

IV. COMMENTS AND COORDINATION

This section details the coordination efforts employed during the planning process for the US 301 Project Development project, including a description of the public involvement process, coordination with federal and state resource and regulatory agencies, and a compilation of comments (with responses where appropriate) received throughout the project development process.

A. Public Involvement Program

The public involvement program for this project includes extensive interaction with members of the public, including stakeholder interviews, individual and community meetings, public workshops, and an extensive program of public outreach through mailings, public announcements, bulletin boards, a project office and a project website.

1. Public Outreach

An initial identification of the affected and interested population was provided through a zip code mailing and general public announcements. An initial set of Public Workshops was held in June, 2005 to present the current development effort to the public and evoke their responses and comments. Additional individuals (and business owners), as identified during the public workshops period, were included in the subsequent public mailings. Members of the project team met with various community groups upon their request as well as during the outreach effort. A project office was opened on Broad Street in Middletown, and staffed three days a week to respond to individuals who visited. An interactive website was provided for individuals to review the project development process, review alternatives and impacts, and forward their comments to the Project Team. Notices of Public Workshops were published in local newspapers and statewide publications as well as posted in various locations in the project area.

a. Listening Tour

Public outreach for the project began in January 2005 with a Listening Tour of interviews with elected officials, agency representatives, business owners, property owners, farmers and community organizations. The purpose of the Listening Tour was to establish a dialogue with key stakeholders by informing them of the upcoming project development effort and offering them the opportunity to provide information and comments. Among those interviewed were:

<u>Name</u>	<u>Title/Representing</u>
Charles Baker, John Janowski, George Haggerty and Dale Culver	New Castle County (NCC) Department of Land Use
Dale Ervin	NCC Economic Development Council
The Hon. Steven Amick	State Senator
The Hon. Patty Powell	NCC Councilperson, 6 th District
The Hon. Bill Bell	NCC Councilperson, 12 th District
The Hon. Kenneth Branner	Mayor of Middletown

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



<u>Name</u>	<u>Title/Representing</u>
Morris Deputy	Middletown Town Manager
Michael Scuse, Mark Davis	Delaware Department of Agriculture
The Hon. Bethany Hall-Long	State Representative
The Hon. Rebecca Tulloch	Former Mayor of Odessa
Ken Getty	Odessa Fire Chief
Frank Bailey, Matt Borsari	Middletown Volunteer Fire Company
Matthew Jamison	Captain, NCC Police Dept – Middletown Barracks
Nate McQueen, Alice Bailey	Delaware State Police, Troop 9
John Tulloch	Odessa Citizen
Richard Janney	Citizen
Robert Emerson	Citizen
David and Teri Beste	Owners, Beste Veterinary
The Hon. James Vaughn	State Senator
The Hon Richard Cathcart	State Representative
The Hon Stephanie Ulbrich	State Representative
The Hon. David Raughley	Mayor of Townsend
Andy Lubin, Robert McCoy, Brian DeSabatino, Gene Julian	Whitehall/Welfare Foundation
Caroline duPont Prickett, Finn Neilsen	Summit Aviation
Members	Middletown Chamber of Commerce
Joyce Powell	Business Owner (Allstate Insurance)
Townsend Town Council	(Over 400 townspeople attended this event)
The Hon. Dorinda Connor	State Senator
The Hon. David McBride	State Senator
The Hon. Valerie Longhurst	State Representative
The. Hon. Vincent Lofink	State Representative
Herb Inden	Delaware Office of State Planning Coordination
John Hughes	DNREC
Kevin Coyle, AICP	Principal Planner, Office of the Secretary
Susan Moerschel	Delaware Division of Parks & Recreation
David Carter, Charles Mulholland and Board of Directors	Southern NCC Alliance
Linda Bailey	7 & 40 Alliance
Grace Webb Owings, Eric Sennstrom	Delaware Department of Planning and Zoning
Christopher A Coons	NCC County Executive
David Singleton	NCC Chief Administrative Officer
Lynn Howard	NCC Deputy Chief Administrative Officer
Dr. Tony Marcio, Bob Hershey	Appoquinimink School District
Paul Ignudo	NCC Vo-Tech
Mark Nordquist, Kevin Lucas	EIDS
Tigist Zegeye	WILMAPCO
Chuck Ott	Airmont Civic Association
Rusty Reber, Scott Kirchner, Chris Garrod	Chesapeake Meadow Maintenance Corporation
Marty Gimbus	Dickerson Farm Maintenance Corporation
Leann Ferguson	Drawyer's Creek Maintenance Corporation
Chip Irons, Christine Irons, Faye Fields, Cathy Moretto	Fox Hunter Crossing
Terrence Dickerson	Grande View Farms Civic Association
John Marino	Lea Earra Farms Maintenance Corporation
Ed Colaprete	The Legends
Ray Perez, Susan Love	Middletown Village Civic Association
Tom McCarthy	Post and Rail Farms
Dick Smith	Springmill

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



<u>Name</u>	<u>Title/Representing</u>
Peggy Thomas	Summit Bridge Farms Civic Association
Eric Carr	Summit Bridge Farms Maintenance Corporation
David Baker, Robert Baker	Baker Farms
Robert Baker, The Hon. Wally Caulk, C. Fred Stites, Jr.	Delaware State Farm Bureau
John Filasky, Jr.	Young Farmers
Rich Woodin	Woodin, Wentling & Associates
Dan Taylor	Artesian Water Company

b. Mailing List

The project mailing list, initially developed from zip code listings of all residents and businesses in the project area, has been continually updated and includes over 1,900 listings. This extensive mailing list encompasses a wide range of individuals including homeowners, elected officials, business leaders, community groups, government offices, and resource agencies. The mailing list is used to provide project development updates and notify interested parties of upcoming events, such as public workshops.

c. Individual and Community Group Meetings

Members of the Project Team met with individuals, business owners, and various community organizations. These meetings were scheduled throughout the project development process to provide interested parties a more individualized review of project specifics and provide an opportunity for individual interaction with the Project Team. Community meetings were held with:

Fox Hunter Crossing	Post and Rail Farms	Summit Farms
Matapeake	Springmill	Midland Farms
Grande View Farms	Mount Hope	Augustine Creek
Middletown Village	The Legends	Chesapeake Meadow
Airmont	Dickerson Farms	Jamison Corner Road
Summit Bridge Farms	Summit Pond	Back Creek
Westside Hunt	Lea Eara Farms	Cecilton
Galena	Ratledge Road	

The formats of these community meetings generally included an introductory overview of project process, status and schedule followed by a presentation on the alternatives under consideration. Question and answer sessions were a significant part of each meeting.

Members of the Project Team also met with members of the Middletown Baptist Church, members of the New Covenant Church, officials of Summit Airport, the developers of several planned communities, and several of the towns in Maryland.

Members of the Project Team were invited to join the Townsend Town Council meeting on September 7, 2005. Over 400 citizens attended to hear and comment on the range of alternatives, particularly the Blue Alternative Options that were introduced after the initial June 2005 public workshops.

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



Numerous meetings were held during the DEIS review and comment period between members of the Project Team and various communities in the project area to review with members of the public the contents of the DEIS, the recommended Preferred Alternative, and potential impacts to the communities that would occur with the implementation of the project. **Table IV-1** lists the community meetings held following the publication of the DEIS.

Table IV-1: Community Meetings

Date	Community
November 21, 2006	Westside Hunt
November 28, 2006	Matapeake
November 29, 2006	Ratledge Road/Crystal Run Farms
November 29, 2006	Middletown Baptist Church
December 4, 2006	Springmill
December 5, 2006	Back Creek
December 5, 2006	Airmont
December 11, 2006	Chesapeake Meadow
December 12, 2006	Middletown Village
December 14, 2006	Post & Rail Farms
December 20, 2006	Ratledge Road/Jamison Corner Road
January 4, 2007	Midland Farms

The typical meeting format began with a presentation of the status of the project, with an emphasis on the purpose of the Public Workshop/Combined Location/Design Public Hearings. A summary of the recommended Preferred Alternative was then followed by a question and answer session. At the end of each meeting, attendees were encouraged to submit their concerns as a part of the formal public record either at the Public Hearings or by submitting comments on-line or by mail.

Many other meetings were held both before and after the DEIS Public Hearings with individual property owners, groups, and organizations to further clarify the information found in the DEIS and/or discuss potential refinements to the alignment of the Recommended Preferred Alternative (Green North). Among those were the Middletown Corridor Coalition; Hoobers, Inc. and area farmers; individuals and groups from the Ratledge Road area; Tidewater Utilities; and others.

d. Project Office

The Project Office opened on July 7, 2005, at 723 North Broad Street in the Middletown Square Shopping Center. The office provides displays of the project, maps of the alternatives, impacts matrices and comment forms available for visitors. The office hours are Monday from 10:00 AM to 2:00 PM, Thursday from 3:00 PM to 7:00 PM and Saturday from 9:00 AM to 1:00 PM to allow an opportunity for walk-in review and direct input and discussion with project team members. Following the last Public Workshops in April, 2006, the office was closed due to a drop in visitor frequency. The Project Office remained available by appointment throughout the summer and fall of 2007, and re-opened two days per week during the DEIS review and

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



comment period. The Project Office closed on February 5, 2007, following the close of the DEIS comment period on February 3, 2007. Over 700 individuals visited the Project Office.

e. Website

A project website was established at www.us301.org. The website includes comprehensive information about the project with interactive maps, and has been continually updated to present the latest information about alternatives, impacts, meetings and other scheduled events. The website includes a page inviting individual comments on the project. There have been over 1.5 million hits on the project website since its inception. The website continues to provide information about the project progress.

f. Public Workshops

Five sets of Public Workshops have been held throughout the project development process. Notices of the project workshops were advertised in the Delaware News Journal and the Middletown Transcript and posted at more than 40 locations throughout the project area, including a park and ride facility, banks, post offices, police and fire stations, and numerous local businesses. Individuals were notified using the project mailing list. The purpose of these workshops was to present the project to the community, as well as to encourage and receive feedback on the project's purpose and need, goals and objectives, potential alternatives, and impacts to the natural and built environment.

June 20 and 21, 2005 Public Workshops

Almost 800 people attended the first two workshops, held on June 20, 2005 at the Middletown Volunteer Fire Hall and on June 21, 2005 at the Brick Mill Elementary School. Attendees were provided an array of displays which identified the various elements of the project and a comment form. During the workshops, DelDOT provided a PowerPoint presenting the project and the workshop. A set of table maps depicting the preliminary alignments of each of the alternatives in the proposed Range of Alternatives was provided for individuals to review with members of the Project Team.

Over 350 comment forms were returned during the workshops; many more were received during the 30-day comment period that followed. Over 100 comments were received via the project website. In summary, the comments received indicated agreement with the transportation needs being addressed, *i.e.*, traffic, congestion, safety and management of truck traffic. The comments received showed support for the Purple and Green Alternatives, indicated a lack of support for the Yellow, Orange, Brown and Red Alternatives, and several comments requested DelDOT evaluate a direct route south of Middletown from the state line to SR 1 (which became the Blue Alternatives).

Comments regarding the Yellow Alternative included negative comments about the impacts on existing properties and businesses, the lack of separation of through and local traffic, impacts on

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



traffic during construction, and the impacts of placing a major freeway in a populated area. Positive comments cited the apparent lower cost, approved of utilizing the existing US 301 and Boyds Corner Road corridors, and noted that there would be fewer impacts to neighborhoods.

A majority of the comments regarding the Brown Alternative were in favor of dropping the alternative, noting that it would create a new roadway in an undeveloped area, bringing with it associated noise, light and air pollution and altering the integrity and tranquility of the area. Others believed it would be the longest and most costly, affect the most established communities, and impact the Summit Airport. Brown Alternative supporters noted that it would impact the fewest properties and existing businesses during construction.

A majority of those commenting on the Purple Alternative supported it, noting that it would impact fewer existing homes, would encourage truckers to use the SR 1 Bridge, that it bypassed Middletown, and that it would be the shortest, least expensive and most direct route. Those who did not support the Purple Alternative noted that a portion of it would create a new roadway in an undeveloped area, bringing with it associated noise, light and air pollution, thus altering the integrity and tranquility of the area.

A majority of the comments regarding the Green Alternative were supportive. Those who did not support the Green Alternative cited its impacts on Scott Run and the effects of locating a new roadway in an undeveloped area. Positive comments noted its direct route and bypass of Middletown, lack of impacts on existing communities, and low/mid-level environmental impacts.

Comments received regarding the Orange Alternative, later dropped from further consideration, were similar to those about the Yellow Alternative, noting its use of existing corridors and high amount of property impacts, and similar to those about the Brown Alternative's impacts on neighborhoods. Those commenting on the Red Alternative noted the need for a new bridge at Summit and the high cost, and asked for a comparison of SR 896 versus SR 1 access to I-95.

September 12, 13 and 19, 2005 Public Workshops

The second Public Workshops were held on September 12 and 13, 2005 at the Middletown Volunteer Fire Hall and on September 19, 2005 at the Townsend Fire Station. Almost 1,100 persons attended the three workshops, which presented an updated evaluation of the range of alternatives and the impacts of those alternatives. Displays, presentations, table maps and impacts matrices similar to those provided at the June 2005 workshops were available. Attendees were asked to comment on the alternatives that they support (to be retained for further evaluation) or oppose (to be dropped from further consideration) and why.

Over 2,400 comment forms were handed out, and comments were received from 371 of the attendees along with a petition signed by 54 people. During the extended comment period (through October 14, 2005), an additional 685 comments and 1,813 petition signatures were received. Generally, the comments supported retaining the Purple and Green Alternatives for

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



detailed evaluation and dropping the Yellow, Orange, Brown and Blue Alternatives. The comments were split in opinion on the Red Alternative.

The largest number of comments discussed the Green Alternative, with the majority of comments supporting retaining it for further study. Supporters cited similar reasons as at the workshops held in June, 2005, and a large number asked that an adjustment be made where the alternative crosses existing US 301 north of Middletown (move it northward). A majority of comments also supported retaining the Purple Alternative, also citing similar reasons to those received in June, 2005: lower property and environmental impacts; the directness of the route; and a good balance among the issues.

The Yellow and Brown Alternatives received less support. Supporters of the Yellow Alternative continued to cite its use of existing roadway corridors and lower impacts on property values, while those who recommended it be dropped from further consideration cited community impacts (divides Middletown), negative environmental impacts and business impacts. Supporters of the Brown Alternative believed it would impact fewer homes and resolve the dangerous curve at the base of Summit Bridge. Those opposing the Brown Alternative noted its negative impacts on Summit Airport, farmlands, and property values.

The Red Alternative received an almost equal number of supporting and opposing comments. The Blue and Orange Alternatives received the least support. The Blue Alternative, which had not been presented at the June, 2005 workshops, received the strongest opposition, citing its location, high environmental impacts and lack of ability to solve Middletown's congestion problems.

December 5, 6, and 7, 2005 Public Workshops

The third set of Public Workshops was held on December 5 and 6, 2005 at the Middletown Volunteer Fire Hall, and on December 7, 2005 at the Townsend Fire Station. The four retained build alternatives (Yellow, Purple, Brown, and Green Alternatives) were presented at these workshops. The Purple and Green Alternatives were displayed for the first time with the added Spur Roads to the Summit Bridge. The proposed elimination of the toll-free ramps was proposed and two alignment options were presented for the crossing/interchange at existing US 301. Comment forms were distributed that requested the respondent's likes and dislikes for each alternative, their alternative preference (if any), and the reasoning for such preference.

More than 525 persons attended the three workshops, and over 500 comments were received at the workshops and through the extended comment period. In addition, seven petitions containing over 4,900 signatures were submitted expressing support for or opposition to specific alternatives.

In expressing a preference for one of the alternatives, more people expressed an interest in the Yellow and Green Alternatives than the Purple and Brown Alternatives. More comments opposed the Purple and Brown Alternatives than supported them. There were a greater number

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



of people in support of the Green Alternative than opposed. Preferences for and in opposition to the Yellow Alternative were nearly equal. Five of the seven petitions opposed or supported an alternative on a community-oriented basis, opposing the alternative(s) that would pass closest to the respective communities or residences. Petitions were also received from those concerned about impacts to the Middletown Baptist Church (on Armstrong Corner Road) and the New Covenant Church (Jamison Corner Road at SR 896).

Some general and alternative-related themes were repeated with recognizable frequency, such as the need to do something, concern about the amount and pace of development in the project area, and a need to have a timely alternative decision. Alternative-related themes included concerns with changing alignments (mainly addition of the Spur Road to Summit Bridge for the Green and Purple Alternatives), impacts to natural resources, and impacts to communities and community resources.

Specific issues that elicited multiple comments included: the potential closure of the toll-free ramps to the St. George's Bridge over the C&D Canal; impacts to the Middletown Baptist and New Covenant Churches; and the spur roads (need, purpose, nature). The input from the public received at these December workshops led to the Project Team's February, 2006, Issues-Focused Workshops.

February 22 and 23, 2006 Issues-Focused Public Workshops

Two Issues-Focused Public Workshops were held on February 22, 2006 at the Middletown Fire Hall and on February 23 at the Cedar Lane Elementary School. These informal workshops presented the issues raised at the December Workshops and the Project Team's evaluation and response to those issues. These issues included:

- Retention of the toll-free ramps at the SR 1 bridge over the C&D Canal
- Purpose and need for the spur road on the Purple and Green Alternatives
- Potential avoidance or minimization of the impacts to the Middletown Baptist Church and the New Covenant Presbyterian Church
- Potential reduction of the impacts of the proposed interchange to the curve south of Summit Bridge
- Potential minimization of effects on adjacent communities and resources.

An overview presentation of the project status and the issues and potential solutions was given four times during each of the extended (7 hours, from 1:00 PM to 8:00 PM) workshops. Attendees also viewed displays of the project's alternatives and options and were invited to visit workstations where each of the issues was presented in detail.

Nearly 400 people attended the workshops, and fifty people offered written comments either at the workshops or during the comment period. A tally and review of responses led to the belief that there were an insufficient number of comments to provide support or opposition to the

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



alternatives or options presented, although in many cases, the reasons offered for preferring or opposing an alternative or option were property or community oriented.

April 10 and 11, 2006 Public Workshops

Two additional Public Workshops were held on April 10 and 11, 2006, at the Middletown Fire Hall to present refined alternatives for review and comment. Notices of the meeting were extended to residents outside of the project area in Maryland because of concerns about potential toll diversions and the impacts on Maryland's roads and resources. The refinements were developed by the Project Team in response to comments received from the Agencies and throughout the public involvement process. Attendees were invited to view displays, attend a presentation, and review each of the refinements with members of the project team at large table maps showing each alternative and option.

Approximately 350 people attended these workshops, and 132 comments were received. One reason given for the seemingly low attendance is that the Project Team met with over 700 people at informal community meetings in the months following the February Workshops and prior to the April Workshops. In addition to comments, four petitions with a total of 876 signatures were received from people in support or opposition to one or more of the alternatives.

The comment form asked people to indicate their preference for one or more of the alternatives and/or options proposed. People were also asked to indicate which of the proposed options they preferred. Of those indicating a preference, twice as many expressed support for the Green Alternative than for the Yellow or Purple Alternatives. Those indicating a preference for one or more of the options provided some indication of public opinion, but were too insufficient in number to draw conclusions. Petitions received requested the Green and Purple Alternatives be returned to their original alignment and the Spur Road removed, expressed opposition to the Yellow and Purple Alternatives, and expressed support for the Green Alternative with Armstrong Corner Road Area Option 2A.

g. Combined Location-Design Public Hearings and Workshops

A final Public Workshop/Combined Location-Design Public Hearing was held on January 8 and 9, 2007, following DelDOT's announcement of their recommended Preferred Alternative and the publication of the DEIS on November 17, 2006. The hearing was jointly-sponsored by the FHWA, DelDOT and the ACOE. Four hundred fifty-four people attended the two sessions, 20 people provided public testimony, 25 people provided oral testimony privately to a stenographer, 55 written comments were received at the hearings and an additional 65 comments were received via mail or electronic submission. Copies of all of the comments received during the DEIS comment period, either in writing, from written or oral testimony at the Public Hearings, or from the US 301 website, and their responses are included at the end of this Chapter.

Several comments (44) expressed support for DelDOT's Recommended Preferred Alternative - Green North with Armstrong Corner Road Option 2A and Spur Option 3B.

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



Several major issues were identified:

- **Residents of Chesapeake Meadow** supported the Green North Alternative but without the spur road or the Churchtown Road overpass because of concerns regarding noise increases, potential decrease in home values, safety of children in playground and park adjacent to berm, potential toll diversions onto Choptank and Churchtown Roads, the potential bottleneck on Summit Bridge, local use of the spur road (access/tolls), utilities and stormwater management facilities relocations, and effect of the closure of Churchtown Road during overpass construction on emergency access and response time.
- **Residents of Airmont** supported the Green North Alternative with requests for the berm constructed the full length of the road, the roadway below grade where possible, and some traffic control for Jamison Corner Road/Lorewood Grove Road/Road 412A traffic. Their concerns included noise, traffic, and safety on the local roadways within and around their community.
- **Residents and supporters of the Ratledge Road Community** supported the Green North Alternative but asked that the alignment through their neighborhood be adjusted to save their farmlands (Wolleyhan and Emerson Farms) and homes and presented options for this realignment. Their concerns included the inability to replace farmland, health stresses placed on the residents whose homes/farms/livelihoods were jeopardized, and the ability to replace wetlands.
- **Residents of Midland Farms** expressed concern about individual noise impacts, property impacts, and a decrease in property values with the construction of the roadway in their neighborhood.
- **Residents of the Middletown Village and Springmill** communities expressed concerns about the open space/forested areas on the west side of their communities, the wildlife that these areas support, existing treelines, landscaping of the visual berms, light pollution, potential drainage impacts.
- The **Middletown Corridor Coalition** was formed to persuade DelDOT to eliminate the Spur Road and use the land already owned by DelDOT for open space, recreation, and a greenway trail.
- **Farmers** to the west of the new US 301 and the owners of Hoobers, Inc., a company that sells and services large farm machinery, expressed concern about accessibility for farm equipment south of Middletown, and requested that a direct connection be provided between Strawberry Lane and existing US 301.

The majority of other comments received on the DEIS and/or recommended Preferred Alternative expresses individuals' concerns about property impacts, tolls, noise, fairness and timing of property acquisitions, and project costs. Two individuals expressed a concern over the timing of the addition of the Spur Road to the Green Alternative; two individuals suggested delaying construction of the Spur Road until completion of the mainline; and one person expressed opposition to the Green North Alternative.

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



B. Agency Coordination

To facilitate the project development schedule, DelDOT and the environmental resource and regulatory agencies agreed to hold monthly Agency Coordination Meetings for the US 301 project. These US 301 meetings were separate from the usual quarterly DelDOT/Resource Agency Joint Permit Review (JPR) meetings. Representatives of the Federal Highway Administration (FHWA), US Army Corps of Engineers (ACOE), US Environmental Protection Agency (EPA), State Historic Preservation Office (SHPO), US Fish and Wildlife Service (FWS), Delaware Department of Natural Resources (DNREC) and Delaware Department of Agriculture (DDA) participated in these meetings throughout the project development process. The National Marine Fisheries (NMF) did not participate in the meetings but was provided all the project information and data provided to all other agencies.

1. Agency Coordination Meetings

The project initiation meeting was held with the agencies on April 14, 2005. At this first meeting, the Project Team was introduced and historical background, scoping, an initial environmental inventory and a draft Purpose and Need were presented. Additional meetings were held on May 23, July 12, August 23, November 8, and December 8, 2005. In 2006, coordination continued with meetings held on January 17, March 30, June 8, and August 15, 2006. Two joint agency field tours/views were held on May 23, 2005 and July 12, 2005. *Table IV-2* summarizes the schedule of formal agency meetings held to date and outlines the topics discussed.

Table IV-2: Agency Coordination Meetings

Date	Topics Discussed
April 14, 2005	Project Initiation – Introduce the Project Team, provide historical background, begin scoping and Purpose and Need dialog and draft, provide initial environmental inventory.
May 23, 2005	Project Briefing and Field View – Present and discuss a revised schedule, update action items from 4/14/05 meeting, present and discuss the potential range of alternatives, and conduct a field view.
July 12, 2005	Project Update and Range of Alternatives – Provide updates on action items since the field view (5/23/05); update cultural and natural resources investigations and coordination; review content and comments from June 20 and 21, 2005 Public Workshops; discuss range of alternatives and potential alternatives retained; and discuss next steps. A field view followed the meeting.
August 23, 2005	Project Update, Range of Alternatives, and Potential Alternatives Retained for Detailed Evaluation – Provide updates since 7/12/05 meeting; provide traffic analysis and toll option updates; present public outreach update; present and discuss alternatives (recommended dropped from range of alternatives, recommended range of alternatives, potential alternatives retained for detailed evaluation or to be dropped from further consideration; discuss next steps.
November 8, 2005	Final Alternatives Retained for Detailed Evaluation – Provide updates since the 8/23/05 meeting on all aspects of the project; present and discuss traffic updates and rationale for including spur concepts with Green and Purple; discuss and obtain verbal concurrence on alternatives to be dropped from further consideration.

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



Table IV-2: Agency Coordination Meetings

Date	Topics Discussed
December 8, 2005	Project Update, Review of December Workshops, Working Draft EIS Preview – Provide updates since the 11/8/05 meeting on all aspects of the project, present the contents of the workshops, present and discuss Phase II bog turtle survey and impact to project schedule, preview the Working Draft EIS. The Agency Review Draft EIS was provided to all agencies.
January 17, 2006	Project Update, December Workshop Follow-Up, Working Draft EIS Comments – Provide project update since 12/8/05 meeting including cultural and natural resources, finalize bog turtle Phase II survey program details, finalize items from December Workshops, continue to evaluate retained alternatives, and receive agency comments on the Working Draft EIS
March 30, 2006	Project Update, February Workshops Results, Working Draft EIS Comments, Preliminary Section 4(f) Avoidance Analysis – Provide updates on Cultural and Natural Resources and noise analysis, discuss February Workshops results and April Workshop plans, discuss DEIS and comments to date, discuss Section 4(f) Avoidance Analysis, Discuss scope of Bog Turtle Survey (Phase II and III) effort, teams and schedule
June 8, 2006	Project Updates, Bog Turtle Survey Status, Results of April Public Workshops, Noise Analysis Results, Working Draft EIS Comments – Provide updates since 3/30/06 meeting on resources, provide status of Bog Turtle Survey (in progress), provide noise mitigation analysis and earth berms, provide status on next draft of DEIS and potential schedule for path forward
August 15, 2006	Project Updates, Report on Bog Turtle Results, Discussion of Preferred Alternative – Provide project updates since 6/8/06 meeting, provide results of Bog Turtle Surveys, provide updates on traffic modeling and potential toll diversions (Toll Diversion Working Group), provide impacts of all alternatives and facilitate discussion of DelDOT recommendation on a Preferred Alternative.
September 14, 2006	Agency Field View of potential wetland mitigation sites
December 14, 2007	Public Hearing Preview – Provided copies of all hearing materials, including: room layout, joint Public Notice, comment form and information packet, impacts matrix, color copies of the display boards, hearing introductory text, press briefing materials, speakers’ registration forms, right-of-way brochures, DelDOT’s November 13, 2006 Press Release announcing the Preferred Alternative, Delaware News Journal article and editorial following the announcement. Also provided an overview of the hearings’ schedule provided an opportunity to comment on the materials.
January 30, 2007	Agency Field View of the Ratledge Road Area – Viewed and evaluated the area of concern. Also attended by DE News Journal. Identified and evaluated quality of wetlands in the area.
February 8, 2007	Field View Follow-Up Meeting – Recapped comments received at the hearings. Reviewed options for Ratledge Road area alignment.

Individual field views and reviews were also held on a regular basis with agency representatives. The ACOE representative met regularly with project scientists and other agency representatives in the field to review wetland delineations (June 15, June 23, July 12, July 19, August 9, August 19, September 8, November 9, November 16, and December 21, 2005; January 5, January 10, and November 17, 2006; January 24 through March 28, 2007). Coordination with DNREC has included field reviews of bog turtle habitat, RTE species, wetlands and coastal zone consistency on August 8, August 31, September 8, September 22, November 18, 2005, and February 23 and May 11, 2006. Coordination with the SHPO has also proceeded with a series of meetings and field reviews, including those held on July 12, July 28, August 10, August 17, September 13,

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



November 4 and November 9, 2005, and on April 21, May 16, and July 18, 2006; February 5, February 24, June 6 and July 18, 2007.

2. Field Views and Reviews – ACOE

In addition to the regular monthly meetings, members of the ACOE met regularly with the field teams during the wetlands delineation effort. The ACOE and DELDOT committed to early planning and coordination efforts to assure that the wetland information generated would be accurate and reliable. ACOE worked closely with DNREC and the Project Team to verify wetland delineations in the field as well as to determine the quality of each wetland surveyed. *Table IV-3* lists the dates of ACOE field views and meetings.

Table IV-3: ACOE and DNREC –Coordination Meetings and Field Views

June 15, 2005	Natural Resources
June 23, 2005	Natural Resources
July 12, 2005	Agency Field Review (General)
July 19, 2005	Natural Resources
August 8, 2005	DNREC Natural Heritage
August 9, 2005	Natural Resources
August 19, 2005	Natural Resources
September 8, 2005	Agency Field Review – Blue Alternative Alignments
September 22, 2005	DNREC Natural Heritage
November 8, 2005	Natural Resources
November 9, 2005	Natural Resources
November 16, 2005	Natural Resources
November 18, 2005	DNREC Natural Heritage
November 30, 2005	Natural Resources
January 5, 2006	Natural Resources
January 10, 2006	Natural Resources
February 23, 2006	DNREC Natural Heritage
May 11, 2006	DNREC Wetlands and Coastal Zone Consistency
July 21, 2006	Bog Turtle Coordination Meeting
October 31, 2006	Mitigation Site Tour (all agencies)
November 17, 2006	ACOE, DNREC and EPA Bridge crossings field tour
January 30, 2007	Ratlidge Road Area Natural Resources (all agencies)

3. Field Views and Reviews – DNREC

Information on rare, threatened and endangered (RTE) species was requested from DNREC and the US Fish and Wildlife Service (FWS) on May 13, 2005. Responses were received on July 25, 2005 from DNREC’s Natural Heritage and Endangered Species Program (DNHP) and on August 17, 2005 from FWS (see *Appendix C*). The responses indicated the presence of federally endangered bog turtles and bald eagles within the project area as well as several state-listed species of concern.

A small portion of the project area is located in the State of Maryland. Letters requesting information on RTE species were sent to the Maryland Department of Natural Resources (DNR)

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



Environmental Review Unit (ERU) and Wildlife & Heritage Division on October 20, 2005. Responses were received on December 7, 2005 and indicate that no Maryland state listed species were present in the project area.

Due to the high probability of the presence of rare, threatened and endangered species and or potential habitat for those species within the project area (especially bog turtle), members of the Project Team committed to coordinate with members of DNREC through all the phases of bog turtle survey. Coordination and demonstrations of Phase I methodology for potential bog turtle habitat were conducted on August 8, 2005. Field reviews of Phase I habitat areas were conducted on February 23, 2006, and a Phase II/III survey site visit was conducted on May 11, 2006. The results of the Phase I habitat surveys are included in *US 301 Project Development: Investigation for Wetlands and Waters of the United States and Phase I Bog Turtle Habitat Assessment, 2005* (draft November 2005), and the results of the Phase II and Phase III surveys are reported in *Phase II/III Bog Turtle Surveys for US 301 Corridor Improvement Project, August 2006*.

4. Field Views and Reviews – Cultural Resources Evaluation – Section 106

There is a high probability of cultural resources, both architectural and archaeological, being present within the project area. Continuing coordination with the Delaware SHPO office has included meetings and field reviews to determine the presence of cultural resources, the potential for archaeological resources within the alternatives' limits of disturbance, and the eligibility of newly-identified resources for listing on the National Register of Historic Places. Coordination meetings between DelDOT and the SHPO took place on July 28, August 10 and 17, September 13, and November 4 and 19, 2005. Additional meetings were held on February 24, April 21, May 16, and July 18, 2006 to discuss additional newly surveyed resources that may be eligible for listing in the National Register of Historic Places, visual effects, noise impacts to historic resources, a plan to test the hypotheses of the Archaeological Predictive Model, and to begin the field evaluation of potential visual and noise effects. An additional field evaluation of properties affected by the Preferred Alternative was held on February 5, 2007. Members of the Project Team met with the SHPO to complete the provisions of a Memorandum of Agreement (MOA) on June 6 and July 18, 2007. The office of the Maryland SHPO, the Maryland Historical Trust (MHT), was also consulted, and, although MHT did not participate in meetings, they agreed to be a signatory to the MOA and participated in its review. Consultation will continue according to the provisions of Section 106 throughout the completion of the project.

The final *US 301 Project Development Determination of Eligibility Report*, describing architectural resources in the project area, was submitted to the SHPO for concurrence in December 2006. The SHPO and DelDOT have, through consultation, achieved concurrence on boundaries and determinations of eligibility for all surveyed resources. The *Archaeological Predictive Model – US 301 Project Development*, which describes the probability of archaeological sites along the alternatives' alignments, was also submitted in September 2005. The hypotheses presented in this predictive model were tested during June/July 2006 during a Phase I Archaeological Survey conducted on selected locations within DelDOT-owned parcels

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



along the ridge alignment. Following the Phase I Survey, the predictive model was updated and resubmitted in August, 2006. Treatment of potential archaeological sites that may be affected by the Selected Alternative is detailed in the MOA.

The *Draft Document in Support of a Finding of Adverse Effect and Memorandum of Agreement* (September 2007) (Effects Report) details the application of the Criteria of Adverse Effect to properties impacted by the Preferred Alternative. The Effects Report was received by the SHPO on September 11, 2007 for 30-day review and comment. The report describes future steps and consultation to be undertaken to mitigate unavoidable indirect impacts to historic properties. A copy of the MOA, developed in consultation with the SHPO, is included in **Appendix H**.

C. Toll Diversion Coordination

As the traffic projections were being developed for the US 301 project, a significant emphasis was placed on establishing a clear understanding of toll diversions related to the proposed toll plaza near the Delaware/Maryland state line. A thorough understanding of the routes that motorists were likely to use, as well as the magnitude of traffic anticipated on those roads, were evaluated. With that determination, a comprehensive set of mitigation measures intended to minimize diversions, while minimizing impacts to the surrounding communities was developed.

In the summer of 2005, a Traffic Diversion Committee began studying the potential impacts associated with a toll on US 301, and subsequently began developing mitigation strategies. Over 50 people were invited to participate in a series of four working meetings focused on toll diversions. While the meetings generally consisted of approximately 20 participants, all meeting materials were distributed to the entire distribution list of invitees. Members of the US 301 Traffic Diversion Committee included:

<u>Name</u>	<u>Representing</u>
Mark Tudor	Delaware Department of Transportation
Mike DuRoss	Delaware Department of Transportation
Bruce Allen	Delaware Department of Transportation
PJ Wilkins	Delaware Department of Transportation
Don Weber	Delaware Department of Transportation
Pam Steinebach	Delaware Department of Transportation
Ralph Reeb	Delaware Department of Transportation
Darrel Cole	Delaware Department of Transportation
Drew Boyce	Delaware Department of Transportation
Darren O'Neill	Delaware Department of Transportation
Terry Fulmer	Delaware Department of Transportation
Gary Laing	Delaware Department of Transportation
Tom Meyer	Delaware Department of Transportation
Erika Rush	Urban Engineers
Lt. Mark Collender	Delaware State Police
Dennis N. Simpson	Maryland Transportation Authority
Melissa Williams	Maryland Transportation Authority
Mike Nixon	Maryland Department of Transportation
Jim Dooley	Maryland State Highway Administration
James Thompson	Maryland State Highway Administration

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



<u>Name</u>	<u>Representing</u>
Terry Wright	Maryland State Highway Administration – District 2
H. Karl Stoecker	Maryland State Highway Administration – District 2
Robert S. Kiel	Maryland State Highway Administration – District 2
Michael Lewis	Maryland State Highway Administration – District 2
John Janowski	New Castle County, DE
Owen Robatino	New Castle County, DE
Tony DiGiacomo	Cecil County, MD
Gail Owings	Kent County, MD
John Bunnell	Mayor – Town of Cecilton
Shelley McDonald	Town Administrator - Cecilton
Heather Dunigan	WILMAPCO
Bill Swiatek	WILMAPCO
Dan Blevins	WILMAPCO
Tigist Zegeye	WILMAPCO
Greg Carey	Goldman Sachs
Mark Florian	Goldman Sachs
Art Goldberg	URS Corporation
David Schellinger	URS Corporation
Matt Scott	PBConsult
David Earley	PBConsult
Bob Kramer	Kramer Associates
Andrew Bing	Kramer Associates
Ed Thomas	Kramer Associates
Bill Hellmann	Rummel, Klepper & Kahl, LLP
Marcel Klik	Rummel, Klepper & Kahl, LLP
Jim Burnett	Rummel, Klepper & Kahl, LLP
Joe Wutka	Rummel, Klepper & Kahl, LLP
Matt Snare	Rummel, Klepper & Kahl, LLP
Carey Webb	Rummel, Klepper & Kahl, LLP
Ray Harbeson	Rummel, Klepper & Kahl, LLP
Jeff Kuttesch	Rummel, Klepper & Kahl, LLP

The US 301 Traffic Diversion Committee met four times to discuss traffic projections, analysis results and potential traffic diversion issues, and recommend actions to be taken. **Table IV-4** summarizes the topics discussed at the meetings. Among the actions taken was an independent evaluation by the Maryland SHA of the modeling efforts; their comments will be considered in the next round of modeling.

Table IV-4: US 301 Traffic Diversion Committee Meetings

August 25, 2005	Organizational meeting. Reviewed background data and analysis. Suggested additional analyses
October 6, 2005	Discussed ideas, developed potential mitigation measures
December 1, 2005	Discussed ideas, developed potential mitigation measures
March 2, 2006	Finalized potential mitigation measures

Following the March 2, 2006 Traffic Diversion Committee meeting, the elected officials from the town of Cecilton, Maryland requested a presentation to their citizens focusing on the potential toll diversion issues. Accordingly, on March 27, 2006, a meeting was held with the

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



Cecilton Town Council, focusing on the potential toll diversion impacts on MD 213 and on the local roads in and near Cecilton, MD.

As noted previously, Public Workshops were held on April 10 and 11, 2006, at the Middletown Fire Hall to present refined alternatives for review and comment. Notices of the meeting were extended to residents in Maryland because of concerns about potential toll diversions and the impacts on Maryland's roads and resources. Following the April 10 and 11 Public Workshops, a meeting was held on May 8, 2006 with the town of Galena, Maryland to discuss potential toll diversion issues.

In light of the concerns expressed about potential toll diversions in Maryland resulting from the US 301 project, a Toll Diversion Working Group was formed to further examine issues pertaining to potential toll diversions, particularly on roads in Maryland. Members of the Toll Diversion Working Group included:

Mark Tudor
US 301 Project Director
DelDOT

Bill Kiessler, Mayor
Town of Chesapeake City

Dennis Simpson
Deputy Director, Capital Planning
Maryland Transportation Authority

John Bunnell, Mayor
Town of Cecilton

Doug Simmons, Deputy Administrator
Maryland State Highway Administration (MSHA)

Michael Cooper, President
Cecilton Volunteer Fire Company

Richard Lindsay, District Engineer
MSHA

Bonny Anderson
Warwick Area

Captain Bill Dofflemeyer, Commander
Commercial Vehicle Enforcement Division
Maryland State Police

William Manlove
Cecil County Commissioner

Harry Pisapia, Mayor
Town of Galena

Sheriff Barry Janney
Cecil County

Chris Powell, Chief
Galena Volunteer Fire Company

The Toll Diversion Working Group met three times, on July 11, July 25 and August 9, 2006, to discuss traffic analysis results, potential traffic diversion issues, and recommend actions to be taken. The final recommendations of the Toll Diversion Working Group are detailed in **Chapter III Section G.4.d.**

Further coordination is ongoing and will continue throughout the project's completion to assure that treatment of issues arising from potential toll diversions is accomplished.

**US 301 Project Development
Final Environmental Impact Statement
November 2007**



D. Comments Received on the DEIS

The following sections contain all of the comments received on the Draft Environmental Impact Statement, published on November 8, 2007. The public was provided opportunity to comment from the date the document was published through the end of the comment period on February 3, 2007, and at the Combined Location-Design Public Hearing, held on January 8 and 9, 2007. Both hearings provided identical formats for commenting either through traditional public testimony, by testifying to a stenographer, or by providing written comments. Agencies were provided a two-week extension to submit their comments.

1. **Public Testimony – January 8, 2007**
2. **Private Testimony – January 8, 2007**
3. **Written Comments Received at the Workshop on January 8, 2007**
4. **Public Testimony – January 9, 2007**
5. **Private Testimony – January 9, 2007**
6. **Written Comments Received at the Workshop on January 9, 2007**
7. **Online Comment Forms Received during the Comment Period**
8. **Email and Written Comments Received during the Comment Period**
9. **Agency Comments**