



U.S. Department
of Transportation
**Federal Highway
Administration**

DELMAR Division – Delaware

September 30, 2010

**300 South New St., Suite 2101
Dover, Delaware 19904**

In Reply Refer To: HDA-DE

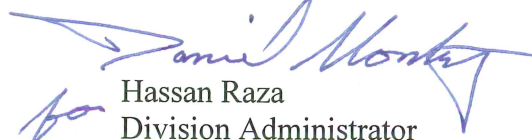
Secretary Carolann Wicks
Delaware Department of Transportation
Dover, Delaware

Dear Carolann:

In response to DelDOT's letter of August 17, 2010 regarding the **US 113 North/South Study, Ellendale Area Project in Sussex County; State Contract 22-127-01 (no federal project number)**, we are approving the cited project as a Finding of No Significant Impact (FONSI) pursuant to 23 CFR 771.121. The FONSI signature page is attached. We are also approving the Public Notice for the 30-day public availability notice in local newspapers.

If you wish to discuss this project, please contact Dan Montag or Nick Blendy of my staff.

Sincerely yours,


Hassan Raza
Division Administrator

cc: Natalie Barnhart, Chief Engineer, DelDOT
Mike Williams, Manager, Public Relations, DelDOT
Mike Simmons, Assistant Director, Transportation Solutions DelDOT
Monroe Hite, Project Manager, Transportation Solutions DelDOT
Robert McCleary, Assistant Director, Engineering Support DelDOT
Terry Fulmer, Environmental Studies DelDOT
Mike Hahn, Environmental Studies DelDOT
Dan Montag, Area Engineer, FHWA DelMar
Jeanette Mar, Environmental Group Leader FHWA DelMar
Nick Blendy, Environmental Specialist, FHWA DelMar
Project File



**DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
FOR**

**US 113 North/South Study, Ellendale Area Project in Sussex County
State Contract 22-127-01 (no federal project number)**

The Federal Highway Administration (FHWA) has determined that the Selected Alternative will have no significant effect on the natural and human environment. This Finding of No Significant Impact (FONSI) is based on the project's Environmental Assessment (EA) dated September 2010 approved by FHWA on September 13, 2010. The EA has been evaluated by FHWA who has determined the document adequately and accurately discusses the identified Purpose and Need, addresses socio-economic, environmental and cultural resources and resulting impacts related to the project, along with appropriate mitigation measures. Project documents provide sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

This FONSI determination is based on the following:

- 1) The project is consistent with the DelDOT US 113 North/South Study and supports the project purpose and need to preserve and protect an approximate seven mile corridor from north of Ellendale to north of Georgetown that would accommodate long-term transportation capacity needs along the 40 mile US 113 Corridor in Sussex County; allow for improved safety; and, accommodate future land development and economic growth in a manner consistent with state legislation and local transportation and land use policies.
- 2) The project provides interconnection of local roadways, separates local and through traffic, maintains access for emergency response vehicles and evacuations and is the best alternative for addressing safety concerns and maintaining community cohesiveness.
- 3) A Section 106 Memorandum of Agreement (MOA) has been executed to address and mitigate the identified cultural resources adverse effects.
- 4) FHWA has completed consultation with the United States Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act. This includes USFWS review of the EA and Biological Assessment which evaluates potential impact on the federally threatened swamp pink (*Helonia bullata*). Based on these consultations, the USFWS concurs that the Ellendale project is unlikely to adversely affect this threatened species.

9/28/2010.

Date



Hassan Raza
Division Administrator



Delaware Department of Transportation

Carolann Wicks, P.E.
Secretary

Public Notice US 113 NORTH/SOUTH STUDY Ellendale Area Environmental Assessment State Contract #22-127-01

Approval of Location and Finding of No Significant Impact

The Delaware Department of Transportation (DelDOT) and the Federal Highway Administration (FHWA) are undertaking a project to identify, select and protect an alignment for a limited access highway from north of Milford south to the Maryland state line, a distance of approximately 40 miles. A limited access highway will be needed to meet the long-term transportation needs in the US 113 corridor to accommodate existing and planned economic growth and development while minimizing impacts to properties and environmental and historic resources. The Ellendale Area, from south of Milford to north of Georgetown, is just one section of a much larger US 113 North/South Study, which will lead to the conversion of US 113 into a limited access highway in Sussex County, Delaware.

The Ellendale Area Environmental Assessment contains the environmental analysis of the **On-Alignment Alternative** which DelDOT identified as the Recommended Preferred Alternative for the Ellendale Area in June 2007. The **On-Alignment Alternative** includes the construction of two additional lanes in and adjacent to the existing right-of-way on the west side of existing US 113 from Hudson Pond to approximately VFW Road, as its Preferred Alternative for this area. These additional lanes would become limited access Southbound US 113. The existing southbound lanes of US 113 would become the limited access Northbound US 113. The existing northbound lanes would become a two-way frontage road providing access for properties fronting on the east side of existing US 113. An interchange (overpass with ramps) would replace the existing US 113/Delaware Route 16 intersection and provide access between limited access US 113 and the local road system. From VFW Road south, to the end of the Ellendale Area portion of the US 113 North/South Study at East Redden Road, development and/or access rights, from the properties fronting US 113, would be acquired by DelDOT. A second interchange constructed in the vicinity of the existing intersection of Road 213, Old State Road, and US 113, would provide access between limited access US 113 and the local road system.

DelDOT and the FHWA, in accordance with the Federal requirements of 23 CFR 771.121, are hereby notifying the public of the issuance of a Finding of No Significant Impact (FONSI) for the project. The FONSI has been prepared in accordance with the National Environmental Policy Act to document and support FHWA's determination that the Selected Alternate would not have a significant effect on the human and natural environment.

Copies of the FONSI documentation are available at the following locations:

- DelDOT Administration Building in Dover
- DelDOT South District Administration Building in Georgetown
- Ellendale Town Hall in Ellendale

The FONSI documentation may also be viewed via the project's website www.deldot.gov/information/projects/us113 or a copy of the documentation may be purchased (for the price of printing) by contacting DelDOT Public Relations at 1-800-652-5600 or (302) 760-2080 (in DE).

Office of Public Relations
Delaware Department of Transportation
800 Bay Road
P.O. Box 778
Dover, Delaware 19903

PUBLIC NOTICE