

Chapter 5

De-designation of Scenic and Historic Highways

Is there a de-designation process?

A Delaware Scenic and Historic Highway may be de-designated for two reasons: first, if the corridor is designated, but a Corridor Plan is not completed in a timely manner; and second, if the corridor loses the qualities for which it was designated.

Once a Scenic and Historic Highway has been designated by the Secretary of Transportation, the sponsor group has five years from the date of designation to complete an approved Corridor Plan for the Scenic and Historic Highway. If a Plan is not completed and approved by this date, the Scenic and Historic Highway will be automatically de-designated as a State Scenic and Historic Highway.

The second condition that might result in de-designation is related to DeIDOT's annual inspection of Scenic and Historic Highways. When DeIDOT's Scenic and Historic Highways Coordinator conducts an inspection and he or she identifies such a substantial change in the quality, level, or integrity of intrinsic qualities that it appears that the corridor no longer meets the criteria for designation, the de-designation process may be initiated. This process may only begin, however, after DeIDOT has indicated its concerns to the Sponsor in written form including, if possible, a plan for remedial action to restore the qualities for which the roadway was designated, allowing a one-year period for showing progress. DeIDOT can allow more time to accomplish remedial action if necessary. If, however, no remedial action plan is agreed upon, DeIDOT will proceed with de-designation.

The de-designation process will follow generally the same process as the Corridor Plan review process. DeIDOT's Scenic and Historic Highways Coordinator will prepare information documenting how the corridor no longer meets the criteria for designation. This information will be reviewed by DeIDOT's Director of Planning and submitted with his or her recommendation to the State Scenic and Historic Highways Advisory Board for their recommendation. The Advisory Board's recommendation will be submitted to the Secretary of Transportation for a decision on de-designation.

In addition to DeIDOT's ability to initiate a de-designation inquiry, any interested party, including individuals, local governments, counties, tourism departments, historical societies, non-profit organizations and state and federal agencies, may request in writing that DeIDOT initiate this process. This request should include documentation of the reason why the requestor believes the roadway no longer meets the criteria for designation of Scenic and Historic Highways.

Whether DeIDOT initiates an inquiry into de-designation or a member of the public requests this inquiry, public notice will be provided.