

Attachment B: Project Commitments

Record of Decision

Attachment B
US 301 Commitments Identified
in the Final EIS and Resulting from FEIS Comments

	Item	FEIS Reference Page
C-1	No direct impact to Wooleyhan & Emerson Farms parcels.	II-4-5
C-2	Visual screening berm for Middletown Veterinary Hospital 6' x 900'	II-5
C-3	Roadway connection between Strawberry Lane and existing US 301 – Alignment Option 1 Modified	II-5
C-4	Evaluate and utilize Low Impact Development (LID) technologies for SWM wherever possible;	II-6
C-5	SWM facilities will be properly designed to prevent groundwater contamination in shallow aquifers and to manage stormwater runoff in accordance with Delaware's Sediment & Stormwater Regulations	III-132, 138
C-6	Proposed retaining walls along SB ramp from SR 1 to US 301 to minimize impacts to Scott Run wetlands identified as potential bog turtle habitat	II-6
C-7	Churchtown Road overpass shifted slightly north to minimize stream and wetlands impacts to minimize residential impacts and provide access for Tidewater Utilities	II-6
C-8	MOT concepts to allow crossroads to remain open during overpass construction (Old Schoolhouse Road, Churchtown Road, Bohemia Mill Road, Bunker Hill Road, Jamison Corner Road, Hyetts Corner Road)	II-6
C-9	Refinements to avoid or minimize community, property and natural resources impacts will continue during final design.	II-6
C-10	Avoid direct impacts to Middletown Baptist Church and parking lot	II-27
C-11	Continue to consult with developers regarding the impacts of US 301 on planned developments.	III-20
C-12	Fair compensation for farmland acquired; also compensation provided for remainder portions left unsuitable or inaccessible for farming.	III-25
C-13	Fair compensation and relocation assistance for residential and business displacements	III-30
C-14	Provide visual screening earth berms for Southridge, Middletown Village, Springmill, Chesapeake Meadow, and Airmont communities	III-35

Attachment B (continued)
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	Item	FEIS Reference Page
C-15	Develop visual screening landscaping where practicable for affected communities, adjacent to new US 301 and the Spur Road, during final design, implement during construction	III-35
C-16	Design new US 301 roadway to accommodate the proposed Scott Run Greenway to provide full connectivity of the greenway paths	III-35
C-17	Construct visual berms and other landscape screening prior to roadway construction, if practicable	III-46
C-18	Design roadway lighting wherever practicable to focus on roadway and away from communities and surrounding landscape to minimize effects.	III-46
C-19	Provide visual and/or noise mitigation for historic properties as determined in consultation with SHPO and other consulting parties, as practicable.	III-46, 67; MOA
C-20	Conduct Phase I/II archaeological testing of LOD prior to commencement of construction, using the predictive model as a tool to determine levels of testing required, in accordance with stipulations in the Memorandum of Agreement.	III-67; MOA
C-21	Include project in regional air quality conformity analysis through construction and operation.	III-73
C-22	Lessen impacts to soils through BMPs (erosion & sediment control, comprehensive grading plans, sediment & soil stabilization techniques) and a comprehensive re-vegetation effort during construction to quickly reestablish vegetative cover for erosion control and to reestablish long-term tree & shrub re-vegetation.	III-128
C-23	Bridge surface water features and wetlands to minimize impacts to waters and wetlands and adjacent resources	III-139; III-181; ROD Attachment C
C-24	Riparian buffer restoration and enhancement (riparian vegetation plantings) along stream corridors and/or adjacent to existing vegetation buffers	III-139
C-25	Continued coordinated review by the regulatory agencies of the project through final design	III-147
C-26	Evaluate retaining walls and alignment changes to further reduce impacts to wetlands/Waters of the US during final design	III-157

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	Item	FEIS Reference Page
C-27	Provide a minimum of 58 acres of wetland mitigation (creation) including forested and emergent areas, some of which must be permanently saturated and some seasonally saturated, on two selected sites (Levels Road site and Pleasanton site). Concept plans will include site specific water budgets and hydrogeomorphic modeling.	III-157 – 161
C-28	Provide an additional seven acres of wetland enhancement and 20 acres of wetland conservation in the Scott Run watershed	III-157 - 161
C-29	Provide approximately 55 linear feet of stream restoration (on Scott Run where Hyetts Corner Road crosses Scott Run) and create approximately 50 acres of new riparian buffer along the northern & southern tributaries of Drawyers Creek	III-157 - 161
C-30	All construction within the 100-year floodplain will comply with FEMA-approved local floodplain construction requirements	III-165
C-31	Provide forest mitigation in accordance with Delaware Forest Conservation Act – approximately 67 acres of forest to be planted on six selected sites	III-173-174
C-32	Provide forest replacement for impacts in Maryland according to the Maryland Reforestation Law and Roadside Tree Law in coordination with Maryland state agencies	III-174
C-33	Minimize impacts to aquatic biota through BMPs & design modifications in sensitive areas; eliminate/reduce non-native species; re-establish native populations in areas where they are removed for construction	III-177
C-34	Obtain a Coastal Zone Consistency Statement before conducting federally permitted activities.	III-185
C-35	Continue coordination with DNREC to avoid, minimize or mitigate impacts to “unique and sensitive areas” such as State Resource Areas and Natural Areas.	III-189
C-36	Coordination between MDSHA and DE DOT to provide a traffic monitoring program to include traffic counts before and after the opening of each of the US 301 weigh stations (in MD at US 301/MD 299 intersection and in DE on northbound US 301 just north of the state line).	III-208

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	Item	FEIS Reference Page
C-37	Continued evaluation of traffic toll diversions, including: <ul style="list-style-type: none"> • evaluation and implementation of truck restrictions and enhanced enforcement efforts on local MD and DE roads • provision of virtual weigh stations on roadways identified as having potential truck diversions due to weigh & inspection stations. • consideration of truck length restrictions on MD 213 • consideration of engineering measures on MD 282 to address excessive speed • consideration of Sassafrass Road/US 301 median closure 	III-208-210
C-38	Limitations of construction activities to weekday daylight hours in accordance with local ordinances; control emissions from construction equipment in accordance with state & federal regulations	III-211
C-39	Continue to adjust and refine the alignment to avoid and/or minimize impacts to individual properties and communities	Section IV response to comments
C-40	Examine the design/length of the earth berm at Airmont to determine whether extending the length of the berm would be feasible/cost effective	Section IV response to comments
C-41	Optimize the design of all berms during final design.	Section IV response to comments
C-42	Continue outreach to affected parties during final design of landscaping and other mitigations where feasible; landscaping to be included in final design	Section IV response to comments
C-43	Do not take the row of trees behind Woodline Drive in Middletown Village	Section IV response to comments
C-44	Do not alter existing pond in Middletown Village near Woodline Drive	Section IV response to comments
C-45	Schedule the advanced acquisition reviews in a more timely manner to address advanced acquisition requests	Section IV response to comments

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	Item	ROD Reference Page
C-46	Provide an early contract to improve the sharp curve south of the Summit Bridge	ROD Page 16
C-47	Undertake a study of the Spur Road design speed	ROD Page 16
C-48	Undertake an evaluation of the Spur Road median width	ROD Page 16
C-49	The construction of mitigation (berms and landscaping) will be an early activity in the roadway construction contracts.	ROD Page 16
C-50	Evaluate the Spur Road alignment in the vicinity of the Steele farm property (encumbered by perpetual agricultural easement), north of the Chesapeake Meadow community, in an effort to reduce impacts.	ROD Page 19
C-51	Minimize grubbing under bridges to the minimum necessary for construction	ROD Page 21
C-52	Contract specifications regarding idling and/or low-sulfur fuels	ROD Page 22
C-53	Use clean fill to construct berms	ROD Attachment I Page 21
C-54	Provide an additional one acre of wetland creation and preserve approximately 6.5 acres of habitat (approximately 3.0 acres of forest and 3.5 acres of wetland) in the vicinity of the Strawberry Lane connector to mitigate impacts of Option 1 Modified	ROD Page 61