

Airmont Community Meeting

April 11, 2013

Introductions

Mark Tudor

Opening Remarks

Secretary Bhatt

Summary of Responses to Airmont Community Questions

Mark Tudor

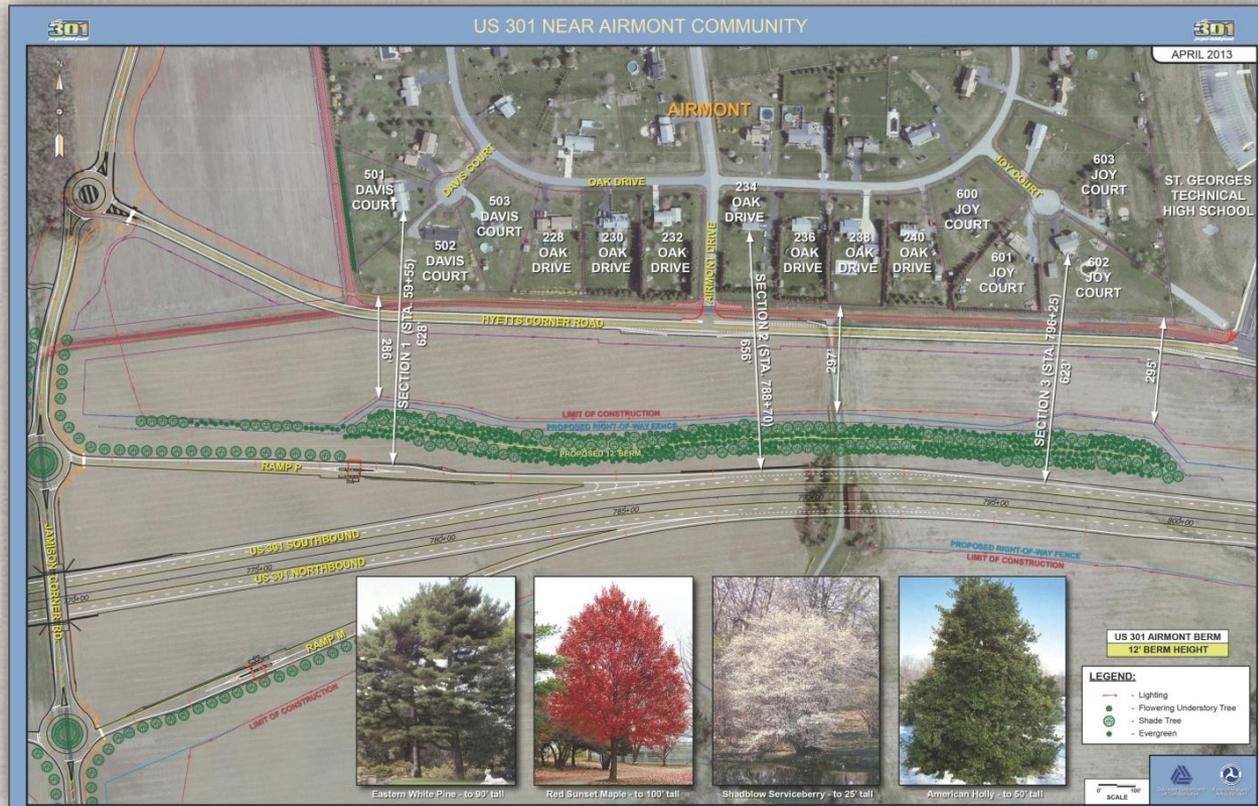
Next Steps

Mark Tudor

Closing Remarks

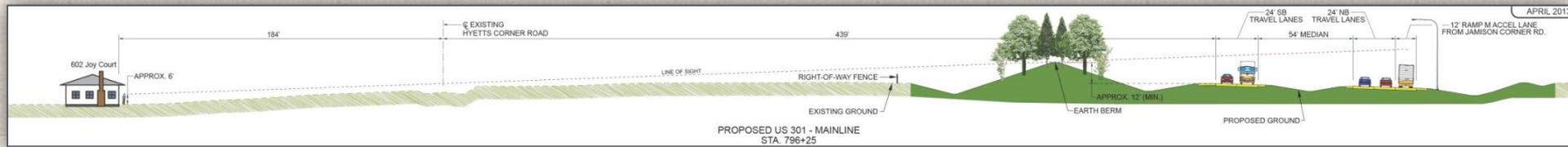
Secretary Bhatt

- ❖ As noted in the November 2007 FEIS, the initial landscaped visual earth berm proposed for the Airmont community was 6' high and extended 1,670'.
- ❖ In November 2011, during the Airmont community meeting, DeIDOT indicated that as part of the design refinements effort, the berm was being modified to be 12' high and would extend 2,000', the full length of the community.
- ❖ The increase in berm height was possible without increasing construction costs.

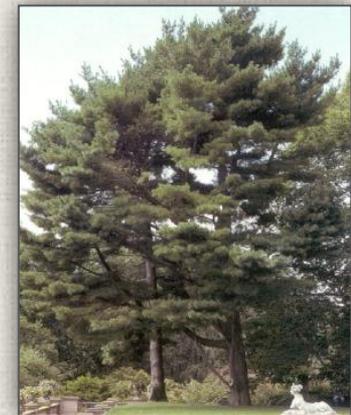


EARTH BERM - VISUAL SCREENING

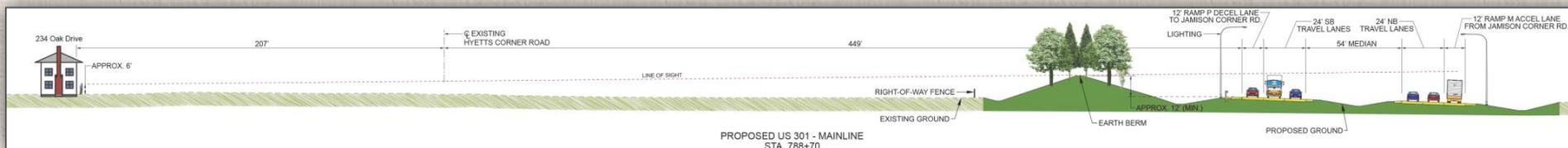
- ❖ All landscaped visual earth berm heights were assessed primarily for effective visual screening and the potential to reduce noise levels.
- ❖ A 12' high landscaped berm will provide more than 12' of vertical screening coverage to the residences in Airmont.
- ❖ Proposed landscaping will provide additional visual screening.



- ❖ As requested by the Airmont community, the core or backbone of the planting will be evergreens, to provide screening throughout the year.
- ❖ The planting design on the berm utilizes a mix of evergreen trees (such as Hollies, Pines and Junipers), major deciduous trees (such as Oaks, Maples and Sycamores), and minor deciduous trees (such as Hawthorn, Witchhazel and Magnolia).
- ❖ This provides a variety of sizes and foliage density to create an effective screening for all seasons.
- ❖ Trees will be planted on both side slopes of the berm and along the Off Ramp P from southbound US 301 to Jamison Corner Road.
- ❖ Additional landscaping is being planted by the Road 412A contractor at the southwest corner of the community.



- ❖ Reduction in sound from the source to receiver is a function of distance, ground cover and whether any solid barrier, berm, wall or other structure blocks the direct line from source to receiver.
- ❖ The proposed 12' high berm effectively blocks all three sources (tire-roadway interaction; engine noise; and stack or exhaust noise).
- ❖ For the Airmont community, the distance from the highway to the residences ranges from 620' to 720'. This distance alone produces a substantial drop-off in sound level.
- ❖ Existing noise levels for the Airmont residences along Hyetts Corner Road range from 50 dBA to 52 dBA.
- ❖ Airmont noise levels, with 12' high berm, are predicted to range between 50 dBA and 54 dBA, an increase of 1 or 2 dBA as compared to existing levels, at 4 of the 22 properties analyzed.
- ❖ An increase of 1 or 2 dBA is not discernible to the human ear.
- ❖ Projected noise levels for a 16' high berm are the same as those for a 12' high berm, except at a single property, where there is a difference of 1 dBA.



- ❖ After the decision in the 2007 FEIS, berm heights were only increased if excess earth material was available from the adjacent construction contract.
- ❖ At the November 2011 Community Meeting, it was noted that updated excess topsoil quantities would accommodate a 12' high berm without increasing construction costs, one of the key criteria in determining berm heights for the US 301 project.
- ❖ Even with two sections of 12' high berms that have already been constructed, there is not adequate excess topsoil available in the area to construct a 16' high berm.
- ❖ \$174,000: Estimated cost to increase the Airmont berm from 12' high to 16' high.
- ❖ \$484,000: Estimated additional cost to construct the Airmont berm in advance of roadway.
- ❖ As was consistently noted at prior community meetings, DelDOT is committed to constructing the berm as early as practicable during construction.
- ❖ While the contractor is ultimately responsible for developing a construction schedule, preliminary concept scheduling, developed by the US 301 Project Team, anticipates that it may be practicable to construct the 12' high berm in the first nine months of construction, assuming reasonable weather conditions.

	Airmont	Spring Arbor
November 2007 FEIS Berm Size	6' x 1670'	10' x 2,840'
November 2011 DRR Berm Size	12' x 2,000'	16'/10' x 2,600'/400'
Noise Impacts (without berm)	0	81
Noise Impacts (with current berm)	0	3
Distance (mainline to dwelling)	620' – 720'	250' – 440'
Distance (mainline to closest property line)	440' – 600'	220' – 415'
Elevations (roadway vs. community)	At the same elevation for most part at closest residences	Roadway 8' – 10' higher than closest residences
Distance (mainline to top of berm)	63'	63'
Noise Levels (dBA) (existing / DY without berm)	(50-52) / (53-57)	46* / (53-64)* <i>*except for 3 sites along Bunker Hill Rd. (57-59)</i>
Noise Levels (dBA) (existing / DY with current berm)	(50-52) / (50-52)* <i>*except for 1 site @ 53 and 1 @ 54</i>	46* / (47-58)* <i>*except for 3 sites along Bunker Hill Rd. (57-59)</i>
Noise Levels (dBA) (existing / DY with 16' berm)	(50-52) / (50-52)* <i>*except for 2 sites @ 53</i>	46* / (47-58)* <i>*except for 3 sites along Bunker Hill Rd. (57-59)</i>
Visual Screening Effectiveness	<ul style="list-style-type: none"> • 12' high berm required to effectively screen large trucks from front row residences 	<ul style="list-style-type: none"> • 10.5' high berm required to effectively screen large trucks from front row residences
Costs	<ul style="list-style-type: none"> • 12' high berm does not increase costs (construction from excess top soil excavation). • Raising berm from 12' to 16' high would increase costs by \$174,000 for additional excavation hauling, SWM, right-of-way, engineering, etc. 	<ul style="list-style-type: none"> • 16' high berm reduced construction costs. • Hauling distance reduced for required excavation to create 58 acres of wetlands at Levels mitigation site. Additional right-of-way donated by adjacent property owner

DY: Design Year 2030

- ❖ A 4' high steel wire right-of-way fence will be constructed between the berm and the community. The fence will be located outside of the ditch at the bottom of the berm.
- ❖ The distance from the fence to the following are:
 - 188' to 261' from Hyetts Corner Road right-of-way
 - 277' to 352' from the residences' property lines
 - 445' to 530' from the Airmont residences
- ❖ The visibility of the fence will be considerably subdued considering the significant distance from the community and the back drop of the berm and landscaping.
- ❖ The image to the right was taken on SR 1, just north of the Biddles Toll Plaza, about 80' from a right of way fence, which is much closer than the fence will be to the Airmont Community.
- ❖ Providing landscaping in front of the fence would require additional right of way, which would increase project costs. Typically, DeDOT places fencing at the right of way line to allow maintenance activities to originate from within DeDOT right-of-way.
- ❖ Hyetts Corner Road and Jamison Corner Road will provide local vehicle, bike and pedestrian access across new US 301 via new overpass structures.



- ❖ A ballot was mailed to each residence in Airmont, to determine if temporarily closing Airmont Drive would be acceptable to the community.
- ❖ A total of 63 ballots were returned to DeIDOT.
- ❖ In order for the ballot measure to pass, 67% of the returned ballots must support the temporarily closing Airmont Drive.
- ❖ The results of the balloting were 55 in support of the closure and 8 in opposition to the closure.
- ❖ 87% of the returned ballots supported the temporary (approximately 3 years) closure of Airmont Drive at the intersection with Hyetts Corner Road.
- ❖ As a result of the ballot measure being supported by the community, the temporary closing of Airmont Drive at the intersection with Hyetts Corner Road will take place during construction of US 301, prior to closing Hyetts Corner Road east of the Vo-Tech high school.
- ❖ The temporary closure of Airmont Drive at Hyetts Corner Road would be accomplished by placing Concrete Safety Barriers across the pavement and adjacent grass areas.
- ❖ Emergency access to the community will be maintained along Jamison Corner Road and Road 412A to the entrance to Lorewood Grove Road. Access to the community entrance on Lorewood Grove Road can also be made via Lorewood Grove Road eastward to US 13. This provides routes for emergency response from either the Odessa Fire Company or the Volunteer Hose Fire Company (Middletown).

- ❖ DelDOT will include a project note in the construction plans, stating that the contractor, workers and subcontractors shall not park construction equipment or personal vehicles within any residential subdivision.
- ❖ DelDOT's Contract Documents require their contractors to investigate and strictly comply with, all federal, state, and county laws and regulations, and city or town ordinances and regulations, including where equipment and workers' vehicles are parked.
- ❖ Parking of construction equipment and vehicles along DelDOT's highways must be on paved areas without obstructing travel or creating a safety hazard.
- ❖ The pavement along Hyetts Corner Road includes 11' lanes and 5' shoulders, so there is not room to park on the pavement without obstructing travel.

- ❖ DelDOT's Contract Documents require contractors to investigate and strictly comply with, all Federal, State, and county laws and regulations, and city or town ordinances and regulations. This includes the New Castle County Noise Ordinance.
- ❖ The New Castle County ordinances are the provisions under which the road construction will be performed.
- ❖ DelDOT does not intend to seek a Noise Waiver from New Castle County for the US 301 construction in the area from Jamison Corner Road to Scott Run.
- ❖ The contractor for this section of US 301 could apply for a waiver.

- ❖ DeIDOT intends to continue a very proactive public outreach effort throughout the construction of US 301, similar to the outreach effort that took place during project development.
- ❖ DeIDOT will establish a Construction Advisory Group, consisting of stakeholders in the vicinity of the new US 301 mainline project that will meet monthly to discuss and address items such as project status, current construction issues, upcoming construction activities, etc.
- ❖ There may be three separate groups, i.e. one group for each design section, to allow for more focused discussions, in view of the 13-mile length of the US 301 mainline project.
- ❖ During construction, DeIDOT will also have contract administration forces located in local Field Offices that are dedicated to the US 301 projects.
- ❖ Contact information for the persons in charge of the administration of each US301 project will be made available to the public.
- ❖ In addition, citizens can address any concerns to the DeIDOT Public Relations section by e-mail (dotpr@state.de.us) or by calling 800-652-5600.

- ❖ The relocated ramp (Ramp R) from US 13 to northbound SR 1 will be toll free.



❖ National Environmental Policy Act (NEPA) requires:

- To the fullest extent possible, that the policies, regulations and laws of the Federal Government be interpreted and administered in accordance with its environmental protection goals; and
- Federal agencies are to use an interdisciplinary approach in planning and decision making.

❖ Federal Highway Administration (FHWA) is committed to:

- The examination and avoidance of potential impacts to the social and natural environment when considering approval of proposed transportation projects.
- A project development process that results in balanced transportation decision making taking into account the potential impacts on the human and natural environment and the public's need for safe and efficient transportation.
- Taking into account the transportation needs of the public in reaching a decision that is in the best overall public interest.

- ❖ The DEIS, FEIS, ROD and Design Refinements Report and supporting technical documents consider the various effects of the project:

Subject	DEIS	FEIS
Businesses	Pages III-26 to III-27 Appendix D	Pages III-28 to III-30 Appendix F
Farms/Farmland	III-19 to III-24	Pages III-20 to III-26 Appendices F and G
Communities / Community Facilities	Pages III-28 to III-34	Pages III-30 to III-38
Man-Made / Natural Resources	Section III	Section III
Community Aesthetics	Pages III-40 to III-41	Pages III-45 to III-46
Air Quality	Pages III-51 to III-64	Pages III-67 to III-80 and III-233 to III-241
Noise	Pages III-64 to III-89	Pages III-80 to III-108

- ❖ The closure of Hyetts Corner Road has been discussed earlier and is addressed on pages 43 to 47 of 81 in the Design Refinements Report.

Note: The Airmont Community was notified of the release of the FEIS. Copies of the FEIS were provided to Mr. Chuck Ott and Ms. Wanda James and the FEIS was placed on the US 301 project website (<http://www.deldot.gov/information/projects/us301/>)

❖ Re-evaluation or Supplemental EIS

- Based on review of the 2013 comments raised by the Airmont community, FHWA DelMar is of an opinion that a reevaluation is not required and that a Supplemental EIS is not warranted:
 - The US 301 FEIS addressed 23 CFR 771 required at the time for the DEIS and FEIS;
 - DelDOT has advanced the US 301 project including design and right-of-way;
 - The design modification changes would not result in significant impacts not evaluated in the EIS; and
 - The new information and circumstances, relevant to environmental concerns and bearing on the proposed action, would not result in significant environmental impacts.

- Based on comments raised by the Airmont community, FHWA DelMar concludes:
 - The 2008 US 301 FEIS and ROD addressed 23 CFR 771 requirements at the time;
 - The NEPA decision document, the 2008 Record of Decision (ROD) remains valid;
 - A Supplemental EIS is not required

- ❖ Roadway alignments that would shift US 301 to the south, further from the Airmont community, similar to the Green South Alternative, were evaluated during the NEPA process.
- ❖ The rationale for not selecting the Green South alternative is noted in the FEIS and ROD.
- ❖ Shifting the alignment to the south in this area was not selected because it required two crossings of the environmentally sensitive Scott Run, while the selected option required a single crossing.
- ❖ Because of the additional crossing and the increased impacts to the Scott Run wetlands and Waters of the US, DNREC preferred the selected option, Green North Option.
- ❖ The project development process is an approach to a balanced transportation decision that takes into account potential impacts on the human and natural environment and the public's need for safe and efficient transportation.

❖ Risk Assessment

- Federal and state agencies agree that air pollution from vehicles can affect the health of individuals and have implemented NEPA, the Clean Air Act (CAA/CAA90) and Federal Regulations.
- CAA/CAA90 requires EPA to establish National Ambient Air Quality Standards (NAAQS) for criteria pollutants based on substantial research to protect public health and welfare, including “sensitive” populations such as asthmatics, children and the elderly.
- 40 CFR 1502.22 provides requirements concerning unavailable or incomplete information, such as the health effect risks on residents adjacent to highways.
- The US 301 air quality analyses were completed in conformance with NEPA, CAA/CAA90 and 40 CFR 1502 per EPA and FHWA guidance.

❖ Impact Evaluation

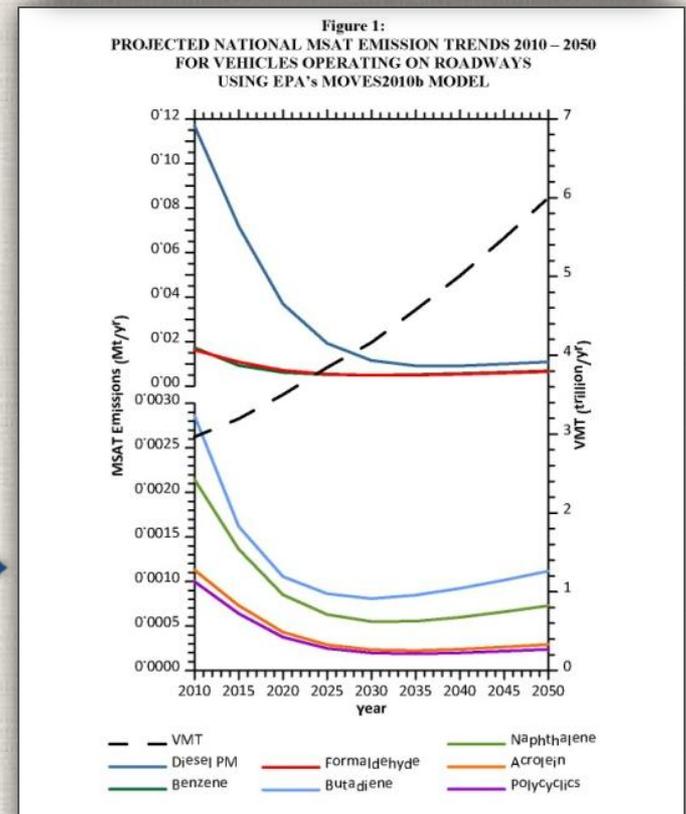
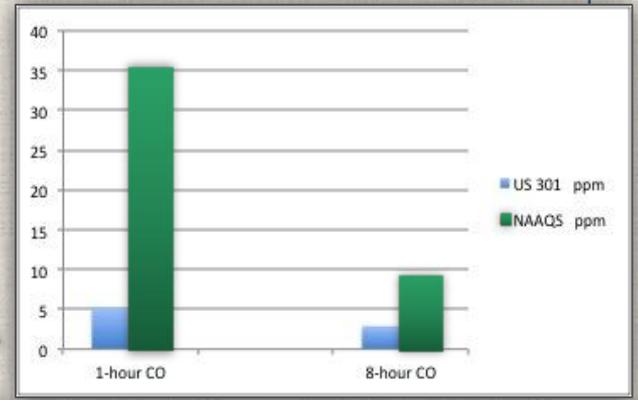
- All criteria pollutants were analyzed by WILMAPCO at the regional level.
- Potential project-level impacts to air quality are included in the project documents.
- Carbon Monoxide (CO) analysis was completed at 25 sites and two intersections .
- FEIS demonstrates that, although the US 301 project is in a nonattainment area for Fine Particulate Matter (PM2.5), due to lack of significant increase of diesel vehicles the project is considered to be not a project of air quality concern .
- Qualitative assessment of Mobile Source Air Toxics (MSAT) in the FEIS the demonstrates that the project is a Project of Low MSAT Potential.

❖ Airmont Community and School Impacts

- Air Quality studies conducted demonstrate that the CO and PM2.5 NAAQS will not be exceeded at communities and schools adjacent to the project.
- Airmont Community / St. George's School are represented in the CO analysis by AQ receptor 3: 236 Oak Drive.
- FEIS presents analysis results:

- Maximum 1-hour CO concentration is 5.2 ppm (14.9% of the CO NAAQS of 35 ppm)
- Maximum 8-hour CO concentration is 2.9 ppm (32.2% of the CO NAAQS of 9 ppm)

- Qualitative analyses for PM2.5 demonstrate the project is not a project of air quality concern and will not cause a new violation or increase an existing violation. Quantitative analysis not required
- Qualitative MSAT assessment demonstrates that any potential slight increase in MSAT levels from the project would be offset by significant reductions projected from EPA's MSAT reduction program



Note: Trends for specific locations may be different, depending on locally derived information representing vehicle-miles travelled, vehicle speeds, vehicle mix, fuels, emission control programs, meteorology, and other factors

❖ **SR 1, SR 896 and Route 13**

- All major roads, inside and outside the study area, are considered in the regional analysis completed by WILMAPCO.
- In addition to the US 301 alignment, the project-level analyses considered traffic on existing major roads in the study area including SR1, SR 896 and US 13:
 - Traffic on the major roads, other than SR 1 north of the study area, decreases from the No-build to Build conditions;
 - Re-aligned US 301 shifts diesel trucks on existing US 301 to a new, more efficient roadway;
 - Use of US 301 will increase operational efficiency and decrease emissions per vehicle.

❖ American Lung Association Study

- ALA Study evaluated ozone and particle pollution levels monitored across the US from 2008 to 2010.
- ALA study used EPA monitoring data and applied an arbitrary letter grade (A-F) to areas based on pollutant levels measured for a certain number of days.
- While the US 301 project documents do not directly address the ALA findings, they do address concerns of the ALA:
 - The US 301 air quality analyses were completed in conformance with NEPA and CAA/CAAA90 which ensure acceptable levels of air quality;
 - DNREC is responsible for implementing and enforcing air quality regulations
- State Implementation Plan (SIP) :
 - Identifies how State will attain and maintain air quality;
 - Consists of rules, technical documentation, and agreements that provide mitigation efforts;
 - State and Federal agencies concur that the 2030 WILMAPCO Transportation Plans, amended to include the US 301 project, are in conformity with Delaware's SIP.

❖ Supplemental Air Quality Analysis and Report

- FHWA has indicated that a Supplemental Environmental Document is not required.
 - CAA/CAAA90 gives federal agencies (EPA/FHWA) responsibility to determine the rules and methods for air quality analysis
 - Project air quality analyses were completed in conformance with CAA/CAAA90, NEPA and EPA/FHWA regulations and guidance
 - Known risks have been discussed, impacts have been shown, and a discussion of unknown or incomplete information has been presented in the project documents
- The Project conforms to the CAA/CAAA90.
 - Will not create a new violation of NAAQS
 - Will not cause an increase to any existing NAAQS violation
 - Meets all requirements for MSAT analysis

- ❖ \$683.77 million: Total estimated cost of the US 301 project (Mainline + Spur Road) (YOE \$'s)
- ❖ \$576.67 million: US 301 mainline total estimated cost, which includes \$387.80 million for mainline construction.
- ❖ Only the new US 301 mainline is moving toward construction at this time

- ❖ The US 301 mainline funding concept proposes the project as a self-supporting toll facility, i.e, toll revenues would fund:
 - Debt service for toll revenue bonds;
 - Highway and toll facilities Operations & Maintenance (O&M) costs;
 - Major capital expenditures during term of bonds; and
 - Repayment of federal TIFIA Loan, if DelDOT is successful in procuring.
- ❖ The current construction funding concept includes Toll Revenue Bonds, possibly a low interest federal Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan and the GARVEE Bonds proceeds remaining after funding design and right-of-way acquisition.
- ❖ While not required for the financial success of the US 301 project, a benefit of a TIFIA loan is the interest rate on the loan could be lower than that of the Toll Revenue Bonds, thus improving the financial plan.
- ❖ Toll Revenue Bonds are currently assumed to be secured by the US 301 toll revenues.
- ❖ DelDOT has utilized a conservative approach in developing the US 301 Mainline Financial Plan in order to minimize risk to the State Transportation Trust Fund and to the State of Delaware.

- ❖ The US 301 mainline project continues to move forward.
- ❖ The Department is in the process of:
 - Acquiring the necessary property / right-of-way
 - Completing final design and construction contract documents
 - Securing the necessary environmental permits
 - Working with the utility companies as they proceed with advanced utility relocations
 - Applying for a low interest federal TIFIA Loan