

Attachment G: Comments from Elected Officials on the Final EIS

Record of Decision

Attachment G

Comments from Elected Officials on the Final EIS



BRUCE C. ENNIS
STATE SENATOR
Fourteenth District

SENATE
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901

COMMITTEES
Adult & Juvenile Corrections, Chair
Combat Drug Abuse
Finance
Revenue & Taxation
Small Business
Veterans Affairs

January 12, 2008

Mr. Mark C. Tudor, P.E.
Group Engineer - Project Development
Department of Transportation
P. O. Box 778
Dover, Delaware 19903-0778

Dear Mr. Tudor:

The purpose of this correspondence is to comment on a portion of the US 301 Project Development Final Environmental Impact Statement (FEIS) that has been submitted to the federal agencies for review in recent weeks. We certainly recognize the years of planning and work that has brought us to this point. We are, however, very concerned about a portion of the DelDot Preferred Alternatives, Sheet 1 of 9, in the final impact study submission, maintaining the benefits to agriculture and prime forestry lands in this area.

The FEIS Sheet 1 of 9 reveals that Option #3 is proposed versus Option #1 for the roadway connector to Strawberry Lane. Option #3 divides the preserved farms of Mr. George & Harold Clay, 1034 and 1038 Middletown Warwick Road, Middletown, DE just east of Strawberry Lane. We are pleased with the efforts of DelDot to ensure the connection to Strawberry Lane will remain open for local traffic and farm equipment, but are not supportive of Option #3. We both represent a large agriculture area, and request Option 1 be given consideration over Option #3. The following are points we hope you will consider:

- Option #1 would permit closeness of existing roadways, Strawberry Lane and Rt. 301, which better serves agriculture, the environment and traffic safety interests.
- Option #1 would prevent higher cost and length of the roadway connector through the Clay properties to Strawberry Lane.
- The Clay's have been supportive of US 301 development project, other farm owners and commercial agland industries in the Middletown area. Both have remained cooperative throughout the project with the Department of Transportation.

- While the Clay's don't claim expertise in wetland issues, they have expressed a willingness to work to enhance existing wetlands through mitigations, and offering additional property to enlarge any loss of wetland areas regarding this project.
- A significant fact that may have not been apparent when the FEIS was written is that issue in New Castle County purchased the development rights from the Clay properties in 2004 to preserve the farm permanently for agriculture and open space although it is currently not shown on state agland preservation maps. By relocating the road to Option 1 over 7 acres of farmland will remain tillable. Whereas, option 3 eliminates these vital acres.
- Right-of-way purchases bordering Strawberry and the Clay farms have already been contemplated which would be favorable for the selection of Option #1.


For the above reasons, we are requesting that consideration be given to the merits of Option 1 versus Option 3, and hope Option 1 will be the final route selected. We hope you share these comments with the federal agencies for their consideration to help avoid any negative effects of the area's agriculture industry and local environment with the US 301 Development Project.

Should you have further questions, please do not hesitate to contact either of us: bruce.ennis@state.de.us or bethany.hall-long@state.de.us. We look forward to hearing from you in the near future. Thank you for your time and consideration of these important issues.

Very truly yours,



Bruce C. Ennis
State Senator
14th District



Bethany Hall-Long
State Representative
8th District

WILLIAM E. POWERS, JR.
COUNCILMAN, SIXTH DISTRICT



COUNCIL

LOUIS L. REDDING CITY COUNTY BUILDING
800 N. French Street 8th Floor
Wilmington, Delaware 19801
(302) 395-8346
Fax: (302) 395-8385
Email: WEPowersJr@co.new-castle.de.us

January 11, 2008

Mr. Mark Tudor, PE
Group Engineer
Project Developer
Delaware Department of Transportation
P.O. Box 778
Dover, DE 19903

Re: Clay Farm
Route #301
Middletown, DE

Dear Mr. Tudor:

There is currently a plan in process to obtain a right-of-way and construct a road east of Delaware Route# 301 through what is known as the Clay Farm.

The original proposal for the development of this road was to construct it somewhat parallel and closely adjacent to the existing Route# 301. This proposal would not have negatively affected the operation of the Clay Farm and other members of the farming community.

The current proposal brings the road farther east of RT#301 and would negatively affect the operation of the farm and other elements of Southern New Castle County's agricultural industry.

Initially, the original proposed road was anticipated to assist the farming community in transporting equipment and crops to many specific entities that commercially support the region's agricultural business. The current proposal would not assist but hamper this necessary local industry.

The Clay Farm is a participant in New Castle County's Farmland Preservation Program. The program enables the County to purchase development rights to preserve existing farms for agricultural or open space uses in the future. In 2004, New Castle County Government invested approximately \$2,300,000 to preserve this farm. Obviously if the current proposed road is constructed, our monetary investment to safeguard local agriculture and our environment will go by the wayside.

I am also concerned that the wildlife habitat may be greatly disrupted by the implementation of your current proposal. The affects of the disruption could vary from the creation of highway safety problems to the survival of a certain animal species.

The proposal currently on the table would create negative affects on the region's agricultural industry and on the local environment. I am requesting that you consider working together with me, other elected officials, the Delaware Farm Bureau and the Delaware Department of Transportation to discuss positive actions going forward that will satisfy all parties involved.

Thank you in advance for your consideration and assistance.

Sincerely,

Bill Powers

William E. Powers, Jr.

WEPJr./rad

CC: County Executive Chris Coons
Charles Baker, Land Use
Senator Bruce Ennis
State Representative Bethany Hall-Long
Carole A. Wickes, Secretary, Dept. of Transportation
Michael T. Scuse, Secretary, Dept. of Agriculture

CHRISTOPHER A. COONS
COUNTY EXECUTIVE

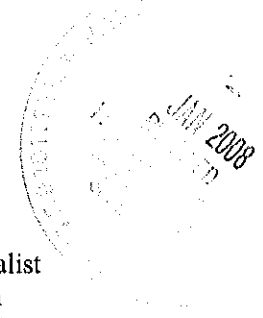


87 READS WAY
NEW CASTLE, DE 19720

January 16, 2008

Mr. Mark Tudor
Project Director
Delaware Department of Transportation
800 Bay Road
Dover, Delaware 19901

Mr. Robert Kleinburd
Realty and Environmental Specialist
Federal Highway Administration
300 South New Street, Room 2101
Dover, Delaware 19904



Re: US Route 301 – Final Environmental Impact Statement
Middletown, DE

Dear Mr. Tudor:

Thank you and the rest of the team working on the 301 Project for your tireless dedication to working with the public and conducting a thorough professional analysis of all of the options and alternatives. As the FEIS is now under review by FHWA, I wanted to express my general support for the final alternative and the exhaustive process conducted by your team.

One remaining issue has come to our attention that we hope you can resolve. As shown on Sheet 1 of 9 of the Preferred Alternative, there is a possibility of a local access road linking US 301 to Strawberry Lane. This proposed local road is aligned to go through a property known as the Clay Farm (Tax Parcels 14010-00020 and 13026-00028).

The Clay Farm is a participant in New Castle County's Farmland Preservation Program. The program enables the County to purchase development rights to preserve existing farms for agricultural or open space uses in the future. In 2004, New Castle County Government invested approximately \$2,300,000 to preserve this farm by way of a Farmland Preservation Easement.

As you finalize the alternative, I would ask that you work with me, Councilman Powers, and other elected officials to develop an alternate solution that will satisfy all parties involved.

Thank you in advance for your consideration and assistance.

Sincerely,

Christopher A. Coons
CAC/clb

CC: Senator Bruce Ennis
State Representative Bethany Hall-Long
Councilman William Powers
Charles Baker, Land Use General Manager

