

1.0 INTRODUCTION

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The Delaware Department of Transportation (DelDOT) and the Federal Highway Administration (FHWA), in cooperation with the United States Army Corps of Engineers (ACOE), the Environmental Protection Agency (EPA) and the United States Fish and Wildlife Service (USFWS), are evaluating alternatives to address existing and projected transportation needs in the U.S. 301 corridor (also known as Summit Bridge Road and Middletown Warwick Road in the study area) in New Castle County, Delaware. This Determination of Eligibility Report is prepared as part of the “Identifying Historic Properties” step in the Section 106 process (36 CFR 800.4) for the proposed project.

1.1 Project Location and Description

U.S. 301 in Delaware is located in New Castle County, entering Delaware from Maryland approximately eight miles south of the Chesapeake & Delaware (C&D) Canal. U.S. 301 traverses southern New Castle County in a generally north/south direction and joins State Route (S.R.) 896 to cross the Summit Bridge over the C&D Canal. North of the Canal, U.S. 301 continues to Glasgow, where it ends at U.S. 40. S.R. 896 continues north to interchange with I-95. Figure 1 shows the U.S. 301 corridor in New Castle County in its regional context.

The evaluation of improvements to the U.S. 301 corridor in New Castle County has been ongoing since the 1960s, with early studies completed in the 1970 and 1980s. Recent studies include the July 1993 *Draft Environmental Impact Statement (DEIS)* and the January 2000 *Major Investment Study (MIS)* (VHB 1993; VHB 2000). In light of rapid and significant development activities in New Castle County south of the C&D Canal, this current project development effort builds on the two previous studies to develop potential improvement alternatives that meet transportation needs in the U.S. 301 corridor.

1.2 Purpose and Need

The purpose of this project is to improve and enhance safety, manage truck traffic, and address existing and projected traffic congestion in the U.S. 301 corridor, while minimizing environmental impacts and accommodating existing and planned development.

Over the past five years, over 1,200 accidents have been reported in the project study area. Over 34 percent of the accidents have involved injuries or death. A total of 18 fatalities occurred in the U.S. 301/S.R. 896 corridor, with 11 on U.S. 301 south of the C&D Canal. Several roadway segments on U.S. 301/S.R. 896 are on DelDOT’s Highway Safety Improvement Program (HSIP) list.

U.S. 301 currently functions as a regional truck route, bypassing the congestion and tolls of the I-95 corridor. As a result, U.S. 301 carries a high ratio of trucks (25 to 30 percent of the overall traffic at the Delaware/Maryland state line). The mix of trucks with local traffic has affected roadway capacity, operations, and safety.



U.S. 301 Project Development Determination of Eligibility Report

- Alternatives Considered**
- Yellow
 - Orange
 - Purple
 - Brown
 - Green
 - Blue
 - Red

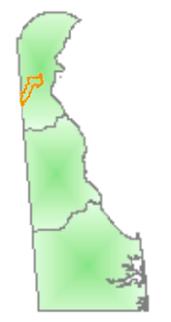


Figure 1
Alternatives Considered



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Significant population and housing growth in the area south of the C&D Canal between the Delaware/Maryland state line and the S.R. 1/U.S. 13 corridor, coupled with increases in through and seasonal traffic, has resulted in increased traffic congestion and decreased safety on the existing roadway system. Projections for continued, significant, growth indicate an ever worsening situation in one of Delaware’s most rapidly developing areas. At the same time, increased land use development in the local area (Figure 2) and region has caused the U.S. 301 transportation corridor to accommodate an increasing mix of local destination traffic with commuter and interstate traffic. Infrastructure improvements have failed to keep pace with development.

1.3 Alternatives Consideration

The details of the development and consideration of alternatives are provided in the “US 301 Project Development: Alternatives Retained for Detailed Evaluation” report dated November 8, 2005 (RK&K 2005). The contents of that report are summarized here for the reader’s convenience.

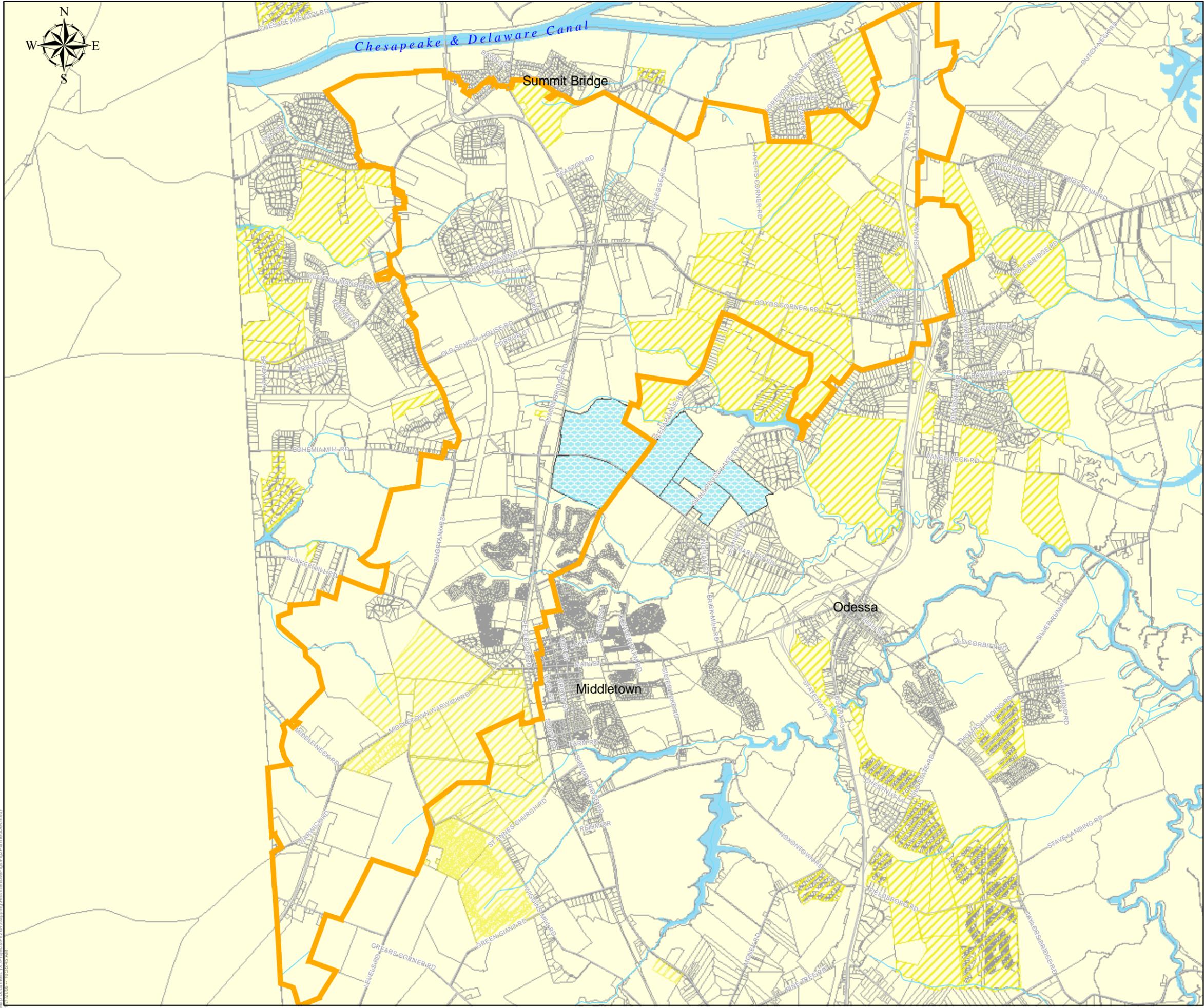
The Project Team (DelDOT, RK&K, and A.D. Marble & Company) developed and considered the engineering, traffic, environmental and historic resource impacts of seven build alternatives: the Yellow, Orange, Purple, Brown, Green, Blue, and Red Alternatives. All of the build alternatives propose constructing a new four-lane limited access roadway from the state line to an existing limited access roadway (I-95 in the case of the Red Alternative and S.R. 1 south of the C&D Canal in all other cases). The locations of the alternatives are illustrated in Figure 1.

The Project Team consulted with the resource agencies, including the Delaware State Historic Preservation Office (DE SHPO), regarding the development and consideration of alternatives at coordination meetings on July 12 and August 23, 2005. The Project Team presented the initial range of alternatives (without the Blue Alternative) to the public at workshops on June 20 and 21, 2005. DelDOT presented the full range of seven alternatives (including the Blue Alternative) at a Townsend Town Council public meeting on September 7, 2005 and at a second series of Public Workshops on September 12, 13 and 19, 2005. As a result of consideration of the technical analyses and the comments of the resource agencies and the public, DelDOT, following the addition of the Spur Road to the Purple and Green Alternatives, recommended that the Yellow, Purple, Brown, and Green Alternatives be retained for detailed evaluation (Table 1).

Table 1. DelDOT’s Recommendations for Alternatives Retained for Detailed Study.

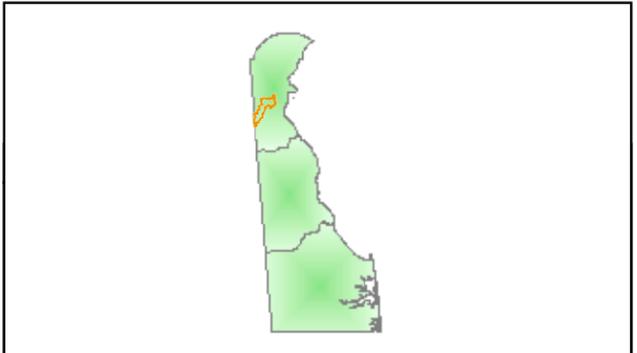
<u>Alternatives Dropped</u>	<u>Alternatives Retained for Detailed Evaluation</u>
Red	Yellow
Orange	Purple (with Spur)
Blue	Brown
	Green (with Spur)

At the November 8, 2005 resource agency meeting, DelDOT presented the “Alternatives Retained for Detailed Evaluation”, with updated concepts for the four retained alternatives, including the addition of the Spur Road (Green and Purple Alternatives). This was followed closely by a series of Public Workshops on December 5, 6, and 7, 2005, where the retained alternatives were presented along with several alignment options developed to avoid or minimize impacts to the adjacent communities and resources.



**U.S. 301 Project Development
Determination of Eligibility Report**

-  Intensive Level Survey APE
-  Water Farm
-  Planned Development



**Figure 2
Current and Planned Development**



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DelDOT continued to evaluate and refine the retained alternatives with the resource agencies at meetings on December 8, 2005, January 17, 2006, and March 30, 2006, and at two additional Public Workshops (February 22 and 23, 2006 and April 10 and 11, 2006). Major refinements included the development of options at the Armstrong Corner Road and Boyds Corner Road areas and for the Spur Road and an interchange at the base of Summit Bridge. The refined alternatives are presented in the Draft Environmental Impact Statement.

1.4 Survey Effort and Area of Potential Effect

The APE is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist” (36 CFR Part 800.16(d), 2001). The APE for the proposed project includes all areas containing potential National Register-listed or eligible cultural resources whose character and/or setting could be directly, secondarily, or cumulatively affected by the proposed undertaking. All potential impact types, including direct, audible, visual, atmospheric, and cumulative, were considered during the development of the APE.

The Project Team undertook background research, development of a historic context, and a windshield survey of the initial APE and reported their findings in the *Historic Context and Reconnaissance Survey Report* dated July 2005 and revised July 2006 (A.D. Marble & Company 2005 and 2006). The initial APE was defined as those resources located within 1000 feet of the centerlines of the alternatives available at the time (Yellow, Orange, Purple, Brown, and Green) without any gaps between different alternatives. This area is shown in Figure 3 as the Reconnaissance Level Survey APE.

Because of the timetable for development of the proposed project, the Project Team initiated an intensive level survey of the known and potential historic resources within a revised APE immediately after submission of the July 2005 report to the DE SHPO for review and comment. The Project Team and the DE SHPO consulted regarding the scope of the intensive level survey effort at meetings on July 28, and August 10, 2005. The APE was revised to address changes in the preliminary design of the Yellow, Orange, Purple, Brown and Green Alternatives, to include the tax parcels that were located within 600 feet on either side of the centerlines of the alternatives. This area is shown in Figure 3 as the Intensive Level Survey APE. In the absence of detailed engineering designs, 600 feet from the centerline was mutually agreeable as the initial area in which possible direct or indirect impacts should be considered. Field view assessments based on information known to date, changes, or refinements in alignments may necessitate the need to adjust the APE in the future. Should the APE be adjusted or be modified in consultation with the DE SHPO, FHWA, or consulting parties, supplemental documentation on eligibility assessments may be necessary.

This report addresses the results of the intensive level survey of resources in this area, which covers 17,087.64 acres. The survey effort was conducted in July and August 2005. Additional field work to address the comments of DelDOT and DE SHPO staff was conducted from November 2005 to July 2006. The methodology of the intensive level survey is provided in Section 3.0 of this report.



U.S. 301 Project Development Determination of Eligibility Report

- Intensive Level Survey APE
 - Reconnaissance Level Survey APE
 - Red Alternative Reconnaissance Level APE
 - Blue Alternative Reconnaissance Level APE
- Alternatives Considered**
- Yellow
 - Orange
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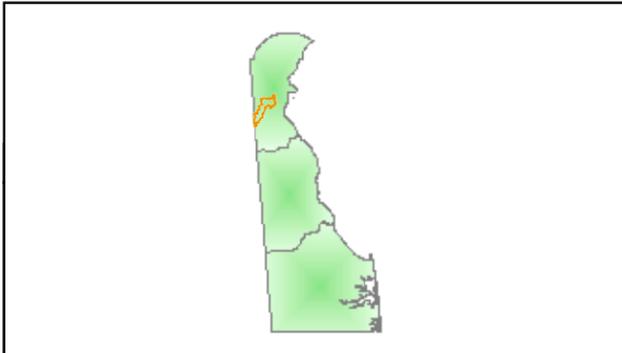


Figure 3
Evolution of the
Area of Potential Effect



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Concurrent with the intensive level survey of the resources in the revised APE for the Yellow, Orange, Purple, and Green Alternatives, the Project Team developed two additional alternatives, the Red and Blue Alternatives. A separate effort including background research and a reconnaissance level survey of the APE for the Red and Blue Alternatives was undertaken. This additional APE (labeled as Red Alternative Reconnaissance Level APE and Blue Alternative Reconnaissance Level APE in Figure 3) covered an area that included those tax parcels within 600 feet on either side of the centerlines of the alternatives, without gaps between the two alternatives. The results of that separate effort were reported in a separate report and were provided to the DE SHPO for review and comment (McCormick Taylor January 2006). As the Blue and Red Alternatives were subsequently dropped, an intensive level survey of the additional APE was not necessary.