



Memorandum of Meeting

Date: May 17, 2006

Time: 5:30 p.m. to 8:30 p.m.

Location: Millsboro Fire Hall Millsboro, DE.

Topic: **Millsboro-South Area Working Group Meeting No. 13**

Attendees: Page 6

Bob Kramer called the meeting to order at 5:50 p.m. Mr. Kramer thanked the working group for their continued attendance and mentioned that tonight's discussion will focus on key issues affecting project schedule. Mr. Kramer also stated that due to the time since the last working group meeting on March 15th, some of tonight's presentation will reiterate points from the previous meeting.

Mr. Kramer then introduced Monroe Hite III to review the purpose of the meeting and general status of the project. Mr. Hite reminded the working group members that updated notebook materials have been distributed, including tonight's presentation and meeting minutes from the previous meeting. Mr. Hite introduced Daryl Houghton to the working group and stated that he is replacing George White. Mr. Hite then indicated that the purpose of tonight's meeting is to review shifts in the alternatives, discuss key issues in general and associated with each alternative and the project schedule. Mr. Hite stated that the next round of public workshops will be held in June with a workshop scheduled for 4:00 pm -7:00 pm on Monday, June 12th at the Millsboro Fire Hall and Tuesday, June 13th at the Selbyville Fire Hall. He asked that working group members see Ed Thomas and Andrew Bing for extra copies of the flyers for the workshops. Mr. Hite then told the working group that the project team will be adding agricultural impacts to the matrix and economic analysis. Mr. Hite informed the working group about the short-term improvements currently under construction at the intersection of US 113/SR 18/SR 404 and additional improvements planned for the intersection of US 113/SR 24 in the spring of 2007.

Mr. Kramer then introduced Joe Wutka to discuss shifts that have been made to the east bypass alternatives. Mr. Wutka reviewed the alignment shifts that have occurred since the last meeting, indicating that most of them resulted from impacts to potential historical properties. Mr. Kramer clarified that if the project team has currently identified a property as being historically significant and potentially eligible for the national register, any impact on that property that cannot be avoided could be considered a fatal flaw for the alternative.



Mr. James Norwood asked for clarification regarding the closure of Maryland Camp Road. Mr. Wutka explained that there will not be an overpass of Maryland Camp Road and therefore the road will be closed with a cul-de-sac where it intersects the proposed bypass.

Mr. Wutka then introduced Mr. Jeff Riegner to discuss shifts in the west bypass alternatives. Mr. Riegner briefly reviewed the potential 6(f) impact along both the green and purple alternatives. Mr. Riegner stated that pending coordination with Plantation Lakes, alignments may be shifted east into Plantation Lakes property to avoid impact to the 6(f) property at Ingram Pond dam.

Mr. Kramer then asked the group if they had any additional questions regarding alternative shifts. Mr. Kramer then proceeded to discuss the five key issues that the project team will be focusing on for the rest of 2006. Mr. Kramer indicated that these key issues will drive the project schedule as we move forward to select a preferred alternative. Mr. Kramer recognized that the project is taking longer than originally anticipated due to the fact that we are studying new areas and creating a database for the agencies.

Mr. Riegner cited the historical properties issue as one example noting that the project team will probably need to review additional properties based on SHPO's review. In other words it is not likely that the 16 properties identified by the project team will stay the same.

Mr. Kramer also raised the issue about why should we take time to wait for the additional work to be completed. Mr. Kramer said it is imperative that we take the necessary steps now to avoid a fatal flaw that would require us to start the whole process over.

Mr. Andrew Bing also reminded the working group that the project team stressed the importance of reducing the number of alternatives retained for detailed study because each ARDS requires the same amount of study and analysis.

Mr. Kramer indicated that field work completed by the project team and the agencies contradicted RTE data initially provided by the agencies; for instance, the discovery of Swamp Pink, a federally protected plant, and the identification of locations of possible bald eagle nests acknowledged by several members of the public.

Mr. Jim Bennett asked how air pollution analysis fits into the study and selection of a preferred alternative. Mr. Karl Krazter indicated that data from the traffic analysis will be used in a model approved by the EPA to examine six particulates associated with air quality. Mr. Krazter also mentioned the state is required to follow a national standard for air quality.



Mr. Bennett then asked if the traffic analysis demonstrates an increase in air pollution, will the improvements be stopped. Mr. Kratzer replied that the air quality standard is based on a regional model and non-compliance does not necessarily mean a project will be stopped.

Mr. Richard Kautz then mentioned that Sussex County is non-compliant in one area of air quality.

Mr. Hite then reiterated that DelDOT has air quality conformity that has to be reached and this issue has been raised at previous agency meetings with the EPA.

Mr. Kautz asked about the status of the traffic analysis. Mr. Kramer indicated that it will be done this year and he will talk more about schedule later in the presentation.

Mr. Kramer stated that the goal of the project is to identify, select and protect a preferred alternative.

Mr. Wutka presented an overview of issues associated with the on-alignment and east bypass alternatives.

Mr. Kautz asked if the impacts associated with the SR 26 realignment/extension will be considered as part of the alternatives analysis. Mr. Hite indicated that analysis includes all improvements associated with each alternative, including SR 26.

Mr. Riegner then discussed the issues for the west bypass alternatives. Mr. Riegner mentioned a meeting held with representatives from Selbyville and the developer of the proposed Selbyville Towne Center. The on-alignment alternative and the gold alternative (Selbyville bypass) have direct impacts on the proposed development. Mr. Riegner said the project team is in the process of determining if the alternatives can be shifted to minimize impact. Mr. Riegner asked Mr. Gary Taylor, who attended the meeting, if he had any comments to add regarding the issue. Mr. Taylor had nothing to add but agreed a solution needs to be reached.

Mr. Taylor asked about the status of cost estimates for the alternatives. Mr. Hite replied that cost is one of many factors currently under study and needs to be addressed at the same level of analysis as the issues presented tonight. Mr. Kramer mentioned that preliminary estimates did not demonstrate an order of magnitude difference between the alternatives.

Ms. Pamela McComas suggested it is important to address cost in the decision making process. She related her experience with the Indian River Inlet Bridge where the Charrette members were told to choose a bridge design without considering cost only to find out later that their chosen design was too expensive.



Mr. Kramer reminded the working group that cost estimates will be provided before the group is asked to make a decision.

Mr. Riegner also stated that the goal of the project is to reserve the best possible alignment regardless of cost, within reason. Mr. Hite clarified the goals of the Indian River Inlet Bridge project were different than those for US 113. Mr. Hite indicated that the Indian River bridge was at the final design/construction stage and we are trying to identify and protect a corridor.

Mr. Bing reiterated that based on previous discussions a shorter bypass does not necessarily equate to less cost. Mr. Bing pointed to the fact that once a bypass alternative intersects the existing US 113, the proposed improvements transition back to the on-alignment alternative.

Mr. Hite asked the working group if they had any additional suggestions about how information should be presented to the public at the workshops in June.

Mr. John Thoroughgood agreed with the general approach. Mr. Thoroughgood also mentioned that his impression of the Indian River Inlet Bridge was that DelDOT had a “Cadillac” design without the money to pay for it.

Mr. Mike Simmons clarified that the cost issue related to the IR bridge resulted from a number of factors including material and construction costs from the bids received. Mr. Simmons also stated that a slight difference in cost between alternatives (all other things being equal) is not a major factor.

Mr. Norwood said it seems that proposed development is getting more consideration than John Doe’s five acre farm. Mr. Norwood said it is difficult for an individual property owner to compete with a 200-acre development when considering level of impact.

Mr. Kramer said the project team needs to consider the long-term economic impact associated with each alternative. Mr. Kramer said it is a difficult balancing act and it is not intended to imply that proposed development is more important.

Mr. Hite reiterated that it is important to consider the importance of each property owner and that is one of the main reasons we have taken the steps to maintain a consistent schedule of public outreach through working group meetings and public workshops.

Mr. Josh Thompson asked once the preferred alternative is chosen will DelDOT just start purchasing land or stop development. Mr. Hite mentioned that process has already started by continuing to work closely with the county, cities, towns and developers. Mr. Hite reminded the working group of the advanced acquisition process established by DelDOT. He also mentioned that DelDOT has requested funds so that once the preferred alternative is chosen the state will be able to begin the acquisition process.



Ms. Fran Bruce stated that the public needs to be reassured that progress is being made. Ms. Bruce suggested that we provide a presentation board at the workshop summarizing how we reached this point in the process – focusing on the reduction in alternatives.

Mr. Bennett asked if the mailing list for notifying the public about the project expands to those property owners who might live a couple miles outside the path of an alternative. Mr. Hite replied that there is an extensive mailing list that grows with every workshop and it includes properties throughout the project area.

Mr. Daryl Houghton asked for clarification on when this project might get built – in our lifetime? Mr. Kramer mentioned it will be constructed in pieces over a period of 15 to 25 years. Mr. Kramer then discussed the next steps in the project schedule.

Mr. Simmons reminded the working group that a project of this magnitude typically takes 7 to 8 years to select a preferred alternative and he is confident that the project team will get it done in about half that time.

Ms. Bruce asked what happens next if by next June a preferred alternative is selected. Mr. Kramer said it will take approximately 6 to 8 additional months to get a final document approved document that is called a Record of Decision (ROD) indicating final federal approval.

Mr. Simmons also stated that US 113 is clearly a priority for DelDOT and depending on funding some design may begin soon after approval of the preferred alternative. Mr. Hite reiterated that corridor preservation is the first important step to getting the selected alignment protected.

Mr. Robert Stuart asked how will the state stop development from continuing. Mr. Hite reminded the working group that the state does not control development approval but will continue to communicate with the county, cities and towns to coordinate as much as possible.

Mr. Kramer indicated that DelDOT has a lot less leverage to coordinate with developers without a preferred alternative. Mr. Simmons also stated that DelDOT will work with developers to help avoid conflict to the greatest extent possible.

Mr. Stuart suggested that the project team inform the public about the level of development coordination.

Mr. Wutka mentioned that right of way acquisition is a major issue since DelDOT is encountering proposed projects where the right of way costs are greater than the construction costs. Mr. Stuart said it is vital that the public stay informed of these issues because there is a perception that proposed development is not being addressed.



Mr. Kramer asked the working group if there are any additional issues that should be specifically addressed at the workshops in June. Mr. Kramer thanked the working group for all their input noting that it will be very useful for the project team when discussing the project with the public.

Mr. Kramer then reminded the working group about the public workshops scheduled for Monday, June 12th and Tuesday, June 13th and asked that they try to attend for at least one hour. Mr. Kramer also reiterated that the working group will reconvene in January 2007 to allow the project team the remainder of 2006 to address the key issues discussed tonight.

Mr. Kramer adjourned the meeting at 8:30 pm

Working group members in attendance:

Bennett, Jim
Brake, Joe
Bruce, Fran
Houghton, Daryl
Kautz, Richard
Lingo, Faye
McComas, Pamela

Norwood, James T.
Simmons, Mike
Stuart, Robert
Taylor, Gary
Thompson, Josh
Thoroughgood, John

Members of the public in attendance:

Smith, R.
Varine, Pat