of Design Charette II were given. After each presentation, workshop participants were given an opportunity to ask project related questions to DelDOT and FIGG representatives. Comment forms were distributed to the attendees to provide feedback on the information presented. After the workshop, the comment forms were collected and the responses recorded. Refer to *Public Information Workshop III Summary*, June 2003 for further information.
- d. **August 20, 2003:** The fourth public information workshop was held at the Indian River Inlet site in order to attract a large number of attendees and to help the participants imagine the site conditions once all of the enhancement projects have been completed. The workshop space consisted of two large rectangular tents, which accommodated 300 workshop participants. The exhibit tent was used to display project visuals and provide an area for the public to meet and discuss the proposed features. The project displays depicted the key project features and parameters of the final preliminary design and explain the selected roadway and park enhancements for the project.

In addition to the project displays an unveiling presentation was held beginning at 5:30 p.m. with opening remarks from Harriet Smith Windsor, Secretary of State for Delaware followed by opening

remarks by Nathan Hayward III, Secretary of Transportation. Secretary Hayward was then joined by Secretary Windsor; John Hughes, Secretary of the Delaware Department of Natural Resources and Environmental Controls; Carolann Wicks, DelDOT Chief Engineer; and Linda Figg, Director of Bridge Art, Figg Bridge Engineers for the unveiling of the proposed bridge model. After the model was unveiled, Linda Figg made a brief presentation describing the aesthetic details of the proposed bridge. Carolann Wicks and John Hughes followed with presentations regarding the Access Roadways and Park Improvements. Nathan Hayward ended the formal presentation by inviting the workshop participants to view the model at close range and to join the DelDOT and FIGG team members for refreshments and discussion of the project. Refer to *Public Information Workshop 4 Summary*, October 2003 for further information.

- e. **Spring 2004:** A final public workshop is envisioned during the Spring of 2004 to inform the public of the selected bridge alternative and the outcome of the NEPA documentation and permit process.

V.A.4. Public Notification of Draft Document: The public notification period for the Draft Environmental Assessment/Nationwide Section 4(f)/6(f) Evaluation occurred from February 13, 2004 to March 17, 2004. During this period the public was provided the opportunity to review the document and comment on the project. During this comment period DelDOT received one comment from an individual. The individual's comments were addressed within the revision of this FINAL document. Refer to **APPENDIX C** for a copy of this letter and how and where the comments were addressed.

V.B. Agency Coordination and Correspondence: Similar to the public workshops, the objective of agency coordination meetings was also to provide information regarding the replacement of the Indian River Inlet Bridge. However, presentations and discussions at the meetings were more technical and focused on schedule, permitting, existing resources, potential impacts and possible alternative/minimization strategies. The Agency Coordination Meetings and the Joint Public Review (JPR) Meetings provided a venue for agency coordination and review of the Indian River Inlet Bridge Project, as well as other DelDOT projects at the JPR Meetings.

The regulatory agencies that were normally in attendance and/or received meeting information included:

- Federal Highway Administration
- U.S. Army Corp of Engineers
- U.S. Environmental Protection Agency
- U.S. Department of Interior, Fish and Wildlife Service
- U.S. Coast Guard
- National Marine Fisheries Service
- Delaware Department of Natural Resources and Environmental Control
- Delaware State Historic Preservation Office.

DelDOT held the coordination kick-off meeting on February 14, 2003 to initiate discussion on the project and environmental issues with this project to the concerned Agencies. Coordination has since been on going throughout the development of this project and will continue to ensure issues have been identified early and given appropriate consideration during the planning process. A summary of the project Agency Coordination Meetings follows.

February 14, 2003 – Project Initiation Meeting: Secretary Nathan Hayward gave an overview of the Project and led a discussion of the key project issues and the project schedule.

March 6, 2003 – Resource Agency Coordination Meeting: The topics of discussion at this meeting included the replacement bridge, park access, typical section for the new bridge and approach roadway.

April 2, 2003 – Resource Agency Coordination Meeting: Vertical clearance, horizontal alignment and park access options were presented. As a result of this preliminary analysis, the 35-foot and 45-foot vertical

clearance options were retained for further study. Recommendations from the meeting included carrying the 30-foot skewed mainline alignment forward, as well as the retention of Single Point Full Signal, Single Point Partial Signal and U-Road park access alternatives.

April 10, 2003 – JPR Meeting: An overview of Design Charrette 1, the results of the jurisdictional determination meeting and the range of alternatives were presented.

June 12, 2003 – Resource Agency Coordination Meeting: Refined Park Access Road Alternatives were presented to the agencies at this coordination meeting, as well as the results of the vertical clearance study. Agencies requested further analysis of the Single Point and U-Road Park Access Alternatives for the south side and potential impacts associated with the bridge clearance options.

July 21, 2003 – Resource Agency Coordination Meeting: A review of the vertical clearance, bridge configuration, horizontal alignment, and north park access road were discussed. The refined impacts to the south park access alternatives and those associated with the bridge clearance were presented.

October 9, 2003 – JPR Meeting: The remaining Purpose and Need Concurrence forms were collected. The Draft Alternatives Development Document was distributed to the Agencies for review. The current schedule for the EA Document and Permit Application was presented. Lastly, DNREC presented the proposed mitigation options for the Fresh Ponds site.

January 29, 2004 – Resource Agency Coordination Meeting: The refined preliminary resource impacts were presented based on refined design information with reference to the information presented in the Draft Environmental Assessment/ Nationwide Section 4(f)/6(f) Evaluation. The Conceptual Mitigation Plan (CMP) for the project with the focus of the discussion on Fresh Ponds North and South Mitigation Sites. Also discussed were the results of the water quality testing at Bottom Hills Drain (BHD) sighting the reasons why BHD was dropped from the CMP. Refer to Appendix B, Attachment B of the Draft Environmental Assessment/ Nationwide Section 4(f)/6(f) document for more information on BHD. Also the status of the ACOE, DNREC and Advanced Utility Contract Permit were discussed.

March 4, 2004 – Resource Agency Coordination Meeting: The majority of the meeting was spent discussing the mitigation efforts for the project. The results of the tide gauge information were presented, which elicited conversations about the location of a site feasible to support a created tidal wetland system. As a result of the discussions the CMP would include the tidal creation of 2.8 acres at Fresh Ponds North and 1-2 acres at Fresh Ponds South including placement of fill material in the Borrow Pits. The group agreed that the changes to the CMP would be addressed in the Final EA and the permits would be issued based on 30% complete design plans. Lastly, the overall project schedule was discussed with emphasis on the permits being issued this summer. The dates of several upcoming mitigation meetings were also discussed.

March 18, 2004 – Resource Agency Field Meeting: The purpose of the meeting was to come to a consensus on the mitigation plan for the project. Prior to the field visit the results of the tide gauge information were presented and discussed. The site visit focused on the existing DNREC mitigation site, the area between Borrow Pit East and the canal at Fresh Ponds South, and Fresh Ponds North. The field meeting resulted in the group agreeing on the CMP as presented in **APPENDIX B**.

April 8, 2004 – JPR Meeting: The meeting began by presenting a recap of the mitigation meetings since the March 4, 2004 meeting. The team agreed with moving forward to finalize the Environmental Assessment document. The majority of the meeting focused on the CMP that was agreed upon at the March 18, 2004 field meeting.

Agency coordination has been and will continue to be a critical component of the preparation of the Final Environmental Assessment for the project. **TABLE 10** and **TABLE 11** highlight key correspondence with Agencies received to date, arranged chronologically with a brief summary of the subject of each piece of

correspondence. Refer to **APPENDIX C** for a copy of the comments received on the Draft Environmental Assessment/Nationwide Section 4(f)/6(f) Evaluation.

Table 10 : Summary of Project Correspondence from 2003

Date	From	To	Subject
March 6, 2003	RK&K Engineers	U.S. Fish and Wildlife Service	Request for RTE Information
April 23, 2003	U.S.F.W.S	RK&K Engineers	Federally listed RTE's
June 9, 2003	ACOE	DelDOT	Length of bridge span
June 9, 2003	DelDOT- Traffic	DelDOT- Bridge Design	Park Access Improvements
June 10, 2003	DelDOT	DelDOT- Bridge Design	Park Access Improvements
June 11, 2003	Project Team	File	Cultural Resource Identification
June 24, 2003	DNREC- Water Resources	RK&K Engineers	Park Access Road Comments
August 11, 2003	DE SHPO	FHWA	Purpose and Need Comment
August 14, 2003	RK&K Engineers	Project Team	Distribution of Purpose and Need
August 21, 2003	USFWS	DelDOT	Purpose and Need Concurrence
September 12, 2003	EPA	DelDOT	Purpose and Need Concurrence
September 15, 2003	U.S. EPA	Project Team	Comments from 18-Aug-03 Meeting
September 24, 2003	ACOE	RK&K Engineers	ACOE JD Letter
October 2, 2003	DNREC- Water Resources	DelDOT	DNREC Wetlands Permit
October 6, 2003	DNREC- Fish and Wildlife	RK&K Engineers	RTE's at Freshponds Tract
October 8, 2003	RK&K Engineers	DNREC- Water Resources	Response to DNREC (June 24, 2003) Alternatives Comment Letter
October 9, 2003	ACOE	DelDOT	Purpose and Need Concurrence
October 9, 2003	DNREC- Water Resources	DelDOT	Purpose and Need Concurrence
October 9, 2003	NOAA/NMFS	DelDOT	Purpose and Need Concurrence
October 10, 2003	DNREC- Fish and Wildlife	Project Team	Comments on Functional Assessment
October 23, 2003	DE SHPO	Project Team	Status Update and Visual Assessment Sample Report Request
October 24, 2003	DE SHPO	RK&K Engineers	IRIB Status Update and Visual Assessment Sample Report Request
October 28, 2003	DE SHPO	Project Team	Next steps for Section 106 Process
November 7, 2003	RK&K Engineers	U.S. EPA	Response to EPA email
November 7, 2003	RK&K Engineers	DNREC- Fish and Wildlife	Response to DNREC email
November 10, 2003	DNREC- Water Resources	RK&K Engineers	Comments on Draft Alternatives
November 13, 2003	DNREC- Fish and Wildlife	RK&K Engineers	RTE's Letter Response
November 18, 2003	DelDOT	Project Team	Cultural Resources
November 21, 2003	DelDOT/ RK&K Engineers	Project Team	Distribution of Alternatives Document for Concurrence
November 21, 2003	DNREC- Water Resources	RK&K Engineers	DNREC JD Letter
November 26, 2003	U.S. Fish and Wildlife Service	RK&K Engineers	Fresh Pond RTE's Letter
December 9, 2003	USFWS	DelDOT	Alternatives Analysis Concurrence
December 12, 2003	DelDOT	DE SHPO	Transmit CR Management Report

Table 11 : Summary of Project Correspondence from 2004

Date	From	To	Subject
January 22, 2004	RK&K Engineers	ACOE	Transmittal of Application for Section 404 Individual Permit
January 22, 2004	RK&K Engineers	DNREC- Division of Water Resources	Transmittal of Application for DNREC Joint Permit & Water Quality Certification
January 22, 2004	RK&K Engineers	DNREC- Delaware Coastal Management Program	Transmittal of Consistency Certification
January 27, 2004	DNREC- Fish & Wildlife	RK&K Engineers	RTEs related to Horizontal Directional Drilling
January 29, 2004	ACOE	DeIDOT	Alternatives Analysis Concurrence
January 29, 2004	DE SHPO	DeIDOT	Cultural Resource Management Document
January 30, 2004	DE SHPO	DeIDOT	Comments on cultural resource evaluations
January 30, 2004	EPA	DeIDOT	Alternatives Analysis Concurrence
February 10, 2004	DNREC-Parks and Recreation	National Park Service	No 6(f) impacts
February 11, 2004	DNREC- Water Resources	DeIDOT	Alternatives Analysis Concurrence
February 18, 2004	DNREC- Water Resources	RK&K Engineers	Comments on permit application
February 18, 2004	ACOE	RK&K Engineers	JD for Fresh Pond Tract
February 20, 2004	Project Stakeholders & Public	DeIDOT	Public Notice of Draft Environmental Assessment/ Nationwide Section 4(f)/6(f) Evaluation
February 23, 2004	RK&K Engineers	DE SHPO	Transmittal of copy of US Coast Guard Bridge Permit
February 24, 2004	DeIDOT	DE SHPO	Response to comments from January 30, 2004 letter
February 26, 2004	DNREC- Water Resources	RK&K Engineers	DNREC JD for Fresh Ponds
March 5, 2004	DE Coastal Management Program	RK&K	Coastal Management Federal Consistency Certification Request
March 10, 2004	RK&K Engineers	ACOE & DNREC	Advanced Utility Contract Applications
March 12, 2004	RK&K Engineers	ACOE & DNREC	Joint Wetlands Permit and Water Quality Certification
March 17, 2004	DE SHPO	DeIDOT	Comments on Draft EA/Nationwide 4(f)/6(f) Evaluation and the Cultural Resource Management Document
April 1, 2004	ACOE	RK&K Engineers	Nationwide Permit 12 - Advanced Utility Contract
April 1, 2004	DNREC-Parks & Recreation	RK&K Engineers	Section 6(f) Right-of-Way Vacation
April 2, 2004	DNREC- Fish & Wildlife	DNREC- Division of Parks & Recreation	No RTEs in Fresh Ponds Wetlands Restoration

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This Final Environmental Assessment (EA) was prepared by DelDOT with FHWA, DNREC, ACOE, EPA, U.S. Fish and Wildlife, National Marine Fisheries and the Delaware SHPO participating in the review and comment of the Draft EA.

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