

# **Attachment E: Secretary Wicks' October 5, 2007 Letter to Elected Officials**

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*Record of Decision*

**Attachment E**

**Secretary Wicks' October 5, 2007  
Letter to Elected Officials**





STATE OF DELAWARE  
**DEPARTMENT OF TRANSPORTATION**  
800 BAY ROAD  
P.O. BOX 778  
DOVER, DELAWARE 19903

CAROLANN WICKS, P.E.  
SECRETARY

October 5, 2007

Senator Steven Amick  
Representative Richard Cathcart  
Representative Bethany Hall-Long  
Legislative Hall  
Dover, DE 19901

Dear Senator Amick and Representatives Cathcart and Hall-Long:

Thank you for your letter and for meeting with our project team and me on August 23 to discuss the US 301 Project, specifically the separation of the "Spur Road" from the Green North + Spur Road preferred alternative. As you know, I also met with Andye and Patrick Daley and Carl Edelin at their request on September 10 to discuss the "Spur Road" issues.

We have evaluated the issues you raised during our meeting and the option of upgrading existing US 301 (rather than providing the Spur Road), that was suggested at the January 2007 workshop/public hearing sessions. The following summarizes the results of our evaluation:

**SPUR VS. WIDENING EXISTING US 301**

- **Traffic** - Traffic analysis is based upon current and future (2030) traffic demands. Origin and destination traffic surveys of roads in the area have shown that approximately 1/3 of the existing and future traffic is destined over the Summit Bridge to and from the Newark Area. The Spur Road more effectively addresses this need, because of the projected growth in the areas south and west of Middletown and the location of the proposed interchange at Levels Road. The Spur also reduces the future traffic demand on other nearby roads, including Choptank Road, north of Churchtown Road (14,500 vehicles per day (vpd) without Spur; 6,200 vpd with Spur) and existing US 301 north of Boyd's Corner Road (37,200 vpd without Spur; 27,900 vpd w/ Spur), and provides a more direct, safer, and faster route to and from the Summit Bridge. We recognize that while the Spur would provide the best way to get to Newark and northern communities, it will not be the only way. Some local drivers will continue to use existing local roads, which are reflected in the traffic projections.

- **Community Impacts** - No residential or commercial relocations are required for the Spur Road. However, in order to avoid or minimize impacts to historic resources as required by federal regulations, significant residential and commercial relocations are required by the need to widen existing US 301 from Peterson Road to Mount Pleasant (nine homes and three businesses and the Ringold Chapel AME Church – see attached list). An additional 14 businesses, three residential properties, and two subdivisions would be partially impacted by the upgrade of US 301.
- **Safety** – Since January 2000, 18 people died in crashes on existing US 301 south of the canal including five on the dualized section north of Boyds Corner Road. These fatalities have occurred at a rate of one every 4½ months. Also, in the 7-year period between January 2000 and December 2006, nearly 250 crashes (a rate of over 3 crashes per month) which resulted in injuries to motorists, pedestrians, or bicyclists occurred on existing US 301 south of the canal. The most recent fatal crash occurred at the intersection of US 301 and Old Summit Bridge Road in July 2007. This intersection was also identified as a Highway Safety Improvement Project (HSIP) site, indicating that accidents have been occurring at a rate that is higher than the statewide average. In the future, if the US 301 spur is *not* built, 30 percent more total vehicles and 70 percent more trucks will be traveling on this section of roadway than if the spur *were* built.

The Spur would provide a safer facility than a widened US 301 primarily for the following reasons:

- Existing US 301 between Petersen Road and Summit Bridge currently has seven signalized intersections and 87 unsignalized intersections/access points. Even with a widened US301 with a median, all of these signalized intersections and access points would remain, meaning the potential for more accidents at these locations would remain. Nationally, of fatal crashes involving two or more vehicles colliding, nearly 80 percent are either angle or head-on collisions, and angle collisions are most often associated with at-grade intersections. The proposed Spur Road would be safer because it has no signalized intersections, no access points, and a continuous, unbroken median.
- A widened US 301 without a spur would also result in higher volumes of local and through traffic, continuing to mix with 18-wheelers (including most local trucks as well as the remaining interstate trucks using US 301 to reach the Summit Bridge). Specifically, between Armstrong Corner Road and Summit Bridge, total traffic volumes would be approximately 33% higher without the spur (37,200 vpd vs. 27,900) while truck volumes would be nearly 70% higher without the spur.

We also have significant concerns about safety along Choptank Road, which is currently being reconstructed and widened to include a bicycle lane. Without the Spur, traffic volumes are projected to be nearly triple the current levels of 5,400 vpd, to 14,500 vpd by 2030, north of Churchtown Road). The increased volumes would increase the potential for crashes of all types.

- **Incident Management and Evacuation Routes** – In case of an accident or other emergency, the Spur provides an effective way for traffic to travel in this area of

Southern New Castle County. The recent accident on existing US301 at Old Summit Bridge Road is a good example of how an incident can severely impair the ability for people to move around without route choices.

- **Timing of Improvements** – Choosing to upgrade US 301 to four lanes will not accelerate the timing of the improvements because the current Capital Transportation Program (CTP) for Fiscal Year 2008 – Fiscal Year 2013 does not have sufficient funds to add this project. The federal funds anticipated over the next six years have been committed to several priority projects, addressing significant congestion issues, such as I-95 and major east-west routes in Sussex County, as well as the replacement of the Indian River Bridge. In order to add this project into the CTP, these and other promised design and construction priority projects throughout the state would need to be delayed. These high priority projects involve congestion and safety improvements of major roadways that have been in our program for several years. If funding were available, which it is not, implementing a major project like an upgrade of US 301 would require several years to plan, process through federal approvals, secure public and agency input and support, design, purchase property for right-of-way and complete construction. Alternatively, the Spur Road would be funded primarily with toll revenue bonds based upon future toll projections, and can be implemented in a timelier manner than an improved US 301.

The Green North + Spur fully meets project purpose and need and is superior to upgrading US 301 from a safety and traffic operations perspective, despite the Spur requiring a higher financial investment. It is well worth the investment and extra funds (\$67-\$83 Million vs. \$105-\$120 Million), given the safety benefits of building the Spur vs. the widening of US301. Federal regulations require the evaluation of multiple factors (like property impacts, wetlands, historic resources, and traffic and safety performance) in making an informed decision of the best transportation alternative. The lowest cost alternative is not necessarily the best alternative, since cost is only one of the factors to be considered. The businesses and residents along existing US301 will also benefit by not being relocated or directly impacted.

## **PROCESS**

The US 301 project has and continues to follow the National Environmental Policy Act (NEPA) process. In addition to the extensive environmental aspects involved in following NEPA, there has been an unprecedented level of community involvement throughout the project development process. These efforts included:

- A stakeholder listening tour involving elected officials, residents, business owners, farmers, emergency service providers and other members of the community.
- Six rounds of public workshops/hearings were conducted in June 2005 (2 sessions), September 2005 (3 sessions), December 2005 (3 sessions), February 2006 (2 sessions), April 2006 (2 sessions) and January 2007 (2 sessions). Each workshop/hearing session was held for three hours except for the two January 2007 workshops/hearings, which were open for 6 hours each.

- Communities near each of the four retained alternatives were offered the opportunity to meet individually with the project team. The project team met with each community that requested a meeting, meeting several times with a number of those communities.
- The project team employed a comprehensive Web site (2.85 million hits and 95,000 visits as of August 2007), a toll-free "hotline" number and mailed thousands of notices and newsletters when appropriate.
- A Project Office was opened in Middletown that provided residents additional opportunities to talk to Project Team members, get additional information, and provide input.

It is important to note that the Spur Road was introduced at the December 2005 workshops. The Spur Road became part of the Green and Purple alternatives because of feedback we received from the public and because the results of our origin and destination traffic survey and confirming traffic projections indicated that 1/3 of the existing US 301 traffic was coming from or going to a location north of the Summit Bridge. It is also important to note that the current 2-lane Spur alignment was identified over 40 years ago as a potential alignment for the 4-lane US301 highway. The alignment had been illustrated in many different ways, including on subdivision plans, New Castle County records, parcel maps, and DelDOT Public meetings and documents throughout the 1990s). Even if you do not include the three workshop sessions during which the Spur Road was introduced in December 2005, there were still three rounds of workshops/hearings (including numerous community meetings) over a period of 13 months in which the Spur Road was subject to public scrutiny and comment. The contention by some that the Spur Road was a "late addition" is not supported by the facts.

The Spur Road was part of the alternatives being considered during the many meetings held to solicit public input. With each of the alternatives, there were people who were supportive and those who were against for various reasons. Each meeting was designed to answer questions from the previous meeting, while working toward a preferred alternative that would result in the best transportation solution that minimizes impacts to communities and environmental resources. At the January 2007 Public Workshop/Hearing Sessions, The Middletown Corridor Coalition (MCC) recommended the Spur Road be deleted and replaced by an upgrade of existing US 301. Although this recommendation was made at the end of a lengthy public process, we evaluated this alternative in detail and have reevaluated our data and assessment of this alternative per your request. These efforts are summarized above and noted in the responses to date to the MCC, which are included on the project Web site. It is my position that we have more than adequately addressed the questions raised by the MCC.

### **SPUR ROAD AS A SEPARATE PROJECT**

Since the Spur Road and the Green + Spur alignment were developed and presented as a single alternative during the development of the Alternatives Retained for Detailed Study Phase, they cannot be easily separated. The NEPA process would require the Alternatives Retained for Detailed Study to be redefined. The alternatives previously

presented (Yellow, Brown, Green + Spur and Purple + Spur), along with the new alternatives, i.e. Green and Purple (without the Spur Road) and upgrading US 301 would need to be presented at an additional public workshop/hearing, at a minimum. Additional coordination and consultation with the environmental resource and regulatory agencies and preparation of additional environmental documents would also be required. These actions would result in a delay of one year or more, further delaying improvements that will reduce congestion and improve safety.

Delaying this process further would also increase costs and likely cause great concern and frustration to the members of the community who have participated in the process to date and who accept the results of our efforts over the past 2 ½ years. The preferred Spur Road does a better job in removing through traffic, especially truck traffic, from our local roads, reducing congestion and improving safety in a timely manner, without delaying other high priority statewide transportation projects.

### **DELDOT COMMITMENTS**

We anticipate that the US 301 project will be implemented in a manner similar to SR1, i.e. it will be designed and constructed in phases. In light of the concerns and issues expressed to you by some of your constituents, the Spur Road could be the last phase constructed. I would be happy to discuss this possibility with you in more detail.

In addition, I reiterate a commitment that has been previously made by the project team to communicate with and involve affected communities during the design and construction phases of the US 301 project. Community involvement and participation will not end just because we have decided on a preferred alignment. These efforts related to the Spur Road will include:

- An early contract to improve the sharp curve south of the Summit Bridge.
- A study of the Spur Road design speed.
- An evaluation of the Spur Road median width.
- Advancing the construction of mitigation (berms and landscaping) ahead of the construction of the Spur Road.

### **SUMMARY**

The US 301 project is a transportation initiative of which the entire state should be proud. After 40 years of debate and indecision, the US 301 project team led an effort that culminated in the selection of an alternative (Green North + Spur) that satisfies a growing transportation need in southern New Castle County. Additionally, this result was accomplished with the broad-based support of the majority of the local community and the state and federal environmental resource and regulatory agencies.

Your request on behalf of some of your constituents to separate the Spur Road from the Green North + Spur Alternative has given us another opportunity to review the



benefits of the Spur Road alternative vs. upgrading existing US301. Our further review as described in this letter brings us back to the Green North + Spur as our preferred alternative. I hope this information clearly explains how we have reached this conclusion.

I appreciate your commitment of time and energy to this important major project. I look forward to your leadership as we continue our efforts to improve transportation services and facilities in southern New Castle County and throughout our state.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolann Wicks". The signature is fluid and cursive, with a large initial "C" and a stylized "W".

Carolann Wicks  
Secretary

CW:pw

Cc: Andy and Patrick Daley  
Darrel Cole  
✓ Mark Tudor

## **UPGRADING US 301**

### ***PETERSON ROAD TO MOUNT PLEASANT PROPERTY IMPACTS AND RELOCATIONS***

#### **TOTAL ACQUISITIONS/RELOCATIONS**

##### **➤ Businesses**

- Ringold Chapel AME Church
- Logullo's Country Market
- M. Medic, Inc.
- KO's Cleaning

##### **➤ Residential**

- 9 Individual Home Owners

#### **PARTIAL IMPACTS**

##### **➤ Businesses**

- Burger King
- Summit Plaza
- Middletown Chevy
- Nu-Car Connection
- Middletown Medical Professional Bldg
- Ciamaricone's Landscaping
- Tri State Materials
- Cooper Wilbert Vault Company
- Mr. Mulch
- Guardian Fence Company
- Rollins Metal Works
- Keenan Auto Body Shop
- 301 Cycle
- Shops of Mt. Pleasant

##### **➤ Residential**

- 3 individual home owners
- Impacts to:
  - Middletown Village
  - Springmill

*Note:* The Recommended Spur Road does not require the total acquisition of any residential homes or businesses.