

## **Memorandum of Meeting**

**Date:** December 20, 2005

**Date of Meeting:** November 17, 2005

**Time of Meeting:** 5:30 pm

**Location:** CHEER Center, Georgetown

**Topic:** Georgetown Area Working Group Meeting #10

### **Working Group Attendees:**

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<b>Name</b>	<b>Representing</b>
Howard Abbott, Jr.	Georgetown Area Resident
Donna Atkinson	Georgetown Area Resident
Debbie Pheil/David Baird	Town Manager, Georgetown
Eric Buehl	Center for the Inland Bays
Allison Burris	La Esperanza, Inc.
R. Carol Campbell-Hansen	Sussex County Board of Realtors
Mitch Cooper	Delaware State Police
Martin Donovan	Delaware National Bank
Bruce Wright/Bernice Edwards	First State Community Action Agency
Harold Johnson	Sussex County Farm Bureau
Terry Johnson	Delaware Technical & Community College
Carlton Moore, Sr.	Historic Georgetown Association
Keith Moore	Purdue Farms
Merrill Moore	Georgetown Area Resident
David Pedersen	Georgetown Planning & Zoning Commission
Guy Phillips	Sussex County Farm Bureau

Mr. Robert Kramer opened the meeting by welcoming everyone and indicating that this evenings meeting would review the process from the May Workshops up to this meeting, discuss what is in store with the next phase of detailed study, reiterated that the process is still represented by the analogy of the three legged stool (the Working Group, the Public and the Environmental Resource Agencies providing input to DeIDOT) and encouraged the Working Group members to ask questions. There are no stupid questions and it is important that you understand what is going on and how things are derived because you will be receiving a lot of data over the next few months and it is important that you

understand it as the Working Group works toward a recommendation on a referred alternative.

Bob then introduced Monroe Hite, III, DelDOT Project Manager for the US 113 North/South Study. Monroe also welcomed the Working Group back and then introduced Donna Atkinson, as a new member to the Working Group. Monroe also announced that Shane Abbott was being replaced on the committee by Russell Warrington. Monroe indicated that members of the Project Team met with the Georgetown Town Council and the Georgetown Planning & Zoning Commission on October 26, 2005 to update both groups on the status of the US 113 North/South Study. He indicated that the Project Team had recently met with the Chamber of Commerce to review a draft economic impact questionnaire and clarify the mailing list and thanked Lit Dryden for his assistance. Monroe then indicated that 252 individuals had attended the October Open House at the CHEER Center. He then reviewed the items included in the handout package. Finally, Monroe introduced Jeff Riegner to provide a progress report on efforts since the May Workshops.

Note: Significant details associated with Jeff's presentation were provided to the Working Group members in their handout package. Rather than rewrite those details, these minutes will emphasize additional information that may have been added and questions from the Working Group regarding the information provided.

During the discussion of the Alternatives Retained for Detailed Study (page 4 in the handout), Jeff included a discussion of the details of the SR 9 Truck Route realignment into Arrow Safety Road and how that related to the Western Bypass alternatives.

During the discussion of the Project Schedule (page 5 in the handout), Jeff indicated that a Fall 2006 date for a Preferred Alternative depended upon the cooperation of the Working Group, as well as, that of the Resource Agencies and that an earlier date could be possible with a concerted effort on everyone's part.

During the discussion of the detailed Engineering (page 7 in the handout), Jeff indicated that the Working Group would be looking at impacts associated with the alternatives retained that would be different from the previous Matrix information. This is as a result of several things including: alignment adjustments, better definition of resources and the adjustment of the area of impact from a general 300' corridor to a specific area of impact based on line and grade.

To present the discussion on Wetlands (page 8 in the handout), Karl Kratzer from WRA was introduced to the Working Group by Jeff. Karl indicated that the National Environmental Policy Act (NEPA) process regarding wetlands is to avoid where possible, if you can't avoid then minimize your impact on wetlands and after you have minimized your impact to the maximum extent possible mitigate for any impacts. The Corps of Engineers, which is the agency responsible for permitting wetland impacts, will be looking for the Least Environmentally Damaging Practicable Alternative (LEDPA). Three criteria, vegetation, drainage and soils, define wetlands. Donna Atkinson asked

when will the wetland information be complete? Karl indicated that the field work was being checked now and field meetings with the Corps and DNREC were in the process of being arranged to verify the results of that field work. That should allow for the wetlands boundary definitions to be completed by next spring. David Pedersen asked if the seasonal variations in the water table are correlated with the spring when wetland boundaries are generally delineated? Karl indicated that water table fluctuations are taken into account when the wetlands are being reviewed with the resource agencies irregardless of when that review occurs. Bob emphasized that wetland definitions are a result of both observation and agency review of those observations, as well as, their own observations.

Jeff then introduced Wade Catts, with John Milner Associates, to discuss Cultural Resources (page 9 through 12 in the handout). Wade indicated that three to four teams had been in the field since the middle of August working on Cultural resource evaluations. They carry a right to trespass letter and use it when necessary to view properties. The work is being done in cooperation with the State Historic Preservation Office (SHPO), FHWA and DelDOT and mapped resources within the study area are being provided to the SHPO for their files as a result of this study. Wade reviewed the four National register Criteria and indicated that a field review with the SHPO was scheduled for tomorrow. Wade indicated that 1 property, the Pepper Farm, was currently on the National Register of Historic Places and is in the impact area of at least one alternative. Donna Atkinson indicated that alternative E3 clips the back corner of the property and asked what the National Register boundary was for this property. Wade indicated that the current National Register form for this property does not define a boundary but, in his opinion, the current tax parcel was most likely the appropriate boundary.

Monroe asked Wade to talk about the Blue dots and circles on the plans. Wade indicated that the Blue dots were previously known resources and the Blue circles were resources identified as a result of the study. As those dots and circles are evaluated, those that are not eligible for the National Register will be taken off the map, those that are will be retained.

Wade discussed the predictive model for archaeology. He indicated that no excavations to identify archaeological resources had been started and would not be started until a preferred alternative was identified. The predictive model was being used to determine the potential of an alignment to impact buried resources. He indicated that drainages are important in identifying archaeological resources.

Wade concluded by indicating that a cultural resource document incorporating the effort to identify and evaluate potential resources in the Study Area would be completed and submitted to the SHPO early next year.

During the discussion of Section 4(f) resources (page 14 in the handout), Karl indicated that Section 4(f) refers to a portion of the 1966 Transportation Act and is a self-policing

program by the FHWA. He also indicated that new regulations regarding state forests and redefining recreational activities will eliminate most state forests from 4(f) protection.

During the discussion of Section 6(f) resources (page 15 in the handout), Bob Kramer indicated that many of the current environmental regulations were a response to the construction of the Interstate System under the Eisenhower Administration. The general feeling was that, due to a lack of environmental regulations, the roadway system went where there was least resistance, through wetlands, forests, farmlands, etc. In order to provide advocacy for these silent resources, environmental laws were established to give a voice to these resources.

During the discussion of rare, threatened and endangered species (page 16 in the handout) Monroe indicated that the RTE's are currently listed as TBD. DelDOT is making an effort to get that information but for reasons associated with the protection of RTE's potential impacts would be identified by low, medium and high impact, as opposed to species type or location.

During the discussion of Property impacts (page 18 in the handout), Bob Kramer pointed out that participation in the Working Group was advocacy for the property owner. Jeff mentioned that at the Millsboro-South Working Group meeting the issue of farms and trying to stay on the edges rather than bisecting, facilitating access and dealing with individual impacts was an important issue. David Pedersen noted that the Western Bypasses run through lands annexed by the City of Georgetown for development rather than at the edge and asked if the value of those lands was based on the present agricultural use or the future development use? It was indicated that DelDOT was required under the law to pay Fair Market value, highest and best use. Jeff also discussed the issue, again raised at the Millsboro-South Working Group meeting about adding a category to the Matrix to address Livable Delaware issues and that the Project Team would look how to best do that. A question was raised by a public participant at the meeting regarding when will acquisitions start and whether funding was available now. Monroe responded that some funding was available now (advanced acquisition funds) but not all of those funds was for the US 113 project. Jeff emphasized that there is a need to plan now to preserve a corridor for the future.

During discussion of Access (page 19 in the handout), Merrill Moore noted that no access did not necessarily mean that a property was landlocked.

During the discussion on traffic (page 20 of the handout) Jeff indicated that the Purpose and Need documents for the project were amended to include addressing east/west components within the context of the overall North/South project. David Pedersen raised a question about Route 18/404 and the fact that the 2003 base traffic volume was 15,000 vpd and the 2030 traffic projection is 18,000 vpd. This seemed low to him. Jeff indicated that other roads were pulling traffic from Route 18/404. He also indicated that Maryland does not have the dualization of Route 404 in Maryland in their Long Range Transportation Plan. Monroe reminded the working group of the East/West Study that DelDOT will be initiating following completion of the US 113 N/S Study and the fact

that Route 404/18/9 will be one of those East/West corridors addressed in the study. Bob made the Working Group aware of a study that Maryland was conducting on a second Bay crossing of the Chesapeake Bay, which could also affect East/West traffic. The discussion continued to center on east/west traffic flow and Route 9/18/404 in particular. Jeff suggested that Working Group members turn to pages 5 and 6 in the traffic handout and look at Route 9 where the Eastern Bypass alternative causes a significant increase in traffic on Route 9. He also referred Working Group members to page 12 in the handout where the Eastern Bypass caused congestion on Route 9 to Route 30. Bruce Wright asked when will improvements be needed? It was indicated that improvements were dependent upon a number of factors, development growth in particular, and that those factors would be monitored to determine when improvements would be put in place but not for some time. David Pedersen asked everyone to look at page 11 in the traffic handout. He pointed out that the average speed for the no-build condition was 47 mph and the highest speed of any alternative was 61 mph., all this for 14 miles/hour. I don't have a problem going 47 mph. Building highways creates a greater growth problem. The comment was made that growth in the towns will be affected by East/West traffic since two-thirds of the traffic from Sussex County in the summer is east/west traffic.

During the discussion on economic impact (page 23 of the handout), Jeff distributed a copy of the survey to the Working Group members and went through the content of the survey. Jeff indicated that the survey would take a business about 10-20 minutes to fill out. A comment was made that the November 30 date for sign-ins was a short window of time. Jeff indicated that the time was sufficient to get an adequate statistical sampling. Donna Atkinson indicated that businesses could live with a close-in bypass if they retained their visibility. Jeff asked Joe Wutka to discuss DelDOT's experience with the Route 1 project and the Economic assessment that was conducted for that study. Joe indicated that the results of that study were quite accurate and the economic models that were used in the Route 1 study are the same models that are being used in this study. He indicated that communities that are destinations, such as Georgetown, would be able to adjust to the changes in traffic. Communities that were not destinations, and he used the example of Smyrna, would have more difficulty adjusting. Howard Abbott, jr. asked what funds were available for the US 113 N/S project. Monroe indicated that \$10M was allocated in 2003 to complete the Planning Study for US 113. Bob indicated that the Task Force Report to address funding issues was to be submitted to the Governor on November 30<sup>th</sup>. Bob re-emphasized that the purpose of the project is to preserve a corridor. If its not done now then don't complain if nothing gets done in the future or when it has to be done in the future. Merrill Moore asked what will property owners do with their properties once a decision is made? Monroe indicated that property owners will be able to work with DelDOT in terms of what they will or will not be able to do with their property. Harold Abbott, jr. asked can a property owner sell their property and can they improve their property? Monroe reiterated that DelDOT will work with property owners impacted by the preferred alternative. Donna Atkinson indicated that the acquisition process could take two years. Monroe indicated that the time frame was more like 12 to 18 months.

Jeff then turned the presentation back to Bob Kramer to discuss upcoming Working Group activities. Bob asked that the minutes include the following warning: that if you can't make the meetings from January to March, forget it. It is that classic statement if you snooze, you loose. There will be no backing up. That is why it is imperative that if you don't understand something you ask questions and get the issue straight in your mind. If you have to miss meetings, contact the Project Team. Their will be too much information to go through to go back and review at each meeting. The Project team is willing to come out and brief you if you can't make a meeting or you should arrange to have a substitute sit in for you.

Bob then turned the meeting over to Monroe who discussed the dates for the upcoming Working Group meetings. Andrew Bing indicated that since we are in the winter months, if a meeting is canceled, he will call each Working group member and the cancellation will be on the web site. Monroe indicated that the active participation by the Working Group will determine how fast the group gets done. He indicated that the Working Group should count on 1 meeting per month until we reach a consensus on a preferred alternative.

Monroe concluded the meeting at 8:00.

Minutes prepared by Joe Wutka