

June 2006 Workshop Comments

Lincoln Public Workshop - June 19, 2006

255 Attendees

93 comment forms received

Milford Public Workshop – June 20, 2006

219 Attendees

78 comment forms received

The public, including a large representation from the Concerned Citizens of Greater Lincoln, attended the June 2006 Workshops, providing extensive comments and voicing considerable support for the Brown Alternative and opposition to the Green and Purple Alternatives. The Project Team has prepared a response to a number of these comments, based on the more detailed evaluation undertaken over the past several months for all of the refined Alternatives Retained for Detailed Study, including the Brown Alternative.

➤ **Public Comment**

- Brown has fewer environmental impacts than Green and Purple.

➤ **Project Team Comment**

- The Brown Alternative tends to have fewer community impacts but greater impacts to the natural environment than the Green and Purple Alternatives.

➤ **Public Comment**

- The Brown Alternative is shorter and less expensive.

➤ **Project Team Comment**

- The Brown Alternative actually has the greatest overall length at 15.1 miles, but the shortest length of construction on new alignment. The Brown Alternative is less costly than the Yellow and Orange Alternatives, comparable in cost to the Blue and Purple Alternatives, and more expensive than the Green Alternative. Please see the impact matrix handout for more information.

➤ **Public Comment**

- The Brown Alternative impacts fewer homes.

➤ **Project Team Comment**

- Yes, the Brown Alternative requires 20 existing residential acquisitions, compared to 28-59 for the other alternatives. The Green and Purple Alternatives impact 28 and 32 existing homes, respectively. Please see the impact matrix handout for more information.

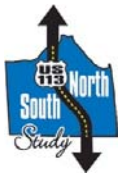
➤ **Public Comment**

- The Green and Purple Alternatives divide Lincoln, while the Brown Alternative does not.

➤ **Project Team Comment**

- Swiggett's Pond, Cabbage Pond, Clendaniel Pond, Cedar Creek, and Hudson Pond provide a natural boundary in the Lincoln area. The Green and Purple Alternatives have been aligned generally along, but separated from, this natural boundary so as not to create an additional boundary.
- However, there would be a number of properties that would be located between the Green and Purple Alternatives and the existing natural boundary indicated above, namely along Clendaniel Pond Road, Greentop Road, and Old State Road, along with a number of additional properties between the Green Alternative and Cabbage Pond, along Cabbage Pond Road and Johnson Road. These roads would pass under new US 113 for both the Green and Purple Alternatives.

Note: Additional details from the public on why they believe the Green and Purple Alternatives divide Lincoln and the Brown Alternative does not would be helpful to the Project Team.



➤ **Public Comment**

- The Green and Purple Alternatives would be elevated for much of their alignment in order to pass over the local roads and the Norfolk Southern Railroad.

➤ **Project Team Comment**

- Yes, the Green and Purple Alternatives, as well as the Brown Alternative, would cross over the local roads as well as the Norfolk Southern railroad. Taking US 113 over the local roads reduces the number of homes taken along the local road. The local roads could be taken over US 113 and the US 113 profile lowered for the section between SR 1 and Greentop Road. However, this would increase the number of homes impacted. Either alternative would still be elevated over Greentop Road and the Norfolk Southern Railroad.

➤ **Public Comment**

- The Green and Purple Alternatives will pollute the ponds.

➤ **Project Team Comment**

- No, for all alternatives DelDOT will employ best management practices for erosion and sediment control, along with stormwater management, in compliance with federal and state requirements necessary to secure the required permits for the project. Run-off from new US 113 will flow into erosion control/stormwater management facilities to improve water quality and minimize potential pollution before being released into streams and ponds downstream.

➤ **Public Comment**

- The Green and Purple Alternatives will impact the Greentop community.

➤ **Project Team Comment**

- The Green and Purple Alternatives will require the acquisition of a number of properties along Greentop Road. In addition, a number of properties will remain adjacent to these two alternatives. However, both churches (Pentecostal Church of God of Lincoln and Union Baptist) would NOT be directly impacted.

➤ **Public Comment**

- The Green and Purple Alternatives will result in air quality impacts.

➤ **Project Team Comment**

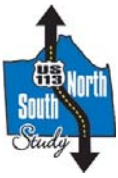
- The results of the project level air quality analysis indicate that the project will not violate the one-hour or eight-hour State/National Ambient Air Quality Standards for carbon monoxide. Carbon monoxide impacts are analyzed as the acceptable indicator of vehicle-generated air pollution. Please see workshop display #8 for more information.
- A region-wide air quality analysis to determine conformity with the State Implementation Plan and to assure the project meets primary and secondary National Ambient Air Quality Standards would be completed when the project becomes programmed for right-of-way, engineering, or construction.

➤ **Public Comment**

- The Green and Purple Alternatives will create noise impacts.

➤ **Project Team Comment**

- A noise analysis, in accordance with Federal Highway Administration guidelines and DelDOT's Noise Abatement Policy, is currently underway for each of the refined Alternatives Retained for Detailed Study. A comparison of existing and predicted future noise levels, including the No-Build Alternative, and the refined Alternatives Retained for Detailed Study will be developed and presented at the next round of public workshops. An impact and mitigation analysis will also be developed and presented at the next round of public workshops. DelDOT will also consider earth berms, where feasible and prudent, to provide visual screening between adjacent communities and new US 113. These earth berms may also reduce or eliminate projected noise impacts. When completed, the results of this analysis will be provided on the project website, likely within the next 45 days. Please see workshop display #9 for more information.



➤ **Public Comment**

- The Green and Purple Alternatives impact schools and churches.

➤ **Project Team Comment**

- The Green, Purple, and Brown Alternatives do not directly impact any school or church buildings.
- The Green Alternative has one school, the Christian Tabernacle, within 900 feet of the centerline of the alternative. The Green Alternative would impact the Christian Tabernacle school property, but not the buildings. The Brown and Purple Alternatives do not have any schools within 900 feet.
- The Green Alternative has two churches (Pentecostal Church of God of Lincoln and Christian Tabernacle) within 900 feet of the centerline of the alternative. The Purple Alternative has one church (Pentecostal Church of God of Lincoln) and the Brown Alternative passes adjacent to property owned by the New Hope Baptist Church along US 113.

➤ **Public Comment**

- Toxic highway pollutants can contaminate Lincoln's drinking water wells. Lincoln homes are 100% dependent upon safe drinking well water.

➤ **Project Team Comment**

- All homes in the study area are dependent on safe drinking water from groundwater resources. New impervious surfaces limit rainfall infiltration and groundwater recharge. All of Sussex County's public drinking water is provided by wells. Nearly all of the wells draw water from confined aquifers, meaning they have significant clay layers between the ground surface and the wells' screens, providing additional protection to the drinking water source. Each of the alternatives has been assessed for new impervious surface area in recharge potential zones and for its proximity to wellhead protection areas. The Orange and Blue Alternatives would create the most new impervious surface in Excellent and Good Recharge Potential Zones. The Brown Alternative would affect an Excellent Recharge Potential Zone area (Herring Branch), while the Green and Purple would predominantly affect Fair and Poor Recharge Zones. Therefore based on available data, the Green and Purple Alternatives are superior to the Brown Alternative with regards to drinking water and well head protection. Please see workshop display board # 7 for more information.

➤ **Public Comment**

- The Purple and Green Alternatives would introduce 26,000 additional vehicles per day through the heart of Lincoln.

➤ **Project Team Comment**

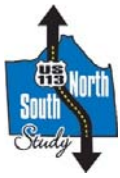
- The Green and Purple Alternatives are projected to carry approximately 38,000 vehicles per day on a summer Saturday. On other days, these alternatives would be expected to carry a somewhat reduced volume. However, the Project Team considers the Green and Purple Alternatives, to be located south of Lincoln, to the north of the ponds, which form a natural barrier, and not through the heart of Lincoln. This again raises the issue regarding the public comment that the Green and Purple Alternatives divide Lincoln. Once more, the Project Team would appreciate additional public input as to why the area to the north of the ponds is considered the heart of Lincoln and why the Green and Purple Alternatives are believed to divide Lincoln.

➤ **Public Comment**

- Why is DelDOT still threatening to divide Lincoln after receiving over 1500 votes rejecting Purple and Green?

➤ **Project Team Comment**

- With respect to the division of Lincoln, see Project Team comments above. With respect to the 1500 votes rejecting Purple and Green, DelDOT must, in selecting a Recommended Preferred Alternative, consider factors in addition to public comments. While public input is an important component of the project development process and has resulted in suggestions to improve and thereby reduce the potential impact of all the alternatives, DelDOT must comply with the National Environmental Policy Act (NEPA) and other Federal and State statutes and regulations in considering all consequences associated with the Alternatives Retained for Detailed Study, including impacts to the natural environment and cultural resources, and socioeconomic effects,



to name a few. The workshop displays illustrate the various factors which DelDOT must consider in reaching an informed decision on a Recommended Preferred Alternative. The Project Team efforts are focused on all factors necessary to identify the least environmentally damaging practicable alternative (LEDPA). If the public continues to support the Brown Alternative, it will be necessary to demonstrate why those alternatives with less impact on the natural environment, i.e. Green and Purple, are NOT practicable, as presented in greater detail under the final comment.

➤ **Public Comment**

- Why can't you simply select Brown and be done with it?

➤ **Project Team Comment**

- All three East Bypass Alternatives (Green, Purple, and Brown) directly impact less and lower quality natural resources than the West Bypass Alternatives (Orange and Blue).
- The Environmental Resource and Regulatory Agencies consider the East Bypass Alternatives preferable to the West Bypass Alternatives.
- In response to the strong public support from the Lincoln area for the Brown Alternative, the Project Team evaluated several alignment options for the Brown Alternative in order to reduce or eliminate the natural environmental impacts associated with the Herring Branch Area (a high quality wetland and habitat, generally divided in two by the original Brown Alternative Alignment).
- Shifting the Brown Alternative south of Herring Branch places new US 113 closer to the center of Lincoln proper and was not considered viable.
- Shifting the Brown Alternative north of Herring Branch would result in significant impact on the Central Parke development currently under construction, requiring an acquisition costing \$30 to \$60 million. These alignments were also not considered viable.
- The Project Team then evaluated narrowing the Brown Alternative Typical Section and removing or relocating access ramps out of the Herring Branch area to reduce impacts. While these modifications did reduce impacts, the Brown Alternative impacts still remained greater than those of the Green and Purple Alternatives.
- The Environmental Resource and Regulatory Agencies, along with the Project Team, reviewed the various alignment options in the field.
- Because the Green and Purple Alternatives impact less and lower quality natural resources, they are considered less environmentally damaging than the Brown Alternative, which impacts and divides the higher quality wooded wetland and habitat complex in the Herring Branch Area.
- The Environmental Resource and Regulatory Agencies consider the Green or Purple Alternatives preferable to the Brown Alternative.
- The Project Team believes that the position of the Agencies regarding the natural resources impacts is supported by the results of the environmental evaluation to date.
- The Resource Agencies can only issue the necessary permits for construction of a project for the alternative considered the least environmentally damaging practicable alternative (LEDPA).
- DelDOT cannot recommend a build alternative that cannot be ultimately permitted and constructed.
- Based on the results of the environmental evaluation to date, the Project Team believes it will be extremely difficult to secure the necessary approvals and permits from the Environmental Resource and Regulatory Agencies necessary to construct the Brown Alternative.

Note: The material provided above was presented at the January 31st, 2007 Milford Working Group Meeting.

➤ **Public Comment** (Following January 31st, 2007 Milford Working Group Meeting)

- So the decision is final and the public has no recourse.

➤ **Project Team Comment**

- No, a decision has NOT been made on a Recommended Preferred Alternative. The Project Team has presented the results of the detailed evaluation of the Alternatives Retained for Detailed Study and the comments provided by the Environmental Resource and Regulatory Agencies, based on that detailed evaluation. To secure DelDOT and Resource and Regulatory Agency support for the Brown Alternative, it would be necessary to demonstrate that both the Green and Purple Alternatives are NOT PRACTICABLE. This demonstration would likely have to be based on community and socioeconomic factors.